HOUSE JOURNAL

OF THE

Sixty-Fourth Legislature

OF THE

STATE OF WASHINGTON

AT

Olympia, the State Capitol

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Convened January 12, 2015
Adjourned Sine Die April 24, 2015
2015 First Special Session
Convened April 29, 2015
Adjourned Sine Die May 28, 2015
2015 Second Special Session
Convened May 29, 2015
Adjourned Sine Die June 27, 2015
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Adjourned Sine Die July 10, 2015

VOLUME 1

Frank Chopp, *Speaker*
Jim Moeller, *Speaker Pro Tempore* Tina Orwall, *Deputy Speaker Pro Tempore*
Barbara Baker, *Chief Clerk* Bernard Dean, *Deputy Chief Clerk*
Patty Moore, *Minute Clerk* Sean Kochaniewicz, *Journal Clerk*

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CHAMBER OPERATIONS COORDINATOR

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FIRST DAY

House Chamber, Olympia, Monday, January 12, 2015

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

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard. The National Anthem was sung by Representative Paul Harris. The Chief Clerk, Barbara Baker led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Fred Williams, Snohomish Community Church, Washington.

Pastor Fred Williams: "Shall we pray. In our father and our God we acknowledge you as being the sovereign God of this universe and amazingly you stand as the sovereign God of this great state. We thank you in that your supreme wisdom you have hand selected every person in this room. There is not one representative that takes his chore in error, their very presence is an acknowledgement of your sovereign will and purpose. We know this because you told us through the apostle Paul that there is no authority except from you and those authorities exist have been instituted by you. And it is because of that that I thank you for every person present. And we stand before you grateful for this great state. This state is a blessing beyond what we deserve in so many ways yet we know that not all is right in Washington and we are in deep need of a spiritual renewal to help us meet the many problems we face. Teach our state's leaders to see these problems with your eyes and in doing so help us as leaders to set our feet on the path of your righteousness and your peace and so I pray for these hand selected leaders. Give them the wisdom to know what is right and the courage to do it and may we never forget that blessed is the nation whose God is the Lord. And it is because of your son, our great savior, that I pray these words. Amen."

The Chief Clerk called upon Representatives Laurie Jinkins and Jay Rodne to escort Justice Susan Owens of the Supreme Court of the State of Washington to the rostrum.

FORMAT CHANGED TO ACCOMMODATE TEXT

MESSAGE FROM THE SECRETARY OF STATE

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

Mr. Speaker:

I, Kim Wyman, Secretary of State of the state of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the Office of State Representative at the state General Election held in the state of Washington on the 4th day of November 2014, as shown by the official returns of said election now on file in the Office of the Secretary of State:

REPRESENTATIVES ELECTED NOVEMBER 4, 2014

District	Counties Represented	Name	Party
1	King,* Snohomish*	Derek Stanford	Prefers Democratic Party
		Luis Moscoso	Prefers Democratic Party
2	Pierce,* Thurston*	Graham Hunt	Prefers Republican Party
		J.T. Wilcox	Prefers Republican Party
3	Spokane*	Marcus Riccelli	Prefers Democratic Party
		Timm Ormsby	Prefers Democratic Party
4	Spokane*	Bob McCaslin	Prefers Republican Party
		Matt Shea	Prefers Republican Party
5	King*	Jay Rodne	Prefers Republican Party
		Chad Magendanz	Prefers Republican Party
6	Spokane*	Kevin Parker	Prefers Republican Party
		Jeff Holy	Prefers Republican Party
7	Ferry, Okanogan,* Pend Oreille, Spokane,* Stevens	Shelly Short	Prefers Republican Party
		Joel Kretz	Prefers Republican Party
8	Benton*	Brad Klippert	Prefers Republican Party
		Larry Haler	Prefers Republican Party
9	Adams, Asotin, Franklin,* Garfield, Spokane,* Whitman	Susan Fagan	Prefers Republican Party
		Joe Schmick	Prefers G.O.P. Party
10	Island, Skagit,* Snohomish*	Norma Smith	Prefers Republican Party
		Dave Hayes	Prefers Republican Party
11	King*	Zack Hudgins	Prefers Democratic Party

District	Counties Represented	Name	Party
		Steve Bergquist	Prefers Democratic Party
12	Chelan, Douglas, Grant,* Okanogan*	Cary Condotta	Prefers Republican Party
		Brad Hawkins	Prefers Republican Party
13	Grant,* Kittitas, Lincoln,* Yakima*	Tom Dent	Prefers Republican Party
		Matt Manweller	Prefers Republican Party
14	Clark,* Klickitat, Skamania, Yakima*	Norm Johnson	Prefers Republican Party
		Gina R. McCabe	Prefers Republican Party
15	Yakima*	Bruce Chandler	Prefers Republican Party
		David V. Taylor	Prefers Republican Party
16	Benton,* Columbia, Franklin,* Walla Walla	Maureen S. Walsh	Prefers Republican Party
		Terry R. Nealey	Prefers Republican Party
17	Clark*	Lynda Wilson	Prefers Republican Party
		Paul Harris	Prefers Republican Party
18	Clark*	Brandon Vick	Prefers Republican Party
		Liz Pike	Prefers Republican Party
19	Cowlitz,* Grays Harbor,* Lewis,* Pacific, Wahkiakum	Dean Takko	Prefers Democratic Party
		Brian Blake	Prefers Democratic Party
20	Clark,* Cowlitz,*Lewis,* Thurston*	Richard DeBolt	Prefers G.O.P. Party
		Ed Orcutt	Prefers Republican Party
21	Snohomish*	Strom Peterson	Prefers Democratic Party
		Lillian Ortiz-Self	Prefers Democratic Party
22	Thurston*	Chris Reykdal	Prefers Democratic Party
		Sam Hunt	Prefers Democratic Party
23	Kitsap*	Sherry V. Appleton	Prefers Democratic Party
		Drew Hansen	Prefers Democratic Party
24	Clallam, Grays Harbor,* Jefferson	Kevin Van De Wege	Prefers Democratic Party
		Steve Tharinger	Prefers Democratic Party
25	Pierce*	Melanie Stambaugh	Prefers Republican Party

District	Counties Represented	Name	Party
		Hans Zeiger	Prefers Republican Party
26	Kitsap,* Pierce*	Jesse Young	Prefers Republican Party
		Michelle Caldier	Prefers Republican Party
27	Pierce*	Laurie Jinkins	Prefers Democratic Party
		Jake Fey	Prefers Democratic Party
28	Pierce*	Richard (Dick) Muri	Prefers Republican Party
		Christine Kilduff	Prefers Democratic Party
29	Pierce*	David Sawyer	Prefers Democratic Party
		Steve Kirby	Prefers Democratic Party
30	King,* Pierce*	Linda Kochmar	Prefers Republican Party
		Roger Freeman	Prefers Democratic Party
31	King,* Pierce*	Drew Stokesbary	Prefers Republican Party
		Christopher Hurst	Prefers Independent Dem. Party
32	King,* Snohomish*	Cindy Ryu	Prefers Democratic Party
		Ruth Kagi	Prefers Democratic Party
33	King*	Tina Orwall	Prefers Democratic Party
		Mia Su-Ling Gregerson	Prefers Democratic Party
34	King*	Eileen L. Cody	Prefers Democratic Party
		Joe Fitzgibbon	Prefers Democratic Party
35	Kitsap,* Mason, Thurston*	Dan Griffey	Prefers Republican Party
		Drew C. MacEwen	Prefers Republican Party
36	King*	Reuven Carlyle	Prefers Democratic Party

[redacted]

District	Counties Represented	Name	Party
		Elizabeth Scott	Prefers Republican Party
40	San Juan, Skagit,* Whatcom*	Kristine Lytton	Prefers Democratic Party
		Jeff Morris	Prefers Democratic Party
41	King*	Tana Senn	Prefers Democratic Party
		Judy Clibborn	Prefers Democratic Party
42	Whatcom*	Luanne VanWerven	Prefers Republican Party
		Vincent Buys	Prefers Republican Party
43	King*	Brady Walkinshaw	Prefers Democratic Party
		Frank Chopp	Prefers Democratic Party
44	Snohomish*	Hans Dunshee	Prefers Democratic Party
		Mark Harmsworth	Prefers Republican Party
45	King*	Roger Goodman	Prefers Democratic Party
		Larry Springer	Prefers Democratic Party
46	King*	Gerry Pollet	Prefers Democratic Party
		Jessyn Farrell	Prefers Democratic Party
47	King*	Mark Hargrove	Prefers Republican Party
		Pat Sullivan	Prefers Democratic Party
48	King*	Ross Hunter	Prefers Democratic Party
		Joan McBride	Prefers Democratic Party
49	Clark*	Sharon Wylie	Prefers Democratic Party
		Jim Moeller	Prefers Democratic Party

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the state of Washington at Olympia, this 2nd day of December 2014.

KIM WYMAN
Secretary of State

MESSAGE FROM THE GOVERNOR

January 8, 2015

Barbara Baker, Chief Clerk House of Representatives
P.O. Box 40600 Olympia, WA 98504

Dear Chief Clerk Baker:

Pursuant to Article II, Section 15 of the Washington State Constitution, I am appointing Carol Gregory to the Legislative District 30, Position 2 vacancy in the House of Representatives.

Very truly yours,

Jay Inslee
Governor

The Clerk called the roll and a quorum was present.

OATH OF OFFICE

Justice Susan Owens administered the Oath of Office to members of the House of Representatives. The Certificates of Election were distributed to the members.

RESOLUTION

HOUSE RESOLUTION NO. 2015-4600, by Representatives Sullivan and Kretz

BE IT RESOLVED, That no later than Friday, January 30, 2015, the nineteenth legislative day, the House of Representatives shall meet to consider adoption of permanent House Rules for the Sixty-Fourth Legislature; and
BE IT FURTHER RESOLVED, That temporary House Rules for the Sixty-Fourth Legislature be adopted as follows:

TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES
SIXTY-FOURTH LEGISLATURE 2015-2016

HOUSE RULE NO.	
Rule 1	Definitions
Rule 2	Chief Clerk to Call to Order
Rule 3	Election of Officers
Rule 4	Powers and Duties of the Speaker
Rule 5	Chief Clerk
Rule 6	Duties of Employees
Rule 7	Admission to the House
Rule 8	Absentees and Courtesy
Rule 9	Bills, Memorials and Resolutions - Introductions
Rule 10	Reading of Bills
Rule 11	Amendments
Rule 12	Final Passage
Rule 13	Hour of Meeting, Roll Call and Quorum
Rule 14	Daily Calendar and Order of Business
Rule 15	Motions
Rule 16	Members Right to Debate
Rule 17	Rules of Debate
Rule 18	Ending of Debate - Previous Question
Rule 19	Voting
Rule 20	Reconsideration
Rule 21	Call of the House
Rule 22	Appeal from Decision of Chair
Rule 23	Standing Committees
Rule 24	Duties of Committees
Rule 25	Standing Committees - Expenses - Subpoena Power
Rule 26	Vetoed Bills
Rule 27	Suspension of Compensation
Rule 28	Smoking
Rule 29	Liquor
Rule 30	Parliamentary Rules
Rule 31	Standing Rules Amendment
Rule 32	Rules to Apply for Assembly
Rule 33	Legislative Mailings

Definitions

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

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

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

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

"Fiscal committee" means the appropriations, capital budget, finance, general government & information technology, and transportation committees.

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

Chief Clerk to Call to Order

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

Election of Officers

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

Powers and Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

Chief Clerk

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

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

Duties of Employees

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

Admission to the House

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

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

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

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

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

Absentees and Courtesy

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

Bills, Memorials and Resolutions - Introductions

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

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

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

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

Reading of Bills

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

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

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house. The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) SECOND READING. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of

each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.
When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

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

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

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

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

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

Amendments

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

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

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

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

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

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

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

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

Final Passage

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

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

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

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

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

Hour of Meeting, Roll Call and Quorum

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

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

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

Daily Calendar and Order of Business

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

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

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

Second: Introduction of visiting dignitaries.

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

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

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

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

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

Eleventh: Announcements.

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

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

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

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

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

Motions

Rule 15. Rules relating to motions are as follows:

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

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

(1) Privileged motions:

Adjourn
Adjourn to a time certain
Recess to a time certain
Reconsider
Demand for division
Question of privilege
Orders of the day

(2) Subsidiary motions:

First rank:	Question of consideration
Second rank:	To lay on the table
Third rank:	For the previous question
Fourth rank:	To postpone to a day certain

To commit or recommit
To postpone indefinitely
Fifth rank: To amend

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

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

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

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

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

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

Members Right to Debate

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

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

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

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

Rules of Debate

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

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

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

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

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

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

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

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

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

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

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

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

Ending of Debate - Previous Question

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

The previous question is not debatable and cannot be amended.

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

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

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

Voting

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

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

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

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

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

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

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

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

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

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

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

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

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement

for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

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

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

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

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

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

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

Call of the House

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

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

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

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

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

Appeal from Decision of Chair

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

Standing Committees

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

1. Agriculture & Natural Resources 13
2. Appropriations 33
3. Business & Financial Services 11
4. Capital Budget 9
5. Commerce & Gaming 9
6. Community Development, Housing & Tribal Affairs 7
7. Early Learning & Human Services 11
8. Education 21
9. Environment 11
10. Finance 15
11. General Government & Information Technology 7
12. Health Care & Wellness 15
13. Higher Education 13

14. Judiciary 13
15. Labor 7
16. Local Government 9
17. Public Safety 9
18. Rules 23
19. State Government 7
20. Technology & Economic Development 13
21. Transportation 25

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

Duties of Committees

Rule 24. House committees shall operate as follows:

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

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

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

(D) DUTIES OF STANDING COMMITTEES.

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

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

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing

committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

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

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

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

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

Suspension of Compensation

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

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

Smoking

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

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

Liquor

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

Parliamentary Rules

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

Standing Rules Amendment

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

Rules to Apply for Assembly

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

Legislative Mailings

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

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4600.

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

HOUSE RESOLUTION NO. 4600 was adopted.

ELECTION OF THE SPEAKER

Representative Sullivan: "Thank you Madame Chief Clerk. It is an honor today that I stand today in support of Frank Chopp for Speaker of the House of Representatives. You know we are going to face some tough challenges over the next several years. It is going to require that we work hard and that we work together to get the job done, but it's also going to require extraordinary leadership and that is one of the reasons why I am proud to stand today in support of Representative Chopp for Speaker of the House.

Many of you know Representative Chopp is the longest serving Speaker in the history of the State of Washington. He doesn't like to talk about that and if I had asked him before this nomination speech today I am sure he would have asked me not to mention this but I think it's important because it reflects actually his successes and his abilities to move this state forward. He's done an extraordinary job and I look forward to the next two years. During the great recession we looked at a number of budgetary cuts. Representative Chopp was really instrumental and worked very hard to ensure the safety net was maintained so that our most vulnerable had access to critical services they need. He has worked hard to really advance early learning, K-12 and higher education. He has worked to ensure that Washingtonians have access to health care. He's had successes, the thing that I really admire in him is that rather than seeking accolades or looking for compliments, he simply rolled up his sleeves and went to work on the next task. Now I know that some of you may say that's only because he is afraid of the press, which is actually true, but really it is his work ethic. He works as hard, or harder, than anybody in this chamber. The last thing I just want to point out how much I admire is his respect for this institution. You know we see government and really politicians vilified often in the press but the fact is Representative Chopp has served with integrity, an inclusiveness that really reflects well upon all of us here in this chamber, that is something I admire very much. I think for anybody who has been here for more than a year either on this side of the aisle or the other side of the aisle and we've asked for help in order for us to be successful here or in our work, Representative Chopp has been there to help us. He wants all of us to be successful as individuals and he wants this institution to be successful. So Madame Chief Clerk, I would ask that we support Representative Frank Chopp to be the next Speaker of the House of Representatives.

MOTION

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

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

Representative Sullivan escorted Speaker Frank Chopp to the rostrum.

OATH OF OFFICE

Justice Susan Owens administered the Oath of Office to Speaker Chopp.

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

SPEAKER'S REMARKS

Mr. Speaker: "Thank you, Pat, for those kind words. You are a tremendous leader and a great friend.

To get started, please join me in welcoming all the new members to the People's House. I look forward to working with each of you. We all have loved ones back home, making it possible for us to serve. Without my wife Nancy's love and advice, I wouldn't be here. And I am very grateful for the support of my son and daughter. So let's hear it for our families.

Next, please join me in welcoming back Republican Leader Dan Kristiansen. Dan, we all watched with great sorrow the landslide at Oso. We thank you for all your work to help the community respond and heal. Despite the tragedy of that disaster, the spirit of community was inspiring. People came to help from all over: folks in logging boots grabbing chainsaws, and volunteers handing out blankets and soup. We recognize the people of Darrington and Arlington for their selfless service. And, the Sauk Suiattle Tribe for all the support they contributed. They showed us what it means to be "Oso Strong." People pitching in, not because they have to – but because here in Washington, that's what we do. So let's talk about what we can do together, this legislative session. How can we help our neighbors and families? In the end, if you strip away all of the bill numbers and jargon, I believe it comes down to two simple words: Equality and Opportunity.

While they are connected, the distinction is important. If we believe in equality for all, we must protect the rights of our people and ensure that they have the basic resources they need. If we believe in opportunity for all, we have to act to remove the barriers to a good education and economic security.

The American Dream of upward mobility is fundamental to our beliefs. That means we must address the concentration of wealth, root out the legacy of racism, and capture the economic benefits of a more just society. It shouldn't matter whether your parents drove you home from the hospital in a Lexus or a Chevy pickup truck. Every child deserves a chance for an education, because a quality education is the great equalizer.

Our major employers are importing workers from out of state because some of our kids are not prepared for the workplace. As we focus on funding K-12 education, early learning, and higher education, we need solutions that put our kids in those jobs! We can do this!

Look at what we have done to end inequality in health care, a basic human right. Before we had Apple Health for All Kids, working parents with minimum wage jobs prayed their kids never broke an arm or got seriously sick. The lawmakers in this House led the way. Now 800,000 kids are enrolled in Apple Health. That's more than a million parents who aren't staying up all night worrying about how they're gonna pay the medical bills.

You expanded Medicaid for 500,000 adults and 600,000 residents got dental care. Your actions removed a huge barrier to equality and created thousands of good paying jobs in health care across our state. There is more to do this year.

I bet every person here today has a neighbor, friend, or loved one who has dealt with the challenges of mental illness. In any given year, a large percentage of our population will experience

mental illness. It cannot be overcome by an individual's "will power." It's a disease that can happen to anyone, at any time. As Representative Cody says, health care shouldn't just cover things from the neck down. So to start, let's quickly pass Joel's Law, which left the House with a unanimous vote last year. Let's fund more Evaluation and Treatment Centers, and provide more beds.

Most people who experience a mental health crisis will get better if they get the treatment they need. Much of the cost of mental illness is not the treatment, it is the loss of income due to disability, unemployment and public safety expenses. We fuel these costs and cause unacceptable suffering by not adequately funding mental health. We must stop warehousing people with mental illness, in prisons and hospital hallways!

The Supreme Court says we must fix our broken mental health system. But the Court should not drive us. Fixing the system is the right thing to do. It is the moral thing to do.

Equality is also about economic fairness. For too many families, our recovering economy isn't helping them. The system isn't fair. They're working hard and playing by the rules. But the price to buy or rent a home, or send their kids to college, skyrockets while their paychecks stall.

Everybody deserves a chance at giving their kids a better life than they had. My dad worked in the coal mines in Roslyn starting at the age of 12, to support the family. For 32 years, he worked as an electrician at the Navy Yard in Bremerton. My mom worked in a school cafeteria and got her high school diploma at age 69 at Green River Community College. For my parents, success wasn't having a big house or driving a fancy car.

Success was watching all four of their children graduate from the University of Washington. That's the kind of parents they were: the point of work and life, was to help their kids, and others.

This session let's focus on keeping the American dream alive. For a lot of people, that dream is a myth. For them, a fair day's work does NOT mean a fair day's pay. Their wages are too low to meet the basic needs of their families. That's why we should work to create jobs and boost the paychecks of working people. We should build on the essential American values of equality AND opportunity.

We should raise the minimum wage to provide that opportunity! Opportunity provides the chance for people to reach their dreams. Opportunity gives no guarantees. Except, if you take advantage of that chance, you might find yourself someplace better than where you started: a better job, a stable family with healthy kids, a roof over your head.

Research proves that the investments we make to increase opportunity for our people can deliver powerful returns. But the fact is: If there is no INVESTMENT – there can be no RETURN on investment.

Nowhere is that clearer than with education. The real message from the Supreme Court's McCleary decision is that we need to invest in expanding opportunity for our kids. Several years ago, the Legislature passed two education reform bills – House bills 2261 and 2776. Together, these bills are the foundation to better fund public education.

In 2013, the House passed a budget that would have funded the first phase of McCleary. Working with the Senate, we need to make way more progress this year. However, let us remember that equality in meeting basic needs is required before a child can benefit from educational opportunities. Almost one in five children in our state are living in poverty, often without the resources they need to be healthy and ready to learn.

The odds are rigged against kids who come to school sick, hungry or homeless. We must address poverty if we are going to solve the achievement gap and improve school graduation. You cannot solve a math problem at school when you are distracted with figuring out where you are going to sleep at night. We certainly need to invest more on our schools, but not at the expense of meeting a kid's basic needs. And shame on us if we don't do right by our children this session.

More than 100 years ago, a lawmaker from Puyallup named John Rogers saw how things were changing from farms to factories. Back then, hardly anybody graduated from high school or went to college. He and other lawmakers had the vision to pass the Barefoot Schoolboy Act, providing money to pay for a high school education for EVERY child. Not just the rich, but also the kids of farmers and loggers and nurses. Today, we face another sea change.

A high school degree may be basic education under the state Constitution, but most need an apprenticeship, a trade school, or a college degree to get a living wage job. For many students that is only possible if we expand financial aid to low income students, allowing them to get jobs that will support a family. It's the right thing to do for our students – and it's the right thing to do for the prosperity of our state.

Finally, let's talk about building a better Washington. We should all recognize that we need to invest in our infrastructure. In 2013, the House led the way by passing a package of transportation improvements. I want to thank Representative Clibborn for her efforts to move this state forward. The package didn't get to the Governor's desk, but it would have gone a long way to maintaining safe roads and bridges, improving transit, and providing local options.

some of you in the galleries, some people were clapping, some

presiding over the House with grace and dignity and I strongly urge your support.

MOTION

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

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

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

OATH OF OFFICE

Justice Susan Owens administered the Oath of Office to Deputy Speaker Pro Tempore Orwall.

ELECTION OF THE CHIEF CLERK

Representative Van De Wege: "Thank you, Mr. Speaker. Barbara Baker is a wonderful Chief Clerk and in thinking of all the things I could say about her I want to hone in on a major project that the House has completed that really took all of Barbara's expertise and that was the remodel of the John L. O'Brien Building. That was a major undertaking. Barbara was Chief Clerk during that whole process, we were spending a lot of taxpayer's dollars, hard earned taxpayer's dollars, the project went really well, it went smooth. It saved us money, it makes the John L. O'Brien Building more efficient and better to work in. She did a wonderful job of making sure that our staff has room to do the important work that we ask them to do so often and the whole project really came off as being something where she made sure both sides of the aisle had their room and areas they needed and it really embodies what Barbara Baker really is. And she is a person that has done a terrific job of taking care of the House and I nominate her to another term as Chief Clerk."

Representative Walsh: "Thank you Mr. Speaker. I am indeed honored to stand up and recognize Barbara Baker for a repeat performance as our Chief Clerk for the House. You know you work with great people around here, this is my 23rd year in the Legislature and I've got to tell you I am just so thrilled to work here and I am so thrilled to work with the quality of individuals that serve this institution, and Barbara is just one of the best. I've known her for a lot of years. I know her to be extremely fair and I can't even imagine dealing with 98 members on this House floor, it must be like herding cats sometimes, but I am indeed proud to stand and also second that nomination.

MOTION

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

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

Representatives Van De Wege and Walsh escorted Chief Clerk Baker to the rostrum.

OATH OF OFFICE

Justice Susan Owens administered the Oath of Office to Chief Clerk Baker.

Speaker Chopp thanked Justice Owens and called upon Representatives Jinkins and Rodne to escort the Justice from the Chamber.

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

RESOLUTION

HOUSE RESOLUTION NO. 4601, by Representatives Sullivan and Kretz

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

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4601.

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

HOUSE RESOLUTION NO. 4601 was adopted.

The Speaker appointed Representatives Tarleton and Caldier to notify the Governor.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4400 and HOUSE CONCURRENT RESOLUTION NO. 4402, were read the first time, and under suspension of the rules were placed on the second reading calendar.

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

Convening the House of Representatives and Senate in Joint Session to receive the State of the State message of Governor Jay Inslee.

The concurrent resolution was read the second time.

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

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

The Speaker stated the question before the House to be the adoption of House Concurrent Resolution No. 4400.

HOUSE CONCURRENT RESOLUTION NO. 4400 was adopted.

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

Adopting joint rules.

The concurrent resolution was read the second time.

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

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

The Speaker stated the question before the House to be the adoption of House Concurrent Resolution No. 4402.

HOUSE CONCURRENT RESOLUTION NO. 4402 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 1000 by Representatives Blake and Kretz

AN ACT Relating to water rights appurtenant to land managed by the department of fish and wildlife; and adding new sections to chapter 77.12 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1001 by Representatives MacEwen, Young, Hayes, Orcutt, Haler, Kochmar, Hargrove and Harris

AN ACT Relating to funding education first; amending RCW 28A.150.380 and 43.88.030; adding a new section to chapter 44.04 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1002 by Representative DeBolt

AN ACT Relating to prohibiting unfair and deceptive dental insurance practices; amending RCW 48.44.035; adding new sections to chapter 48.44 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1003 by Representatives Hawkins, Lytton, Magendanz, Bergquist, Hayes, Robinson, Parker, Ortiz-Self, Harris, Reykdal, Johnson, Senn, Muri, Farrell, Klippert, Pollet, Nealey, Manweller, Kretz and Hargrove

AN ACT Relating to the development of a model policy on natural disaster school infrastructure recovery by the Washington state school directors' association; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1004 by Representatives Springer, Manweller, Moeller, Walsh, Blake, Buys, Reykdal, Wilcox, Condotta and Fey

AN ACT Relating to alcohol tasting by students under twenty-one years of age; and amending RCW 66.20.010 and 66.44.270.

Referred to Committee on Commerce & Gaming.

HB 1005 by Representatives Cody and Schmick

AN ACT Relating to third-party payor release of health care information; amending RCW 70.02.045; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1006 by Representatives Sawyer, G. Hunt, Dunshee, Riccelli, Moeller and Fitzgibbon

AN ACT Relating to damages for wage violations; amending RCW 49.52.070; and prescribing penalties.

Referred to Committee on Labor.

HB 1007 by Representatives Fey, Kochmar, Clibborn, Muri, Bergquist and Klippert

AN ACT Relating to limiting the use of automated traffic safety cameras to detect speed violations not in school zones to certain cities authorized by the Washington state legislature as a pilot project for at least one full year prior to January 1, 2015; and amending RCW 46.63.170.

Referred to Committee on Transportation.

HB 1008 by Representatives Smith and Hudgins

AN ACT Relating to authorizing the state auditor to conduct audits of state government and local agencies' data storage and management practices thereby protecting privacy and securing personal information from computer hacking or misuse of data; and amending RCW 43.09.050, 43.09.055, and 43.09.185.

Referred to Committee on Gen Govt & Info Tech.

HB 1009 by Representatives Manweller and Hawkins

AN ACT Relating to allowing rural counties providing emergency medical services to locations with a rural amphitheater to impose an additional admissions surcharge; amending RCW 36.38.010 and 36.38.020; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1010 by Representatives Johnson, Cody, Harris, Moeller, Manweller, Walsh, Clibborn, Robinson, Tharinger, Riccelli, Rodne and Short

AN ACT Relating to referral of medical cases to occupational therapists; and amending RCW 18.59.100.

Referred to Committee on Health Care & Wellness.

HB 1011 by Representatives Short, Takko, Springer, Buys, Kretz and Shea

AN ACT Relating to assigning counties to two climate zones for purposes of the state building code; amending RCW 19.27.031 and 19.27A.020; and creating a new section.

Referred to Committee on Local Government.

HB 1012 by Representative Appleton

Referred to Committee on Public Safety.

HB 1042 by Representative Cody

AN ACT Relating to clarifying that the physical therapist scope of practice does not include dry needling; and reenacting and amending RCW 18.74.010.

Referred to Committee on Health Care & Wellness.

HB 1043 by Representatives Ryu and Parker

AN ACT Relating to self-service storage facilities; amending RCW 19.150.010, 19.150.040, and 19.150.060; and adding new sections to chapter 19.150 RCW.

Referred to Committee on Business & Financial Services.

HB 1044 by Representatives Santos, Morris and Smith

AN ACT Relating to increasing the regulatory oversight and accountability of the office of minority and women's business enterprises; amending RCW 39.19.020, 39.19.060, 39.19.080, 39.19.090, 39.19.200, and 39.19.250; adding a new section to chapter 39.19 RCW; repealing RCW 39.19.100 and 39.19.110; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1045 by Representatives Tharinger, Harris, Van De Wege, Rodne, Moeller, Clibborn, Cody, G. Hunt and Jinkins

AN ACT Relating to the practice of East Asian medicine; amending RCW 18.06.140; and adding a new section to chapter 18.06 RCW.

Referred to Committee on Health Care & Wellness.

HB 1046 by Representatives Tharinger, Harris, Van De Wege, Manweller, Rodne, Moeller, Clibborn and G. Hunt

AN ACT Relating to East Asian medicine practitioners; amending RCW 18.06.010 and 18.06.210; reenacting and amending RCW 69.41.030; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1047 by Representatives Goodman, Haler, Moscoso, Appleton, Klippert, Muri, Hurst, S. Hunt, Hayes, Orwall, Johnson and MacEwen

AN ACT Relating to the state agencies continuity of operations planning requirements; and amending RCW 38.52.010, 38.52.020, and 38.52.030.

Referred to Committee on Public Safety.

HB 1048 by Representative Kirby

AN ACT Relating to updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process; amending RCW 18.44.021, 19.144.010, 19.144.080, 19.144.090, 19.146.010, 19.146.020, 19.146.0201, 19.146.030, 19.146.040, 19.146.070, 19.146.205, 19.146.220, 19.146.221, 19.146.227, 19.146.228, 19.146.265, 19.146.300, 19.146.390, 31.04.015, 31.04.027, 31.04.045, 31.04.075, 31.04.093, 31.04.102, 31.04.105, 31.04.145, 31.04.205, 31.04.221, 31.04.224, 31.04.247, 31.04.277, 31.04.290, and 31.04.520; reenacting and amending RCW 31.04.025; adding new sections to chapter 31.04 RCW; repealing RCW 19.146.290 and 19.146.330; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1049 by Representatives Fitzgibbon and Short

AN ACT Relating to cadmium in children's jewelry; and amending RCW 70.240.020.

Referred to Committee on Environment.

HB 1050 by Representatives S. Hunt and Johnson

AN ACT Relating to delaying annual leave payments upon employment termination due to a reduction in force; and amending RCW 43.01.041.

Referred to Committee on State Government.

HB 1051 by Representatives DeBolt, Dunshee, Condotta, Appleton, Orcutt, Taylor, Harris, Schmick, Manweller, G. Hunt, Kochmar, Buys, Young, Holy, Haler, Vick, Shea, Riccelli and Pike

AN ACT Relating to authorizing elections for the office of justice of the supreme court as partisan elections; amending RCW 29A.04.110 and 29A.52.231; reenacting and amending RCW 29A.36.170; and creating a new section.

Referred to Committee on Judiciary.

HB 1052 by Representatives Hayes, Fey, Klippert, Orwall, Appleton, Muri and MacEwen

AN ACT Relating to early registration at institutions of higher education for spouses or domestic partners of military members; and amending RCW 28B.15.624.

Referred to Committee on Higher Education.

HB 1053 by Representatives Kirby and Schmick

AN ACT Relating to the filing of large group health benefit plans, stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations; amending RCW 48.18.100; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1054 by Representative Stanford

AN ACT Relating to collection agency transaction fees for processing electronic payments; and amending RCW 19.16.250.

Referred to Committee on Business & Financial Services.

HB 1055 by Representative Bergquist

AN ACT Relating to conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government; amending RCW 2.36.057, 2.36.0571, 2.68.060, 4.92.110, 4.96.020, 8.26.085, 15.24.086, 15.64.060, 15.65.285, 15.66.280, 15.88.070, 15.89.070, 15.100.080, 15.115.180, 17.15.020, 19.27.097, 19.27.150, 19.27A.020, 19.27A.190, 19.34.100, 19.285.060, 27.34.075, 27.34.410, 27.48.040, 28A.150.530, 28A.335.300, 28B.10.417, 35.21.779, 35.68.076, 35A.65.010, 36.28A.070, 39.04.155, 39.04.220, 39.04.290, 39.04.320, 39.04.330, 39.04.370, 39.04.380, 39.24.050, 39.30.050, 39.32.020, 39.32.040, 39.32.060, 39.35.060, 39.35A.050, 39.35B.040, 39.35C.050, 39.35C.090, 39.59.010, 41.04.017, 41.04.220, 41.04.375, 43.01.090, 43.01.091, 43.01.240, 43.01.250, 43.01.900, 43.15.020, 43.17.050, 43.17.100, 43.17.400, 43.19.647, 43.19.651, 43.19.670, 43.19.682, 43.19.691, 43.19.757, 43.19A.022, 43.19A.040, 43.21F.045, 43.34.090, 43.82.035, 43.82.055, 43.82.130, 43.83.116, 43.83.120, 43.83.136, 43.83.142, 43.83.156, 43.83.176, 43.83.188, 43.83.202, 43.88.090, 43.88.350, 43.88.560, 43.96B.215, 43.101.080, 43.325.020, 43.325.030, 43.330.907, 43.331.040, 43.331.050, 44.68.065, 44.73.010, 46.08.065, 46.08.150, 46.08.172, 47.60.830, 70.58.005, 70.94.537, 70.94.551, 70.95.265, 70.95C.110, 70.95H.030, 70.95M.060, 70.235.050, 71A.20.190, 72.01.430, 72.09.450, 77.12.177, 77.12.451, 79.19.080, 79.24.300, 79.24.530, 79.24.540, 79.24.560, 79.24.570, 79.24.664, 79.24.710, 79.24.720, 79.24.730, and 79A.15.010; reenacting RCW 42.17A.110; adding a new section to chapter 49.74 RCW; decodifying RCW 37.14.010, 43.19.533, 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210; repealing RCW 43.105.041, 43.105.178, 43.105.330, 43.105.070, and 49.74.040; and providing an expiration date.

Referred to Committee on Gen Govt & Info Tech.

HB 1056 by Representative Haler

AN ACT Relating to restricting the use of certain parcels of public land to access a public body of water; adding a new section to chapter 79.02 RCW; and prescribing penalties.

Referred to Committee on State Government.

HB 1057 by Representatives Haler, Holy and Johnson

AN ACT Relating to modifying authority regarding where mopeds may be operated; amending RCW 46.61.710; and providing an effective date.

Referred to Committee on Transportation.

HB 1058 by Representative Moeller

AN ACT Relating to the public disclosure commission concerning responsibilities and funding; adding a new section to chapter 42.17A RCW; and creating a new section.

Referred to Committee on State Government.

HB 1059 by Representatives Fagan, Goodman, Hayes, Moscoso, Takko, Tarleton, Orwall, Nealey, Klippert and Pettigrew

AN ACT Relating to sexually violent predators; amending RCW 71.09.070 and 71.09.020; providing an effective date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1060 by Representatives Fitzgibbon, Short, Farrell and Pike

AN ACT Relating to directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate; amending RCW 70.93.020, 70.93.180, 70.93.200, 82.19.040, and 82.19.040; reenacting and amending RCW 70.93.180; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1061 by Representatives Hayes, Lytton and Smith

AN ACT Relating to increasing the number of district court judges in Skagit county; amending RCW 3.34.010; and creating a new section.

Referred to Committee on Judiciary.

HB 1062 by Representatives Stanford and Kirby

AN ACT Relating to updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions; amending RCW 31.12.005, 31.12.195, 31.12.225, 31.12.285, 31.12.326, 31.12.345, 31.12.367, 31.12.372, 31.12.404, 31.12.413, 31.12.436, 31.12.461, 31.12.464, 31.12.471, 31.12.516, 31.12.545, 31.12.575, 31.12.585, 31.12.595, and 31.12.674; and adding a new section to chapter 31.12 RCW.

Referred to Committee on Business & Financial Services.

HB 1063 by Representative Kirby

AN ACT Relating to cosmetology, hair design, barbering, esthetics, and manicuring; amending RCW 18.16.030, 18.16.050, 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.180, 18.16.190, 18.16.200, 18.16.290, and 18.16.900; and reenacting and amending RCW 18.16.020.

Referred to Committee on Business & Financial Services.

HB 1064 by Representative Kirby

AN ACT Relating to locksmith services; and adding a new chapter to Title 19 RCW.

Referred to Committee on Business & Financial Services.

HB 1065 by Representatives Kirby and Blake

AN ACT Relating to the insurer holding company act; amending RCW 48.31B.005, 48.31B.010, 48.31B.015, 48.31B.020, 48.31B.025, 48.31B.030, 48.31B.035,

48.31B.040, 48.31B.050, 48.31B.070, 42.56.400, 48.02.065, 48.13.061, 48.97.005, 48.125.140, 48.155.010, and 48.155.015; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.31B RCW; repealing RCW 48.31C.010, 48.31C.020, 48.31C.030, 48.31C.040, 48.31C.050, 48.31C.060, 48.31C.070, 48.31C.080, 48.31C.090, 48.31C.100, 48.31C.110, 48.31C.120, 48.31C.130, 48.31C.140, 48.31C.150, 48.31C.160, 48.31C.900, and 48.31C.901; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Business & Financial Services.

HB 1066 by Representatives Tharinger and Moeller

AN ACT Relating to certified independent review organizations for addressing long-term care insurance disputes; and adding a new section to chapter 48.83 RCW.

Referred to Committee on Health Care & Wellness.

HB 1067 by Representatives Jinkins, Holy, Magendanz, Nealey, Goodman and Muri

AN ACT Relating to the medicaid fraud false claims act; creating a new section; and repealing RCW 43.131.420.

Referred to Committee on Judiciary.

HB 1068 by Representative Orwall

AN ACT Relating to sexual assault examination kits; adding a new section to chapter 70.125 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1069 by Representative Orwall

AN ACT Relating to preservation of DNA work product; and adding a new chapter to Title 5 RCW.

Referred to Committee on Public Safety.

HB 1070 by Representatives Goodman and Rodne

AN ACT Relating to international commercial arbitration; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

HB 1071 by Representative Goodman

AN ACT Relating to technical changes to form year designations; and amending RCW 6.21.040, 6.23.030, 6.27.100, 6.27.105, 6.27.265, 6.27.340, 6.27.370, 9.96.020, 10.14.085, 10.37.040, 11.28.090, 11.28.140, 11.68.110, 11.88.127, 11.88.140, 11.96A.250, 11.98.005, 12.04.020, 12.04.030, 12.04.100, 12.04.201, 12.04.203, 12.04.204, 12.04.205, 12.04.206, 12.04.207, 12.40.110, 17.28.090, 18.44.251, 19.120.040, 26.04.090, 26.18.100, 26.50.085, 35.22.110, 35.58.090, 35A.08.120, 36.24.110, 36.60.020, 36.68.470, 41.50.590, 43.20B.040, 58.09.080, 59.18.257, 59.18.575, 60.08.020, 61.12.020, 61.24.045, 62A.3-522, 62A.3-540, 64.04.030, 64.04.040, 64.04.050, 64.08.060, 64.08.070, 65.12.035, 65.12.125, 65.12.230, 65.12.235, 65.12.255, 65.12.270, 67.38.030, 84.40.320, 84.52.080, 85.28.060, 88.32.070, 88.32.140, and 91.08.380.

Referred to Committee on Judiciary.

HB 1072 by Representative Manweller

AN ACT Relating to requiring tracking of prevailing wage surveys; and amending RCW 39.12.026.

Referred to Committee on Labor.

HB 1073 by Representative Manweller

AN ACT Relating to improving the accuracy of the prevailing rate of wage; amending RCW 39.12.026, 39.12.070, and 39.12.080; adding a new section to chapter 39.12 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1074 by Representative Manweller

AN ACT Relating to ensuring the accuracy of prevailing wage survey data provided by interested parties; and amending RCW 39.12.026.

Referred to Committee on Labor.

HB 1075 by Representative Manweller

AN ACT Relating to creating an exemption from the intents and affidavits requirements when paying prevailing wages; and amending RCW 39.12.040.

Referred to Committee on Labor.

HB 1076 by Representative Kirby

AN ACT Relating to modernizing life insurance reserve requirements; amending RCW 48.74.010, 48.74.020, 48.74.025, 48.74.030, 48.74.050, 48.74.060, 48.74.070, 48.74.090, 48.76.010, 48.76.050, and 42.56.400; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.74 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Business & Financial Services.

HB 1077 by Representative Kirby

AN ACT Relating to credit for reinsurance; adding new sections to chapter 48.12 RCW; recodifing RCW 48.12.164 and 48.12.166; and repealing RCW 48.12.154, 48.12.156, 48.12.158, 48.12.160, 48.12.162, and 48.12.168.

Referred to Committee on Business & Financial Services.

HB 1078 by Representatives Hudgins, Morris, Robinson and Kirby

AN ACT Relating to enhancing the protection of consumer financial information; amending RCW 19.255.010 and 42.56.590; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1079 by Representatives Kochmar, Takko, Pike, Springer, Fitzgibbon and S. Hunt

AN ACT Relating to contracts providing for the joint utilization of architectural or engineering services; and amending RCW 39.34.030.

Referred to Committee on State Government.

HB 1080 by Representatives Harris and Senn

AN ACT Relating to the health professional loan repayment and scholarship program fund; adding a new section to chapter 28B.115 RCW; and making appropriations.

Referred to Committee on Appropriations.

HB 1081 by Representative Sullivan

AN ACT Relating to expanding participation in the college in the high school programs; and amending RCW 28A.600.290.

Referred to Committee on Education.

HB 1082 by Representative Hurst

AN ACT Relating to collecting DNA from adults arrested for a ranked felony or a gross misdemeanor violation of certain orders; amending RCW 43.43.753, 43.43.735, 43.43.740, 43.43.754, 46.63.110, and 43.43.690; adding a new section to chapter 43.43 RCW; adding a new section to chapter 70.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1083 by Representative Hurst

AN ACT Relating to the acceptance of gifts by state officers and employees; amending RCW 42.17A.615, 42.17A.620, 42.17A.630, 42.17A.710, 42.52.120, and 42.52.150; and creating a new section.

Referred to Committee on State Government.

HB 1084 by Representatives Pollet, Tarleton, Ryu and Santos

AN ACT Relating to notice requirements for land use applications, approvals, and decisions; amending RCW 36.70C.040; adding a new section to chapter 36.70B RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1085 by Representative Moeller

AN ACT Relating to requiring lobbying reports to be filed electronically; adding a new section to chapter 42.17A RCW; and creating a new section.

Referred to Committee on State Government.

HB 1086 by Representative Moeller

AN ACT Relating to establishing a cost recovery mechanism for public records sought for commercial purposes; amending RCW 42.56.120 and 42.56.550; reenacting and amending RCW 42.56.080; creating a new section; and prescribing penalties.

Referred to Committee on State Government.

HB 1087 by Representative Takko

AN ACT Relating to automated traffic safety cameras in school speed zones; and amending RCW 46.63.170.

Referred to Committee on Transportation.

HB 1088 by Representative Takko

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

Referred to Committee on Local Government.

HB 1089 by Representatives S. Hunt, Moscoso, Robinson and Tarleton

AN ACT Relating to adding adherence to state wage payment laws to the state's responsible bidder criteria; amending RCW 39.04.350 and 39.26.160; adding a new section to chapter 49.46 RCW; adding a new section to chapter 49.48 RCW; and adding a new section to chapter 49.52 RCW.

Referred to Committee on State Government.

HB 1090 by Representative Kirby

AN ACT Relating to reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program; amending RCW 43.330.300 and 62A.9A-525; amending 2009 c 565 s 57 and 2008 c 290 s 4 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1091 by Representatives Van De Wege, Klippert, Carlyle, Fey, Goodman, Tarleton and Holy

AN ACT Relating to the unauthorized interference of ticket sales over the internet; and adding a new chapter to Title 19 RCW.

Referred to Committee on Technology & Economic Development.

HB 1092 by Representative Jinkins

AN ACT Relating to bad faith assertions of patent infringement; and adding a new chapter to Title 19 RCW.

Referred to Committee on Judiciary.

HB 1093 by Representative Morris

AN ACT Relating to unmanned aircraft; adding a new chapter to Title 14 RCW; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1094 by Representative Morris

AN ACT Relating to biometric identifiers; amending RCW 19.86.080; and adding a new section to chapter 19.215 RCW.

Referred to Committee on Technology & Economic Development.

HB 1095 by Representative Morris

AN ACT Relating to promoting thermal energy efficiency; amending RCW 39.35.010, 39.35.020, 39.35.040, 19.280.030, 19.280.060, and 80.04.550; reenacting and amending RCW 39.35.030 and 19.280.020; adding new sections to chapter 19.280 RCW; adding a new section to chapter 80.28 RCW; adding new sections to chapter 70.94 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1096 by Representative Morris

AN ACT Relating to promoting a more efficient and reliable electric distribution system; and adding a new chapter to Title 80 RCW.

Referred to Committee on Technology & Economic Development.

HB 1097 by Representative Morris

AN ACT Relating to policies to promote clean energy job growth by encouraging installation of renewable energy systems; amending RCW 82.16.110, 82.16.130, 82.16.120, and 80.28.075; reenacting and amending RCW 80.04.010; adding new sections to chapter 82.16 RCW; adding new sections to chapter 80.28 RCW; adding a new chapter to Title 19 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1098 by Representative Morris

AN ACT Relating to aligning electric utility regulation and business models with emerging customer values not realized in volumetric monetization; and adding a new chapter to Title 80 RCW.

Referred to Committee on Technology & Economic Development.

HB 1099 by Representative Morris

AN ACT Relating to providing consumers the option to cancel contracts over the internet when entered into by the same means; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1100 by Representative Morris

AN ACT Relating to creating new appliance efficiency standards; amending RCW 19.260.030, 19.260.040, and 19.260.050; and reenacting and amending RCW 19.260.020.

Referred to Committee on Technology & Economic Development.

HB 1101 by Representatives Wilcox, Blake, Lytton and MacEwen

AN ACT Relating to conservation districts; amending RCW 89.08.400 and 89.08.405; and creating a new section.

Referred to Committee on Local Government.

HB 1102 by Representative Takko

AN ACT Relating to a local government installing a public sewage system within the public right-of-way under certain circumstances; and amending RCW 70.05.074.

Referred to Committee on Local Government.

HB 1103 by Representatives Jinkins, Zeiger, Moeller, Rodne, Cody, Harris, Clibborn and Riccelli

AN ACT Relating to providing access to the prescription drug monitoring database for clinical laboratories; amending RCW 70.225.040; and adding new sections to chapter 70.225 RCW.

Referred to Committee on Health Care & Wellness.

HB 1104 by Representatives Schmick and Wilcox

AN ACT Relating to creating the crime of interference with agricultural production; amending RCW 9.05.060; adding a new section to chapter 9.05 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1105 by Representatives Hunter, Ormsby and Sullivan

AN ACT Relating to fiscal matters; amending 2014 c 221 ss 101, 102, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 125, 126, 127, 129, 130, 134, 135, 136, 140, 141, 142, 143, 146, 148, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 513, 514, 515, 604, 605, 606, 607, 608, 609, 610, 611, 612, 614, 615, 616, 617, 619, 701, 704, 706, 708, 709, 710, 711, 801, 802, 803, and 805 (uncodified); amending 2013 2nd sp.s. c 4 ss 109, 705, 712, and 718 (uncodified); adding a new section to 2013 2nd sp.s. c 4 (uncodified); repealing 2014 c 221 s 707 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1106 by Representatives Hunter, Ormsby and Sullivan

AN ACT Relating to fiscal matters; amending RCW 15.76.115, 18.04.105, 28C.04.535, 38.52.540, 41.60.050, 43.08.190, 43.09.475, 43.79.480, 43.155.050, 43.215.090, 43.320.110, 43.325.040, 67.70.230, 77.12.203, 79.64.040, 79.105.150, and 82.08.170; creating new sections; making appropriations; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1107 by Representatives Springer and Wilcox

AN ACT Relating to access to and creation of cultural and heritage programs and facilities; amending RCW 84.52.010 and 84.52.010; adding a new section to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; adding a new chapter to Title 36 RCW; creating new sections; providing an effective date; and providing an expiration date.

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

HB 1108 by Representative Reykdal

AN ACT Relating to creating a food truck beer and/or wine license; reenacting and amending RCW 66.20.300 and 66.20.310; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

HB 1109 by Representatives Reykdal and Wilcox

AN ACT Relating to membership in the teachers' retirement system for certificated employees of the superintendent of public instruction; and amending RCW 41.32.010.

Referred to Committee on Appropriations.

HB 1110 by Representative Reykdal

AN ACT Relating to shared parental responsibility; and amending RCW 26.09.187.

Referred to Committee on Judiciary.

HB 1111 by Representatives Kilduff, Stokesbary, Walkinshaw and Goodman

AN ACT Relating to court transcripts; and amending RCW 2.32.240, 2.32.250, 3.02.040, and 36.18.016.

Referred to Committee on Judiciary.

HB 1112 by Representative Appleton

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

Referred to Committee on Transportation.

HB 1113 by Representative Appleton

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

Referred to Committee on Judiciary.

HB 1114 by Representative Appleton

AN ACT Relating to authorizing and regulating internet poker; amending RCW 9.46.0265, 9.46.228, 9.46.072, 9.46.010, and 9.46.070; adding new sections to chapter 9.46 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HJM 4000 by Representative Reykdal

Asking congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution.

Referred to Committee on State Government.

HJM 4001 by Representative Schmick

Requesting that Congress allow states to adopt year-round daylight savings time.

Referred to Committee on State Government.

HCR 4400 by Representatives Sullivan and Kretz

Convening the House of Representatives and Senate in Joint Session to receive the State of the State message of Governor Jay Inslee.

HCR 4401 by Representative S. Hunt

Renaming "Office Building 2" as the "Human Services Building."

Referred to Committee on State Government.

HCR 4402 by Representatives Sullivan and Kretz

Adopting joint rules.

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

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

MESSAGES FROM THE SECRETARY OF STATE

April 1, 2014

The Honorable Frank Chopp
Speaker of the House of Representatives
Legislative Building
Olympia, WA 98504

Dear Speaker Chopp:

We respectfully transmit for your consideration. Second Substitute House Bill 2251 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 1st day of April, 2014.

Kim Wyman
Secretary of State

April 2, 2014

The Honorable Frank Chopp
Speaker of the House of Representatives
Legislative Building
Olympia, WA 98504

Dear Speaker Chopp:

We respectfully transmit for your consideration· Second Substitute House Bill 1709 and Engrossed Second Substitute House Bill 2207 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 2nd day of April, 2014.

Kim Wyman
Secretary of State

April 11, 2014

The Honorable Frank Chopp
Speaker of the House of Representatives
Legislative Building
Olympia, WA 98504

Dear Speaker Chopp:

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

House Bill No. 2167
Engrossed Substitute House Bill No. 2626
Engrossed Second Substitute House Bill No. 2572

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 11th day of April, 2014.

Kim Wyman
Secretary of State

FORMAT CHANGED TO ACCOMMODATE TEXT

CANVASS OF THE RETURNS OF THE GENERAL ELECTION HELD ON NOVEMBER 4, 2014

I, Kim Wyman, Secretary of State of the state of Washington, do hereby certify that according to the provisions of RCW 29A.60.260, I have canvassed the returns of the 2,124,330 ballots cast by the 3,922,248 registered voters of the state for and against the initiatives and advisory measures which were submitted to the vote of the people at the state General Election held on the 4th day of November 2014, as received from the County Auditors.

Initiatives to the People

Initiative Measure No. 1351

Initiative Measure No. 1351 concerns K-12 education. This measure would direct the legislature to allocate funds to reduce class sizes and increase staffing support for students in all K-12 grades, with additional class-size reductions and staffing increases in high-poverty schools. Should this measure be enacted into law?

[ ] Yes	1,052,519
[ ] No	1,012,958

Initiatives to the Legislature

Initiative Measure No. 591

Initiative Measure No. 591 concerns firearms. This measure would prohibit government agencies from confiscating guns or other firearms from citizens without due process, or from requiring background checks on firearm recipients unless a uniform national standard is required. Should this measure be enacted into law?

[ ] Yes	929,220
[ ] No	1,147,966

Initiative Measure No. 594

Initiative Measure No. 594 concerns background checks for firearm sales and transfers. This measure would apply currently used criminal and public safety background checks by licensed dealers to all firearm sales and transfers, including gun show and online sales, with specific exceptions. Should this measure be enacted into law?

[ ] Yes	1,242,734
[ ] No	853,990

Advisory Votes

Advisory Vote No. 8 - Senate Bill 6505

The legislature eliminated, without a vote of the people, agricultural excise tax preferences for various aspects of the marijuana industry, costing an estimated $24,903,000 in the first ten years, for government spending. This tax increase should be:

[ ] Repealed	874,623
[ ] Maintained	1,043,881

Advisory Vote No. 9 - Engrossed Substitute House Bill 1287

The legislature imposed, without a vote of the people, the leasehold excise tax on certain leasehold interests in tribal property, costing an estimated $1,298,000 in the first ten years, for government spending. This tax increase should be:

[ ] Repealed	833,342
[ ] Maintained	1,029,729

I further certify that according to the provisions of RCW 29A.60.250, I have canvassed the returns of the ballots cast for candidates of statewide offices, U.S. Congress, and all those legislative and judicial offices whose districts extend beyond the limits of a single county in the General Election held on the 4th day of November 2014, as received from the County Auditors, and that the votes cast for candidates for these offices are as follows:

Congressional District 1

U.S. Representative

Suzan DelBene	(Prefers Democratic Party)	124,151
Pedro Celis	(Prefers Republican Party)	101,428

Congressional District 2

U.S. Representative

Rick Larsen	(Prefers Democratic Party)	122,173
B.J. Guillot	(Prefers Republican Party)	79,518

Congressional District 3

U.S. Representative

Jaime Herrera Beutler	(Prefers Republican Party)	124,796
Bob Dingethal	(Prefers Democratic Party)	78,018

Congressional District 4

U.S. Representative

Clint Didier	(Prefers Republican Party)	75,307
Dan Newhouse	(Prefers Republican Party)	77,772

Congressional District 5

U.S. Representative

Cathy McMorris Rodgers	(Prefers Republican Party)	135,470
Joseph (Joe) Pakootas	(Prefers Democratic Party)	87,772

Congressional District 6

U.S. Representative

Derek Kilmer	(Prefers Democratic Party)	141,265
Marty McClendon	(Prefers Republican Party)	83,025

Congressional District 7

U.S. Representative

Jim McDermott	(Prefers Democratic Party)	203,954

Craig Keller	(Prefers Republican Party)	47,921

Congressional District 8

U.S. Representative

Dave Reichert	(Prefers Republican Party)	125,741
Jason Ritchie	(Prefers Democratic Party)	73,003

Congressional District 9

U.S. Representative

Adam Smith	(Prefers Democratic Party)	118,132
Doug Basler	(Prefers Republican Party)	48,662

Congressional District 10

U.S. Representative

Denny Heck	(Prefers Democratic Party)	99,279
Joyce McDonald	(Prefers Republican Party)	82,213

Legislative District 1

State Representative Pos. 1

Derek Stanford	(Prefers Democratic Party)	25,276
Mark Davies	(Prefers Republican Party)	17,985

State Representative Pos. 2

Luis Moscoso	(Prefers Democratic Party)	23,198
Edward J. Barton	(Prefers Republican Party)	19,834

Legislative District 2

State Representative Pos. 1

Graham Hunt	(Prefers Republican Party)	22,369
Greg Hartman	(Prefers Democratic Party)	13,510

State Representative Pos. 2

J.T. Wilcox	(Prefers Republican Party)	24,837
Steven Nielson	(Prefers Libertarian Party)	9,734

Legislative District 7

State Senator

Brian Dansel	(Prefers Republican Party)	32,702
Tony Booth	(Prefers Republican Party)	12,612

State Representative Pos. 1

Shelly Short	(Prefers Republican Party)	37,648
James R. Apker	(Prefers Libertarian Party)	9,528

State Representative Pos. 2

Joel Kretz	(Prefers Republican Party)	38,934
Ronnie Rae	(Prefers Centralist Party)	7,932

Legislative District 9

State Representative Pos. 1

Susan Fagan	(Prefers Republican Party)	28,550

State Representative Pos. 2

Joe Schmick	(Prefers G.O.P. Party)	28,058

Legislative District 10

State Representative Pos. 1

Norma Smith	(Prefers Republican Party)	37,119
Michael Scott	(Prefers Libertarian Party)	11,544

State Representative Pos. 2

Dave Hayes	(Prefers Republican Party)	30,993
Nick Petrish	(Prefers Democratic Party)	20,955

Legislative District 12

State Representative Pos. 1

Cary Condotta	(Prefers Republican Party)	28,899

State Representative Pos. 2

Brad Hawkins	(Prefers Republican Party)	29,813

Legislative District 13

State Senator

Judith (Judy) Warnick	(Prefers Republican Party)	30,751
Mohammad Said	(Prefers Democratic Party)	4,868

State Representative Pos. 1

Tom Dent	(Prefers Republican Party)	20,876
Dannette (Dani) Bolyard	(Prefers Republican Party)	12,123

State Representative Pos. 2

Matt Manweller	(Prefers Republican Party)	27,459

Legislative District 14

State Representative Pos. 1

Norm Johnson	(Prefers Republican Party)	20,584
Michael S. Brumback	(States No Party Preference)	15,732

State Representative Pos. 2

Gina R. McCabe	(Prefers Republican Party)	25,363
Paul George	(Prefers Democratic Party)	11,574

Legislative District 16

State Representative Pos. 1

Maureen S. Walsh	(Prefers Republican Party)	19,152
Mary Ruth Edwards	(Prefers Republican Party)	13,248

State Representative Pos. 2

Terry R. Nealey	(Prefers Republican Party)	24,497
Frank Blair	(Prefers Democratic Party)	8,967

Legislative District 19

State Representative Pos. 1

Dean Takko	(Prefers Democratic Party)	26,006
David A. Steenson	(Prefers Libertarian Party)	12,838

State Representative Pos. 2

Brian Blake	(Prefers Democratic Party)	25,430
Hugh Fleet	(Prefers Republican Party)	14,637

Legislative District 20

State Representative Pos. 1

Richard DeBolt	(Prefers G.O.P. Party)	27,191
Michael Savoca	(States No Party Preference)	14,294

State Representative Pos. 2

Ed Orcutt	(Prefers Republican Party)	26,326
John Morgan	(Prefers Republican Party)	11,314

Legislative District 24

State Representative Pos. 1

Kevin Van De Wege	(Prefers Democratic Party)	36,758

State Representative Pos. 2

Steve Tharinger	(Prefers Democratic Party)	30,087
Thomas W. Greisamer	(Prefers Republican Party)	23,229

Legislative District 26

State Senator

Jan Angel	(Prefers Republican Party)	29,077
Judy Arbogast	(Prefers Democratic Party)	20,414

State Representative Pos. 1

Nathan Schlicher	(Prefers Democratic Party)	22,763
Jesse Young	(Prefers Republican Party)	26,391

State Representative Pos. 2

Larry Seaquist	(Prefers Democratic Party)	24,246
Michelle Caldier	(Prefers Republican Party)	24,847

Legislative District 30

State Senator

Mark Miloscia	(Prefers Republican Party)	17,266

Shari Song	(Prefers Democratic Party)	13,790

State Representative Pos. 1

Linda Kochmar	(Prefers Republican Party)	17,119
Greg Baruso	(Prefers Democratic Party)	13,114

State Representative 2

Roger Freeman	(Prefers Democratic Party)	15,953
Jack Dovey	(Prefers Republican Party)	14,156

Legislative District 31

State Senator

Pam Roach	(Prefers Republican Party)	21,226
Cathy Dahlquist	(Prefers Republican Party)	18,324

State Representative Pos. 1

Drew Stokesbary	(Prefers Republican Party)	24,190
Mike Sando	(Prefers Democratic Party)	15,446

State Representative Pos. 2

Christopher Hurst	(Prefers Independent Dem. Party)	20,610
Phil Fortunato	(Prefers Ind. Republican Party)	19,329

Legislative District 32

State Senator

Maralyn Chase	(Prefers Democratic Party)	29,560
Robert Reedy	(Prefers Republican Party)	11,863

State Representative Pos. 1

Cindy Ryu	(Prefers Democratic Party)	31,041

State Representative Pos. 2

Ruth Kagi	(Prefers Democratic Party)	29,466
Alvin A. Rutledge	(Prefers Republican Party)	11,760

Legislative District 35

State Senator

Irene Bowling	(Prefers Democratic Party)	20,375
Tim Sheldon	(Prefers Democratic Party)	24,317
State Representative Pos. 1		
Kathy Haigh	(Prefers Democratic Party)	23,491
Dan Griffey	(Prefers Republican Party)	23,995
State Representative Pos. 2		
Drew C. MacEwen	(Prefers Republican Party)	27,408
Tammey Newton	(Prefers Democratic Party)	18,885
Legislative District 39		
State Representative Pos. 1		
Dan Kristiansen	(Prefers Republican Party)	30,832
State Representative Pos. 2		
Elizabeth Scott	(Prefers Republican Party)	24,753
Charles Jensen	(Prefers Democratic Party)	14,778
Legislative District 40		
State Representative Pos. 1		
Kristine Lytton	(Prefers Democratic Party)	31,305
Daniel R. Miller	(Prefers Republican Party)	16,764
State Representative Pos. 2		
Jeff Morris	(Prefers Democratic Party)	34,864
Supreme Court		
Justice Position 1		
Mary Yu		1,326,643
Justice Position 3		
Mary E. Fairhurst		1,300,585
Justice Position 4		
Eddie Yoon		426,317
Charles W. Johnson		1,171,530

Justice Position 7

Debra L. Stephens	1,252,867
John (Zamboni) Scannell	351,084

Court of Appeals, Division 2, District 2

Judge Position 1

Lisa L. Sutton	155,889

Court of Appeals, Division 2, District 3

Judge Position 1

Rich Melnick	122,679

Court of Appeals, Division 3, District 1

Judge Position 2

Kevin M. Korsmo	118,981

Court of Appeals, Division 3, District 3

Judge Position 1

Stephen M. Brown	65,388

Judge Position 2

Rob Lawrence-Berrey	65,100

Asotin, Columbia, Garfield Superior Court

Judge Position 1

Scott D. Gallina	7,810

In testimony whereof, I have hereunto set my hand and affixed the seal of the state of Washington on this 2nd day of December 2014, at Olympia, the State Capital.

KIM WYMAN
Secretary of State

MESSAGES FROM THE GOVERNOR

April 4, 2014

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1260 entitled: "AN ACT Relating to public facilities' grants and loans."

I am vetoing HB 1260. Current law requires that 100 percent of all projects approved by the Community Economic Revitalization Board result in jobs that pay above the county's private-sector median wage. This bill, however, cuts that requirement in half.

As an ardent advocate for family-wage jobs, I believe this bill to be too aggressive a change. While I support the kind of flexibility that would take into account the intent of this bill, as just one or two large employers in an area could skew the median wage levels, we need to proceed with caution.

I intend to introduce legislation next session allowing this flexibility for 25% of CERB funds, rather than 50%. I believe such a bill would be an appropriate balance between supporting family wage jobs across the state, and supporting projects in rural communities that may not be able to meet their county's median wage threshold.

For these reasons I have vetoed Substitute House Bill No. 1260 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

April 4, 2014

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed House Bill No. 2789 entitled: "AN ACT Relating to technology-enhanced government surveillance."

This legislation imposes restrictions on state and local agency procurement and usage of "extraordinary sensing devices" attached to unmanned aircraft systems, more popularly known as "drones." Among a number of provisions, the bill imposes a prohibition on the use of extraordinary sensing devices and the disclosure of personal information acquired through such devices, with some exceptions, and creates a new definition of personal information.

After receiving extensive input and considerable reflection, I am vetoing the bill. However, I am issuing a moratorium to executive-branch state agencies to prohibit the purchase and use of these devices during the next 15 months, and asking local law enforcement to do the same.

The Legislature is rightfully concerned about the effects of new technology on our citizens' right to privacy. I share that same concern and take the right to privacy very seriously. As articulated by the lawmakers who supported this bill, some members of the public have concern that, without rules and standards dictating the acceptable uses of unmanned aircraft systems, the government might embark on suspicion-less and warrantless surveillance using this technology. As pointed out by lawmakers on both sides of the aisle, it is important we create the right framework to address these issues so Washingtonians can feel confident their privacy is protected.

While we work in the coming months to create a framework that is protective and can be effectively implemented, no state executive agency will purchase or use these devices until the Legislature has the opportunity to revisit these critical issues in the next session.

I have also heard concerns that local law enforcement agencies might use this veto as an opportunity to purchase these devices this year and conduct warrantless surveillance. I believe local government is as concerned as I am about ensuring our citizens' rights are not violated. Because of this, I am asking the police chiefs and sheriffs across the state to also refrain from acquiring these devices for the next 15 months and to join us in evaluating the appropriate ways to use these new technologies.

However, I understand there could be an extraordinary natural disaster or other need for a rare exception to this directive.

If we are going to build clear standards for procurement, use and data collection policies for new technology, it's important we do this right. Unfortunately, I do not believe this bill is the appropriate first step. Among other issues, this measure contains conflicting provisions on disclosure and destruction of personal information. This could lead to shielding government uses of this technology from public disclosure. We must ensure that government transparency and accountability are amply provided, which are not clearly guaranteed in this legislation.

The bill also includes an expansive new definition of personal information that would make it impossible to use this technology without violating the prohibitions as written in this bill, and lacks the clarity necessary to give both regulatory and law enforcement agencies -and the public -a clear understanding of how these technologies can and will be used in the future.

I commend the parties for bringing this issue to the forefront and for their determination to get a bill passed this session. While I considered exercising section vetoes to achieve this end, this was not possible.

I share the parties' concern about the privacy of our citizens, and I want members of the public to feel confident their government is protecting them while not violating their rights in the process. I have heard from many who support the passage of this bill and many who are concerned it is not yet ready to be enacted into law. I have carefully read and considered this bill, and believe it deserves more work. I believe, too, we want to get ahead ohhis issue and get standards in place before government agencies start to use this new technology.

My office will be creating a task force this month to better examine these complex issues and develop a fully vetted bill for the 2015 legislative session. The task force will be composed of a broad group of stakeholders to include legislators, the ACLU, state agencies, law enforcement, industry and citizens-at-large. We need to work through these concerns in a transparent and thoughtful manner to make sure what we sign into law protects the privacy of Washingtonians while also creating clear and fair standards for the use of new technology to protect the safety and well being of our citizens.

For these reasons I have vetoed Engrossed House Bill No. 2789 in its entirety.

Respectfully submitted,

Jay Inslee
Governor

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

COMMITTEE APPOINTMENTS

The Speaker announced the following committee appointment(s):

Appleton, Sherry Community Development, Housing & Tribal Affairs, Chair; Public Safety; State Government

Bergquist, Steve State Government, Vice Chair; Education; Higher Education; Transportation

Blake, Brian Agriculture & Natural Resources, Chair; Business & Financial Services; Commerce & Gaming

Buys, Vincent *Agriculture & Natural Resources; Appropriations

Caldier, Michelle **General Government & Information Technology; Education; Health Care & Wellness

Carlyle, Reuven Finance, Chair; Appropriations

Chandler, Bruce *Appropriations; Agriculture & Natural Resources

Chopp, Frank Rules, Chair

Clibborn, Judy Transportation, Chair; Health Care & Wellness

Cody, Eileen Health Care & Wellness, Chair; Appropriations

Condotta, Cary *Commerce & Gaming; Appropriations; Finance

DeBolt, Richard *Capital Budget; **Technology & Economic Development; Health Care & Wellness

Dent, Tom **Agriculture & Natural Resources; Appropriations; Early Learning & Human Services

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

Fagan, Susan Appropriations; Education

Farrell, Jessyn Transportation, Vice Chair; Early Learning & Human Services; Environment; Rules

Fey, Jake Transportation, Vice Chair; Environment; Technology & Economic Development

Fitzgibbon, Joe Environment, Chair; Finance; Local Government

Goodman, Roger Public Safety, Chair; Environment; Judiciary

Gregerson, Mia Labor, Vice Chair; Local Government, Vice Chair; Transportation

Gregory, Carol Education; Higher Education; State Government

Griffey, Dan **Local Government; Education; Public Safety

Haler, Larry **Higher Education; Appropriations; Judiciary; Rules

Hansen, Drew Higher Education, Chair; Appropriations; Judiciary

Hargrove, Mark **Transportation; Education; Higher Education

Harmsworth, Mark Rules; Technology & Economic Development; Transportation

Harris, Paul **Health Care & Wellness; Environment; Rules

Hawkins, Brad Community Development, Housing & Tribal Affairs; Early Learning & Human Services; State Government

Hayes, Dave **Public Safety; Education; Transportation

Holy, Jeff *State Government; **Commerce & Gaming; Higher Education

Hudgins, Zack General Government & Information Technology, Chair; Appropriations; Technology & Economic Development

Hunt, Graham **Labor; Appropriations; Business & Financial Services

Hunt, Sam State Government, Chair; Appropriations; Education

Hunter, Ross Appropriations, Chair

Hurst, Christopher Commerce & Gaming, Chair; Agriculture & Natural Resources; Business & Financial Services

Jinkins, Laurie Judiciary, Chair; Appropriations; Health Care & Wellness

Johnson, Norm *Community Development, Housing & Tribal Affairs; Health Care & Wellness

Kagi, Ruth Early Learning & Human Services, Chair; Appropriations

Kilduff, Christine Judiciary, Vice Chair; Capital Budget; Education

Kirby, Steve Business & Financial Services, Chair; Commerce & Gaming; Judiciary

Klippert, Brad *Public Safety; Education; Judiciary

Kochmar, Linda Business & Financial Services; Capital Budget; Transportation

Kretz, Joel Agriculture & Natural Resources; Rules

Kristiansen, Dan Rules

Lytton, Kristine Agriculture & Natural Resources, Vice Chair; Appropriations; Education; Rules

MacEwen, Drew *General Government & Information Technology; Appropriations

Magendanz, Chad *Education; Appropriations; Technology & Economic Development

Manweller, Matt *Labor; Finance

McBride, Joan Environment; Local Government; Rules; Transportation

McCabe, Gina Business & Financial Services; General Government & Information Technology; Labor

McCaslin, Bob Early Learning & Human Services; Education; Local Government

Moeller, Jim Health Care & Wellness; Labor; Rules; Transportation

Morris, Jeff Technology & Economic Development, Chair; General Government & Information Technology; Transportation

Moscoso, Luis Transportation, Vice Chair; Commerce & Gaming; Public Safety

Muri, Dick **Education; Judiciary

Nealey, Terry *Finance; Technology & Economic Development

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

Ormsby, Timm Appropriations, Vice Chair; Labor

Ortiz-Self, Lillian Education, Vice Chair; Early Learning & Human Services; Transportation

Orwall, Tina Public Safety, Vice Chair; Education; Judiciary; Rules

Parker, Kevin **Appropriations; **Business & Financial Services

Peterson, Strom Environment, Vice Chair; Capital Budget; Local Government

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

Pike, Liz Environment; Local Government; Transportation

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

Reykdal, Chris Education, Vice Chair; Finance; Higher Education; Rules

Riccelli, Marcus Health Care & Wellness, Vice Chair; Capital Budget; Transportation

Robinson, June Community Development, Housing & Tribal Affairs, Vice Chair; Finance; Health Care & Wellness

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

Ryu, Cindy Business & Financial Services, Vice Chair; Finance; Rules; Technology & Economic Development

Santos, Sharon Tomiko Education, Chair; Business & Financial Services; Technology & Economic Development

Sawyer, David Appropriations; Community Development, Housing & Tribal Affairs; Early Learning & Human Services

Schmick, Joe *Health Care & Wellness; Agriculture & Natural Resources; Appropriations

Scott, Elizabeth **Early Learning & Human Services; Commerce & Gaming

Sells, Mike Labor, Chair; Higher Education; Transportation

Senn, Tana General Government & Information Technology, Vice Chair; Appropriations; Early Learning & Human Services

Shea, Matt *Environment; **Judiciary; Transportation

Short, Shelly **Environment; Health Care & Wellness; Rules

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

Springer, Larry Appropriations; Education; Finance; Rules

Stambaugh, Melanie **Education; Higher Education; Rules

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

Stokesbary, Drew Appropriations; Finance; Judiciary

Sullivan, Pat Appropriations; Rules

Takko, Dean Local Government, Chair; General Government & Information Technology; Transportation

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

Taylor, David *Local Government; Appropriations; Environment

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

Van De Wege, Kevin Agriculture & Natural Resources; Community Development, Housing & Tribal Affairs; Health Care & Wellness; Rules

Van Werven, Luanne **State Government; Appropriations; Higher Education

Vick, Brandon *Business & Financial Services; Commerce & Gaming

Walkinshaw, Brady Early Learning & Human Services, Vice Chair; Appropriations; Judiciary

Walsh, Maureen *Early Learning & Human Services; Capital Budget

Wilcox, J.T.** Appropriations; Finance; Rules

Wilson, Lynda Public Safety; Transportation

Wylie, Sharon Commerce & Gaming, Vice Chair; Finance; Technology & Economic Development

Young, Jesse Rules; Technology & Economic Development; Transportation

Zeiger, Hans *Higher Education; **Community Development, Housing & Tribal Affairs; Rules; Transportation

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

There being no objection, the House adjourned until 9:55 a.m., January 13, 2015, the 2nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

SECOND DAY

House Chamber, Olympia, Tuesday, January 13, 2015

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

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

MESSAGE FROM THE SENATE

January 12, 2015

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400
HOUSE CONCURRENT RESOLUTION NO. 4402

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4400
HOUSE CONCURRENT RESOLUTION NO. 4402

The Speaker called upon Representative Orwall to preside.

RESOLUTION

HOUSE RESOLUTION NO. 4602, by Representative Zeiger

WHEREAS, Daniel J. Evans, whose great-grandfather settled in Port Gamble, Kitsap County, in 1859, summited his first peak at the age of 12, and that climb of Silver Peak near Snoqualmie Pass made an indelible impression on the young Boy Scout from Seattle; and

WHEREAS, Dan Evans earned the rank of Eagle Scout and graduated from Roosevelt High School in 1943 before serving in the United States Navy from that year to 1946, achieving the rank of ensign, then earned bachelor's and master's degrees in civil engineering from the University of Washington; and

WHEREAS, Dan Evans returned to the Navy as a lieutenant when the Korean War began in 1951, eventually serving as an admiral's aide at the peace negotiations at Panmunjom, where the cease-fire between the Democratic People's Republic of Korea and the Republic of Korea was signed in 1953; and

WHEREAS, On November 6, 1956, voters in the 43rd Legislative District elected the then 31 year old Dan Evans to represent them in the Washington State House of Representatives; and

WHEREAS, Representative Evans, whose maternal grandfather represented Spokane in the Washington State Senate in 1893, was named the outstanding freshman legislator of 1957, and went on to be reelected three more times to the House of Representatives; and

WHEREAS, Representative Evans became House Minority Leader after four years as a legislator; and

WHEREAS, On November 3, 1964, the people of Washington elected Representative Evans to be the 16th governor of Washington; making him the youngest governor in state history, at age 39, and making his wife, Nancy Bell Evans, a native of Spokane, the youngest first lady at age 31; and

WHEREAS, During his unprecedented three consecutive terms as the state's chief executive, Governor Dan Evans founded the first state-level ecology department in the United States, providing a blueprint for President Nixon's Environmental Protection Agency; and cofounded the Washington Wildlife and Recreation Coalition; and

WHEREAS, Governor Evans directed the creation of councils advancing the status of women and addressing issues relating to Native Americans and Asian-Americans, energy policy, thermal power plant siting, mental health services, and the prevention of drug abuse; and

WHEREAS, It was Governor Evans who directed the creation of the office of community development, and the council on higher education, and championed the creation of the state's community college system; and

WHEREAS, Governor Evans signed legislation making special education mandatory in Washington, and promoted the employment of people with disabilities, encouraging the removal of barriers to mobility; and

WHEREAS, Governor Evans became President Evans after his third term as governor, when in 1977 he became president of The Evergreen State College in Olympia; and

WHEREAS, President Evans became United States Senator Evans in 1983 when he was appointed and then elected senator; and

WHEREAS, Senator Evans' accomplishments included the 1984 Washington Wilderness Act, which established 19 new wilderness areas, the Washington Park Wilderness Act of 1988, which created wilderness areas within Mount Rainier and Olympic and North Cascades National Parks, and extended protection to a favorite alpine lake in the Olympic Mountains called Lake of the Angels; and

WHEREAS, After leaving public office in 1988, he remained active in our state's public and private sectors, including 12 years as a regent for his alma mater, the University of Washington; and

WHEREAS, His contributions to the people of Washington continue to this day, through his service as a long time member of the advisory board for the William D. Ruckelshaus Center; and

WHEREAS, First Lady Nancy Bell Evans also distinguished herself through her major public service contributions, including serving on the Board of Trustees of her alma mater Whitman College, and her leadership in achieving a major restoration of the Governor's Mansion and creation of the Governor's Mansion Foundation, which continues to care for and add to the historical resources of the Mansion; and

WHEREAS, Dan Evans has been recognized by the University of Washington, which named its School of Public Affairs for him, where the governor and Nancy serve on the advisory board; and

WHEREAS, Dan Evans has been recognized by The Evergreen State College, which named its library for him; and

WHEREAS, A man once referred to as "Old Gluefoot" for his ability to avoid mingling in a roomful of people is described today as "a master at uniting the uncommon"; and

WHEREAS, As governor, Dan Evans earned the nickname "Straight Arrow" for his honesty, and was later recognized by the University of Michigan as one of the Ten Outstanding Governors in the 20th Century; and

WHEREAS, Dan Evans, who once said he "would rather cross the aisle than cross the people," is one of the most popular and respected public servants in Washington history;

NOW, THEREFORE, BE IT RESOLVED, That in commemoration of the 50th anniversary of Dan Evans' inaugural installation as Governor, the Washington State House of Representatives congratulate Senator and Governor Dan Evans for his service to the people of Washington and to the United States of America; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Daniel J. Evans, in recognition and appreciation of his commitment to the people of Washington and the great state in which they live.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4602.

HOUSE RESOLUTION NO. 4602 was adopted.

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

INTRODUCTION & FIRST READING

HB 1115 by Representatives Dunshee, DeBolt, Gregerson, Morris and Reykdal

AN ACT Relating to the capital budget; amending RCW 27.34.330, 28B.20.725, 28B.15.310, 28B.15.210, 28B.30.750, 28B.35.370, 28B.50.360, and 43.155.050; reenacting and amending RCW 70.105D.070; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1116 by Representatives Dunshee, DeBolt, Gregerson and Morris

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.160.080, 70.148.020, and 27.34.330; amending 2013 2nd sp.s. c 19 ss 1073, 1074, 1077, 1078, 1091, 1093, 1099, 1108, 1104, 1105, 2024, 2028, 3067, 3058, 3101, 3190, 3212, 5007, 5020, 5015, 5025, 5055, 5108, 5110, and 7043 (uncodified); amending 2013 3rd sp.s. c 1 s 3 (uncodified); reenacting and amending RCW 70.105D.070; adding new sections to 2013 2nd sp.s. c 19 (uncodified); creating a new section; repealing 2013 2nd sp.s. c 19 ss 7004 and 7013 (uncodified); and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1117 by Representatives Klippert, Orwall, Gregerson, Haler and Muri

AN ACT Relating to veterans' scoring criteria; and amending RCW 41.04.010.

Referred to Committee on State Government.

HB 1118 by Representative Blake

AN ACT Relating to creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes; amending RCW 77.04.012, 77.04.120, 77.04.150, 77.04.160, 77.12.068, 77.12.184, 77.12.360, 77.12.451, 77.12.670, 77.12.702, 77.12.755, 77.12.820, 77.12.880, 77.15.110, 77.15.245, 77.15.260, 77.15.620, 77.55.141, 77.55.241, 77.57.040, 77.57.060, 77.60.170, 77.65.560, 77.70.010, 77.70.210, 77.70.280, 77.70.360, 77.70.390, 77.85.020, 77.85.040, 77.85.130, 77.85.160, 77.85.220, 77.85.230, 77.95.020, 77.95.090, 77.95.190, 77.95.200, 77.95.230, 77.95.310, 77.100.050, 77.100.060, 77.115.010, 88.02.640, and 43.43.400; reenacting and amending RCW 77.08.045, 77.85.140, and 77.08.010; adding a new section to chapter 77.135 RCW; creating a new section; repealing RCW 77.12.605, 77.12.710, 77.12.879, and 77.65.900; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1119 by Representatives Blake, Buys, Gregerson and Van Werven

AN ACT Relating to making changes to Title 77 RCW that gives tools to the department of fish and wildlife to ensure hunter safety by focusing on the actual person hunting and not the sporting equipment used by the hunter including, but not limited to, establishing the age of fourteen as the minimum age to participate in unaccompanied hunting; amending RCW 77.32.155, 77.32.010, 77.12.184, and 77.15.425; reenacting and amending RCW 77.08.010; and adding a new section to chapter 77.15 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1120 by Representatives Wilcox, Reykdal, G. Hunt, Haler, Ortiz-Self and Muri

AN ACT Relating to providing immunity for school bus drivers; and adding a new section to chapter 28A.160 RCW.

Referred to Committee on Judiciary.

HB 1121 by Representatives Parker, Santos, Riccelli, Bergquist, Gregerson, Magendanz, Ortiz-Self, Muri, Tarleton and Pollet

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

Referred to Committee on Education.

HB 1122 by Representatives Sells, Gregerson and Reykdal

AN ACT Relating to arbitration for dispatch operators of public employers; and amending RCW 41.56.030.

Referred to Committee on Labor.

HB 1123 by Representatives Blake and Buys

AN ACT Relating to regulation of the minimum dimensions of habitable spaces in single-family residential buildings; amending RCW 19.27.031, 19.27.060, 35.63.080, 35A.63.100, 36.43.010, and 36.70.750; and creating a new section.

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

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

MESSAGE FROM THE SENATE

January 12, 2015

MR. SPEAKER:

The Senate has adopted:
SENATE CONCURRENT RESOLUTION NO. 8400
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Lieutenant Governor Brad Owen, Senator Tim Sheldon, Senator Linda Parlette and Senator Sharon Nelson to seats on the Rostrum. The Senators were invited to sit within the Chamber.

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

JOINT SESSION

The President of the Senate, Lieutenant Governor Owen, called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

President Owen: "The purpose of the Joint Session is to receive the state of the state message from His Excellency, Governor Jay Inslee.

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Gregory and Wilson, and Senators McCoy and O'Ban.

The President appointed a special committee to escort the State elected officials to the House Chamber: Representatives Peterson and Dent, and Senators Hasegawa and Angel.

The President appointed a special committee to advise His Excellency, Governor Jay Inslee, that the joint session had assembled and to escort him to the House Chamber: Representatives Ortiz-Self and Stambaugh and Senators Jayapal and Warnick.

The Supreme Court Justices arrived, were escorted to the Floor of the House Chamber and were introduced: Chief Justice Barbara A. Madsen, and Justices Charles W. Johnson, Mary Fairhurst, Deborah Stephens, Charles Wiggins, Steven Gonzalez, Sheryl Gordon McCloud, and Mary Yu.

The statewide elected officials arrived, were escorted to the floor of the House and were introduced: Secretary of State Kim Wyman, Treasurer Jim McIntire, Auditor Troy Kelley, Attorney General Bob Ferguson, Superintendent of Public Instruction Randy Dorn, Insurance Commissioner Mike Kreidler and Commissioner of Public Lands Peter Goldmark.

The President introduced the special guests present in the Chambers: Mr. Erlingur Erlingsson, Charge d'Affaires from the Embassy of the Republic of Iceland, First Lady Trudi Inslee and members of Governor Inslee's family, Chairman Leonard Forsman of the Suquamish Tribe, Chairman Timothy Ballew II of the Lummi Nation, Chairwoman Fawn Sharp of the Quinault Indian Nation, Chairman Bill Iyall of the Cowlitz Indian Tribe, Vice Chair Ray Pierre of the Kalispel Tribe of Indians, Chairwoman Frances Charles of the Lower Elwha Klallam Tribe, Vice Chair Russell Hepfer of the Lower Elwha Klallam Tribe, Chairwoman Cheryle Kennedy of the Confederated Tribes of Grand Ronde, Former Governor Mike Lowry, Former Secretary of State Ralph Munro, Mayor of Seattle Ed Murray, Mayor of Marysville John Nehring, Mayor of Arlington Barb Tolbert, Mayor of Darrington Dan Rankin, President Elson Floyd of Washington State University, President Thomas Krise of Pacific Lutheran University, the President's sister Angela Owen, President and CEO Yolanda Watson Spiva of the College Success Foundation and Executive Director Simon Amiel of Washington State Mentors.

The President introduced the officers and members of the Consular Association of Washington: Andrey Yushmanov, Consul General of the Russian Federation and Dean of the Consular Corps in Washington; Masahiro Omura, Consul General of Japan; Edith St. Hilaire, Acting Consul Gerneral for Canada; Duk-ho Moon, Consul General of the Republic of Korea; Jessica Maria Reyes, Consul of the Republic of El Salvador; Eduardo Baca, Consul of the United Mexican States; Robin Twyman, Consul of the United Kingdom of Great Britain and Northern Ireland; Jon Marvin Jonsson, Honorary Consul General of the Republic of Iceland; Geir Jonsson, Honorary Vice Consul of the Republic of Iceland; Ron Masnik, Honorary Consul of the Kingdom of Belgium; Jack A. Cowan, Honorary Consul of the French Republic; Gary Furlong, Honorary Consul General of the Republic of Uzbekistan; Helen Szablya, Honorary Consul General of Hungary; Miguel Velasquez, Honorary Consul General of the Republic of Peru; Daravuth Huoth, Honorary Consul of the Kingdom of Cambodia; Victor Lapatinskas, Honorary Consul of the Republic of Lithuania; Philippe Goetschel, Honorary Consul of the Swiss Confederation; Lars Jonsson, Honorary Consul of the Kingdom of Sweden; Kim Nesselquist, Honorary Consul of the Kingdom of Norway and President of the Consular Association of Washington; Petra H. Walker, Honorary Consul of the Federal Republic of Germany; Franco Tesorieri, Honoary Consul of the Italian Republic; Rachel Jacobsen, Honorary Consul of New Zealand; John Keane, Honorary Consul of Ireland; Pedro Augusto Leite Costa, Honorary Consul of the Federative Republic of Brazil; Wayne B. Jehlik, Honorary Consul of the Czech Republic; Teresa Indelak Davis, Honorary Consul of the Republic of Poland; Eva Johanna Kammel, Honorary Consul of the Republic of Austria; Kristina Hiukka, Honorary Consul of the Republic of Finland; Mart Kask, Emeritus Honorary Consul of the Republic of Estonia; Andy Chin, Director General of the Taipei Economic and

Cultural Office; and Vassos M. Demetriou, Honorary Consul of the Republic of Cyprus.

His Excellency Governor Jay Inslee was escorted to the Rostrum and was introduced.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard. The Marysville Pilchuck High School Concert Choir sang the National Anthem. The President led the Chamber in the Pledge of Allegiance. Prayer was offered by Chaplain Joel Johnson, Oso Fire Department, Snohomish County District 25.

Chaplain Joel Johnson: "Heavenly Father, Thank you so much for the opportunity to gather here today to reflect on this past year and plan for new things ahead. We ask for your comfort, peace and strength as we continue to heal and overcome the adversities we have faced. Encourage us as we look to the future with great hope. As we begin this new year, we also ask for your guidance, direction, clarity, and wisdom in every decision made. Bless us with creativity to find new, dynamic and exciting solutions to any challenge we face and help us approach everything we do with a true servant's heart and a humble attitude. Help us to lead by serving, putting others before ourselves. Protect us from division and unite us with the common goal of leaving an amazing legacy and a better Washington State for our children and grandchildren. Help Washington continue to thrive. Be with the governor now as he prepares to speak. We ask these things in the name of Jesus, Amen."

The President introduced Governor Jay Inslee.

STATE OF THE STATE

Mr. President, Mr. Speaker, Madam Chief Justice, distinguished justices of the court, honored officials, members of the Washington State Legislature, tribal leaders, local government officials, members of the Consular Corps and my fellow Washingtonians.

Good afternoon. I want to begin today by thanking Oso chaplain Joel Johnson; the members of the Marysville Pilchuck High School Choir; my family members – especially Trudi; the 13 newest members of the Legislature who have stepped up to serve this state; and the people and communities of Washington that over the past 125 years have given us the great state we celebrate today.

I also want to mention a member of our legislative family, the late Representative Roger Freeman. He was proud to represent his community. But most of all, Roger was proud to be a father to his two children and a devoted husband to his wife, Sonya. Our thoughts are with them today.
The new representative from the 30th District is Carol Gregory, and I extend a warm welcome to her and thank her for her willingness to take on this work.

In our country's northwest corner, facing both the Pacific Ocean and the future, is the most innovative, most resourceful, most dynamic state in our nation. We're known as the Evergreen State – not only because of our prodigious forests and the verdant green of our spring wheat, but also because of our ever-present entrepreneurial zeal, our social progress and our technological genius. Washington State has remained evergreen throughout its first 125 years because in every moment of crisis, in every year of challenge, in every decade of change, Washingtonians have chosen the path that takes us forward.

We invest in ourselves. We invest in a legacy worthy of our children and grandchildren. We have done this, time and time again, with the firm conviction that our people, our communities and our economy will grow and prosper if we summon the confidence to make these investments.

Today, our state stands at another crossroads. One path leads to an economy that works for all Washingtonians, supports thriving communities and preserves a healthy environment. The other path leads to a slow erosion of our shared prosperity, a widening gap of inequality and a deterioration of our clean air and water. The choice is ours. If we rise to the challenge, as we always have, we will choose the best path for Washington.

As you know, from day one I've focused on job creation in our state, and the issues we'll will talk about today – education, transportation, clean energy – all work together to build an economy that works for everyone. It should please us all to know that our economy continues to rebound. Our state has added 150,000 jobs over the past two years. But that growth has not been shared equally, either geographically or across the economic spectrum. The right path for Washington is an economy that provides opportunity for all.

We know that expanding educational opportunities, launching a transportation construction program and fighting carbon pollution will put us on the right course.

Our most fundamental commitment needs to be to the very youngest Washingtonians. We know the greatest untapped asset in the state is the potential of a 3- and 4-year-old. The latest neuroscience research at the University of Washington shows that at this age, children's minds have a tremendous capacity for learning.

Early learning is the best investment we can make in our future. That's where we start. But our success will require a continuum of education, from early learning all the way through higher education. That's why my proposal makes a $2.3 billion investment in our children's future, including the largest-ever state investment in early learning. This means 6,000 more low-income children could attend high-quality preschools. My proposal fully funds class-size reductions in kindergarten through third grade. My proposal provides all-day kindergarten across the state. It gives our teachers their first cost-of-living allowance since 2008. It helps families struggling with the costs of higher education by freezing tuition and boosting financial aid so that 17,000 more students can get scholarships. These investments are not based on wishful thinking. They are based on a rock-solid foundation of proven strategies, established reforms and demonstrable student performance. We know what works. We know what it takes. I have visited a lot of classrooms in the past two years. And I have been continually impressed by the great teaching and innovative learning I've seen. And these opportunities must be available for all our children, at all our schools. Because let me tell you, we have whip-smart kids ready for takeoff. But the future demands a higher level of achievement.

Investing in STEM and workforce training pays off in attracting the most innovative companies on the planet. Today we can celebrate Elon Musk's announced plans to open a Space X engineering center in Washington with the potential to hire up to 1,000 people.

We know that a child spends an average of six hours a day in the school building. We also know what children need in those other 18 hours. Every morning, they need to start the day with nutritious food in their bellies. They need a way to get to school safely. They need a coat to protect them from the elements as they get to and from school. And at night, they need a warm, safe, stable place to sleep with a roof over their heads. The budget we agree on should nurture all our students, in and out of the classroom, because we know how hard it is to educate a homeless, hungry, sick child.

Our families and our communities also need the vital services that allow them to function – nurses, mental health facilities, police officers and firefighters – the full range of services that help make Washington a great place to live and raise a family.

We've been cutting those services to balance our budget, and it's no longer working. Over the past six years, we've cut existing and projected spending in our state budget by $12 billion. Make no mistake: We've found savings and efficiencies as well. Among other examples, we're saving an average of $1.6 million annually on leasing costs. The Department of Social and Health Services saved $3.5 million in energy costs in 2013 alone. And we're saving $2 million a year in long-distance charges through a new service. We need to continue this work. But we've reached the place where multiple courts have said we cut too much or neglected to fund adequately and have now ordered us to do a better job on foster care, mental health and protecting vulnerable children.

I know some people say they haven't noticed the cuts. Let me tell you: The man handcuffed to a gurney in an emergency room due to lack of beds in a mental health ward ... he notices. The woman who was a victim of domestic violence and couldn't get emergency housing ... she notices. The college students whose tuition went up 50 percent ... they sure notice. What can seem invisible to some of us is painfully real to others. In the prosperous future we all want, we cannot leave so many people behind.

Some see the road ahead paved only with cuts to services. Some consider only revenue as options. Both camps will ultimately realize that neither view is the definitive answer. We're going to approach our work with a bold spirit of seeking solutions rather than finding excuses, and a can-do attitude of kicking aside our differences instead of kicking the can down the road.

The same is true with transportation.

Without action, there will be a 52 percent cut in the maintenance budget, and 71 bridges will become structurally deficient or functionally obsolete. Without action, commute times will continue to rise, robbing us of time with our families. Without action, our ability to move goods efficiently will be diminished.

The tragic and catastrophic landslide in Snohomish County last year reminds us that entire communities are cut off from the rest of the state when we lose transportation infrastructure.

But now imagine a transportation system that moves the entire state forward. One that improves reliability and safety, addresses congestion and maintenance, creates jobs and offers more choices.

As you know, I've been working for a balanced, multimodal transportation package since my first day in office. In December, I proposed a plan that builds on the bipartisan spirit of past efforts by offering a good-faith compromise to spark action this legislative session.

It keeps us safe by fixing our bridges, patching our roads and cleaning our air and water. It also embraces efficiency, saves time and money, and drives results that the public can trust through real reform. Finally, it's a plan that delivers a transportation system that truly works as a system. A system that transcends our old divides and rivalries. No more east versus west, urban versus rural or roads versus transit.

Now I welcome your suggestions for improvement. But the state cannot accept a continued failure to move on transportation.

Let's get this done.

There's another thing my transportation plan does. It institutes a carbon pollution charge that would have our largest polluters pay rather than raising the gas tax on everyone. Under my plan, it's the polluters who pay.

We face many challenges, but it is the growing threat of carbon pollution that can permanently change the nature of Washington as we know it.

It's already increasing the acidity of our waters, increasing wildfires and increasing asthma rates in our children, particularly in low-income communities and communities of color.

We have a moral obligation to act. Our moral duty is to protect a birthright. Future Washingtonians deserve a healthy Washington.

Every generation has the duty to pass on healthy air and water to the next. And when we do, we will know that although we are a small part of the world, we are 7 million Washingtonians strong who stand for preserving the grandeur of our state. If we don't stand up for the health of the state, who will?

The people who are less than 1 percent of the world are leading the world in aerospace, leading the world in software and now can lead the world in clean energy, because that's who we are.

What we lack in numbers, we more than make up for in our innovative spirit.

And we are not acting alone. By next year, countries and states that are responsible for half the world's carbon pollution will have instituted limits on those emissions. And when we act together with other states and nations, we can do something even bigger. By locking arms with Oregon, California and British Columbia through the Pacific Coast Collaborative, we become a region of 53 million people comprising the world's fifth-largest economy.

Won’t it be great when the West Coast leads, while Washington DC is stymied by gridlock?
I am pleased there is a growing consensus that it is time to act. We must meet the carbon pollution limits enacted by this body in 2008. I have proposed a comprehensive solution that caps carbon emissions, creates incentives for clean technology and

transportation, invests in energy efficiency and makes our own government operations more efficient.

For all we do here together in the next few months, for all our fiscal woes, for all our short-term demands, we know that the most enduring legacy we can leave is a healthy, clean, beautiful Evergreen State.

I will not, and in the deepest part of my heart I hope you will not allow this threat to stand.

We also know the challenge of carbon pollution brings great economic opportunities for our state.

I've seen companies in Washington moving full steam ahead to seize these opportunities and create jobs: At Itek in Bellingham, which is not only one of our state's largest solar panel manufacturers, but produces the most powerful solar panels in the industry. At UniEnergy in Mukilteo, where its groundbreaking vanadium flow battery is leading the way in the field of storage technologies for renewable energy. And at MacDonald-Miller, which is not only reducing the carbon footprint of commercial buildings, but last year added 300 jobs to our state.

We are leaders in this state. When we act, others follow. Let's shape that action together. Let's test our ideas. Let's fashion a Washington carbon pollution action plan suited to the genius and leadership capabilities of our great state.

We can do this. It's already been done successfully in many other places, including 10 states and 35 countries.

I can't tell you today what our joint efforts will produce, but I can say that after six years of no progress on this front, Washingtonians deserve action on carbon pollution.

In developing my budget, I took the same approach of looking to tested solutions in revenue proposals this year.

Here's the sad truth: Washington has the nation's most unfair tax system. The nation's most unfair tax system.

Our lowest-paid workers pay nearly 17 percent of their income in taxes while the top 1 percent pay less than 3 percent. A new teacher pays three times more in taxes as a percentage than our wealthiest citizens.

We know there are many forces driving inequality, but we can make policy choices that move us toward an economy that works for all Washingtonians. We can work toward a fairer tax system, and we should.

That's why I am proposing to eliminate five tax loopholes that no longer measure up when compared with educating our kids.

That's why we're asking the wealthiest Washingtonians to do a little more. I am proposing a new capital gains tax on the sale of stocks, bonds and other assets. It is estimated that less than 1 percent of the state's taxpayers would be affected. This exempts any capital gains on retirement accounts, homes, farms and forestry.

As I mentioned, this is new to us, but certainly not a new concept nationally. Forty-one states have this system already.

And here's something else we can do to bring a modicum of fairness to our tax system – a system that relies so heavily on sales tax revenue and affects our working families so disproportionally. I am proposing we fund the Working Families Tax Rebate, which was passed by the Legislature in 2008 but never funded. This could help more than 500,000 working families in Washington, mostly in rural and economically struggling counties.

I've always believed that if you work full time, you should be able to provide for your family's most basic needs. That's why I will continue to work with legislators to help working families through polices such as a minimum wage increase and paid sick leave.

So we begin this 64th legislative session at a crossroads.

The time of recession and hollowing out is behind us. It is now time for reinvestment. I have a deep and abiding belief in our ability to lead the world and to build on our first 125 years.

That is why we should choose the upward path that leads to more opportunity, greater prosperity and a better quality of life for everyone.

Let's walk this path together.

We can make this choice with the full confidence that there are no better people to invest in than Washingtonians, there is no better place to invest in than Washington and there is no better time to invest than 2015.

So let's get to work.

The President thanked the Governor for his remarks and asked the special committee to escort Governor Inslee from the House Chamber.

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

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

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

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, Senator Tim Sheldon, Senator Linda Parlette, Senator Sharon Nelson and members of the Washington State Senate from the House Chamber.

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

There being no objection, the House adjourned until 9:55 a.m., January 14, 2015, the 3rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRD DAY

House Chamber, Olympia, Wednesday, January 14, 2015

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

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

MESSAGE FROM THE SENATE

January 13, 2015

MR. SPEAKER:

The President has signed:
HOUSE CONCURRENT RESOLUTION NO. 4400
HOUSE CONCURRENT RESOLUTION NO. 4402
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1124 by Representative Takko

AN ACT Relating to permitting the sampling of beer and wine at locations licensed to serve beer and wine for on-premises consumption; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

HB 1125 by Representatives Hawkins, Robinson, Kretz, Sawyer, Johnson, Appleton, Short and Condotta

AN ACT Relating to expenditures from the economic development strategic reserve account to support economic recovery of businesses due to the wildfires in Okanogan and Chelan counties; and amending RCW 43.330.250.

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

HB 1126 by Representatives Kagi, MacEwen, Tarleton, Walsh, Goodman and Senn

AN ACT Relating to department of early learning fatality reviews; adding a new section to chapter 43.215 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1127 by Representatives Chandler and Sells

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

Referred to Committee on Labor.

HB 1128 by Representative Hurst

AN ACT Relating to collecting DNA from adults arrested for a ranked felony or a gross misdemeanor violation of certain orders; amending RCW 43.43.753, 43.43.735, 43.43.740, 43.43.754, 46.63.110, and 43.43.690; adding a new section to chapter 43.43 RCW; adding a new section to chapter 70.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1129 by Representatives Goodman, Walsh and Jinkins

AN ACT Relating to juvenile case records access for the office of civil legal aid; and reenacting and amending RCW 13.50.010.

Referred to Committee on Judiciary.

HB 1130 by Representatives Fey, Short, Tharinger and Fitzgibbon

AN ACT Relating to water power license fees; and amending RCW 90.16.050.

Referred to Committee on Environment.

HB 1131 by Representatives Pettigrew, Buys and Fitzgibbon

AN ACT Relating to ivory and rhinoceros horn trafficking; amending RCW 77.15.260; adding a new section to chapter 77.15 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1132 by Representatives Tharinger, Harris, Wylie, Van De Wege, Johnson, Lytton, Fey, Riccelli, Jinkins, Buys and Cody

AN ACT Relating to the regulation of adult family homes; and amending RCW 70.128.060 and 70.128.120.

Referred to Committee on Health Care & Wellness.

HB 1133 by Representatives Tharinger, Muri, Reykdal, Fitzgibbon, Lytton, Jinkins, Cody, Moscoso and Dunshee

AN ACT Relating to authorizing counties to impose a public utility tax; and adding a new chapter to Title 82 RCW.

Referred to Committee on Local Government.

HB 1134 by Representatives Moeller and Harris

AN ACT Relating to scope of practice for certified counselors and advisers; and amending RCW 18.19.020 and 18.19.200.

Referred to Committee on Health Care & Wellness.

HB 1135 by Representatives Cody, Harris and Jinkins

AN ACT Relating to education-based practice remediation for licensed health and health-related professions; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care & Wellness.

HB 1136 by Representatives Carlyle and S. Hunt

AN ACT Relating to employment after public service in state government; amending RCW 42.52.080 and 42.52.900; adding a new section to chapter 42.52 RCW; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1137 by Representatives Short, Blake, Kretz, Buys and Van De Wege

AN ACT Relating to authorizing licensed geologists to perform the duties of licensed water well operators or resource protection well operators; and amending RCW 18.104.180.

Referred to Committee on Agriculture & Natural Resources.

HB 1138 by Representatives Orwall, Haler, Blake, Carlyle, Kochmar, Reykdal, Appleton, S. Hunt and Pollet

AN ACT Relating to creating a task force on mental health and suicide prevention in higher education; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1139 by Representatives Orwall, Kochmar and Appleton

AN ACT Relating to establishing a work group to study human trafficking of youth issues; creating a new section; and providing an expiration date.

Referred to Committee on Public Safety.

HB 1140 by Representatives Orwall, Moeller, Cody, Appleton and Jinkins

AN ACT Relating to primary care psychiatric consultation services; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1141 by Representative Goodman

AN ACT Relating to the operational standards of regional jails; and amending RCW 70.48.095.

Referred to Committee on Public Safety.

HB 1142 by Representatives Wilcox, Reykdal and G. Hunt

AN ACT Relating to modifying school district authority with respect to student parking; amending RCW 28A.325.010 and 28A.335.060; and creating a new section.

Referred to Committee on Education.

HB 1143 by Representatives S. Hunt, Reykdal, Bergquist, Appleton, Dunshee and Orwall

AN ACT Relating to allowing voters to return a voted ballot and signed declaration by fax or email; and reenacting and amending RCW 29A.40.110.

Referred to Committee on State Government.

HB 1144 by Representatives S. Hunt, Fitzgibbon, Ryu, Bergquist, Tarleton, Appleton, Pollet, Riccelli, Dunshee, Orwall and Moscoso

AN ACT Relating to extending the time period for voter registration; amending RCW 29A.08.140; and creating a new section.

Referred to Committee on State Government.

HB 1145 by Representative Haler

AN ACT Relating to joint meetings of county legislative authorities; and amending RCW 36.32.080 and 36.32.090.

Referred to Committee on Local Government.

HB 1146 by Representatives Haler, Pollet, Manweller and Zeiger

AN ACT Relating to higher education fiscal matters; amending RCW 28B.15.067, 28B.77.070, 28B.77.100, and 28B.145.030; reenacting and amending RCW 28B.15.068; adding a new section to chapter 28B.10 RCW; repealing RCW 28B.10.780; and repealing 2011 1st sp.s. c 50 s 928.

Referred to Committee on Appropriations.

HB 1147 by Representatives Haler, Pollet, Manweller and Zeiger

AN ACT Relating to a study of the transition to a three-track or four-track admission system for public institutions of higher education; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1148 by Representative Goodman

AN ACT Relating to determining sentences for multiple offenses and enhancements; and amending RCW 9.94A.533, 9.94A.535, and 9.94A.589.

Referred to Committee on Public Safety.

HB 1149 by Representatives Muri, Lytton, Appleton, Klippert and Hawkins

AN ACT Relating to providing for educational data on students from military families; amending RCW 28A.300.505; and creating new sections.

Referred to Committee on Education.

HB 1150 by Representatives Muri, Kilduff, Appleton, Lytton and Klippert

AN ACT Relating to notifying the military regarding child abuse and neglect allegations of families with an active military status; and reenacting and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

HB 1151 by Representative Moeller

AN ACT Relating to respite services for caregivers of people with mental illness; adding a new section to chapter 74.09 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1152 by Representatives Fitzgibbon, Stanford and Dunshee

AN ACT Relating to the management of forage fish resources; amending RCW 77.32.010; and creating new sections.

Referred to Committee on Agriculture & Natural Resources.

HB 1153 by Representatives Blake and Wilcox

AN ACT Relating to lumber grading; and adding a new chapter to Title 76 RCW.

Referred to Committee on Local Government.

HB 1154 by Representatives Bergquist, Zeiger, Muri, Haler, Pollet and Moscoso

AN ACT Relating to the affordable college for everyone grant contract program; amending RCW 28B.15.102, 28B.76.502, 28B.76.525, 28B.76.526, 28B.76.540, 28B.77.020, 28B.92.010, 28B.92.020, 28B.92.040, 28B.92.060, 28B.92.080, 28B.92.082, 28B.117.020, 28B.119.030, 28B.133.010, 28B.133.020, 28B.145.030, and 28C.18.166; reenacting and amending RCW 28B.118.010; adding new sections to chapter 28B.92 RCW; adding new sections to chapter 28B.118 RCW; creating a new section; repealing RCW 28B.118.005, 28B.118.020, 28B.118.030, 28B.118.040, and 28B.118.075; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1155 by Representatives Pike, Moeller, Buys, Manweller and Hayes

AN ACT Relating to property tax relief for senior citizens and persons retired because of physical disability; amending RCW 84.36.381, 84.36.383, 84.36.385, 84.38.020, and 84.38.030; and creating new sections.

Referred to Committee on Finance.

HB 1156 by Representatives Pike, Manweller and Hayes

AN ACT Relating to introducing private competition in industrial insurance coverage by enacting the Washington jobs act; amending RCW 51.16.140, 51.32.073, 51.44.010, 51.44.020, and 51.44.030; adding new sections to chapter 51.08 RCW; adding a new section to chapter 48.19 RCW; adding new sections to chapter 51.44 RCW; adding a new section to chapter 51.16 RCW; adding a new chapter to Title 51 RCW; creating new sections; and providing an effective date.

Referred to Committee on Labor.

HB 1157 by Representatives Pike, Wylie, Wilson and Moeller

AN ACT Relating to the apportionment of quick title service fees collected by appointed subagents; and amending RCW 46.68.025.

Referred to Committee on Transportation.

HB 1158 by Representatives Pike, Blake, DeBolt, Manweller, Harris, Hayes and Buys

AN ACT Relating to granting local governments the authority to make challenges related to growth management planning subject to direct review in superior court; amending RCW 36.70A.295; creating new sections; and providing an expiration date.

Referred to Committee on Local Government.

HB 1159 by Representatives Pike, Wylie, Moeller, Zeiger and Kochmar

AN ACT Relating to the safety of new drivers; amending RCW 46.20.055 and 46.20.075; adding a new section to chapter 46.20 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Transportation.

HB 1160 by Representatives Pike, Moeller, Fitzgibbon and Bergquist

AN ACT Relating to stamping out litter in Washington state by increasing penalties for littering while providing additional funding to state parks; amending RCW 70.93.060, 43.08.250, 70.93.180, 3.50.100, 35.20.220, 79A.05.215, 79A.05.215, 79A.05.050, 7.80.120, and 46.63.110; reenacting and amending RCW 70.93.180; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1161 by Representative Moeller

AN ACT Relating to indexing qualifying income thresholds for senior citizen property tax relief programs; amending RCW 84.36.381, 84.36.383, 84.36.385, 84.38.020, and 84.38.030; adding a new section to chapter 84.38 RCW; and creating new sections.

Referred to Committee on Finance.

HB 1162 by Representatives Tarleton, Pollet, Moeller, Hudgins, Orwall, S. Hunt and Morris

AN ACT Relating to motorized mineral prospecting; amending RCW 77.55.091, 77.55.321, and 77.55.021; adding a new section to chapter 77.55 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1163 by Representatives Tarleton, Walkinshaw, Moeller, Ortiz-Self, Gregerson, Pollet and S. Hunt

AN ACT Relating to paid vacation leave; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1164 by Representatives Riccelli, DeBolt, Stanford, MacEwen, Santos, Reykdal, Holy, Tharinger, Gregerson, Appleton, Bergquist, Senn, Hawkins, Walkinshaw, Ormsby, Farrell and Tarleton

AN ACT Relating to equipment assistance grants to enhance student nutrition in public schools; adding a new section to chapter 28A.235 RCW; and creating new sections.

Referred to Committee on Capital Budget.

HB 1165 by Representatives Condotta, Reykdal, Holy, Scott and Vick

AN ACT Relating to the establishment of a dedicated local jurisdiction marijuana fund and the distribution of a specified percentage of marijuana excise tax revenues to local jurisdictions; amending RCW 69.50.530, 69.50.535, and 69.50.540; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1166 by Representative Dunshee

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99Y.010 and 43.99Y.020; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1167 by Representatives Harris and Tharinger

AN ACT Relating to coverage of home health benefits for persons seeking palliative care treatments; amending RCW 48.21.220, 48.21A.090, and 48.44.320; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1168 by Representatives Ormsby, Chandler and Sullivan

AN ACT Relating to correcting restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by a different state retirement system; and amending RCW 41.40.037.

Referred to Committee on Appropriations.

HB 1169 by Representatives Ormsby and Sullivan

AN ACT Relating to an optional life annuity benefit for members of the Washington state patrol retirement system; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Appropriations.

HB 1170 by Representatives Clibborn, Zeiger, Tarleton, Wilcox, Springer, Jinkins and Fey

AN ACT Relating to the administrative powers of port districts; and amending RCW 35.21.730, 35.21.735, 35.21.740, 35.21.745, 35.21.747, 35.21.750, and 35.21.755.

Referred to Committee on Local Government.

HB 1171 by Representatives Kirby, Vick, Ryu, Fagan, Kochmar and Blake

AN ACT Relating to real estate brokers and managing brokers; amending RCW 18.85.451, 18.85.461, and 18.85.471; and providing expiration dates.

Referred to Committee on Business & Financial Services.

HB 1172 by Representatives Stanford and Vick

AN ACT Relating to the risk management and solvency assessment act; amending RCW 42.56.400; reenacting and amending RCW 42.56.400; adding a new chapter to Title 48 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Business & Financial Services.

HB 1173 by Representative Carlyle

AN ACT Relating to protecting the physician-patient relationship by limiting the use of unreasonable noncompete agreements; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.71 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1174 by Representatives Van De Wege, Taylor, Fitzgibbon, Senn, Shea, Magendanz and Springer

AN ACT Relating to flame retardants; amending RCW 70.240.020, 70.240.010, and 70.240.050; and adding new sections to chapter 70.240 RCW.

Referred to Committee on Environment.

HB 1175 by Representatives Van De Wege, S. Hunt, Pettigrew, Moeller, Tharinger, Bergquist and Fitzgibbon

AN ACT Relating to creating a penalty for concealing the source of a campaign contribution; amending RCW 42.17A.750; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1176 by Representatives Kirby, Vick and Hurst

AN ACT Relating to pawnbroker fees and interest rates; and amending RCW 19.60.060.

Referred to Committee on Business & Financial Services.

HB 1177 by Representatives Kirby and Jinkins

AN ACT Relating to the regulation of service contracts; and adding a new section to chapter 48.01 RCW.

Referred to Committee on Judiciary.

HB 1178 by Representatives Moscoso, Appleton, DeBolt and Haler

AN ACT Relating to assault in the third degree; amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1179 by Representatives Lytton, Buys, S. Hunt, Wilcox, Blake, Appleton, Morris, G. Hunt, Short and Walkinshaw

AN ACT Relating to exempting cider makers from the wine commission assessment; amending RCW 66.24.215; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

SCR 8400 by Senators Schoesler and Nelson

Establishing cutoff dates for the consideration of legislation during the 2015 regular session of the sixty-fourth legislature.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8400 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

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

There being no objection, the House adjourned until 9:55 a.m., January 15, 2015, the 4th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTH DAY

House Chamber, Olympia, Thursday, January 15, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1180 by Representatives Fey, Farrell, Fitzgibbon, Moscoso, Walkinshaw, Sells, Pollet, Ortiz-Self, Dunshee, Goodman, Bergquist, Tarleton, Ryu, Cody, Clibborn, Kagi, Morris, Peterson, Jinkins, Senn, McBride, Pettigrew, Sawyer, Gregerson and Robinson

AN ACT Relating to dedicated funding sources for high capacity transportation service; amending RCW 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, and 84.04.120; reenacting and amending RCW 81.104.170; adding a new section to chapter 81.104 RCW; adding a new section to chapter 84.52 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1181 by Representatives Taylor, Manweller and Shea

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

Referred to Committee on Labor.

HB 1182 by Representatives Hurst, Scott, Blake, Chandler, Tarleton, Fitzgibbon, Buys, Hudgins, Stanford, Van De Wege, Lytton, Ormsby, Takko, Morris, Farrell and Orcutt

AN ACT Relating to geological hazards assessment; and amending RCW 43.92.025 and 58.24.060.

Referred to Committee on Agriculture & Natural Resources.

HB 1183 by Representatives Harris and Cody

AN ACT Relating to radiology benefit managers; and adding a new chapter to Title 19 RCW.

Referred to Committee on Health Care & Wellness.

HB 1184 by Representatives Cody and Harris

AN ACT Relating to increasing the health professions participating in online access to the University of Washington health sciences library; reenacting and amending RCW 43.70.110; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1185 by Representatives Kirby and Vick

AN ACT Relating to allowing public funds to be deposited outside of the state; and amending RCW 39.58.080 and 39.58.085.

Referred to Committee on Business & Financial Services.

HB 1186 by Representatives Clibborn, Springer, Johnson, Senn, Moeller, McBride and Walkinshaw

AN ACT Relating to notifications to patients in observation status at hospitals; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health Care & Wellness.

HB 1187 by Representatives Chandler, Blake, Buys and Stanford

AN ACT Relating to best practices for water banks; reenacting and amending RCW 90.42.020; adding new sections to chapter 90.42 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1188 by Representatives S. Hunt, Johnson, Appleton and Holy

AN ACT Relating to delaying annual leave payments upon employment termination; and amending RCW 43.01.041.

Referred to Committee on State Government.

HB 1189 by Representatives S. Hunt, Holy, Bergquist, Johnson and Appleton

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

Referred to Committee on Local Government.

HB 1190 by Representatives Harris and Riccelli

AN ACT Relating to preserving the use of hydrocodone products by licensed optometrists in Washington state; amending RCW 18.53.010; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1191 by Representatives Taylor, Scott, G. Hunt, Rodne and Shea

AN ACT Relating to concealed pistol license renewal notices; and amending RCW 9.41.070.

Referred to Committee on Judiciary.

HB 1192 by Representatives Taylor, Shea, Kretz, G. Hunt, Short, Chandler and Schmick

AN ACT Relating to the transfer of federal land to the state; amending RCW 28A.515.300; adding a new chapter to Title 79 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1193 by Representatives Taylor, Scott, G. Hunt, Rodne and Shea

AN ACT Relating to prohibiting a government database of law abiding owners of legal firearms; and amending RCW 9.41.129.

Referred to Committee on Judiciary.

HB 1194 by Representatives Kirby, Holy, Van De Wege and Hayes

AN ACT Relating to the death benefits of a surviving spouse of a member of the law enforcement officers' and firefighters' retirement system or the state patrol retirement system; and amending RCW 51.32.050.

Referred to Committee on Labor.

HB 1195 by Representatives Rodne and Clibborn

AN ACT Relating to office hours for registered tow truck operators; and amending RCW 46.55.060.

Referred to Committee on Labor.

HB 1196 by Representatives G. Hunt and Kirby

AN ACT Relating to licensing real estate appraisers by reciprocity, fingerprint-based background checks for real estate appraiser applicants, and creating an inactive status for real estate appraisers; amending RCW 18.140.010, 18.140.060, 18.140.120, and 18.140.160; and adding new sections to chapter 18.140 RCW.

Referred to Committee on Business & Financial Services.

HB 1197 by Representatives Takko and Kochmar

AN ACT Relating to water-sewer districts; amending RCW 57.08.016, 57.16.062, and 57.16.090; and adding a new section to chapter 57.20 RCW.

Referred to Committee on Local Government.

HB 1198 by Representatives Vick and Kirby

AN ACT Relating to the sale of beer and cider by grocery store licensees; and amending RCW 66.24.360.

Referred to Committee on Commerce & Gaming.

HB 1199 by Representatives Short, Blake, Kretz, Wilcox and Schmick

AN ACT Relating to providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species; amending RCW 77.12.020, 77.04.090, and 77.04.012; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1200 by Representatives Scott, Shea, Short, Taylor, Manweller and Buys

AN ACT Relating to limiting the enforcement of policies of the department of fish and wildlife and providing for abrogation of policies by act of the governor or either house of the legislature; amending RCW 77.04.090; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1201 by Representatives Scott, Shea, Taylor, Short, Holy, Manweller and Buys

AN ACT Relating to abrogation of an administration rule by action of the governor or either house of the legislature; and adding a new section to chapter 34.05 RCW.

Referred to Committee on State Government.

HB 1202 by Representatives Scott, Shea, Taylor, Short, Holy, Manweller and Buys

AN ACT Relating to abrogation of an administrative rule or policy of the department of ecology by action of the governor or either house of the legislature; and adding a new section to chapter 43.21A RCW.

Referred to Committee on State Government.

HB 1203 by Representatives Scott, Shea, Short, Taylor, Manweller and Buys

AN ACT Relating to limiting the enforcement of administrative rules and policies; adding a new section to chapter 34.05 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1204 by Representatives Scott, Shea, Taylor, Short, Holy, Manweller and Buys

AN ACT Relating to limiting the enforcement of policies of the department of ecology; amending RCW 43.21A.080; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1205 by Representatives Shea, Scott, Taylor, Manweller, Holy and Buys

AN ACT Relating to the payment of interim attorneys' fees to nongovernment parties under certain claims; and amending RCW 4.84.010.

Referred to Committee on Judiciary.

HB 1206 by Representatives Shea, Scott, Taylor, Short, Holy, Manweller and Buys

AN ACT Relating to modifying limitations on new evidence taken on judicial review of administrative actions; and amending RCW 34.05.562.

Referred to Committee on Judiciary.

HB 1207 by Representatives Shea, Scott, Taylor, Short, Holy, Manweller and Buys

AN ACT Relating to judicial interpretation of law and other writings without deference to agency interpretation; and amending RCW 34.05.570.

Referred to Committee on Judiciary.

HB 1208 by Representatives Scott, Shea, Taylor, Holy and Buys

AN ACT Relating to the removal of an adjudicative proceeding to the office of administrative hearings; and amending RCW 34.05.413.

Referred to Committee on Judiciary.

HB 1209 by Representatives Scott, Shea, Short, Taylor, Manweller, Holy and Buys

AN ACT Relating to proceedings of the joint administrative rules review committee; and amending RCW 34.05.655 and 34.05.640.

Referred to Committee on State Government.

HB 1210 by Representatives G. Hunt, Taylor, Muri and Zeiger

AN ACT Relating to elections pertaining to poll-site voting and voting identification requirements; amending RCW 29A.32.241, 29A.40.010, and 29A.40.160; adding a new section to chapter 29A.40 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on State Government.

HB 1211 by Representatives G. Hunt, Reykdal, Sawyer, Manweller, Vick and S. Hunt

AN ACT Relating to fees and costs related to methods of wage payment; and amending RCW 49.48.010.

Referred to Committee on Labor.

HB 1212 by Representatives G. Hunt, Goodman, Blake, Wilcox, Lytton and Taylor

AN ACT Relating to prohibiting retail businesses from recording consumer identification information during transactions; and amending RCW 19.192.020.

Referred to Committee on Business & Financial Services.

HB 1213 by Representatives Orwall, Klippert, MacEwen and Moeller

AN ACT Relating to the definition of veteran for the purposes of the county veterans assistance fund; and amending RCW 73.08.005.

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

HB 1214 by Representatives Scott, Taylor, Chandler, Blake and Shea

AN ACT Relating to the definition of agricultural lands under the shoreline management act; and amending RCW 90.58.065.

Referred to Committee on Local Government.

HB 1215 by Representatives Scott, Taylor, Chandler, Blake and Shea

AN ACT Relating to restricting the conversion of agricultural land to other uses under the growth management act; and amending RCW 36.70A.060.

Referred to Committee on Local Government.

HB 1216 by Representatives Scott, Taylor, Chandler, Blake and Shea

AN ACT Relating to the conversion of agricultural land to other uses under the growth management act and shoreline management act; and amending RCW 36.70A.060 and 90.58.065.

Referred to Committee on Local Government.

HB 1217 by Representatives Moeller, Johnson, Appleton, S. Hunt, Chandler, Walsh, Riccelli, Vick, Pettigrew and Buys

AN ACT Relating to the capitol furnishings preservation committee; and amending RCW 27.48.040.

Referred to Committee on State Government.

HB 1218 by Representatives Zeiger, Clibborn, Orcutt, Fey, Kochmar, Hargrove and Muri

AN ACT Relating to implementing public-private partnership best practices for nontoll transportation projects; amending RCW 47.29.010, 47.29.030, 47.29.060, 47.29.140, 47.29.150, 47.29.170, 47.29.180, 47.29.280, 39.10.300, and 39.08.010; adding a new section to chapter 47.29 RCW; adding a new section to chapter 39.10 RCW; adding a new section to chapter 39.04 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1219 by Representatives Zeiger, Clibborn, Orcutt, Fey, Kochmar, Hargrove and Muri

AN ACT Relating to expedited permitting and contracting for Washington state bridges deemed structurally deficient;

amending RCW 47.28.170; reenacting and amending RCW 47.04.010; adding a new section to chapter 43.21C RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 1220 by Representatives Blake, Wilcox, Takko, Nealey, Lytton, Orcutt, Haler and Klippert

AN ACT Relating to a hazardous substance tax exemption for certain hazardous substances defined under RCW 82.21.020(1)(c) that are used as agricultural crop protection products and warehoused but not otherwise used, manufactured, packaged, or sold in this state; amending RCW 82.21.040; adding a new section to chapter 82.21 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1221 by Representatives Hansen, Young, Appleton, Caldier, Griffey and MacEwen

AN ACT Relating to creating passenger-only ferry service districts; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1222 by Representatives McBride, Griffey, Clibborn, Orcutt, Van De Wege, Fey, Takko and Young

AN ACT Relating to firefighting apparatus length and weight limits; and amending RCW 46.44.190.

Referred to Committee on Transportation.

HB 1223 by Representatives Springer, Kochmar, Sullivan, Rodne, Pettigrew, Wilcox, Fitzgibbon and McBride

AN ACT Relating to allowing the use of lodging taxes for financing workforce housing; and amending RCW 67.28.150, 67.28.160, and 67.28.180.

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

HB 1224 by Representatives Kretz and Short

AN ACT Relating to accelerating the rate of wolf recovery in Washington; adding a new section to chapter 77.12 RCW; adding a new section to chapter 43.21C RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1225 by Representatives Kretz, Blake, Short and Wilcox

AN ACT Relating to increasing the social acceptance of endangered species recovery by providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species; amending RCW 77.12.020; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1226 by Representatives Goodman, Kagi, Orwall and Van De Wege

AN ACT Relating to arrest of sixteen and seventeen year olds for domestic violence assault; and reenacting and amending RCW 10.31.100.

Referred to Committee on Early Learning & Human Services.

HB 1227 by Representative Sells

AN ACT Relating to working Washington special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1228 by Representatives Johnson, S. Hunt, Appleton, Robinson, Haler, Van De Wege, Short, Riccelli, Pike, MacEwen, Kretz, Orwall, Buys, McBride, Fagan, Ortiz-Self, Bergquist, Walkinshaw, Holy, Rodne, Walsh and Sawyer

AN ACT Relating to fiscal information on ballot measures; amending RCW 29A.32.060, 29A.32.070, 29A.32.090, 29A.32.100, and 29A.32.121; and adding a new section to chapter 29A.72 RCW.

Referred to Committee on State Government.

HB 1229 by Representatives Johnson, S. Hunt, Zeiger, Appleton, Robinson, Haler, Van De Wege, Short, Riccelli, Pike, MacEwen, Kretz, Buys, McBride, Fagan, Orwall, Ortiz-Self, Bergquist, Walkinshaw, Holy, Rodne and Sawyer

AN ACT Relating to information about initiatives; amending RCW 29A.32.090; adding new sections to chapter 29A.72 RCW; and adding a new section to chapter 29A.32 RCW.

Referred to Committee on State Government.

HB 1230 by Representative Sells

AN ACT Relating to the ordering of interest arbitration; and amending RCW 41.56.160.

Referred to Committee on Labor.

HB 1231 by Representatives Ormsby, Sells, Morris, Goodman, Ortiz-Self, Wylie, Gregerson, Stanford, Riccelli and Moeller

AN ACT Relating to establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available; and amending RCW 39.12.015.

Referred to Committee on Labor.

HB 1232 by Representatives Chandler, Blake and McCabe

AN ACT Relating to employer-purchased fishing guide licenses; amending RCW 77.65.370 and 77.65.480; and adding a new section to chapter 77.65 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1233 by Representatives Chandler, Blake, Buys, Dent and Taylor

AN ACT Relating to specifying that the ability to withdraw a certain amount of groundwater for domestic purposes without first obtaining a permit from the department of ecology is not subject to relinquishment through nonuse; and amending RCW 90.14.160.

Referred to Committee on Agriculture & Natural Resources.

HB 1234 by Representative Senn

AN ACT Relating to the building code council account; and amending RCW 19.27.085.

Referred to Committee on Local Government.

HB 1235 by Representatives Holy and S. Hunt

AN ACT Relating to making nonsubstantive changes to procurement law; amending RCW 28B.10.029, 35.57.080, 36.100.190, 39.04.190, 39.26.070, 39.26.251, 39.26.255, 39.26.271, 39.35C.050, 39.35C.090, and 43.19.1919; reenacting and amending RCW 39.26.010; and repealing RCW 43.19.520, 43.19.525, and 43.19.533.

Referred to Committee on State Government.

HB 1236 by Representatives Ortiz-Self, Johnson, Santos, Lytton, Moscoso, Pettigrew, Walkinshaw and Kilduff

AN ACT Relating to eliminating the parent or guardian approval requirement for the college bound scholarship pledge; amending RCW 28B.118.040; and reenacting and amending RCW 28B.118.010.

Referred to Committee on Higher Education.

HB 1237 by Representatives Kretz, Blake, Dent, Lytton, Manweller, Pettigrew and Short

AN ACT Relating to providing landowners with necessary tools for the protection of their property from forest fires; and amending RCW 76.04.750, 79.02.300, 79.02.320, and 79.02.330.

Referred to Committee on Agriculture & Natural Resources.

HB 1238 by Representatives Pollet, Haler and Bergquist

AN ACT Relating to affordable tuition planning; amending RCW 28B.77.020; and creating a new section.

Referred to Committee on Higher Education.

HB 1239 by Representatives Pollet, Appleton, Reykdal, Moscoso, S. Hunt, Stanford, Fitzgibbon, Kagi, Farrell, Ortiz-Self, Dunshee, Walkinshaw, Pettigrew, Tharinger, Ryu, Sells, Tarleton, Santos, Goodman, Cody, Wylie, McBride, Bergquist and Riccelli

AN ACT Relating to increasing tax exemption transparency and accountability; amending RCW 43.06.400, 43.88.030, 43.136.035, 43.136.045, 43.136.055, and 43.136.065; adding new sections to chapter 43.88 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1240 by Representatives Pollet, Santos, S. Hunt, Orwall, Senn and Lytton

AN ACT Relating to restraint or isolation of students, including students with disabilities, in public schools; amending RCW 28A.155.020 and 28A.600.485; adding a new section to chapter 28A.345 RCW; and creating a new section.

Referred to Committee on Education.

HB 1241 by Representatives Muri, G. Hunt, Kilduff, Zeiger, Magendanz and Stambaugh

AN ACT Relating to providing a business and occupation tax credit for businesses that hire veterans; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and providing expiration dates.

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

HB 1242 by Representatives Muri and Magendanz

AN ACT Relating to clarifying the prohibition of educational employees from striking or refusing to perform official duties; adding a new section to chapter 41.59 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1243 by Representatives Muri, Hargrove and Magendanz

AN ACT Relating to providing flexibility for how school districts address truancy of students; amending RCW 28A.225.015, 28A.225.020, 28A.225.025, 28A.225.030, and 28A.225.151; and creating a new section.

Referred to Committee on Judiciary.

HJR 4200 by Representatives Taylor, G. Hunt, Scott and Shea

Amending the state Constitution to ensure that electronic communications and data are secure from unreasonable searches and seizures.

Referred to Committee on Judiciary.

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

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

There being no objection, the House adjourned until 9:55 a.m., January 16, 2015, the 5th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTH DAY

House Chamber, Olympia, Friday, January 16, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1244 by Representatives Shea, Scott, Taylor, Holy, G. Hunt and Griffey

AN ACT Relating to reducing motorcycle rider liability for actions required of helmet manufacturers; amending RCW 46.37.530; and creating a new section.

Referred to Committee on Transportation.

HB 1245 by Representatives Shea, Taylor, G. Hunt, Scott, Griffey and Rodne

AN ACT Relating to criminal and public safety background checks for gun sales and transfers; repealing RCW 9.41.092, 9.41.113, 9.41.115, 9.41.137, and 82.08.833; repealing 2015 c ss 2, 5, 6, 7, and 11; and repealing 2015 c 1 s 1 (uncodified).

Referred to Committee on Judiciary.

HB 1246 by Representatives Shea, Scott, Taylor, G. Hunt, Griffey and Rodne

AN ACT Relating to protecting citizens from the application of foreign laws that would result in a violation of a constitutional right; and adding a new section to chapter 1.20 RCW.

Referred to Committee on Judiciary.

HB 1247 by Representatives Shea, Scott, Taylor, Holy, G. Hunt, Griffey and Rodne

AN ACT Relating to making human decapitation an aggravating circumstance for purposes of aggravated first degree murder; amending RCW 10.95.020; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1248 by Representatives Shea, Sawyer, Rodne, Jinkins, Walkinshaw and Fitzgibbon

AN ACT Relating to court proceedings; amending RCW 3.66.020, 7.06.020, 7.06.050, and 36.18.016; and adding new sections to chapter 7.06 RCW.

Referred to Committee on Judiciary.

HB 1249 by Representatives Clibborn and Fagan

AN ACT Relating to nonprofit risk pools; amending RCW 48.01.050, 48.62.031, and 48.62.141; reenacting and amending RCW 48.62.021; adding a new chapter to Title 48 RCW; and repealing RCW 48.62.036.

Referred to Committee on Business & Financial Services.

HB 1250 by Representatives Holy and S. Hunt

AN ACT Relating to notice and review processes for annexations, deannexations, incorporations, disincorporations, consolidations, and boundary line adjustments under Titles 35 and 35A RCW; amending RCW 35.02.030, 35.02.037, 35.02.070, 35.02.100, 35.02.130, 35.07.020, 35.07.040, 35.07.230, 35A.15.010, 35A.15.040, 35.10.265, 35.10.400, 35.10.410, 35.10.420, 35.13.010, 35.13.020, 35.13.100, 35.13.130, 35.13.150, 35.13.180, 35.13.182, 35.13.1822, 35.13.185, 35.13.190, 35.13.238, 35.13.260, 35.13.300, 35.13.420, 35.13.440, 35.13.480, 35.13.490, 35.16.010, 35.16.040, 35A.14.010, 35A.14.020, 35A.14.090, 35A.14.130, 35A.14.140, 35A.14.295, 35A.14.297, 35A.14.300, 35A.14.310, 35A.14.430, 35A.14.440, 35A.14.460, 35A.14.470, 35A.14.480, 35A.14.490, 35A.14.700, 35A.16.010, and 35A.16.040; and adding a new section to chapter 43.41 RCW.

Referred to Committee on Local Government.

HB 1251 by Representatives Van De Wege and Fey

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

Referred to Committee on Finance.

HB 1252 by Representatives Wylie, Harris and Moeller

AN ACT Relating to penalties for allowing or permitting unlicensed practice of massage therapy or reflexology; adding a new section to chapter 18.108 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1253 by Representatives Manweller and G. Hunt

AN ACT Relating to worker reporting of workplace injuries for purposes of industrial insurance; amending RCW 51.28.010; and creating a new section.

Referred to Committee on Labor.

HB 1254 by Representative Manweller

AN ACT Relating to prevailing wages; amending RCW 39.12.015; and prescribing penalties.

Referred to Committee on Labor.

HB 1255 by Representatives Tarleton, Ryu and Kirby

AN ACT Relating to the office of minority and women's business enterprises account; and amending RCW 39.19.200.

Referred to Committee on Technology & Economic Development.

HB 1256 by Representatives Tharinger, Fitzgibbon, Van De Wege, Buys, Hansen, Lytton, Wylie, Fey, Dunshee, Riccelli and Jinkins

AN ACT Relating to providing the department of natural resources with discretionary authority to use resources available in the derelict vessel removal account to fund complementary derelict vessel prevention programs; and amending RCW 79.100.100.

Referred to Committee on Agriculture & Natural Resources.

HB 1257 by Representatives Walkinshaw, Senn, Robinson, Stanford, Farrell, Ormsby, Riccelli, Gregerson, Jinkins and Fitzgibbon

AN ACT Relating to tenant screening; amending RCW 59.18.257; reenacting and amending RCW 59.18.030; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 1258 by Representatives Walkinshaw, Rodne, Jinkins, Haler, Cody, Harris, Goodman, Muri, Fagan, Hansen, Buys, Orwall, Kilduff, Springer, Senn, Walsh, Pettigrew, Robinson, Bergquist, Stanford, Fitzgibbon and Pollet

AN ACT Relating to court review of detention decisions under the involuntary treatment act; and adding new sections to chapter 71.05 RCW.

Referred to Committee on Judiciary.

HB 1259 by Representatives Cody, Schmick, Clibborn and Harris

AN ACT Relating to signatures of advanced registered nurse practitioners on required documentation; and adding a new section to chapter 18.79 RCW.

Referred to Committee on Health Care & Wellness.

HB 1260 by Representatives Kilduff, Muri, Goodman, Rodne, Klippert, Kirby, Walkinshaw and Stokesbary

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

Referred to Committee on Judiciary.

HB 1261 by Representatives Sawyer and Appleton

AN ACT Relating to limiting enforcement action against tribal hunters; and adding a new section to chapter 77.15 RCW.

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

HB 1262 by Representatives Blake, Takko, Kretz, Springer, Short and Lytton

AN ACT Relating to creating a task force to examine land ownership by the federal government in Washington; creating new sections; and providing an expiration date.

Referred to Committee on Capital Budget.

HB 1263 by Representatives Stokesbary, Kirby, Vick and Hurst

AN ACT Relating to private investigators; and amending RCW 18.165.020.

Referred to Committee on Business & Financial Services.

HB 1264 by Representatives Wilcox, Blake, MacEwen, Gregerson and Lytton

AN ACT Relating to conservation districts' rates and charges; and amending RCW 89.08.405.

Referred to Committee on Local Government.

HB 1265 by Representatives Fey, Kochmar, Jinkins and Gregory

AN ACT Relating to creating a bond issuance exemption for qualifying local revitalization financing projects; and amending RCW 82.14.510 and 82.14.515.

Referred to Committee on Technology & Economic Development.

HB 1266 by Representative Buys

AN ACT Relating to creating a task force on elections for irrigation districts; creating new sections; and providing an expiration date.

Referred to Committee on State Government.

HB 1267 by Representative Buys

AN ACT Relating to de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies; adding a new section to chapter 90.03 RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1268 by Representatives Buys, Lytton, Shea and Wilcox

AN ACT Relating to hemp as a component of commercial animal feed; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1269 by Representatives Buys and Van Werven

AN ACT Relating to extending the dairy inspection program assessment expiration date; amending RCW 15.36.551; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1270 by Representatives Buys and Blake

AN ACT Relating to increasing salmon populations in Washington through the implementation of a new fish hatchery management structure that is modeled on the proven, successful structure utilized by the state of Alaska for the past forty years; amending RCW 77.04.160, 77.95.210, 77.95.290, and 77.100.050; adding a new section to chapter 77.50 RCW; adding a new chapter to Title 77 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1271 by Representative Buys

AN ACT Relating to increasing rock collecting opportunities on state lands; amending RCW 79A.80.010, 79A.80.050, 79A.80.080, 79A.80.090, 79A.80.100, 79A.05.165, and 77.15.750; adding a new section to chapter 79A.80 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1272 by Representatives Buys and Orwall

AN ACT Relating to the wrongful distribution of intimate images; amending RCW 9A.44.115; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1273 by Representatives Robinson, Sells, Farrell, Hudgins, Kagi, Wylie, Sawyer, Walkinshaw, Moscoso, Ryu, Ormsby, Riccelli, Jinkins, Senn, McBride, Gregerson, Fitzgibbon and Moeller

AN ACT Relating to implementing family and medical leave insurance; amending RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.160, 49.86.170, 49.86.180, and 49.86.210; reenacting and amending RCW 43.79A.040, 50.29.021, and 34.05.328; adding new sections to chapter 49.86 RCW; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Labor.

HB 1274 by Representatives Cody, Jinkins, Johnson and Harris

AN ACT Relating to implementing a value-based system for nursing home rates; adding a new section to chapter 74.46 RCW; repealing RCW 74.46.431, 74.46.435, 74.46.506, 74.46.508, 74.46.511, 74.46.515, and 74.46.521; and providing an effective date.

Referred to Committee on Appropriations.

HB 1275 by Representative Cody

AN ACT Relating to increasing the number of members on the board of osteopathic medicine and surgery; and amending RCW 18.57.003.

Referred to Committee on Health Care & Wellness.

HB 1276 by Representatives Klippert, Goodman, Hayes, Orwall, Moscoso and Pettigrew

AN ACT Relating to impaired driving; amending RCW 10.21.055, 46.20.385, 46.20.740, 46.20.308, 46.20.750, 46.25.120, 46.61.140, 46.61.5055, 43.43.395, 9.94A.533, 46.61.520, 68.50.160, 9.94A.589, and 46.61.504; reenacting and amending RCW 46.52.130; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1277 by Representatives Klippert, Appleton, MacEwen, Muri, Orwall, Goodman, Shea, Haler and Moscoso

AN ACT Relating to transient lodging for military service members in armories; and amending RCW 38.20.010.

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

HB 1278 by Representatives Fitzgibbon, Dunshee and Farrell

AN ACT Relating to building energy use disclosure requirements; amending RCW 19.27A.140, 19.27A.170, 43.21B.110, 43.21B.110, 19.29A.030, 19.29A.040, 19.29A.010, and 80.28.010; reenacting and amending RCW 42.56.270; adding new sections to chapter 70.94 RCW; creating a new section; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Environment.

HB 1279 by Representatives Kochmar and Gregory

AN ACT Relating to local tourism promotion areas; and amending RCW 35.101.010.

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

HB 1280 by Representatives Sawyer, Appleton, Reykdal, S. Hunt, Riccelli and Fitzgibbon

AN ACT Relating to establishing a commission on government-to-government relations in Washington; and adding a new chapter to Title 37 RCW.

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

HB 1281 by Representatives Sawyer, Orwall, Hurst, Blake, Stokesbary, Tarleton, Walsh, Kirby, Scott, Appleton, G. Hunt, Pettigrew, Jinkins, Carlyle, Fey, Ortiz-Self, Senn, Walkinshaw and Moeller

AN ACT Relating to sexual exploitation of minors; amending RCW 67.70.190; adding new sections to chapter 9.68A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1282 by Representatives Zeiger, Goodman, Klippert, Orwall and Appleton

AN ACT Relating to the crime of driving while license suspended where the suspension is based on noncompliance with a child support order; amending RCW 46.20.342; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1283 by Representatives Parker, Kirby and Vick

AN ACT Relating to nonprofit organizations engaged in debt adjusting; and reenacting and amending RCW 18.28.010.

Referred to Committee on Business & Financial Services.

HB 1284 by Representatives Haler, Sells, Zeiger, Takko, Harris, Tarleton, Rodne, Stanford, Muri, Santos, Stokesbary, Walkinshaw, Hayes, Riccelli, Vick, Fitzgibbon, McCaslin, Ryu, Kochmar, Sawyer, Blake, Dunshee, Holy and Moeller

AN ACT Relating to hours of service for certain railroad employees; adding a new chapter to Title 81 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1285 by Representatives Riccelli, G. Hunt, Van De Wege, Harris, Cody, Holy, Jinkins, Clibborn, Robinson, Walkinshaw, Peterson, Fitzgibbon, Ormsby, Bergquist, Tarleton, Farrell and Moeller

AN ACT Relating to screening newborns for critical congenital heart disease; adding a new section to chapter 70.83 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1286 by Representatives Tharinger, Harris, Jinkins, Johnson, Caldier, G. Hunt, Wylie, McBride, Kilduff, Takko and Peterson

AN ACT Relating to a study regarding the funding of long-term services and supports; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1287 by Representative Orwall

AN ACT Relating to less restrictive alternative orders under the involuntary treatment act; and amending RCW 71.05.320 and 71.05.340.

Referred to Committee on Judiciary.

HB 1288 by Representatives Orwall, Rodne, Jinkins, Walkinshaw, Cody and Moeller

AN ACT Relating to directing a study of certain civil commitment practices and laws; creating a new section; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1289 by Representatives Buys, Takko, Short and Blake

AN ACT Relating to the procedure for adoption and amendment of the Washington state energy code; and amending RCW 19.27A.020, 19.27A.025, 19.27A.045, and 19.27A.140.

Referred to Committee on Technology & Economic Development.

HB 1290 by Representatives Condotta and Hurst

AN ACT Relating to increasing the number of tasting rooms allowed under a domestic winery license; and reenacting and amending RCW 66.24.170.

Referred to Committee on Commerce & Gaming.

HB 1291 by Representatives Buys, Takko and Blake

AN ACT Relating to the credentialing requirements for the design and installation of residential fire protection sprinkler systems; amending RCW 18.160.010, 18.160.020, 18.160.030, and 18.160.040; and adding a new section to chapter 18.160 RCW.

Referred to Committee on Labor.

HB 1292 by Representatives Young and Caldier

AN ACT Relating to fee immunity for certain water facilities; and amending RCW 4.24.210.

Referred to Committee on Judiciary.

HB 1293 by Representatives Bergquist, Magendanz, Santos, Muri and Ortiz-Self

AN ACT Relating to paraeducators; amending RCW 28A.630.400 and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating a new section.

Referred to Committee on Education.

HB 1294 by Representatives Bergquist, Stambaugh, S. Hunt, Appleton, Riccelli, Walkinshaw, Ortiz-Self, Blake, Wylie, Fitzgibbon, Carlyle, Moscoso, Goodman, Tarleton, Stanford, Senn, Pettigrew, Orwall, Jinkins, Sawyer, Tharinger, Cody, Lytton, Farrell, Gregerson,

Moeller, Gregory, Robinson, Takko, Pollet, Sullivan, McBride, Reykdal, Dunshee, Sells, Kagi and Springer

AN ACT Relating to enhancing youth voter registration; amending RCW 29A.08.210, 29A.08.330, 29A.08.710, 29A.08.810, 46.20.155, and 42.56.250; adding a new section to chapter 29A.08 RCW; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1295 by Representatives Hudgins, Magendanz, S. Hunt, Walsh, Walkinshaw and Lytton

AN ACT Relating to breakfast after the bell programs in certain public schools; adding new sections to chapter 28A.235 RCW; and creating a new section.

Referred to Committee on Education.

HB 1296 by Representatives Vick, Kirby, Pettigrew, Blake, Buys, MacEwen, Rodne, Walsh, Condotta, G. Hunt, Hayes and Carlyle

AN ACT Relating to establishing special license endorsements for cigar lounges and retail tobacconist shops; amending RCW 70.160.060; and adding a new section to chapter 82.26 RCW.

Referred to Committee on Commerce & Gaming.

HB 1297 by Representatives Clibborn and Fey

AN ACT Relating to transportation funding and appropriations; amending 2014 c 222 ss 207, 208, 209, 215, 219, 221, 307, 309, 401, 402, 403, 404, 405, 406, and 407 (uncodified); adding a new section to 2013 c 306 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

HB 1298 by Representatives Clibborn and Fey

AN ACT Relating to the authorization of bonds for the financing of transportation projects; and adding new sections to chapter 47.10 RCW.

Referred to Committee on Transportation.

HB 1299 by Representatives Clibborn and Fey

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.68.060, 46.68.325, 46.68.370, 47.28.030, and 47.56.876; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

HB 1300 by Representatives Clibborn and Fey

AN ACT Relating to transportation revenue; amending RCW 46.25.060, 46.25.100, 46.17.050, 46.17.060, 46.12.650, 46.17.400, 46.37.420, 46.17.355, 46.68.035, 81.77.160, 46.17.323, 46.20.202, 46.17.015, 46.17.025, 46.18.277, 46.19.060, 46.20.293, 46.29.050, 46.68.020, 46.68.041, 46.68.390, 47.60.322, 82.08.809, 82.12.809, 36.73.015, 36.73.020, 36.73.065, 82.80.140, 82.14.045, 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, and 84.04.120; reenacting and amending RCW 46.17.220, 46.16A.200, 46.52.130, 43.84.092, 43.84.092, and 81.104.170; adding a new section to chapter 46.16A RCW; adding new sections to chapter 46.68 RCW; adding a new section to chapter 46.18 RCW; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 82.32 RCW; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 47.29 RCW; adding a new section to chapter 43.135 RCW; creating new sections; repealing RCW 82.38.083; repealing 2012 c 74 ss 11 and 18 (uncodified); providing effective dates; providing a contingent effective date; providing expiration dates; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1301 by Representatives Pettigrew, Vick, Buys and Stokesbary

AN ACT Relating to fantasy sports contests; adding a new section to chapter 9.46 RCW; and creating a new section.

Referred to Committee on Commerce & Gaming.

HB 1302 by Representatives Haler and Tarleton

AN ACT Relating to clarifying the applicability of child abduction statutes to residential provisions ordered by a court; amending RCW 9A.40.060 and 9A.40.070; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1303 by Representatives Haler, Pollet and Zeiger

AN ACT Relating to a state four-year degree production incentive program; adding a new section to chapter 44.28 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1304 by Representatives Kirby and Vick

AN ACT Relating to allowing a public depository to arrange for reciprocal deposits of public funds; and amending RCW 39.58.080 and 39.58.085.

Referred to Committee on Business & Financial Services.

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

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

There being no objection, the House adjourned until 10:00 a.m., January 19, 2015, the 8th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

EIGHTH DAY

House Chamber, Olympia, Monday, January 19, 2015

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aaliyah Johnson and Rosana Bravo. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by Uptown Voices of Centralia and Chehalis, Washington. The prayer was offered by Reverend Timothy Thomas, Greater Christ Temple Church, Tacoma, Washington.

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

The Speaker (Representative Orwall presiding) introduced Uptown Voices who performed “God Bless America” and “Give me your tired, your poor”.

RESOLUTION

HOUSE RESOLUTION NO. 4603, by Representatives Chopp, Kristiansen, Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, G. Hunt, S. Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

WHEREAS, Today, January 19, 2015, the people of the great state of Washington and the nation join together to celebrate and honor the life, legacy, and work of Reverend Dr. Martin Luther King, Jr.; and

WHEREAS, Dr. King passionately upheld the virtues of compassion and fairness and boldly shared his vision with America in our nation's capital by declaring, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal"; and

WHEREAS, Dr. King was born on January 15, 1929, in Atlanta, Georgia, and on June 18, 1953, he and Coretta Scott were married in Marion, Alabama; and

WHEREAS, Despite Dr. King's assassination on April 4, 1968, his legacy of compassion and nonviolence lived on through his followers and his wife, Coretta Scott King; and

WHEREAS, We remember Dr. King's unwavering commitment to the ideals of equality and opportunity for all in the face of tyranny, oppression, and abuse by those in power; and

WHEREAS, Dr. King was jailed several times throughout his life because of his commitment to a country free of discrimination and violence; and

WHEREAS, Dr. King brought the realities of segregation and racial injustice to the forefront of American discussion at dinner tables across the country, helping to bring an end to unjust laws, and fulfilling the promise of a democracy for every American; and

WHEREAS, The Civil Rights Act of 1964 and the Voting Rights Act of 1965 became law because of the blood, sweat, and tears shed by Dr. King and his followers from every community and every neighborhood in the United States; and

WHEREAS, His message of equality and opportunity for all was not limited to the halt of racial injustice, it also extended to the need for economic justice for all people, so that all may live free of the burdens of poverty; and

WHEREAS, He received the Nobel Peace Prize in 1964, the youngest man to ever be selected for this remarkable honor; and

WHEREAS, Dr. King's life and work will be forever celebrated through a permanent federal holiday commemorating his birth established by the Congress of the United States; and

WHEREAS, Dr. King's legacy has inspired Americans long after his assassination to honor him still, posthumously awarding him the Presidential Medal of Freedom in 1977, and the Congressional Gold Medal in 2004; and

WHEREAS, We continue to look toward Dr. King's teachings and lessons as we tackle the issues of achieving complete racial, social, and economic justice for all Washingtonians;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, on behalf of the people of the State of Washington, recognize and honor the life and work of the Reverend Dr. Martin Luther King, Jr. and his commitment to a just and free world; and

BE IT FURTHER RESOLVED, That the House of Representatives call on the people of the State of Washington to join us in reflecting on Dr. King's life and ideals and to seek to fulfill his dream of equality and opportunity for all people.

Representative Peterson moved adoption of HOUSE RESOLUTION NO. 4603.

Representatives Peterson, McCaslin, Pettigrew and Zeiger spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4603 was adopted.

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

INTRODUCTION & FIRST READING

HB 1305 by Representatives Walkinshaw, Rodne and Jinkins

AN ACT Relating to authorizing, funding, and encouraging the establishment of therapeutic courts; amending RCW 82.14.460, 9.94A.517, 9.94A.517, and 70.96A.350; adding a new chapter to Title 2 RCW; creating a new section; repealing RCW 2.28.170, 2.28.175, 2.28.180, 2.28.190, 13.40.700, 13.40.710, 26.12.250, 2.28.165, and 2.28.166; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1306 by Representatives Hayes, Orwall, Smith, Gregerson and Kochmar

AN ACT Relating to the management of state-owned aquatic lands by cities for the purposes of operating a publicly owned marina; amending RCW 79.105.060, 79.105.320, 79.105.360, and 79.120.040; and adding a new section to chapter 79.105 RCW.

Referred to Committee on Environment.

HB 1307 by Representatives Harris, Tharinger and Walkinshaw

AN ACT Relating to enforcement standards for residential services and support providers; amending RCW 71A.12.270; adding a new section to chapter 71A.12 RCW; creating a new section; recodifying RCW 71A.12.270; and prescribing penalties.

Referred to Committee on Early Learning & Human Services.

HB 1308 by Representatives Vick, Kirby and Parker

AN ACT Relating to surplus lines; and amending RCW 48.15.050 and 48.15.120.

Referred to Committee on Business & Financial Services.

HB 1309 by Representatives Vick and Kirby

AN ACT Relating to the sale of floating homes or floating on-water residences by brokers; and amending RCW 18.85.011 and 88.02.720.

Referred to Committee on Business & Financial Services.

HB 1310 by Representatives Takko, Kochmar and Holy

AN ACT Relating to standards adopted by the national fire protection association and the state building code council; and amending RCW 43.44.110, 46.37.467, and 70.95I.080.

Referred to Committee on Local Government.

HB 1311 by Representatives S. Hunt and Holy

AN ACT Relating to sunsetting a nonoperating advisory board reporting to the state patrol; amending RCW 13.60.110; creating a new section; and repealing RCW 13.60.120.

Referred to Committee on Public Safety.

HB 1312 by Representatives Goodman and Moscoso

AN ACT Relating to the limited exoneration of bail forfeitures in instances where the prosecuting agency declines extradition of a defendant; and adding a new section to chapter 10.19 RCW.

Referred to Committee on Public Safety.

HB 1313 by Representatives Zeiger, Fey, Stambaugh, Takko, Van De Wege, Stokesbary and Griffey

AN ACT Relating to granting fire protection districts and regional fire protection service authorities biennial budget authority; amending RCW 52.16.030; and adding a new section to chapter 52.26 RCW.

Referred to Committee on Local Government.

HB 1314 by Representatives Fitzgibbon, Hunter, Moeller, Carlyle, Peterson, Goodman, McBride, Jinkins, Tarleton, Kagi, Appleton, Cody, Ryu, Pollet, Hudgins, Fey, Lytton, Robinson, Ormsby, Farrell, Dunshee, Bergquist, Stanford, S. Hunt, Pettigrew, Walkinshaw, Reykdal, Wylie, Riccelli, Tharinger, Senn, Sawyer, Gregerson, Sells, Moscoso, Ortiz-Self and Van De Wege

AN ACT Relating to implementing a carbon pollution market program to reduce greenhouse gas emissions; amending RCW 43.21B.110, 43.21B.110, 70.235.010, and 70.94.151; reenacting and amending RCW 42.56.270; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70 RCW; creating new sections; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment.

HB 1315 by Representative Manweller

AN ACT Relating to variances in the plumbing and electrical trades; amending RCW 19.28.095, 19.28.191, 19.28.271, 18.106.010, and 18.106.200; adding a new section to chapter 19.28 RCW; and adding a new section to chapter 18.106 RCW.

Referred to Committee on Labor.

HB 1316 by Representatives Stambaugh, Jinkins, Nealey and Hurst

AN ACT Relating to violations of a temporary protection order; and amending RCW 26.50.110.

Referred to Committee on Judiciary.

HB 1317 by Representatives Zeiger, Kilduff and Kirby

AN ACT Relating to the lien for collection of sewer utility charges by counties; and amending RCW 36.94.150.

Referred to Committee on Local Government.

HB 1318 by Representatives Fey, Muri, Kirby, Kilduff and Zeiger

AN ACT Relating to deficit reimbursement agreements with counties owning and operating ferry systems; and amending RCW 47.56.725.

Referred to Committee on Transportation.

HB 1319 by Representative Goodman

AN ACT Relating to technical corrections to processes for persons sentenced for offenses committed prior to reaching eighteen years of age; amending RCW 9.94A.501, 9.94A.533, 9.94A.728, 9.94A.729, 10.95.030, 9.94A.730, 10.95.035, and 9.94A.704; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1320 by Representative Goodman

AN ACT Relating to creating an identicard program for certain incarcerated offenders; amending RCW 46.20.117 and 46.20.117; adding a new section to chapter 72.09 RCW; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1321 by Representatives Robinson, Ryu, Cody, Riccelli, Farrell, S. Hunt, Fitzgibbon, Carlyle, Tharinger, Goodman, Ortiz-Self, Bergquist, Dunshee, Moscoso, Appleton, Sells, Pollet, Reykdal, Walkinshaw, Jinkins, Senn, Wylie, Ormsby, Lytton, Hudgins, Tarleton, Moeller, Sawyer, Fey and Gregerson

AN ACT Relating to the intent that all Washington residents have health coverage; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1322 by Representative Reykdal

AN ACT Relating to membership in state retirement plans prior to attaining the normal retirement age in another plan; and amending RCW 41.04.270.

Referred to Committee on Appropriations.

HB 1323 by Representatives Reykdal and Sawyer

AN ACT Relating to repealing advisory votes; amending RCW 29A.32.031, 29A.32.070, 29A.72.040, 29A.72.250, and 29A.72.290; and repealing RCW 29A.72.283, 29A.72.285, and 43.135.041.

Referred to Committee on State Government.

HB 1324 by Representatives Shea, Scott, Young, G. Hunt and Taylor

AN ACT Relating to the protection of persons and property; amending RCW 9A.16.050 and 9A.16.020; adding new sections to chapter 9A.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1325 by Representatives Shea, Scott, Taylor and G. Hunt

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

Referred to Committee on Environment.

HB 1326 by Representatives Shea, Scott, Griffey, Young, G. Hunt and Taylor

AN ACT Relating to prohibiting the use of transportation funds for public works of art or artistic designs; amending RCW 43.17.200; and adding a new section to chapter 47.08 RCW.

Referred to Committee on Transportation.

HB 1327 by Representatives Nealey, Rodne, Goodman and Kilduff

AN ACT Relating to the issuance of subpoenas in proceedings involving the employment security department; and amending RCW 50.13.070.

Referred to Committee on Judiciary.

HB 1328 by Representatives Goodman, Rodne, Kilduff and Orwall

AN ACT Relating to district court civil jurisdiction; and amending RCW 3.66.020.

Referred to Committee on Judiciary.

HB 1329 by Representatives Stanford and Vick

AN ACT Relating to electronic notices and document delivery of insurance products; and adding a new chapter to Title 48 RCW.

Referred to Committee on Business & Financial Services.

HB 1330 by Representatives Kochmar, Orwall, Holy and Haler

AN ACT Relating to the enhancement for attempting to elude a police vehicle; amending RCW 9.94A.533; and creating a new section.

Referred to Committee on Public Safety.

HB 1331 by Representatives Muri, Reykdal, Magendanz, Springer, Fagan, S. Hunt and Klippert

AN ACT Relating to school library information and technology programs; and amending RCW 28A.320.240.

Referred to Committee on Education.

HB 1332 by Representatives Condotta and Hurst

AN ACT Relating to modifying yellow light intervals and monetary penalties related to automated traffic safety cameras; and amending RCW 46.63.170.

Referred to Committee on Transportation.

HB 1333 by Representatives Condotta, Ormsby, Holy and Shea

AN ACT Relating to eliminating penalties for delinquent property taxes; amending RCW 84.56.020 and 84.56.025; and creating a new section.

Referred to Committee on Finance.

HB 1334 by Representatives Condotta and Vick

AN ACT Relating to the taxes payable on sales by licensed recreational marijuana producers, processors, and retailers; amending RCW 69.50.535 and 69.50.334; adding a new section to chapter 69.50 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1335 by Representatives Condotta and Vick

AN ACT Relating to permitting cities, towns, and counties to reduce the buffer between recreational marijuana businesses and various entities; amending RCW 69.50.331 and 69.50.369; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1336 by Representatives Kirby and Hayes

AN ACT Relating to fingerprint-based background checks for the licensing of security guards; and amending RCW 18.170.130 and 18.170.030.

Referred to Committee on Business & Financial Services.

HB 1337 by Representatives Takko, Nealey, Springer, Zeiger, Tarleton and Chandler

AN ACT Relating to increasing the flexibility for industrial development district levies for public port districts; amending RCW 53.25.040; adding a new section to chapter 53.36 RCW; adding a new section to chapter 84.55 RCW; creating new sections; repealing RCW 53.36.100 and 53.36.110; and providing an effective date.

Referred to Committee on Local Government.

HB 1338 by Representatives Buys, Blake and Van Werven

AN ACT Relating to the diversion of certain municipal waters; and amending RCW 90.03.397.

Referred to Committee on Agriculture & Natural Resources.

HB 1339 by Representatives Cody, Schmick, Riccelli, Jinkins, Harris, Tharinger and Moeller

AN ACT Relating to allowing the secretary of health to intercede and stay any decision of a disciplining authority that expands scope of practice; adding a new section to chapter 18.130 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1340 by Representatives Cody, Schmick, Moeller, Harris and Robinson

AN ACT Relating to developing a process to allow pilot programs for health care professionals to learn new skills or roles, use existing skills in new circumstances, and accelerate training; adding a new chapter to Title 18 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1341 by Representatives Tharinger, Chandler, Blake, Buys, Klippert, Ryu, Lytton, Morris, Orcutt, Hurst, Pettigrew, Van De Wege and Stanford

AN ACT Relating to unlawfully engaging in fishing guide activity; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1342 by Representatives Bergquist, Condotta and Takko

AN ACT Relating to permitting the sale of cider in microbrewery tasting rooms; and amending RCW 66.24.244.

Referred to Committee on Commerce & Gaming.

HB 1343 by Representatives Springer, Condotta, Hurst and Walsh

AN ACT Relating to spirits retailers when selling for resale; amending RCW 66.24.055 and 66.24.630; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

HB 1344 by Representatives Pollet, Haler, Appleton, Walsh, Bergquist, McBride, S. Hunt, Goodman, Ormsby, Dunshee, Gregerson, Reykdal, Tarleton, Cody, Sawyer, Orwall, Pettigrew, Jinkins and Moscoso

AN ACT Relating to the nurse educator pay it forward program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1345 by Representatives Lytton and Magendanz

AN ACT Relating to adopting a definition and standards of professional learning; adding new sections to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1346 by Representatives Blake, Takko, Sawyer and Appleton

AN ACT Relating to allowing additional hunting opportunities on state land; and amending RCW 79A.05.055, 79A.05.625, 79A.05.793, 79A.55.060, and 79A.05.165.

Referred to Committee on Environment.

HB 1347 by Representative Blake

AN ACT Relating to the treatment of Lyme disease; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care & Wellness.

HB 1348 by Representatives Appleton, Goodman, Tharinger, McBride, Walkinshaw, Clibborn, Sawyer, Riccelli, S. Hunt, Peterson, Tarleton, Robinson, Pollet, Senn, Ryu, Cody, Orwall, Kilduff, Lytton, Jinkins and Blake

AN ACT Relating to requiring crisis intervention training for peace officers; adding a new section to chapter 43.101 RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1349 by Representative S. Hunt

AN ACT Relating to requesting public records for the purpose of obtaining exempted information relating to employment and licensing; and amending RCW 42.56.070.

Referred to Committee on State Government.

HB 1350 by Representatives Haler, Rodne, Muri, Stokesbary, Klippert, Shea, Taylor, Buys, Condotta and Manweller

AN ACT Relating to election of supreme court justices; amending RCW 2.04.071 and 2.04.100; adding a new section to chapter 2.04 RCW; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 1351 by Representatives Blake, Harris and DeBolt

AN ACT Relating to license fees for national guard members under Title 77 RCW; and amending RCW 77.32.480.

Referred to Committee on Agriculture & Natural Resources.

HB 1352 by Representatives Nealey, Wylie, Short, Blake and Van De Wege

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

HB 1353 by Representatives Robinson, Riccelli, Rodne and Bergquist

AN ACT Relating to infectious disease testing for good samaritans; and amending RCW 70.05.180.

Referred to Committee on Health Care & Wellness.

HB 1354 by Representatives Ryu, Goodman, S. Hunt, Riccelli, Farrell, Cody, Tharinger, Ortiz-Self, Sullivan, Bergquist, Pollet, Dunshee, Fitzgibbon, Moscoso, Appleton, Sells, Robinson, Reykdal, Walkinshaw, Wylie, Gregory and Moeller

AN ACT Relating to the employment antiretaliation act; amending RCW 49.46.100 and 39.12.010; reenacting and amending RCW 49.46.010 and 49.48.082; adding new sections to chapter 49.46 RCW; adding a new section to chapter 49.12 RCW; adding new sections to chapter 49.48 RCW; adding new sections to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor.

HB 1355 by Representatives Farrell, Jinkins, Ryu, S. Hunt, Riccelli, McBride, Stanford, Carlyle, Cody, Tharinger, Goodman, Ortiz-Self, Bergquist, Dunshee, Fitzgibbon, Peterson, Moscoso, Appleton, Sells, Pollet, Robinson, Reykdal, Walkinshaw, Wylie, Ormsby, Santos, Hudgins, Tarleton, Sawyer, Moeller, Fey, Lytton, Gregerson, Gregory, Van De Wege, Kirby, Hurst, Kilduff and Sullivan

AN ACT Relating to increasing the minimum hourly wage to twelve dollars over four years, without creating new exemptions; amending RCW 49.46.020; and providing an effective date.

Referred to Committee on Labor.

HB 1356 by Representatives Jinkins, Riccelli, S. Hunt, Farrell, Stanford, McBride, Cody, Tharinger, Goodman, Ortiz-Self, Sullivan, Bergquist, Pettigrew, Dunshee, Fitzgibbon, Peterson, Moscoso, Ryu, Appleton, Sells, Pollet, Robinson, Reykdal, Walkinshaw, Senn, Wylie, Ormsby, Lytton, Moeller, Kagi, Hansen, Hudgins, Tarleton, Sawyer, Fey, Gregerson, Gregory, Van De Wege, Kilduff, Blake, Kirby, Orwall and Clibborn

AN ACT Relating to assuring that all workers may take at least forty hours of accrued paid sick or safe leave per year and that workers for employers with more than fifty full-time equivalent employees may take greater amounts of paid leave, excepting only certain occasional Washington workers, workers of employers with four or fewer full-time equivalent employees, and workers in certain new firms; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor.

HB 1357 by Representatives MacEwen, DeBolt and Manweller

AN ACT Relating to eliminating certificate of need requirements; and amending RCW 70.38.025 and 70.38.105.

Referred to Committee on Health Care & Wellness.

HB 1358 by Representatives MacEwen, Smith, Stambaugh, Muri and Buys

AN ACT Relating to restricting the use of bond proceeds to pay certain taxes on transportation projects; amending RCW 39.42.040; and creating new sections.

Referred to Committee on Transportation.

HB 1359 by Representatives Moscoso and Vick

AN ACT Relating to ensuring safe, responsible, and legal acquisition of marijuana by adults; adding new sections to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1360 by Representatives Moscoso and Vick

AN ACT Relating to opening a package of or consuming marijuana, useable marijuana, or marijuana-infused products in public; amending RCW 69.50.445; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

HB 1361 by Representatives Hudgins and Vick

AN ACT Relating to allowing the Washington state liquor control board to accept donations for funding informational material for the purpose of improving public awareness about marijuana consumption; and amending RCW 66.08.050.

Referred to Committee on Commerce & Gaming.

HB 1362 by Representatives Wylie, Condotta and Hurst

AN ACT Relating to allowing sales of growlers of wine; and amending RCW 66.28.360.

Referred to Committee on Commerce & Gaming.

HB 1363 by Representatives S. Hunt, Haler, Muri, Appleton, Moscoso, Sells, Ryu, Dunshee, Taylor, Short, G. Hunt, Fey, Stanford, Riccelli, Reykdal, Blake, Fitzgibbon, Santos, Bergquist and Pollet

AN ACT Relating to eliminating the requirement to obtain a certificate of academic achievement or certificate of individual achievement to graduate from high school; amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.700.080, 28B.15.067, and 28B.15.520; creating a new section; and repealing RCW 28A.155.045, 28A.600.405, 28A.655.063, 28A.655.065, 28A.655.066, and 28B.50.534.

Referred to Committee on Education.

HB 1364 by Representatives S. Hunt, Johnson, Bergquist, Walsh, Hunter, Zeiger, Harris and Kagi

AN ACT Relating to establishing a citizens' initiative review pilot program; amending RCW 29A.32.070; adding new sections to chapter 29A.72 RCW; creating new sections; and providing an expiration date.

Referred to Committee on State Government.

HB 1365 by Representatives Riccelli, Walsh, Cody, Scott, Jinkins, Robinson, Tharinger, Takko, Senn, Harris, Ormsby, Blake, Kagi and Sawyer

AN ACT Relating to increasing child health equity by requiring screening for autism and developmental delays for children in medical assistance programs; amending RCW 74.09.520; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1366 by Representatives Johnson, Chandler and Appleton

AN ACT Relating to services provided by residential habilitation centers; and amending RCW 71A.20.180.

Referred to Committee on Early Learning & Human Services.

HB 1367 by Representatives Johnson, Reykdal, Walsh, Chandler and Appleton

AN ACT Relating to encouraging training for medical students, nurses, and medical technicians and assistants to work with adult patients with developmental disabilities; and adding a new section to chapter 28B.77 RCW.

Referred to Committee on Higher Education.

HB 1368 by Representatives Reykdal, Stokesbary, Van De Wege and Springer

AN ACT Relating to removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process; amending RCW 52.26.220, 52.26.230, 84.52.125, and 84.55.092; and reenacting and amending RCW 52.26.020.

Referred to Committee on Local Government.

HB 1369 by Representatives Riccelli, Schmick, Robinson, Parker, Holy, Haler, Tharinger and Cody

AN ACT Relating to enabling student volunteers to provide health care services; amending RCW 18.71.030 and 18.79.240; adding a new section to chapter 18.64 RCW; adding a new section to chapter 18.71 RCW; and adding a new section to chapter 18.79 RCW.

Referred to Committee on Health Care & Wellness.

HB 1370 by Representatives Wylie, Nealey, Manweller, Van De Wege, Haler, Appleton, Zeiger, Tharinger, Klippert and Vick

AN ACT Relating to increasing the total amount of tax credits allowed under the Washington main street program; and amending RCW 82.73.030.

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

HB 1371 by Representatives Taylor, Shea, G. Hunt, Young, Griffey and Scott

AN ACT Relating to administrative procedures to promote accountability and economic relief; amending RCW 34.05.310, 34.05.313, 34.05.320, 34.05.570, 28A.300.040, 41.50.050, 43.06A.030, 43.19.011, 43.21A.064, 43.24.016, 43.27A.090, 43.30.215, 43.31C.060, 43.33.040, 43.33A.110, 43.59.070,

43.61.040, 43.63A.475, 43.70.580, 43.101.085, 43.115.040, 43.117.050, 43.155.040, 43.160.050, 43.163.100, 43.180.040, 43.200.070, 43.210.060, 43.250.090, 43.320.040, 43.330.040, 47.01.071, 48.02.060, 48.44.050, 48.46.200, 66.08.0501, 77.04.055, 80.01.040, 70.94.181, 76.09.060, 77.55.021, 78.44.081, 86.16.025, 70.95.205, 15.54.820, 43.21C.033, 77.115.040, 16.65.030, 70.119A.110, 90.03.350, 90.03.370, 90.58.140, 70.118B.030, and 36.70B.030; reenacting and amending RCW 34.05.328; adding new sections to chapter 34.05 RCW; adding a new section to chapter 43.17 RCW; adding a new section to chapter 77.12 RCW; adding a new section to chapter 79.02 RCW; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 70.94 RCW; adding a new section to chapter 90.48 RCW; adding a new section to chapter 90.76 RCW; adding a new section to chapter 18.104 RCW; adding a new section to chapter 69.30 RCW; adding a new section to chapter 90.64 RCW; adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; adding a new section to chapter 70.95J RCW; adding a new section to chapter 90.66 RCW; adding new sections to chapter 36.70A RCW; adding a new section to chapter 43.21H RCW; adding a new chapter to Title 1 RCW; adding a new chapter to Title 36 RCW; adding a new chapter to Title 34 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

HB 1372 by Representatives Shea, G. Hunt and Taylor

AN ACT Relating to citizenship and immigration status requirements for enrollment in health care and human service programs; adding a new section to chapter 70.47 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 74.12 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1373 by Representatives Taylor, Griffey, Shea, Scott, G. Hunt and Young

AN ACT Relating to repealing growth management planning requirements in chapter 36.70A RCW; creating new sections; and repealing RCW 36.70A.010, 36.70A.011, 36.70A.020, 36.70A.030, 36.70A.035, 36.70A.040, 36.70A.045, 36.70A.050, 36.70A.060, 36.70A.070, 36.70A.080, 36.70A.085, 36.70A.090, 36.70A.100, 36.70A.103, 36.70A.106, 36.70A.108, 36.70A.110, 36.70A.115, 36.70A.120, 36.70A.130, 36.70A.1301, 36.70A.131, 36.70A.140, 36.70A.150, 36.70A.160, 36.70A.165, 36.70A.170, 36.70A.171, 36.70A.172, 36.70A.175, 36.70A.177, 36.70A.180, 36.70A.190, 36.70A.200, 36.70A.210, 36.70A.215, 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, 36.70A.280, 36.70A.290, 36.70A.295, 36.70A.300, 36.70A.302, 36.70A.305, 36.70A.310, 36.70A.320, 36.70A.3201, 36.70A.330, 36.70A.335, 36.70A.340, 36.70A.345, 36.70A.350, 36.70A.360, 36.70A.362, 36.70A.365, 36.70A.367, 36.70A.368, 36.70A.370, 36.70A.380, 36.70A.385, 36.70A.390, 36.70A.400, 36.70A.410, 36.70A.420, 36.70A.430, 36.70A.450, 36.70A.460, 36.70A.470, 36.70A.480, 36.70A.481, 36.70A.490, 36.70A.500, 36.70A.510, 36.70A.520, 36.70A.530, 36.70A.540, 36.70A.550, 36.70A.570, 36.70A.695, 36.70A.700, 36.70A.702, 36.70A.703, 36.70A.705, 36.70A.710, 36.70A.715, 36.70A.720, 36.70A.725, 36.70A.730, 36.70A.735, 36.70A.740, 36.70A.745, 36.70A.750, 36.70A.755, 36.70A.760, 36.70A.800, 36.70A.900, 36.70A.901, 36.70A.902, 36.70A.903, and 36.70A.904.

Referred to Committee on Local Government.

HB 1374 by Representatives Taylor, Shea, Scott, G. Hunt and Young

AN ACT Relating to disclosure of contract information by state and local agencies; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1375 by Representatives Taylor, Scott, Young, G. Hunt and Shea

AN ACT Relating to criminal trespass on private property; amending RCW 15.08.040, 15.09.070, 15.13.265, 15.13.265, 15.14.035, 15.37.120, 15.49.370, 15.54.370, 15.58.280, 15.115.300, 16.52.085, 16.57.170, 17.04.280, 17.10.160, 17.21.320, 17.24.021, 18.39.170, 19.28.101, 19.28.470, 19.94.260, 22.16.020, 35.43.045, 35.67.310, 35.80.030, 35.80A.040, 35.81.070, 36.70.500, 36.88.390, 38.32.030, 43.30.450, 43.44.010, 43.44.020, 43.92.080, 43.190.080, 47.01.170, 47.41.070, 47.42.080, 57.08.005, 59.18.115, 59.20.130, 64.44.020, 66.28.090, 69.50.501, 70.77.450, 70.87.120, 70.97.160, 70.105D.030, 70.119A.150, 76.04.035, 76.06.130, 76.09.150, 76.09.160, 77.12.154, 78.04.015, 78.04.040, 79.14.440, 79.14.450, 79.14.530, 79.14.540, 80.32.070, 80.36.020, 80.36.030, 81.36.020, 81.64.050, 82.26.060, 82.26.080, 86.09.226, 87.03.140, 89.30.211, 90.16.040, 90.48.090, and 90.76.060; reenacting and amending RCW 9A.52.010; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1376 by Representatives Shea and Holy

AN ACT Relating to excluding an accommodation maintained by a not-for-profit sectarian organization from the definition of "any place of public resort, accommodation, assemblage, or amusement"; and reenacting and amending RCW 49.60.040.

Referred to Committee on Judiciary.

HB 1377 by Representatives Shea and Holy

AN ACT Relating to prohibiting county auditors from including their names on ballot envelopes and voting materials when running for reelection; and amending RCW 29A.32.241 and 29A.40.091.

Referred to Committee on State Government.

HB 1378 by Representatives McBride, Shea, Fitzgibbon, Sawyer, Senn, Harris, Griffey, Santos, Wylie, Pettigrew, Kirby, Walkinshaw, Muri, Stokesbary, Robinson and Reykdal

AN ACT Relating to protecting waterways from pollution from synthetic plastic microbeads; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1379 by Representatives Shea, G. Hunt and Holy

AN ACT Relating to eliminating the February and April special elections; and amending RCW 29A.04.321 and 29A.04.330.

Referred to Committee on State Government.

HB 1380 by Representatives Wylie and Vick

AN ACT Relating to creating a special permit by a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production; and amending RCW 66.20.010.

Referred to Committee on Commerce & Gaming.

HB 1381 by Representatives Buys, Lytton, Van Werven, Blake, Wilcox, Condotta and Nealey

AN ACT Relating to encouraging job retention and creation in rural economies through the transparent and accountable extension of aluminum smelter tax preferences; amending RCW 82.04.2909, 82.04.4481, 82.08.805, 82.12.805, and 82.12.022; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1382 by Representatives Griffey, Blake, Lytton and G. Hunt

AN ACT Relating to delivery of basic firefighter training and testing; and amending RCW 43.43.934.

Referred to Committee on Local Government.

HB 1383 by Representatives Springer, Haler, Young, Fitzgibbon, McBride, Stanford, Clibborn and Fey

AN ACT Relating to community redevelopment financing in apportionment districts; amending RCW 39.88.030, 39.88.040, 39.88.070, 39.88.080, 39.88.100, 84.52.043, 84.52.043, and 84.52.050; reenacting and amending RCW 39.88.020; adding a new section to chapter 39.88 RCW; repealing RCW 39.88.060 and 39.88.090; providing an effective date; and providing an expiration date.

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

HB 1384 by Representatives Harris and Cody

AN ACT Relating to regulating dental professionals by permitting dental hygienists and dental assistants to take impressions under certain circumstances and by authorizing the issuance of a limited license to dental hygienists who actively practice or are licensed in Canada; and amending RCW 18.29.050, 18.29.190, and 18.260.040.

Referred to Committee on Health Care & Wellness.

HB 1385 by Representatives Magendanz, Muri, Hayes, Harris and Fagan

AN ACT Relating to prioritizing state revenue growth for education; adding a new section to chapter 43.135 RCW; creating a new section; and providing for submission of this act to a vote of the people.

Referred to Committee on Appropriations.

HB 1386 by Representatives Magendanz, Muri, Hargrove and McCaslin

AN ACT Relating to school employee workforce reductions; amending RCW 28A.405.210 and 28A.405.300; adding new sections to chapter 28A.405 RCW; and creating a new section.

Referred to Committee on Education.

HB 1387 by Representatives Takko and Sells

AN ACT Relating to apprenticeship training for building officials; and adding new sections to chapter 49.04 RCW.

Referred to Committee on Labor.

HB 1388 by Representatives Riccelli, Takko, Holy, Bergquist, Farrell, Zeiger, Sawyer and Taylor

AN ACT Relating to prerecorded video testimony and written testimony on pending legislation; amending RCW 40.14.100; adding a new section to chapter 44.68 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1389 by Representatives Goodman, Griffey, Klippert, Van De Wege, Tarleton, Chandler, Morris, Lytton, Hayes and Moscoso

AN ACT Relating to the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies; amending RCW 43.43.960 and 43.43.961; and creating a new section.

Referred to Committee on Public Safety.

HB 1390 by Representatives Goodman, Holy and Jinkins

AN ACT Relating to legal financial obligations; amending RCW 10.82.090, 3.50.100, 3.62.040, 35.20.220, 10.01.160, 10.01.170, 10.01.180, 10.46.190, 10.64.015, 9.92.070, 9.94A.6333, 9.94A.760, 9.94B.040, 3.62.085, 36.18.020, and 43.43.7541; and reenacting and amending RCW 3.62.020.

Referred to Committee on Judiciary.

HB 1391 by Representatives Hudgins, MacEwen, Parker and Appleton

AN ACT Relating to aligning functions of the consolidated technology services agency, office of the chief information officer, and department of enterprise services; amending RCW 43.41A.003, 43.105.047, 43.105.020, 43.41A.010,

43.41A.015, 43.105.052, 43.105.111, 43.41A.027, 43.41A.030, 43.41A.035, 43.105.178, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.130, 43.41A.140, 43.41A.150, 43.41A.152, 43.105.825, 43.88.160, 41.07.020, 43.41A.085, 43.41A.095, 43.41A.105, 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 19.34.100, 36.28A.070, 41.06.094, 42.17A.705, 43.15.020, 43.19.794, 43.70.054, 43.88.090, 43.88.092, 44.68.065, and 70.58.005; adding new sections to chapter 43.105 RCW; adding new sections to chapter 43.41 RCW; creating new sections; recodifying RCW 43.41A.003, 43.41A.010, 43.41A.015, 43.41A.025, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.110, 43.41A.115, 43.41A.130, 43.41A.135, 43.41A.140, 43.41A.150, 43.41A.152, 43.41A.900, 43.105.047, 43.41A.085, 43.41A.090, 43.41A.095, 43.41A.100, and 43.41A.105; decodifying RCW 43.41A.125; repealing RCW 43.41A.006, 43.41A.020, 43.41A.120, 43.105.041, 43.105.330, 43.105.340, and 43.19.791; providing an effective date; and declaring an emergency.

Referred to Committee on Gen Govt & Info Tech.

HJR 4201 by Representatives Haler, Rodne, Muri, Stokesbary, Klippert, Shea, Taylor, Buys, Condotta and Manweller

Creating election districts for supreme court judicial positions.

Referred to Committee on Judiciary.

HJR 4202 by Representatives Springer, Haler, Young, McBride, Clibborn and Fey

Providing for community redevelopment financing in apportionment districts.

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

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

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

REPORTS OF STANDING COMMITTEES

January 15, 2015

HB 1011 Prime Sponsor, Representative Short: Assigning counties to two climate zones for purposes of the state building code. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

January 15, 2015

HB 1013 Prime Sponsor, Representative Appleton: Authorizing regular meetings of county legislative authorities to be held at alternate locations within the county. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

January 16, 2015

HB 1014 Prime Sponsor, Representative Appleton: Concerning antifreeze products. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 15, 2015

HB 1034 Prime Sponsor, Representative Moeller: Concerning surname changes after the solemnization of a marriage. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler and Klippert.

Passed to Committee on Rules for second reading.

January 14, 2015

HB 1048 Prime Sponsor, Representative Kirby: Updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 14, 2015

HB 1062 Prime Sponsor, Representative Stanford: Updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 14, 2015

HB 1065 Prime Sponsor, Representative Kirby: Amending the insurer holding company act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on Gen Govt & Info Tech.

January 15, 2015

HB 1070 Prime Sponsor, Representative Goodman: Creating the international commercial arbitration act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 15, 2015

HB 1071 Prime Sponsor, Representative Goodman: Making technical changes to form year designations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler and Klippert.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Schoesler and Nelson

Establishing cutoff dates for the consideration of legislation during the 2015 regular session of the sixty-fourth legislature.

The concurrent resolution was read the second time.

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

Representative Van De Wege spoke in favor of the adoption of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8400.

SENATE CONCURRENT RESOLUTION NO. 8400 was adopted.

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

There being no objection, the House adjourned until 9:55 a.m., January 20, 2015, the 9th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINTH DAY

House Chamber, Olympia, Tuesday, January 20, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1392 by Representatives Stanford, Tharinger and Dunshee

AN ACT Relating to the administrative rate the recreation and conservation funding board may retain to administer the grant programs established in chapter 79A.15 RCW; and amending RCW 79A.15.030.

Referred to Committee on Capital Budget.

HB 1393 by Representatives Ortiz-Self, Moscoso, Hayes, Ryu, Stanford, Smith, Robinson, Sells and Dunshee

AN ACT Relating to authorizing certain public transportation benefit areas to impose a sales and use tax approved by voters; and amending RCW 82.14.045.

Referred to Committee on Transportation.

HB 1394 by Representatives Takko, Taylor and Orcutt

AN ACT Relating to preserving the common law interpretation and application of the vested rights doctrine; and amending RCW 19.27.095, 36.70B.180, and 58.17.033.

Referred to Committee on Judiciary.

HB 1395 by Representatives Springer, Chandler and Sells

AN ACT Relating to authorizing the use of nonappropriated funds on certain administrative costs and expenses of the stay-at-work and self-insured employer programs; and adding new sections to chapter 51.44 RCW.

Referred to Committee on Appropriations.

HB 1396 by Representatives Clibborn, Orcutt, Fey, Zeiger, Fitzgibbon and Farrell

AN ACT Relating to incentivizing the use of alternative fuel commercial use vehicles with tax preferences; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Transportation.

HB 1397 by Representatives Holy, Bergquist, Appleton and Van Werven

AN ACT Relating to financial reporting by elected and appointed officials, candidates, and appointees; and amending RCW 42.17A.120 and 42.17A.710.

Referred to Committee on State Government.

HB 1398 by Representatives Kirby, Vick, Hurst, Parker, Blake, G. Hunt and Stanford

AN ACT Relating to registration of persons providing debt settlement services; amending RCW 42.56.230; reenacting and amending RCW 18.28.010; adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1399 by Representatives Hudgins, DeBolt, Dunshee, Tharinger, Short and Smith

AN ACT Relating to annually adjusting the limit on distribution of hazardous substance tax revenues to the state and local toxics control accounts to correct for inflation; and reenacting and amending RCW 70.105D.070.

Referred to Committee on Capital Budget.

HB 1400 by Representatives Haler, Pollet, Zeiger, Van Werven and Bergquist

AN ACT Relating to increasing transparency in higher education by requiring certain budgeting information to be available online; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1401 by Representatives Cody, Harris, Riccelli and Caldier

AN ACT Relating to data reporting concerning the collection of data when a psychiatric patient meets detention criteria and no evaluation and treatment bed is available; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1402 by Representatives Schmick, Cody, Short and Tharinger

AN ACT Relating to access to prepackaged emergency medications in hospital emergency departments when community or hospital pharmacy services are not available; adding a new section to chapter 70.41 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1403 by Representatives Bergquist, Schmick, Cody, Johnson, Clibborn, Harris, Robinson, DeBolt, Riccelli, Short, Van De Wege, Jinkins and Tharinger

AN ACT Relating to telemedicine; amending RCW 70.41.020 and 70.41.230; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 74.09 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1404 by Representatives Wylie and Moeller

AN ACT Relating to requiring a bistate work group for certain transportation projects; adding a new section to chapter 47.28 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1405 by Representatives Wylie and Moeller

AN ACT Relating to development of a bistate transportation project; adding a new section to chapter 47.28 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1406 by Representatives Moeller and Wylie

AN ACT Relating to directing the office of financial management to take action when the legislature fails to fully fund a bistate megaproject; adding a new section to chapter 47.28 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1407 by Representative Jinkins

AN ACT Relating to procedures for guardianship termination and modification; amending RCW 11.88.120; and creating a new section.

Referred to Committee on Judiciary.

HB 1408 by Representatives Ortiz-Self, Magendanz, Sawyer, Santos, Senn, Robinson and Orwall

AN ACT Relating to developing a definition and model for "family engagement coordinator" and other terms used interchangeably with it; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1409 by Representatives Walkinshaw, Hayes, Clibborn, Hargrove, Fey, Farrell, Zeiger and Orcutt

AN ACT Relating to the disclosure of vessel owner information; amending RCW 46.12.630, 46.12.635, and 46.12.640; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1410 by Representatives Takko, Muri, Kilduff, Zeiger, Manweller, Pike and Stanford

AN ACT Relating to modifying provisions governing the competitive bidding process of water-sewer districts; and amending RCW 57.08.050.

Referred to Committee on Local Government.

HB 1411 by Representatives Moscoso, McBride and Springer

AN ACT Relating to the siting of marijuana facilities; and amending RCW 69.50.331.

Referred to Committee on Commerce & Gaming.

HB 1412 by Representative Moscoso

AN ACT Relating to municipalities prohibiting the operation of recreational marijuana production, processing, and retail facilities within their jurisdictional boundaries; amending RCW 69.50.325, 69.50.331, 69.50.334, and 69.50.354; adding new sections to chapter 69.50 RCW; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1413 by Representatives Moscoso, Wylie, Reykdal and Walsh

AN ACT Relating to revising licensing regulations pertaining to the buffer distances required between recreational marijuana businesses and specified public and private facilities; and amending RCW 69.50.331.

Referred to Committee on Commerce & Gaming.

HB 1414 by Representatives Moscoso, Condotta, Wylie, Holy and Reykdal

AN ACT Relating to exempting marijuana producers from taxation for sales to other producers of marijuana seeds and cloned marijuana plants; and amending RCW 69.50.535.

Referred to Committee on Commerce & Gaming.

HB 1415 by Representatives Kirby, Santos, Tarleton, Ryu, Van De Wege, S. Hunt and Kilduff

AN ACT Relating to the linked deposit program; and reenacting and amending RCW 43.86A.060.

Referred to Committee on Business & Financial Services.

HB 1416 by Representative Wylie

AN ACT Relating to exempting documents recording a water-sewer district lien from the surcharge for local homeless housing and assistance; and amending RCW 36.22.179.

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

HB 1417 by Representatives Takko, Kochmar and Pike

AN ACT Relating to the referendum of assumptions of water-sewer districts by cities and towns; and adding a new section to chapter 35.13A RCW.

Referred to Committee on Local Government.

HB 1418 by Representatives Hudgins and Hurst

AN ACT Relating to enforcement of illegal marijuana production; and amending RCW 69.50.540.

Referred to Committee on Commerce & Gaming.

HB 1419 by Representative Ormsby

AN ACT Relating to restrictions on outings from state facilities; amending RCW 10.77.010 and 10.77.010; repealing RCW 10.77.145; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1420 by Representatives Wilcox, Springer, Magendanz, G. Hunt, Muri, Kirby, Takko and Kilduff

AN ACT Relating to school siting and aiding school districts in reducing overall school construction costs; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

HB 1421 by Representatives Cody, Riccelli, Jinkins, Robinson, Fitzgibbon, Appleton, Moscoso, Pollet, Gregerson, Walkinshaw, Tharinger and Pettigrew

AN ACT Relating to mid-level dental professionals; amending RCW 18.32.030, 18.32.0351, 18.260.010, 18.260.040, 18.260.070, and 18.260.080; reenacting and amending RCW 18.120.020, 18.120.020, 18.130.040, 18.130.040, 69.41.010, and 69.41.030; adding a new chapter to Title 18 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1422 by Representative Scott

AN ACT Relating to misrepresentation of the geographic location of floral product businesses; and amending RCW 19.160.030.

Referred to Committee on Business & Financial Services.

HB 1423 by Representatives Scott, Young, Caldier, Shea, Taylor, Short, Kochmar, G. Hunt, Condotta, Van Werven, Klippert, Pike, Wilson and Holy

AN ACT Relating to female genital mutilation; amending RCW 26.44.020; adding a new section to chapter 9A.36 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1424 by Representative Orwall

AN ACT Relating to suicide prevention; and amending RCW 43.70.442.

Referred to Committee on Health Care & Wellness.

HB 1425 by Representatives Pollet, Kretz, S. Hunt, Appleton, Bergquist and Holy

AN ACT Relating to ensuring that entities performing government functions and advisory committees are subject to the open public meetings act and public records act; adding a new section to chapter 35.64 RCW; adding a new section to chapter 42.30 RCW; adding a new section to chapter 42.56 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1426 by Representatives Jinkins and Nealey

AN ACT Relating to competency to stand trial evaluations; amending RCW 10.77.073; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1427 by Representatives Stokesbary, S. Hunt, Morris, Kilduff, Bergquist, Fey, Buys, Cody, Caldier, Blake, Jinkins, Ormsby and Moeller

AN ACT Relating to property tax relief programs available to senior citizens, persons retired because of physical disability, qualifying veterans, and widows or widowers of veterans; amending RCW 84.36.381, 84.36.383, 84.36.385, 84.38.020, 84.38.030, and 84.39.010; adding a new section to chapter 84.38 RCW; adding a new section to chapter 84.39 RCW; and creating new sections.

Referred to Committee on Finance.

HB 1428 by Representatives Fitzgibbon and S. Hunt

AN ACT Relating to extending the time period for voter registration; and amending RCW 29A.08.140.

Referred to Committee on State Government.

HB 1429 by Representatives S. Hunt and Hurst

AN ACT Relating to performance of personal services by liquor industry members to retailers; and amending RCW 66.28.310.

Referred to Committee on Commerce & Gaming.

HB 1430 by Representatives Walkinshaw, Holy and Clibborn

AN ACT Relating to Washington state tree special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1431 by Representatives Bergquist, Holy and S. Hunt

AN ACT Relating to modifying exemptions relating to real estate appraisals; and amending RCW 42.56.260.

Referred to Committee on State Government.

HB 1432 by Representative Pettigrew

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

Referred to Committee on Public Safety.

HB 1433 by Representatives Scott, Taylor, Shea and Condotta

AN ACT Relating to conforming Washington state's school zones law to the federal gun-free school zones law; amending RCW 9.41.280 and 9.41.280; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1434 by Representatives Blake, Buys, Takko and Kretz

AN ACT Relating to forage fish spawning habitat; adding a new section to chapter 77.55 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1435 by Representatives Blake, Buys, Takko and Kretz

AN ACT Relating to designating a class of existing commercial ocean vessels that may be allowed to moor, without satisfying the insurance requirements of chapter 195, Laws of 2014, at a moorage facility without the moorage facility assuming additional liability; amending RCW 53.08.480 and 88.26.030; and reenacting and amending RCW 53.08.310 and 88.26.010.

Referred to Committee on Agriculture & Natural Resources.

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

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

There being no objection, the House adjourned until 9:55 a.m., January 21, 2015, the 10th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TENTH DAY

House Chamber, Olympia, Wednesday, January 21, 2015

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

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

MESSAGE FROM THE SENATE

January 20, 2015

MR. SPEAKER:

The President has signed:
SENATE CONCURRENT RESOLUTION NO. 8400
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1436 by Representatives Kagi, Zeiger, Robinson, Walsh, Walkinshaw, Pettigrew, Senn, Johnson, Orwall and Ortiz-Self

AN ACT Relating to homeless youth prevention and protection; amending RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.033, 74.13.034, 74.15.220, 74.15.225, and 43.330.167; reenacting and amending RCW 43.185C.010, 13.32A.060, and 13.32A.065; adding new sections to chapter 43.185C RCW; adding new sections to chapter 43.330 RCW; creating a new section; and recodifying RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 74.15.260, and 74.15.270.

Referred to Committee on Early Learning & Human Services.

HB 1437 by Representatives Cody, Harris, DeBolt, Johnson, Jinkins, Wilcox, Van De Wege, Stokesbary, Riccelli, Tharinger and Moeller

AN ACT Relating to modifying the all payer claims database to improve health care quality and cost transparency by changing provisions related to definitions regarding data, reporting and pricing of products, responsibilities of the office of financial management and the lead organization, submission to the database, and parameters for release of information; amending RCW 43.371.010, 43.371.020, 43.371.030, 43.371.040, 43.371.050, 43.371.060, and 43.371.070; and adding a new section to chapter 43.371 RCW.

Referred to Committee on Health Care & Wellness.

HB 1438 by Representatives Sawyer and Kirby

AN ACT Relating to permitting cities, towns, and counties to prohibit the production, processing, and sale of marijuana under Initiative Measure No. 502 only by public vote; amending RCW 69.50.325 and 69.50.334; adding new sections to chapter 69.50 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Commerce & Gaming.

HB 1439 by Representatives Sawyer, Zeiger and Reykdal

AN ACT Relating to an online alternative credit model at Central Washington University; adding a new section to chapter 28B.35 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1440 by Representatives Taylor, Goodman, Pollet, Scott, Condotta, Shea, G. Hunt, Young, Moscoso and Smith

AN ACT Relating to prohibiting the use of a cell site simulator device without a warrant; amending RCW 9.73.260; adding a new section to chapter 9.73 RCW; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1441 by Representatives Sawyer, Appleton, Gregerson, Robinson and S. Hunt

AN ACT Relating to dental health services in tribal settings; amending RCW 18.29.180, 18.32.030, and 18.260.110; adding a new section to chapter 18.350 RCW; adding a new section to chapter 74.09 RCW; and adding a new chapter to Title 70 RCW.

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

HB 1442 by Representatives G. Hunt, Shea, Young, Scott and Taylor

AN ACT Relating to expanding economic development and creating jobs by increasing the availability of ammunition and firearm parts and accessories in Washington state; amending RCW 7.72.030; adding new sections to chapter 82.04 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 19.02 RCW; adding a new section to chapter 23B.01 RCW; adding a new section to chapter 25.15 RCW; adding a new section to chapter 43.330 RCW; adding a new chapter to Title 19 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1443 by Representatives G. Hunt, S. Hunt, Condotta, Shea, Taylor, Scott and Riccelli

AN ACT Relating to limiting fees charged by commercial parking businesses and requiring notice to customers; and adding a new chapter to Title 19 RCW.

Referred to Committee on Business & Financial Services.

HB 1444 by Representatives G. Hunt, Shea, Taylor and Scott

AN ACT Relating to providing property tax relief; and adding a new section to chapter 84.55 RCW.

Referred to Committee on Finance.

HB 1445 by Representatives Reykdal and Magendanz

AN ACT Relating to using computer sciences to satisfy world language college admission requirements; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1446 by Representative Manweller

AN ACT Relating to creating the youth internship opportunity act; reenacting and amending RCW 49.46.010; adding a new section to chapter 49.12 RCW; adding a new section to chapter 51.16 RCW; adding a new section to chapter 50.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor.

HB 1447 by Representatives Holy and S. Hunt

AN ACT Relating to the debarment authority of the director of enterprise services; and amending RCW 39.26.200.

Referred to Committee on State Government.

HB 1448 by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins and Walkinshaw

AN ACT Relating to procedures for responding to reports of threatened or attempted suicide; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1449 by Representatives Farrell, Carlyle, Fitzgibbon, Ortiz-Self, Peterson, Walkinshaw, Gregerson, Senn, McBride, Robinson, Tarleton, Pollet, Cody, Ormsby, Riccelli, Kagi, Blake, Fey, Hudgins, Lytton, Bergquist, Sells, Takko, Tharinger, Jinkins, Wylie, S. Hunt, Stanford, Reykdal and Sawyer

AN ACT Relating to oil transportation safety; amending RCW 88.46.180, 90.56.005, 90.56.010, 90.56.200, 90.56.210, 90.56.500, 90.56.510, 88.40.011, 88.40.025, 88.40.030, 88.40.040, 88.16.170, 88.16.190, 82.23B.010, 82.23B.020, 82.23B.030, 82.23B.040, 81.24.010, 81.53.010, and 81.53.240; reenacting and amending RCW 88.46.010, 88.40.020, and 38.52.040; adding new sections to chapter 90.56 RCW; adding a new section to chapter 81.44 RCW; adding a new section to chapter 81.53 RCW; and providing an effective date.

Referred to Committee on Environment.

HB 1450 by Representatives Jinkins, Rodne, Walkinshaw, Harris, Cody, Goodman, Senn, Walsh, Riccelli, Robinson, Orwall and Moeller

AN ACT Relating to involuntary outpatient mental health treatment; amending RCW 71.05.150, 71.05.156, 71.05.212, 71.05.230, 71.05.240, 71.05.245, 71.05.280, and 71.05.320; reenacting and amending RCW 71.05.020 and 71.05.020; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1451 by Representatives Rodne, Jinkins, Walkinshaw, Harris, Walsh, Senn, Goodman, Riccelli and Moeller

AN ACT Relating to civil commitment; amending RCW 71.05.040, 71.05.050, 71.05.150, 71.05.156, 71.05.160, 71.05.170, 71.05.195, 71.05.210, 71.05.212, 71.05.215, 71.05.230, 71.05.235, 71.05.240, 71.05.245, 71.05.260, 71.05.280, 71.05.320, 71.05.360, 71.34.020, 71.34.710, 71.34.740, 71.34.750, 10.77.025, 70.97.010, 70.97.010, 70.97.050, 71.24.025, and 72.23.010; reenacting and amending RCW 71.05.020, 71.05.020, 71.05.153, and 71.24.025; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1452 by Representative Pike

AN ACT Relating to creating cost savings through the formation of a centralized administrative office to manage many of the state's significant real estate assets; amending RCW 77.12.037, 77.12.220, 77.12.210, 77.12.203, 79.71.040, 79.70.030, 79.155.040, 47.01.260, and 43.17.400; reenacting and amending RCW 79A.05.030; adding a new chapter to Title 79 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Gen Govt & Info Tech.

HB 1453 by Representatives Pike, Wylie, Takko and Vick

AN ACT Relating to eliminating the backlog of land use applications in the Columbia River Gorge commission for the purpose of protecting and enhancing the natural scenery and regional economic development of the Columbia River Gorge national scenic area; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1454 by Representatives Pike, Johnson, Shea, Manweller, Vick, Buys, Van Werven, Harris and Wilson

AN ACT Relating to limiting industrial insurance benefits for injuries or diseases caused by use of intoxicating liquor or drugs; adding a new section to chapter 51.32 RCW; and creating new sections.

Referred to Committee on Labor.

HB 1455 by Representatives Pike, Johnson, Shea, Manweller and Harris

AN ACT Relating to permitting local governments to opt out of prevailing wage requirements; amending RCW 39.04.260; adding a new section to chapter 39.12 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1456 by Representatives Pike, Vick, Manweller and Harris

AN ACT Relating to limiting prevailing wage requirements to labor performed at the site of work; and amending RCW 39.04.260 and 39.12.020.

Referred to Committee on Labor.

HB 1457 by Representatives Springer, Vick and Reykdal

AN ACT Relating to authorizing sixteen and seventeen year old store employees to handle liquor; and amending RCW 66.44.340.

Referred to Committee on Commerce & Gaming.

HB 1458 by Representatives Orwall, Goodman, Pettigrew, Ryu, Stanford and Gregerson

AN ACT Relating to protecting youth from tobacco products and vapor products; and amending RCW 70.155.005, 26.28.080, 70.155.010, 70.155.020, 70.155.030, 70.155.080, 70.155.110, and 70.155.120.

Referred to Committee on Health Care & Wellness.

HB 1459 by Representatives Cody and Schmick

AN ACT Relating to excluding the federal-state partnership for a capitated financial alignment model for medicare-medicaid enrollees, known as the healthpath Washington program, from calculation of the premium tax, the Washington state health insurance pool assessment, and the business and occupation tax; amending RCW 48.14.0201, 48.41.030, and 48.41.090; adding a new section to chapter 82.04 RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Health Care & Wellness.

HB 1460 by Representatives Robinson, Walkinshaw, Walsh, Stanford, Bergquist, Appleton, Sells, Ortiz-Self, Gregerson, Tarleton, Peterson, Pettigrew, Fitzgibbon, Riccelli, Jinkins and Kilduff

AN ACT Relating to the reporting of eviction records; amending RCW 19.182.040; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1461 by Representatives Hurst and Condotta

AN ACT Relating to marijuana.

Referred to Committee on Commerce & Gaming.

HB 1462 by Representatives Takko and Pike

AN ACT Relating to implementing and operating state and county government investment pools; amending RCW 36.29.022, 36.29.024, 36.29.020, 39.59.010, 39.59.020, 39.60.010, 39.60.020, 39.60.030, 39.60.040, 39.60.050, and 43.84.080; reenacting and amending RCW 43.250.020; adding a new section to chapter 39.59 RCW; adding a new chapter to Title 36 RCW; recodifying RCW 36.29.022 and 36.29.024; repealing RCW 39.59.030 and 43.250.090; and providing an effective date.

Referred to Committee on Local Government.

HB 1463 by Representatives Reykdal and Haler

AN ACT Relating to disclosure in initiatives, referenda, and recall petitions; amending RCW 29A.56.160, 29A.72.110, 29A.72.120, 29A.72.130, and 29A.72.170; adding a new section to chapter 29A.72 RCW; adding a new section to chapter 29A.84 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 1464 by Representatives Hudgins, MacEwen, Senn and S. Hunt

AN ACT Relating to transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health; and amending RCW 70.119A.170.

Referred to Committee on Gen Govt & Info Tech.

HB 1465 by Representatives MacEwen and Hudgins

AN ACT Relating to creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities; amending RCW 70.87.210; adding a new section to chapter 18.27 RCW; adding a new section to chapter 43.22 RCW; and adding a new section to chapter 51.44 RCW.

Referred to Committee on Gen Govt & Info Tech.

HB 1466 by Representatives Hudgins, Magendanz, Stanford, Smith and S. Hunt

AN ACT Relating to encryption of data on state information technology systems; and adding a new section to chapter 43.41A RCW.

Referred to Committee on Gen Govt & Info Tech.

HB 1467 by Representatives Hudgins, Stanford and S. Hunt

AN ACT Relating to encryption of data on state information technology systems; and adding a new section to chapter 43.41A RCW.

Referred to Committee on Gen Govt & Info Tech.

HB 1468 by Representatives Hudgins, Stanford and S. Hunt

AN ACT Relating to the proclamation of a state of emergency in the event of a cybersecurity incident; and amending RCW 43.06.010.

Referred to Committee on Public Safety.

HB 1469 by Representatives Hudgins, Magendanz and Stanford

AN ACT Relating to the removal of payment credentials and other sensitive data from state data networks; and adding a new section to chapter 43.41A RCW.

Referred to Committee on Gen Govt & Info Tech.

HB 1470 by Representatives Hudgins, Smith, Stanford and S. Hunt

AN ACT Relating to establishing a blue-ribbon panel on cybersecurity; creating a new section; and providing an expiration date.

Referred to Committee on Gen Govt & Info Tech.

HB 1471 by Representatives Cody, Schmick, Harris, Van De Wege, DeBolt, Hurst, Kretz and Moeller

AN ACT Relating to mitigating barriers to patient access to care resulting from health insurance contracting practices; adding a new section to chapter 48.43 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1472 by Representatives Fitzgibbon, Peterson, Goodman, McBride, Springer, Fey, Farrell, Hudgins and Kagi

AN ACT Relating to using chemical action plans to require safer chemicals in Washington; amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 39.26 RCW; adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1473 by Representatives Taylor, Shea, Scott, Young and G. Hunt

AN ACT Relating to the Fourth Amendment protection act; adding a new chapter to Title 42 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1474 by Representatives Taylor, G. Hunt, Young, Scott and Shea

AN ACT Relating to ensuring the right of self-defense against attacks by aggressive, violent animals; and amending RCW 9A.16.110.

Referred to Committee on Judiciary.

HB 1475 by Representatives Kirby and Vick

AN ACT Relating to premiums on policies issued through the Washington longshore and harbor workers' compensation act insurance assigned risk plan; and amending RCW 48.32.030.

Referred to Committee on Business & Financial Services.

HB 1476 by Representatives Rodne, Hayes, Lytton, Zeiger, Orwall, Fagan and Moscoso

AN ACT Relating to removing references to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults; and amending RCW 9A.42.005 and 26.44.020.

Referred to Committee on Judiciary.

HB 1477 by Representative MacEwen

AN ACT Relating to providing that a quarterly revenue forecast is due on February 20th during both a long and short legislative session year; reenacting and amending RCW 82.33.020; and declaring an emergency.

Referred to Committee on Finance.

HB 1478 by Representatives Condotta and Moscoso

AN ACT Relating to allowing additional liquor distributor employees to stock liquor under certain circumstances; and amending RCW 66.44.318.

Referred to Committee on Commerce & Gaming.

HB 1479 by Representative Scott

AN ACT Relating to implementation of year-round Pacific Standard Time; adding a new section to chapter 1.20 RCW; and repealing RCW 1.20.051.

Referred to Committee on State Government.

HB 1480 by Representatives Holy, Riccelli, Orcutt, Haler, Shea, Johnson and Clibborn

AN ACT Relating to the creation of intermittent-use trailer license plates; amending RCW 46.18.277 and 46.19.060; reenacting and amending RCW 46.17.220 and 46.16A.200; adding a new section to chapter 46.18 RCW; adding a new section to chapter 46.04 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1481 by Representatives Kagi, Zeiger, Senn, Walsh, Peterson, Stambaugh, Walkinshaw, Goodman, Muri, Pettigrew and Jinkins

AN ACT Relating to decreasing the barriers to successful community participation for individuals involved with the juvenile justice system; amending RCW 13.50.260, 13.50.270, 13.40.190, 7.68.035, 7.80.130, 9.08.070, 9.08.072, 9.46.1961, 9.68A.105, 9.68A.106, 9.94A.550, 9A.20.021, 9A.50.030, 9A.56.060, 9A.56.085, 9A.88.120, 9A.88.140, 10.73.160, 10.82.090, 10.99.080, 13.40.080, 36.18.016, 36.18.020, 36.18.040, 43.43.690, 46.61.5054, 46.61.5055, 69.50.401, 69.50.425, 69.50.430, 69.50.435, and 77.15.420; reenacting and amending RCW 13.50.010 and 13.40.127; adding a new section to chapter 13.34 RCW; adding a new section to chapter 13.50 RCW; and repealing RCW 13.40.145 and 13.40.085.

Referred to Committee on Early Learning & Human Services.

HB 1482 by Representatives Pollet, Zeiger, Stanford, Haler and Bergquist

AN ACT Relating to an analysis of regional higher education capacity to meet educational attainment goals; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1483 by Representative Pollet

AN ACT Relating to eliminating the investment income business and occupation tax deduction for corporations and other business entities; amending RCW 82.04.4281; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1484 by Representatives Jinkins, S. Hunt, Tharinger, Robinson, Fitzgibbon, Wylie, Pollet, Reykdal, Farrell, Ryu and Van De Wege

AN ACT Relating to enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 82 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Finance.

HB 1485 by Representatives Haler, Cody, Schmick, Shea, Zeiger and Tarleton

AN ACT Relating to family medicine residencies in health professional shortage areas; amending RCW 70.112.020 and 70.112.060; reenacting and amending RCW 70.112.010; adding a new section to chapter 44.28 RCW; adding new sections to chapter 70.112 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1486 by Representatives Hayes, Takko, Lytton, Orcutt, Vick and Tarleton

AN ACT Relating to maximum gross weights for vehicle tires; amending RCW 46.44.042; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 1487 by Representatives Fey, McBride and S. Hunt

AN ACT Relating to reducing emissions by making changes to the clean car standards and clean car program; and amending RCW 70.120A.010.

Referred to Committee on Environment.

HB 1488 by Representatives Hudgins, Walkinshaw, Reykdal, Stanford, McBride, Fitzgibbon and Pollet

AN ACT Relating to regulating debt adjusting services; amending RCW 18.28.080 and 18.28.120; reenacting and amending RCW 18.28.010; and adding new sections to chapter 18.28 RCW.

Referred to Committee on Business & Financial Services.

HB 1489 by Representatives Ryu, S. Hunt, Reykdal, Walkinshaw, McBride, Fitzgibbon, Santos and Pollet

AN ACT Relating to prohibiting debt adjusting services and defining and regulating debt management services; amending RCW 18.28.080, 18.28.090, 18.28.100, 18.28.110, 18.28.120, 18.28.130, 18.28.140, 18.28.150, 18.28.165, 18.28.185, and 18.28.900; reenacting and amending RCW 18.28.010; and adding a new section to chapter 18.28 RCW.

Referred to Committee on Business & Financial Services.

HB 1490 by Representatives Hudgins, Walkinshaw, Reykdal, Stanford, McBride, Fitzgibbon, Santos and Pollet

Providing requirements for debt adjusters.

Referred to Committee on Business & Financial Services.

HB 1491 by Representatives Kagi, Walsh, Hunter, Johnson, Ormsby, MacEwen, Senn, Magendanz, Farrell, Hayes and Ortiz-Self

AN ACT Relating to improving quality in the early care and education system; amending RCW 43.215.100, 43.215.135, 43.215.1352, 43.215.425, 43.215.415, 43.215.455, and 43.215.090; reenacting and amending RCW 43.215.010; adding new sections to chapter 43.215 RCW; creating new sections; and repealing 2013 2nd sp.s. c 16 s 2 (uncodified).

Referred to Committee on Early Learning & Human Services.

HB 1492 by Representatives Magendanz and Walkinshaw

AN ACT Relating to technology literacy; and amending RCW 28A.655.075.

Referred to Committee on Education.

HB 1493 by Representatives Shea, Scott, Taylor, McCaslin, Holy, G. Hunt, Wilson, Young, Hayes and Haler

AN ACT Relating to requiring parental notification for abortion; adding a new section to chapter 9.02 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1494 by Representatives Zeiger, Jinkins, Vick, Stokesbary and Stambaugh

AN ACT Relating to requiring ticket brokers and resellers to make disclosures; and adding a new chapter to Title 19 RCW.

Referred to Committee on Technology & Economic Development.

HB 1495 by Representatives Reykdal, Magendanz and Springer

AN ACT Relating to the student user privacy in education rights act; adding new sections to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Education.

HB 1496 by Representatives Sells and Gregerson

AN ACT Relating to addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities; amending RCW 51.16.120, 51.32.095, and 51.44.040; reenacting and amending RCW 51.32.099; adding a new section to chapter

51.32 RCW; creating new sections; and repealing 2013 c 331 s 3, 2011 c 291 s 3, and 2013 c 331 s 6 (uncodified).

Referred to Committee on Labor.

HB 1497 by Representative Pettigrew

AN ACT Relating to appointments of the board of directors of a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more; amending RCW 28A.343.300 and 28A.343.600; reenacting and amending RCW 28A.343.660; adding a new section to chapter 28A.343 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 1498 by Representatives Goodman, Clibborn, Springer, Senn and McBride

AN ACT Relating to adrenal insufficiency; amending RCW 18.73.250; and adding a new section to chapter 28A.210 RCW.

Referred to Committee on Health Care & Wellness.

HB 1499 by Representatives Goodman, Jinkins, Johnson, Orwall, Appleton, Lytton and Tharinger

AN ACT Relating to vulnerable adults; amending RCW 9A.42.020, 9A.42.030, 9A.42.035, 9A.56.020, 9A.56.010, and 9A.04.080; reenacting and amending RCW 9.94A.411 and 9.94A.515; adding a new section to chapter 9A.56 RCW; adding a new section to chapter 74.34 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1500 by Representatives Zeiger, Haler, Pollet, Manweller and Bergquist

AN ACT Relating to a study of higher education cost drivers; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1501 by Representatives Zeiger, Kagi, Magendanz, Muri, Walkinshaw, Walsh, Ryu, Robinson, Hayes, Stokesbary, Gregerson, Condotta, Sawyer, Jinkins, Farrell and Senn

AN ACT Relating to public-private financing for prevention-focused social services; adding a new section to chapter 43.41 RCW; adding a new section to chapter 43.180 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1502 by Representatives Jinkins, Appleton, Lytton, Kilduff, Clibborn, McBride, Gregory, Senn, Wylie, Robinson, Ortiz-Self, Kagi, Santos, Ryu, Tarleton, Farrell, Gregerson, Orwall, Carlyle, Fey, Fitzgibbon, Moscoso, Moeller, Riccelli, Pettigrew, Stanford, Walkinshaw, Sawyer, Pollet and Bergquist

AN ACT Relating to declaring that it is an unfair practice for any employer who provides health insurance to its employees as part of an employee's benefit package to not include contraceptive coverage as part of the benefit package, to fail to comply with federal rules adopted under the affordable care act relating to the provision of contraceptive coverage, or to discriminate against any employee based on that employee's use of any reproductive health care service, drug, or device; adding new sections to chapter 49.60 RCW; and creating new sections.

Referred to Committee on Judiciary.

HB 1503 by Representatives Jinkins, Ryu, Tharinger, DeBolt, Senn, Robinson, Harris, Cody, Riccelli, Walsh, Sawyer and Moeller

AN ACT Relating to medical liens; amending RCW 60.44.020 and 60.44.060; and reenacting and amending RCW 19.16.100.

Referred to Committee on Judiciary.

HB 1504 by Representatives Jinkins, Johnson, Harris, Caldier, Robinson, Tharinger, Riccelli, Goodman, Cody, Walsh, Sawyer, Tarleton, Pollet, Senn, Kilduff and Moeller

AN ACT Relating to standardizing hospital charity care determinations by requiring the development of a standardized application form, specifying when patients must be notified regarding the availability of charity care, and clarifying that a person may apply for charity care at any time; and amending RCW 70.170.060.

Referred to Committee on Health Care & Wellness.

HB 1505 by Representatives Goodman and Kagi

AN ACT Relating to juvenile restorative justice programs; and amending RCW 13.40.070.

Referred to Committee on Early Learning & Human Services.

HB 1506 by Representatives Kirby and Blake

AN ACT Relating to exemptions from firearms background check requirements; and amending RCW 9.41.113.

Referred to Committee on Judiciary.

HB 1507 by Representative DeBolt

AN ACT Relating to information about the sodium content of meals in nursing homes; and amending RCW 74.42.300.

Referred to Committee on Health Care & Wellness.

HB 1508 by Representatives Kretz, Blake and Short

AN ACT Relating to providing permissive authority for counties to assume authority over local forest fire management; amending RCW 76.04.610, 76.04.630, 76.04.015, and 76.04.016; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1509 by Representatives Kretz and Blake

AN ACT Relating to giving priority selection to forest fire suppression resource contractors that are located geographically close to fire suppression activities; amending RCW 76.04.015, 76.04.105, and 76.04.155; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1510 by Representative Sells

AN ACT Relating to requiring employers to reimburse employees for work-related expenses; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor.

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

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

REPORTS OF STANDING COMMITTEES

January 15, 2015

HB 1044 Prime Sponsor, Representative Santos: Increasing the regulatory oversight and accountability of the office of minority and women's business enterprises. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Nealey.

Referred to Committee on Appropriations.

January 20, 2015

HB 1047 Prime Sponsor, Representative Goodman: Concerning state agencies continuity of operations planning requirements. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

January 20, 2015

HB 1064 Prime Sponsor, Representative Kirby: Concerning regulation of locksmith services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Hunt, G.

Passed to Committee on Rules for second reading.

January 20, 2015

HB 1076 Prime Sponsor, Representative Kirby: Modernizing life insurance reserve requirements. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on Gen Govt & Info Tech.

January 20, 2015

HB 1088 Prime Sponsor, Representative Takko: Modifying per diem compensation for flood control zone district supervisors. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Agriculture & Natural Resources was relieved of HOUSE BILL NO. 1220, and the bill was referred to the Committee on Finance.

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

There being no objection, the House adjourned until 9:55 a.m., January 22, 2015, the 11th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ELEVENTH DAY

House Chamber, Olympia, Thursday, January 22, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1511 by Representatives Ortiz-Self, Hurst, Appleton, Stokesbary, Goodman, Reykdal, Moscoso, Rodne, Pollet, Magendanz, Zeiger and Johnson

AN ACT Relating to teaching Washington's tribal history, culture, and government in the common schools; amending RCW 28A.320.170; and creating a new section.

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

HB 1512 by Representatives Sells and Hayes

AN ACT Relating to fairness in disciplinary actions of peace officers who appear on a prosecuting attorney's potential impeachment list; adding a new section to chapter 10.93 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1513 by Representatives Springer, Fitzgibbon and Gregerson

AN ACT Relating to local infrastructure project areas; and amending RCW 39.108.010, 39.108.070, 39.108.120, 39.108.130, 39.108.140, and 39.108.150.

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

HB 1514 by Representatives Jinkins, Manweller and Cody

AN ACT Relating to dental office support services; amending RCW 18.32.010, 18.32.020, 18.32.030, 18.32.655, and 18.32.675; and adding new sections to chapter 18.32 RCW.

Referred to Committee on Health Care & Wellness.

HB 1515 by Representatives MacEwen, Griffey, Blake and Condotta

AN ACT Relating to modifying the operation of motorcycles on roadways laned for traffic; amending RCW 46.61.608; and prescribing penalties.

Referred to Committee on Transportation.

HB 1516 by Representatives Pettigrew, Santos, Magendanz, Condotta, Fitzgibbon and Ormsby

AN ACT Relating to providing an exemption for certain lodging services from the convention and trade center tax; amending RCW 36.100.040; and providing an effective date.

Referred to Committee on Finance.

HB 1517 by Representatives Reykdal, Orcutt, Condotta, Springer, Johnson, Takko, Wylie, Nealey, Ryu, S. Hunt, Gregerson, Tharinger, Robinson and Moeller

AN ACT Relating to the distribution of liquor revenues to local jurisdictions; amending RCW 66.08.190 and 66.08.210; and providing an effective date.

Referred to Committee on Appropriations.

HB 1518 by Representatives Gregerson, Reykdal, Pollet, Ryu, Goodman, Moscoso, McBride, Sells, Peterson, Fitzgibbon, Wylie, Pettigrew, Cody, Takko, Dunshee, Tharinger, Ormsby, Lytton and Riccelli

AN ACT Relating to establishing wage liens; and adding a new chapter to Title 60 RCW.

Referred to Committee on Labor.

HB 1519 by Representatives Riccelli, Reykdal, Robinson, Takko, Walkinshaw, McBride, Sells, Peterson, Fitzgibbon, Goodman, Ryu, Pollet, Pettigrew, Moscoso, Ormsby, Cody, Dunshee, Tharinger, Kagi, Lytton and Moeller

AN ACT Relating to simplifying and enforcing employee status under employment laws to ensure fairness to employers and employees and address the underground economy; amending RCW 39.12.010, 39.12.050, 50.04.100, 50.04.298, 50.12.070, 50.12.072, 50.24.070, 50.04.100, 51.08.070, and 51.08.180; reenacting and amending RCW 49.48.082 and 49.46.010; adding a new section to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.46 RCW; adding new sections to chapter 50.04 RCW; adding a new section to chapter 51.12 RCW; adding a new chapter to Title 49 RCW; creating new sections; repealing RCW 39.12.100, 50.04.140, 50.04.145, 51.08.181, and 51.08.195; and prescribing penalties.

Referred to Committee on Labor.

HB 1520 by Representatives Taylor, Scott, Griffey, Shea and G. Hunt

AN ACT Relating to requiring a finding of guilt prior to the forfeiture of private property; and amending RCW 9.46.231, 9.68A.120, 9A.88.150, 10.105.010, 9A.83.030, 19.290.230, 46.61.5058, 69.50.505, 70.74.400, 82.24.130, 82.26.230, 82.26.240, 82.32.670, and 82.38.360.

Referred to Committee on Judiciary.

HB 1521 by Representatives Taylor, Shea, Scott, Condotta, G. Hunt and Griffey

AN ACT Relating to making licensed dealer delivery provisions consistent with federal law; and amending RCW 9.41.092.

Referred to Committee on Judiciary.

HB 1522 by Representatives Taylor, Shea, G. Hunt and Buys

AN ACT Relating to establishing a state meat inspection program; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1523 by Representatives Taylor, Shea, G. Hunt, Buys and Scott

AN ACT Relating to the relinquishment of water rights; amending RCW 43.21B.110, 43.21B.110, 90.03.380, 90.03.615, 90.14.010, 90.38.040, 90.42.040, 90.42.080, 90.44.510, 90.44.520, 90.92.070, and 90.92.120; adding a new section to chapter 90.14 RCW; creating a new section; repealing RCW 90.14.130, 90.14.140, 90.14.160, 90.14.170, 90.14.180, 90.14.190, and 90.14.200; providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture & Natural Resources.

HB 1524 by Representatives Caldier, Young, Pike, Reykdal, Buys, Zeiger, Scott and Ormsby

AN ACT Relating to authorizing the termination of all legal responsibilities of a nonparent if genetic testing shows by clear and convincing evidence that a man is not the genetic father of a child; amending RCW 26.26.310, 26.26.320, 26.26.335, 26.26.530, 26.26.535, 26.26.600, and 26.26.405; and adding a new section to chapter 26.26 RCW.

Referred to Committee on Judiciary.

HB 1525 by Representatives Caldier, Buys, Stokesbary, Wilson, Van Werven and Riccelli

AN ACT Relating to beverage containers; and amending RCW 70.132.020.

Referred to Committee on Environment.

HB 1526 by Representatives Dent, Tharinger, Pike, Tarleton, Fagan, Van Werven, Hargrove, Orcutt, Harris, Condotta, Riccelli, Pettigrew, Takko, Lytton, Klippert, Johnson, Kochmar, Griffey, McCabe and Manweller

AN ACT Relating to dedicating aircraft excise tax revenue to the airport aid grant program; amending RCW 82.48.080 and 82.42.090; and creating new sections.

Referred to Committee on Appropriations.

HB 1527 by Representatives Dent, Blake, Buys and Van De Wege

AN ACT Relating to requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act; and amending RCW 15.58.233.

Referred to Committee on Agriculture & Natural Resources.

HB 1528 by Representatives Robinson, Riccelli, Rodne, Magendanz, DeBolt, Harris, Clibborn and Stanford

AN ACT Relating to authorized health care providers prescribing epinephrine autoinjectors in the name of authorized entities; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care & Wellness.

HB 1529 by Representatives Tharinger, Fey, Takko, Haler, Reykdal and Walsh

AN ACT Relating to per diem rates for port district officers and employees; and amending RCW 53.08.176.

Referred to Committee on Local Government.

HB 1530 by Representatives Wylie, Harris, Schmick, Ryu, Tharinger, Wilson, Pike and Moeller

AN ACT Relating to modifying the definition of prepared food to exclude food required to be cooked by the consumer prior to consumption; amending RCW 82.08.0293; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1531 by Representatives Tharinger, Harris, Jinkins and Cody

AN ACT Relating to removing expiration dates for training and certification exemptions for certain long-term care workers; and amending RCW 18.88B.041, 74.39A.076, 74.39A.341, and 18.88B.035.

Referred to Committee on Health Care & Wellness.

HB 1532 by Representatives Smith, Stanford, DeBolt and Riccelli

AN ACT Relating to capital design and construction for institutions of higher education; and amending RCW 43.88.030.

Referred to Committee on Capital Budget.

HB 1533 by Representatives Van Werven, Hurst, Buys, Takko, Vick, Scott, Shea, Condotta, Dent, G. Hunt, Wilson, Caldier, Holy, Blake, Kirby, Griffey and Rodne

AN ACT Relating to exempting the transfer of a firearm donated to a historical society or museum for temporary

exhibition and the transfer of the firearm back to the donor from the background check requirement; and amending RCW 9.41.---.

Referred to Committee on Judiciary.

HB 1534 by Representatives Van Werven, Clibborn and Buys

AN ACT Relating to border area transportation benefit districts; and amending RCW 82.47.030.

Referred to Committee on Transportation.

HB 1535 by Representatives Klippert, Goodman, Orwall, Muri, Stokesbary, Haler and Hayes

AN ACT Relating to dealer deliveries to active duty law enforcement officers; amending RCW 9.41.090; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1536 by Representatives Klippert, Cody, Goodman, Muri, Stokesbary, Haler and Hayes

AN ACT Relating to the timing of emergency detentions and assessments under the involuntary treatment act; and reenacting and amending RCW 71.05.153.

Referred to Committee on Judiciary.

HB 1537 by Representatives Moscoso and Hudgins

AN ACT Relating to state liquor control board enforcement officers; and amending RCW 66.44.010 and 10.93.020.

Referred to Committee on Public Safety.

HB 1538 by Representatives Sells, Moscoso, Dunshee, Reykdal, Pollet, S. Hunt and Orwall

AN ACT Relating to restoring cost-of-living increases for educational employees; amending RCW 28A.400.205, 28B.50.465, 28B.50.468, and 28A.405.415; and creating a new section.

Referred to Committee on Appropriations.

HB 1539 by Representative Moeller

AN ACT Relating to hardship property tax waivers for interest and penalties; and amending RCW 84.56.025.

Referred to Committee on Finance.

HB 1540 by Representatives Kretz, Blake, Pettigrew, Condotta, Stanford, Lytton, Short, Sawyer, S. Hunt and Hurst

AN ACT Relating to tribal timber harvest excise tax agreements; and amending RCW 43.06.480.

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

HB 1541 by Representatives Santos and Ortiz-Self

AN ACT Relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee; amending RCW 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040, 28A.180.090, 28A.300.042, and 28A.300.505; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28B.50 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

HB 1542 by Representatives S. Hunt, Moscoso, Reykdal, Sells, Pollet and Dunshee

AN ACT Relating to providing retirement benefits at earlier ages in the plans 2 and 3 of the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1543 by Representatives Blake and Vick

AN ACT Relating to the first mortgage interest business and occupation tax deduction; amending RCW 82.04.4292; and creating a new section.

Referred to Committee on Finance.

HB 1544 by Representatives Dent and Takko

AN ACT Relating to the administrative steps required to be satisfied by a municipality in the procurement of water services in order for RCW 35.22.625 to not apply to the selection of water service contractors; amending RCW 35.22.625; and adding a new section to chapter 35.22 RCW.

Referred to Committee on Local Government.

HB 1545 by Representatives Robinson, Johnson and Cody

AN ACT Relating to the safe practice of public health nurses dispensing certain medications; and adding a new section to chapter 70.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1546 by Representatives Reykdal, Pollet, Springer, Bergquist, S. Hunt and Lytton

AN ACT Relating to dual credit opportunities provided by Washington state's public institutions of higher education; and amending RCW 28A.600.290 and 28A.600.310.

Referred to Committee on Education.

HB 1547 by Representatives S. Hunt and Holy

AN ACT Relating to funding and expenditures for official national association conferences; amending RCW 42.52.150; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government.

HB 1548 by Representatives Appleton and Pike

AN ACT Relating to increasing the percentage of votes required in order for a write-in candidate to appear on the general election ballot; and reenacting and amending RCW 29A.36.170.

Referred to Committee on State Government.

HB 1549 by Representative Carlyle

AN ACT Relating to providing reasonable tools for the effective administration of the public utility district privilege tax; amending RCW 54.28.030, 54.28.040, 54.28.050, 54.28.055, 82.32.050, 82.32.060, 82.32.070, 82.32.100, 82.32.105, 82.32.160, and 82.32.350; and adding a new section to chapter 54.28 RCW.

Referred to Committee on Finance.

HB 1550 by Representatives Carlyle and Nealey

AN ACT Relating to simplifying the taxation of amusement, recreation, and physical fitness services; amending RCW 82.04.050, 82.04.060, 82.04.190, 82.08.0291, 82.12.020, 82.12.02595, 82.12.035, 82.12.040, 82.12.860, and 82.32.087; reenacting and amending RCW 82.12.010; creating a new section; repealing RCW 82.12.02917; and providing an effective date.

Referred to Committee on Finance.

HB 1551 by Representatives Ryu and Haler

AN ACT Relating to improving the administration of unclaimed property laws; amending RCW 63.29.020, 63.29.140, 63.29.170, 63.29.180, 63.29.290, 63.29.300, and 63.29.340; reenacting and amending RCW 63.29.190; adding new sections to chapter 63.29 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Finance.

HB 1552 by Representatives Shea, Taylor, Condotta, Pike, Goodman, G. Hunt, Scott, Buys and Holy

Concerning industrial hemp.

Referred to Committee on Commerce & Gaming.

HB 1553 by Representatives Walkinshaw, MacEwen, Ryu, Appleton, Moscoso, Holy, Gregerson, Zeiger, Peterson, Farrell, Walsh, Reykdal, Orwall and Pettigrew

AN ACT Relating to certificates of restoration of opportunity; amending RCW 7.60.035, 9.46.075, 9.46.158, 9.92.120, 10.97.030, 14.20.090, 18.04.295, 9.96A.020, 9.96A.050, 18.11.160, 18.20.125, 18.39.410, 18.44.241, 18.44.311, 18.52.071, 43.43.842, 18.64.165, 18.88B.080, 18.108.085, 18.130.055, 18.235.110, 18.145.120, 9.94A.030, 18.160.080, 18.165.030, 18.170.030, 18.185.020, 18.185.250, 18.130.160, and 43.20A.710; reenacting and amending RCW 18.130.050; adding a new chapter to Title 9 RCW; and creating new sections.

Referred to Committee on Public Safety.

HB 1554 by Representatives Stambaugh, S. Hunt, Holy, Zeiger, Scott and G. Hunt

AN ACT Relating to exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs; and amending RCW 42.56.230.

Referred to Committee on State Government.

HB 1555 by Representatives Robinson, Walsh, Kagi and Johnson

AN ACT Relating to applied behavior analysis; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1556 by Representatives Hargrove, Walkinshaw, Zeiger, Pollet, Van Werven and Bergquist

AN ACT Relating to strengthening the Washington advanced college tuition payment program by setting new requirements on the purchase and use of tuition units; reenacting and amending RCW 28B.95.030; and creating a new section.

Referred to Committee on Higher Education.

HB 1557 by Representatives Riccelli, Shea, Stokesbary, McCaslin and Orwall

AN ACT Relating to informant and accomplice evidence and testimony; adding new sections to chapter 10.58 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1558 by Representatives Muri, Orwall, Stokesbary, Haler, Kilduff, Klippert and Riccelli

AN ACT Relating to seizure and forfeiture of property for patronizing a prostitute; amending RCW 9A.88.150; and creating a new section.

Referred to Committee on Public Safety.

HB 1559 by Representatives Riccelli, Johnson, Wylie, Parker, MacEwen, Harris, Rodne, Schmick, Short, Pettigrew, Ormsby, Robinson, Van De Wege, Klippert, Reykdal, Sawyer, Holy, Walsh, S. Hunt, Kretz, Vick, Gregerson, McCaslin, Pike, Scott, Smith, Lytton, Hudgins, Ryu, Condotta, Sells, Moscoso, Hurst, Santos, Buys, Fey, Takko, Blake, Dent, Nealey, Kilduff, Chandler, Wilcox, Haler, Magendanz, Peterson, Ortiz-Self, Appleton, Manweller, Shea, Senn, Hayes, Kochmar, Hargrove, Muri, Stanford, Fagan, Griffey, Van Werven and Wilson

AN ACT Relating to higher education programs at Washington State University and the University of Washington; amending RCW 28B.10.115 and 28B.20.060; and adding a new section to chapter 28B.30 RCW.

Referred to Committee on Higher Education.

HB 1560 by Representatives Hudgins and Ortiz-Self

AN ACT Relating to recognizing the thirty-first of March as Cesar Chavez Day; and reenacting and amending RCW 1.16.050.

Referred to Committee on State Government.

HB 1561 by Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith and S. Hunt

AN ACT Relating to consideration of information technology security matters; and amending RCW 42.30.110.

Referred to Committee on State Government.

HB 1562 by Representative Sullivan

AN ACT Relating to allergen information in schools; adding a new chapter to Title 28A RCW; and providing an effective date.

Referred to Committee on Education.

HB 1563 by Representatives Blake and Van De Wege

AN ACT Relating to providing increased revenue to the state wildlife account; amending RCW 77.15.500, 77.65.010, 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.280, 77.65.340, 77.65.440, 77.65.480, 77.65.510, 82.27.020, and 82.27.070; reenacting and amending RCW 77.12.170; adding new sections to chapter 77.65 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HJR 4203 by Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith and S. Hunt

Amending the Constitution to permit appropriations from the budget stabilization account in certain cases where there has been a breach of information technology systems.

Referred to Committee on Appropriations.

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

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

There being no objection, the House adjourned until 9:55 a.m., January 23, 2015, the 12th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

TWELFTH DAY

House Chamber, Olympia, Friday, January 23, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1564 by Representatives Kilduff and Muri

AN ACT Relating to the local option prohibition on the sale of liquor; and amending RCW 66.08.120 and 66.40.130.

Referred to Committee on Commerce & Gaming.

HB 1565 by Representatives Ormsby, Walsh, Pettigrew, Kirby and Jinkins

AN ACT Relating to ensuring housing options for participants in government assistance programs; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1566 by Representatives Robinson, Harris, Tharinger, DeBolt, Jinkins, Riccelli and Cody

AN ACT Relating to patient medication coordination; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1567 by Representative Walkinshaw

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

Referred to Committee on Judiciary.

HB 1568 by Representatives Reykdal, Pike, Sawyer, Springer, Walkinshaw, Riccelli, Ryu, S. Hunt, Robinson, McBride, Stanford and Pettigrew

AN ACT Relating to dropout prevention through engaging youth in farming; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1569 by Representatives Kagi, Goodman, Hayes and Holy

AN ACT Relating to improving the drug offender sentencing alternative; and amending RCW 9.94A.660.

Referred to Committee on Public Safety.

HB 1570 by Representatives Gregory, Bergquist, S. Hunt, Reykdal, Kilduff and Ortiz-Self

AN ACT Relating to creating flexibility for the educator retooling conditional scholarship program; and amending RCW 28A.660.045 and 28A.660.050.

Referred to Committee on Education.

HB 1571 by Representatives Peterson, Goodman, Fitzgibbon, McBride, Pollet and Robinson

AN ACT Relating to paint stewardship; amending RCW 43.21B.110 and 43.21B.110; reenacting and amending RCW 42.56.270; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1572 by Representatives Clibborn, Bergquist and Fey

AN ACT Relating to establishing an electric vehicle infrastructure bank; adding a new section to chapter 47.29 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

HB 1573 by Representatives Johnson, Muri and Stanford

AN ACT Relating to the disposition of tenant property placed upon the nearest public property; and amending RCW 59.18.312.

Referred to Committee on Judiciary.

HB 1574 by Representatives Rodne, Wylie, Shea, Johnson, Muri and Stanford

AN ACT Relating to disposing property in the leased premises of a deceased tenant; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1575 by Representatives Buys, Dunshee and DeBolt

AN ACT Relating to retainage bonds on public contracts; and amending RCW 60.28.011.

Referred to Committee on Capital Budget.

HB 1576 by Representatives Fitzgibbon and Cody

AN ACT Relating to sales and use tax for cities to offset municipal service costs to newly annexed areas; and amending RCW 82.14.415.

Referred to Committee on Finance.

HB 1577 by Representatives Manweller, Stanford, Sells and Bergquist

AN ACT Relating to employment noncompetition agreements; adding a new section to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1578 by Representatives Kirby and Vick

AN ACT Relating to authorizing insurers to offer customer satisfaction benefits; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Business & Financial Services.

HB 1579 by Representatives Sawyer and G. Hunt

AN ACT Relating to motor vehicle underinsured coverage; amending RCW 48.22.030; and creating a new section.

Referred to Committee on Business & Financial Services.

HB 1580 by Representatives Fey, Rodne, Moscoso, Hargrove, Hayes, Zeiger, Sells and Hurst

Concerning the monthly salary and benefits paid to state patrol officers.

Referred to Committee on Transportation.

HB 1581 by Representatives Fey, Rodne, Moscoso, Sells, Hayes and Hurst

AN ACT Relating to the distribution of the thirty dollar vehicle license fee; amending RCW 46.68.030; and providing an effective date.

Referred to Committee on Transportation.

HB 1582 by Representatives Fey, Rodne, Moscoso, Zeiger, Sells and Hurst

AN ACT Relating to modifying penalty amounts and fees for certain traffic violations; amending RCW 46.63.110, 46.61.165, and 46.61.502; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1583 by Representatives Young, Caldier, Taylor, G. Hunt, Griffey, Scott and Shea

AN ACT Relating to exempting school districts from the state portion of sales and use taxes on school construction; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1584 by Representatives Young, Taylor, Griffey, Scott and Shea

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

Referred to Committee on Judiciary.

HB 1585 by Representatives Young, Shea, Scott, G. Hunt and Taylor

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

Referred to Committee on Transportation.

HB 1586 by Representatives Manweller, Dent and Orcutt

AN ACT Relating to the Royal Slope railroad; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 1587 by Representatives Taylor, Shea, Harris, Short, G. Hunt, Scott and Pike

AN ACT Relating to creating a cause of action for persons who are adversely affected by the judicial review of a decision made under the state environmental policy act; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Environment.

HB 1588 by Representatives Taylor, Shea, Harris, Short, G. Hunt, Scott and Pike

AN ACT Relating to establishing categorical exemptions in the state environmental policy act for development proposals that are consistent with locally adopted land use and shoreline regulations; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment.

HB 1589 by Representatives Taylor, Shea, Harris, Short, G. Hunt, Scott and Pike

AN ACT Relating to natural resource management activities; amending RCW 77.12.037; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Environment.

HB 1590 by Representatives Reykdal, Haler, Dunshee, Ryu, Van De Wege, Ormsby, Fitzgibbon, Riccelli, Blake and Tarleton

AN ACT Relating to requiring completion of an apprenticeship program to receive a journey level or residential specialty electrician certificate of competency; amending RCW 19.28.161, 19.28.191, and 19.28.205; adding a new section to chapter 19.28 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Labor.

HB 1591 by Representatives Ortiz-Self, Johnson, Reykdal, Moscoso, Pollet, Santos, Bergquist, Peterson, S. Hunt, Sells and Gregerson

AN ACT Relating to high school and beyond plans; amending RCW 28A.230.090; adding a new section to chapter 28A.630 RCW; and creating a new section.

Referred to Committee on Education.

HB 1592 by Representatives S. Hunt, Sells, Hayes, Bergquist, Santos, Pollet, Sullivan and Moscoso

AN ACT Relating to tuition waivers for state and educational employees; and amending RCW 28B.15.558.

Referred to Committee on Higher Education.

HB 1593 by Representatives McBride, Fey, Clibborn, Moscoso, Reykdal, Takko, Tarleton and Farrell

AN ACT Relating to local transportation options; amending RCW 36.73.065, 82.80.070, and 82.80.140; adding a new chapter to Title 35 RCW; adding a new chapter to Title 36 RCW; repealing RCW 82.80.040, 82.80.050, and 82.80.060; and providing an effective date.

Referred to Committee on Transportation.

HB 1594 by Representative Wylie

AN ACT Relating to the toy gun manufacturing requirement act; adding a new chapter to Title 70 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1595 by Representatives Senn, Clibborn and Walsh

AN ACT Relating to changing the definition of labor hours for the purposes of the apprenticeship utilization statute; and amending RCW 39.04.310.

Referred to Committee on Labor.

HB 1596 by Representatives Riccelli, Johnson, Cody, Harris, Stanford and Rodne

AN ACT Relating to surgical technologists; amending RCW 18.215.005; adding new sections to chapter 18.215 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1597 by Representatives Jinkins and Rodne

AN ACT Relating to improving timeliness of competency evaluation and restoration services, by clarifying alternative locations for the provision of competency restoration services and defining time periods of commitment; amending RCW 10.77.086, 10.77.088, and 10.77.220; and creating a new section.

Referred to Committee on Judiciary.

HB 1598 by Representatives Jinkins and Rodne

AN ACT Relating to the criminal justice treatment account; amending RCW 70.96A.080 and 70.96A.350; and providing an effective date.

Referred to Committee on Appropriations.

HB 1599 by Representatives Rodne and Jinkins

AN ACT Relating to secure facilities for the criminally insane; and amending RCW 10.77.091.

Referred to Committee on Judiciary.

HB 1600 by Representatives Rodne, Cody, Schmick, Johnson, Jinkins, Harris and Walkinshaw

AN ACT Relating to a three-part aim solution that improves health and health care in a manner that lowers overall health care costs in a normally distributed population; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1601 by Representative Rodne

AN ACT Relating to venue of actions by or against counties; and amending RCW 36.01.050.

Referred to Committee on Judiciary.

HB 1602 by Representatives Bergquist, Van De Wege, Griffey and Riccelli

AN ACT Relating to occupational diseases affecting emergency medical technicians; and amending RCW 51.32.185.

Referred to Committee on Labor.

HB 1603 by Representatives Moeller, Van De Wege, Griffey and Riccelli

AN ACT Relating to occupational diseases affecting public employee fire investigators; and amending RCW 51.32.185.

Referred to Committee on Labor.

HB 1604 by Representatives Reykdal, Hayes, Sawyer, Van De Wege, Holy, Griffey and Riccelli

AN ACT Relating to an occupational disease exposure reporting requirement for firefighters; creating a new section; and providing an expiration date.

Referred to Committee on Labor.

HB 1605 by Representatives Peterson, Van De Wege, Griffey and Riccelli

AN ACT Relating to benefit charges of fire protection districts and regional fire protection service authorities; and amending RCW 52.26.220, 52.26.230, 84.55.092, and 52.18.050.

Referred to Committee on Local Government.

HB 1606 by Representatives McBride, Hayes, Van De Wege, Rodne, Griffey and Riccelli

AN ACT Relating to establishing regional fire protection service authorities within the boundaries of regional cities; amending RCW 52.26.030, 52.26.040, and 52.26.060; and reenacting and amending RCW 52.26.020.

Referred to Committee on Local Government.

HB 1607 by Representatives Griffey, MacEwen, Taylor, Haler, Stokesbary, Dent and Wilson

AN ACT Relating to recognizing hydroelectricity as an eligible renewable resource in the energy independence act; and amending RCW 19.285.020 and 19.285.030.

Referred to Committee on Technology & Economic Development.

HB 1608 by Representatives Buys and Vick

AN ACT Relating to replacement of like-in-kind household appliances; amending RCW 18.27.090, 18.106.150, and 19.28.006; and reenacting and amending RCW 19.28.091.

Referred to Committee on Labor.

HB 1609 by Representatives Manweller and Vick

AN ACT Relating to the granting of exemptions to the plumbing and electrical codes; adding a new section to chapter 19.28 RCW; adding a new section to chapter 18.106 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1610 by Representatives McCaslin, Riccelli, Rodne, Orwall, Holy, Stokesbary, G. Hunt and Taylor

AN ACT Relating to jury service; and amending RCW 2.36.010, 2.36.100, and 2.36.080.

Referred to Committee on Judiciary.

HB 1611 by Representatives Reykdal, Dunshee and Sells

AN ACT Relating to claims and compensation under the industrial insurance laws; and amending RCW 51.48.017 and 51.52.120.

Referred to Committee on Labor.

HB 1612 by Representatives Robinson, Reykdal, Sells and Dunshee

AN ACT Relating to the payment of workers' compensation benefits by self-insured employers pending appeal; and amending RCW 51.48.017.

Referred to Committee on Labor.

HB 1613 by Representatives Pollet, Haler, Reykdal, Sells, Dunshee, Walkinshaw and Gregerson

AN ACT Relating to treatment to protect life or alleviate pain of injured workers with permanent partial disabilities; amending RCW 51.36.010; and creating a new section.

Referred to Committee on Labor.

HB 1614 by Representatives Reykdal, Santos, Dunshee, Sells, Moscoso, Pollet and S. Hunt

AN ACT Relating to establishing comparable and professional wages for K-12 employees; amending RCW 28A.150.410; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1615 by Representatives Appleton, Santos, Pollet, Moscoso, Reykdal, Sells, S. Hunt, Dunshee, Ormsby, Bergquist, Ortiz-Self and Fitzgibbon

AN ACT Relating to postretirement employment; and amending RCW 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820.

Referred to Committee on Appropriations.

HB 1616 by Representatives Riccelli, Reykdal, S. Hunt, Moscoso, Dunshee, Pollet and Santos

AN ACT Relating to establishing competitive wages for beginning teacher salaries; amending RCW 28A.400.200; and creating a new section.

Referred to Committee on Appropriations.

HB 1617 by Representatives Rodne and Goodman

AN ACT Relating to the courts' consultation of the judicial information system before granting orders; and adding a new section to chapter 2.28 RCW.

Referred to Committee on Judiciary.

HB 1618 by Representatives Kilduff, Rodne, Goodman, Orwall and Jinkins

AN ACT Relating to objection to relocation in child custody cases; and amending RCW 26.09.260 and 26.09.270.

Referred to Committee on Judiciary.

HB 1619 by Representatives S. Hunt, Nealey and Fitzgibbon

AN ACT Relating to providing a business and occupation tax exemption for environmental handling charges; adding a new section to chapter 82.04 RCW; and creating new sections.

Referred to Committee on Finance.

HB 1620 by Representatives Tharinger, Fey, Lytton, Van De Wege, Stanford, Fitzgibbon, Walkinshaw and Cody

AN ACT Relating to increasing the surcharge to fund biotoxin testing and monitoring; and amending RCW 77.32.555.

Referred to Committee on Appropriations.

HB 1621 by Representatives Young, G. Hunt, Taylor, Shea, Scott, Harmsworth, Zeiger and Hayes

AN ACT Relating to requiring the display of the national league of families' POW/MIA flag on certain days; and amending RCW 1.20.017.

Referred to Committee on State Government.

HB 1622 by Representatives Young, Blake, Caldier, Scott, Shea and Takko

AN ACT Relating to expanding the products considered to be potentially nonhazardous as they apply to cottage food operations; and amending RCW 69.22.010.

Referred to Committee on Agriculture & Natural Resources.

HB 1623 by Representatives Manweller, Moscoso, Hayes, Blake, Zeiger, Kirby, Vick, Sells, Buys, Fagan, Haler and Tarleton

AN ACT Relating to railroad funding; and amending RCW 47.76.250.

Referred to Committee on Transportation.

HB 1624 by Representatives Orwall, Buys, Goodman, Jinkins, Robinson and Sawyer

AN ACT Relating to the distribution of intimate images; adding a new section to chapter 4.24 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1625 by Representative Schmick

AN ACT Relating to the provision of drugs to ambulance and aid services; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care & Wellness.

HB 1626 by Representative Schmick

AN ACT Relating to health benefit plan grace periods; amending RCW 48.43.039; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1627 by Representative Schmick

AN ACT Relating to expanding the existing prohibition on unlawfully entering the land of another to hunt or to retrieve hunted wildlife under Title 77 RCW to include entering the land of another to collect wildlife parts; amending RCW 77.15.435; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1628 by Representatives DeBolt and Schmick

AN ACT Relating to modifying health benefit exchange provisions related to the aggregation or delegating the aggregation of funds that comprise the premium for a health plan; amending RCW 43.71.030; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1629 by Representatives Scott and Taylor

AN ACT Relating to prohibiting conversion of agricultural lands to wetlands or fish habitat under the shoreline management act; and adding a new section to chapter 90.58 RCW.

Referred to Committee on Local Government.

HB 1630 by Representatives Scott and Taylor

AN ACT Relating to prohibiting conversion of agricultural lands to wetlands or fish habitat under the growth management act and the shoreline management act; amending RCW 36.70A.060; and adding a new section to chapter 90.58 RCW.

Referred to Committee on Local Government.

HB 1631 by Representatives Lytton, Appleton and Van De Wege

AN ACT Relating to allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes; amending RCW 82.38.310; providing an effective date; and declaring an emergency.

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

HB 1632 by Representatives Goodman, Klippert, Orwall, Hayes and Jinkins

AN ACT Relating to domestic violence; amending RCW 9.94A.525, 9A.36.041, and 43.43.830; reenacting and amending RCW 9.94A.411; adding a new section to chapter 7.36 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1633 by Representatives Zeiger, Jinkins, Young, Fey, Appleton, Hargrove, Sawyer, Walsh, Stanford, Johnson, Riccelli and Kochmar

AN ACT Relating to giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities or nonprofit housing providers to help children of low-income families succeed in school; amending RCW 43.185.070 and 43.185.070; providing an effective date; and providing an expiration date.

Referred to Committee on Capital Budget.

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

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

REPORTS OF STANDING COMMITTEES

January 20, 2015

HB 1043 Prime Sponsor, Representative Ryu: Concerning self-service storage facilities. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 20, 2015

HB 1060 Prime Sponsor, Representative Fitzgibbon: Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Fey; Goodman; McBride and Pike.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Gen Govt & Info Tech.

January 20, 2015

HB 1063 Prime Sponsor, Representative Kirby: Concerning cosmetology, hair design, barbering, esthetics, and manicuring. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 20, 2015

HB 1069 Prime Sponsor, Representative Orwall: Concerning preservation of DNA work product. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

January 21, 2015

HB 1171 Prime Sponsor, Representative Kirby: Concerning expiration dates related to real estate broker provisions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on Gen Govt & Info Tech.

January 21, 2015

HB 1196 Prime Sponsor, Representative Hunt, G.: Concerning requirements for real estate appraisers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 21, 2015

HB 1304 Prime Sponsor, Representative Kirby: Allowing a public depository to arrange for reciprocal deposits of public funds. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 21, 2015

HB 1389 Prime Sponsor, Representative Goodman: Addressing the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SENATE CONCURRENT RESOLUTION NO. 8400.

The Speaker called upon Representative Orwall to preside.

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

There being no objection, the House adjourned until 9:55 a.m., January 26, 2015, the 15th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

FIFTEENTH DAY

House Chamber, Olympia, Monday, January 26, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1634 by Representatives DeBolt, Dunshee, Manweller and Smith

AN ACT Relating to job order contracting requirements; and amending RCW 39.10.440.

Referred to Committee on Capital Budget.

HB 1635 by Representative S. Hunt

AN ACT Relating to write-in candidates and votes; and amending RCW 29A.24.091, 29A.24.311, 29A.60.021, and 29A.60.040.

Referred to Committee on State Government.

HB 1636 by Representatives MacEwen and Griffey

AN ACT Relating to disability employment reporting by state agencies; adding a new section to chapter 43.41 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1637 by Representatives Stokesbary, Hurst, Gregory, Zeiger, Rodne, Stambaugh, Magendanz, Kretz, Kochmar and Santos

AN ACT Relating to authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data; and amending RCW 70.225.040.

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

HB 1638 by Representatives Schmick, Manweller and Tharinger

AN ACT Relating to increasing access to health care by creating tax credits for hiring scribes; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1639 by Representatives Taylor, Goodman, Morris, Shea, Walkinshaw, Smith, Ryu, Appleton, Condotta, Moscoso, Kagi, Muri and Young

AN ACT Relating to technology-enhanced government surveillance; adding new sections to chapter 9.73 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1640 by Representatives Hargrove, Hayes and Magendanz

AN ACT Relating to authorizing waivers of state requirements for school districts; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 28A.325 RCW; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW; adding a new section to chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW; adding a new section to chapter 28A.650 RCW; adding a new section to chapter 28A.655 RCW; adding a new section to chapter 28A.700 RCW; and creating new sections.

Referred to Committee on Education.

HB 1641 by Representatives Blake and Lytton

AN ACT Relating to adding shellfish to the list of species types listed in RCW 77.15.260(1)(a); and amending RCW 77.15.260.

Referred to Committee on Agriculture & Natural Resources.

HB 1642 by Representatives Pettigrew, Walsh, Walkinshaw, Tarleton and Rodne

AN ACT Relating to a youth substance abuse prevention and education grant program; and adding new sections to chapter 66.08 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1643 by Representatives Wylie, Haler and Sullivan

AN ACT Relating to the fiscal impacts of bills and budgets; amending RCW 43.88A.020; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

HB 1644 by Representatives Gregory, Zeiger and Pollet

AN ACT Relating to veteran survivor tuition waiver eligibility; and amending RCW 28B.15.621.

Referred to Committee on Higher Education.

HB 1645 by Representatives Pollet, Harris, Carlyle, Cody, Johnson, Tharinger and Robinson

AN ACT Relating to youth substance use prevention associated with tobacco and drug delivery e-cigarettes and vapor products; amending RCW 26.28.080, 28A.210.310, 70.155.010, 70.155.020, 70.155.030, 70.155.050, 70.155.070, 70.155.080, 70.155.090, 70.155.100, 70.155.110, 70.155.120, 70.155.130, 70.155.140, 66.08.145, 66.44.010, 82.24.510, 82.24.530, 82.24.550, 82.26.060, 82.26.080, 82.26.150, 82.26.170, 82.26.220, 82.32.300, and 43.06.450; adding new sections to chapter 70.155 RCW; adding new sections to chapter 43.06 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 82 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Commerce & Gaming.

HB 1646 by Representatives Senn, Walsh, Lytton, Santos, Orwall, Wylie, Robinson, Reykdal, Gregerson, Appleton, Jinkins, Farrell, Van De Wege, Carlyle, McBride, Kagi, Goodman, Kilduff, Tarleton, Ortiz-Self, Cody, Riccelli, Clibborn, Ryu, Gregory, Walkinshaw, Springer, Sawyer, Fitzgibbon, Hudgins, Fey, Dunshee, Peterson, Moeller, Bergquist, S. Hunt, Moscoso, Pollet, Takko and Sells

AN ACT Relating to enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities; amending RCW 49.12.175; recodifying RCW 49.12.175; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor.

HB 1647 by Representatives Cody, Takko, Tharinger, Robinson and Blake

AN ACT Relating to improving access to reproductive health; adding new sections to chapter 48.43 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1648 by Representatives Walsh, Springer, Nealey and Haler

AN ACT Relating to infrastructure financing for local governments; and amending RCW 39.104.020 and 39.104.100.

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

HB 1649 by Representatives Sawyer and Shea

AN ACT Relating to the recoupment of certain costs by collection agencies; and amending RCW 36.22.179.

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

HB 1650 by Representative Hurst

AN ACT Relating to the seizure and disposition of marijuana and processed marijuana products by state and local law enforcement agencies; amending RCW 69.50.363, 69.50.366, 69.50.325, and 69.50.505; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1651 by Representatives Ryu, Goodman, Rodne and Griffey

AN ACT Relating to human trafficking definitions; and amending RCW 19.320.010.

Referred to Committee on Labor.

HB 1652 by Representatives Cody and Harris

AN ACT Relating to medicaid managed health care system payments for health care services provided by nonparticipating providers; and amending RCW 74.09.522.

Referred to Committee on Health Care & Wellness.

HB 1653 by Representatives Reykdal, Takko, Fey and Sawyer

AN ACT Relating to studded tire permits; amending RCW 46.17.400, 46.37.420, and 46.17.040; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.68 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1654 by Representatives Peterson, Lytton, Fitzgibbon and Blake

AN ACT Relating to controlling noxious weeds while still supporting pollen-rich forage plant communities for honey bees; amending RCW 17.10.145; adding a new section to chapter 43.220 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1655 by Representatives Moscoso, Shea, Young, Takko, Caldier, Condotta and DeBolt

AN ACT Relating to the motorcycle safety education advisory board; and amending RCW 46.20.520.

Referred to Committee on Transportation.

HB 1656 by Representatives Takko, Springer, Rodne, Tarleton, Hudgins, Sullivan, Magendanz, Walkinshaw, Stokesbary, Bergquist, Goodman, Stanford, Cody, Gregerson and S. Hunt

AN ACT Relating to Washington's property assessment appeal procedures; and amending RCW 84.48.150.

Referred to Committee on Local Government.

HB 1657 by Representatives Takko, Springer, Tarleton, Hudgins, Sullivan, Magendanz, Walkinshaw, Stokesbary, Bergquist, Goodman, Cody, Stanford, Gregerson, S. Hunt and Rodne

AN ACT Relating to Washington's property assessment appeal procedures; and amending RCW 84.48.150.

Referred to Committee on Local Government.

HB 1658 by Representatives Springer, Tarleton, Hudgins, Sullivan, Magendanz, Walkinshaw, Bergquist, Goodman, Rodne, Stanford, Cody, Gregerson and S. Hunt

AN ACT Relating to the imposition of a filing charge for certain property assessment appeal petitions; and amending RCW 84.40.038.

Referred to Committee on Local Government.

HB 1659 by Representatives Vick, Kirby, Parker and Blake

AN ACT Relating to the benefits of group life and disability insurance policies; amending RCW 48.24.280; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Business & Financial Services.

HB 1660 by Representatives Pike, Reykdal, Orcutt, Dunshee, Scott, Pollet, Stanford, Pettigrew, Schmick, Vick, Harris and Rodne

AN ACT Relating to ensuring that fishing opportunities in Washington are consistent with the economic contributions provided by the fishing user groups; amending RCW 77.04.012, 77.04.055, and 77.12.047; reenacting and amending RCW 77.12.170; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1661 by Representatives Pike, Manweller, Johnson, Reykdal and Rodne

AN ACT Relating to restoring resources to the capital budget beginning with the 2015-2017 biennium; amending RCW 82.45.060, 82.16.020, and 82.18.040; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1662 by Representatives Pike, Orcutt, Wilson, Hargrove, Vick, Shea and Taylor

AN ACT Relating to design-build construction for transportation projects; amending RCW 47.20.780 and 47.20.785; and creating new sections.

Referred to Committee on Transportation.

HB 1663 by Representatives Pike, Wilson, Orcutt, Manweller, Zeiger, Hargrove, Vick and Shea

AN ACT Relating to certain legislators' participation on regional transportation planning organization transportation policy boards; amending RCW 47.80.040; and creating a new section.

Referred to Committee on Transportation.

HB 1664 by Representatives G. Hunt, Jinkins, DeBolt, Shea, Harmsworth, Rodne, Muri, Buys, Gregerson, Taylor, Holy, Magendanz, Stokesbary, Vick, Zeiger, Condotta, Kirby, Chandler, Goodman, Kochmar, Walkinshaw, McCabe, Moeller, Pike, Pettigrew, Riccelli, Harris, McCaslin, MacEwen, Lytton, Fagan, Sawyer, Senn and Parker

AN ACT Relating to authorizing the issuance of one license plate for certain vehicles while maintaining existing license plate fees; amending RCW 46.17.200; reenacting and amending RCW 46.16A.200; and providing an effective date.

Referred to Committee on Transportation.

HB 1665 by Representative Carlyle

AN ACT Relating to increasing compensation for school directors; and amending RCW 28A.343.400.

Referred to Committee on Education.

HB 1666 by Representatives Magendanz, Lytton, Muri, Bergquist, Hansen, Kilduff and Caldier

AN ACT Relating to making the results on the statewide assessments available as norm-referenced results and as student growth percentiles; and amending RCW 28A.300.507 and 28A.655.210.

Referred to Committee on Education.

HB 1667 by Representatives Cody, Jinkins, Robinson and Tharinger

AN ACT Relating to identifying evidence-based best practices for the treatment and management of bleeding disorders to improve patient quality of life and identify cost reductions; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1668 by Representatives Kilduff, Muri, Hurst, Fey, Stokesbary, Jinkins, Stambaugh, Kirby, Zeiger and Sawyer

AN ACT Relating to restricting conditional releases of sexually violent predators outside their county of origin; and amending RCW 71.09.096.

Referred to Committee on Public Safety.

HB 1669 by Representatives Riccelli, Harris, Cody, Tharinger, Van De Wege, Jinkins, Sawyer and Moeller

AN ACT Relating to continuity of health care coverage; adding a new section to chapter 74.09 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1670 by Representatives Walkinshaw, Schmick, Blake, Fagan and Pettigrew

AN ACT Relating to spurring agricultural innovations; and amending RCW 43.350.005, 43.350.010, and 43.350.030.

Referred to Committee on Technology & Economic Development.

HB 1671 by Representatives Walkinshaw, Griffey, Cody, Smith, Peterson, Magendanz and Riccelli

AN ACT Relating to increasing access to opioid antagonists to prevent opioid-related overdose deaths; amending RCW 69.41.040 and 69.50.315; adding a new section to chapter 69.41 RCW; creating a new section; and repealing RCW 18.130.345.

Referred to Committee on Health Care & Wellness.

HB 1672 by Representatives Kagi and Walsh

AN ACT Relating to information related to reports of child abuse and neglect; and amending RCW 26.44.031.

Referred to Committee on Early Learning & Human Services.

HB 1673 by Representatives Kagi and Condotta

AN ACT Relating to substance abuse prevention and treatment programs funded by the marijuana excise tax; amending RCW 69.50.540; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1674 by Representatives Pettigrew, Walsh, Goodman, Walkinshaw and Kagi

AN ACT Relating to allowing youthful offenders who complete their confinement terms prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services; and amending RCW 9.94A.728 and 72.01.410.

Referred to Committee on Public Safety.

HB 1675 by Representatives Sullivan, Schmick, Cody and Harris

AN ACT Relating to the prescription of biological products and interchangeable biological products; amending RCW 69.41.110, 69.41.120, 69.41.130, 69.41.150, and 69.41.160; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care & Wellness.

HB 1676 by Representatives Short, Lytton, Kretz and Blake

AN ACT Relating to understanding the effects of predation on wild ungulate populations; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1677 by Representatives Short and Kretz

AN ACT Relating to giving preference to using the nearest available qualified firefighters upon notification of a forest fire; amending RCW 76.04.015; reenacting and amending RCW 43.43.963 and 76.04.005; adding a new section to chapter 76.04 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1678 by Representatives Carlyle and Nealey

AN ACT Relating to improving tax fairness for businesses engaged in electronic commerce by eliminating inconsistent tax treatment of digital business inputs, ensuring that prewritten computer software developers remain eligible for the manufacturing machinery and equipment sales and use tax exemption, and providing greater clarity for out-of-state sellers concerning their tax obligations; amending RCW 82.08.02087, 82.12.02087, 82.08.195, and 82.04.067; reenacting and amending RCW 82.08.02565; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.32 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1679 by Representatives Moeller and Harris

AN ACT Relating to the prescribing of biological products; and amending RCW 69.41.110, 69.41.120, 69.41.130, 69.41.150, and 69.41.160.

Referred to Committee on Health Care & Wellness.

HB 1680 by Representatives Condotta and Hurst

AN ACT Relating to providing a comprehensive spirits sales tax reduction for all consumers in both on-premise and off-premise settings; and amending RCW 82.08.150.

Referred to Committee on Commerce & Gaming.

HB 1681 by Representatives Tharinger, Wilcox, Van De Wege, Orcutt, Ryu, Tarleton, Fitzgibbon, Blake, Reykdal and Walkinshaw

AN ACT Relating to increasing jobs in the maritime trades industry; amending RCW 88.02.620, 88.02.640, and

88.02.570; adding a new section to chapter 82.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Technology & Economic Development.

HB 1682 by Representatives Fey, Stambaugh, Walsh, Riccelli, Goodman, Orwall, Zeiger, Appleton, Van De Wege, Lytton, Gregerson, Reykdal, Tarleton and Ortiz-Self

AN ACT Relating to improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services; amending RCW 28A.150.260, 28A.150.260, and 28A.300.540; adding a new section to chapter 43.185C RCW; creating new sections; and providing an effective date.

Referred to Committee on Education.

HB 1683 by Representatives Clibborn, DeBolt, Pettigrew, Harris, Fagan and Jinkins

AN ACT Relating to disclosure of provider compensation programs by health plan carriers; and amending RCW 48.43.510.

Referred to Committee on Health Care & Wellness.

HB 1684 by Representatives Takko, Nealey, Springer, S. Hunt, Gregerson, Walsh, Manweller, Fagan and Moeller

AN ACT Relating to charges for the cost of providing public records in response to public records requests; amending RCW 42.56.070 and 42.56.120; and creating a new section.

Referred to Committee on State Government.

HB 1685 by Representatives Gregerson, Hudgins, McBride, Peterson, Bergquist, Ortiz-Self, Tarleton, Orwall, Robinson, Farrell, Riccelli, Fitzgibbon, Walkinshaw, Senn and Lytton

AN ACT Relating to the establishment of a Washington food policy forum; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1686 by Representatives Scott, Young, Taylor, Kochmar, Vick, Condotta and Pike

AN ACT Relating to establishing the Washington state incandescent light bulb freedom act; adding a new chapter to Title 19 RCW; and creating new sections.

Referred to Committee on Judiciary.

HB 1687 by Representatives Scott, McCaslin, Taylor, Van Werven, Wilson, Young, Vick, Condotta, Holy and Pike

AN ACT Relating to declaring that the right to life, as recognized in the Declaration of Independence and guaranteed by the Constitutions of the United States and Washington state, is vested in each human being beginning at the moment at which an individual comes into being; and adding a new chapter to Title 1 RCW.

Referred to Committee on Health Care & Wellness.

HB 1688 by Representatives Scott, Taylor, Condotta and Holy

AN ACT Relating to eliminating the use of automated traffic safety cameras; amending RCW 46.12.655, 46.16A.120, 46.63.030, 46.63.073, and 46.63.075; and repealing RCW 46.63.170.

Referred to Committee on Transportation.

HB 1689 by Representatives Reykdal and Nealey

AN ACT Relating to taxes on in-state broadcasters; amending RCW 82.04.280, 82.04.280, and 82.04.2907; reenacting and amending RCW 82.32.790; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Finance.

HB 1690 by Representatives Walkinshaw, Rodne, Tarleton, Magendanz, Fitzgibbon, Stokesbary and Farrell

AN ACT Relating to providing a tax deferral for the expansion of certain existing public facilities district convention centers; amending RCW 36.100.090; providing an effective date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1691 by Representatives Van De Wege and S. Hunt

AN ACT Relating to remedies for actions under the public records act; amending RCW 42.56.550; and prescribing penalties.

Referred to Committee on State Government.

HB 1692 by Representative Wylie

AN ACT Relating to the imitation firearm manufacturing requirement act; adding a new chapter to Title 70 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1693 by Representatives Pollet and Tarleton

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; repealing RCW 43.131.413 and 43.131.414; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1694 by Representatives Sells, Peterson, Walkinshaw, McBride, Ormsby and Fitzgibbon

AN ACT Relating to retail and service employees who work on Thanksgiving day; amending RCW 49.46.020; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Labor.

HB 1695 by Representatives Clibborn, Hayes, Ryu, Kochmar, Senn, Zeiger, Tarleton, Fey, Farrell, Harmsworth and Van Werven

AN ACT Relating to establishing a priority for the use, reuse, and recycling of construction aggregate and recycled concrete materials in Washington; adding a new section to chapter 70.95 RCW; and creating a new section.

Referred to Committee on Environment.

HB 1696 by Representative Haler

AN ACT Relating to modifying provisions related to tuition setting authority at public institutions of higher education; amending RCW 28B.15.031, 28B.15.067, and 28B.15.102; and repealing RCW 28B.15.068 and 28B.15.101.

Referred to Committee on Higher Education.

HB 1697 by Representative Springer

AN ACT Relating to extending the expiration date of tax preferences for commute trip reduction programs; amending RCW 82.70.900; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1698 by Representatives Appleton and Moscoso

AN ACT Relating to medical cannabis; amending RCW 69.51A.005, 69.51A.010, 69.51A.030, 69.51A.040, 69.51A.047, 69.51A.050, 69.51A.055, 69.51A.085, 69.51A.140, 69.50.325, 69.50.345, 69.50.357, 69.50.363, 69.50.366, and 69.50.535; reenacting and amending RCW 18.130.040; adding new sections to chapter 69.51A RCW; adding new sections to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 48.43 RCW; repealing RCW 69.51A.043 and 69.51A.045; and providing an effective date.

Referred to Committee on Commerce & Gaming.

HB 1699 by Representatives Blake, Kretz, Orcutt and Dent

AN ACT Relating to legal immunity in instances of citizen-initiated wildfire control; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HJR 4204 by Representatives Kagi, Magendanz, Carlyle, Muri, Springer, S. Hunt, Clibborn, Stambaugh, Schmick, Buys, Fagan, Walsh and Senn

Amending the Constitution to address changes in state expenditures and revenues made by initiative.

Referred to Committee on State Government.

HJR 4205 by Representatives Pike, Reykdal, Klippert, Manweller, Rodne, Hayes, Buys, Vick and Johnson

Requiring all revenues from any state taxes levied for the purpose of funding local government public infrastructure to be paid into the state treasury, deposited into the public works assistance account, and used exclusively for funding local government public works projects.

Referred to Committee on Appropriations.

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

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

REPORTS OF STANDING COMMITTEES

January 22, 2015

HB 1037 Prime Sponsor, Representative Moeller: Implementing changes to child support based on the child support schedule work group report. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Without recommendation. Signed by Representative Klippert.

Referred to Committee on Appropriations.

January 22, 2015

HB 1061 Prime Sponsor, Representative Hayes: Increasing the number of district court judges in Skagit county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Referred to Committee on Gen Govt & Info Tech.

January 22, 2015

HB 1089 Prime Sponsor, Representative Hunt, S.: Adding adherence to state wage payment laws to the state's responsible bidder criteria. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

January 22, 2015

HB 1258 Prime Sponsor, Representative Walkinshaw: Concerning court review of detention decisions under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., January 27, 2015, the 16th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTEENTH DAY

House Chamber, Olympia, Tuesday, January 27, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1700 by Representatives Riccelli, Manweller, Robinson and Harris

AN ACT Relating to qualified health plan claims in grace periods; and amending RCW 48.43.039, 43.71.065, and 43.71.090.

Referred to Committee on Health Care & Wellness.

HB 1701 by Representatives Moscoso, Walsh, Haler, Jinkins, Reykdal, S. Hunt, Blake, Riccelli, Ortiz-Self, Walkinshaw and Tharinger

AN ACT Relating to prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position; adding new sections to chapter 49.44 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Labor.

HB 1702 by Representatives Moscoso, Vick, Ryu, Kochmar, Blake, McCabe, Hurst, Stanford, Kagi and Young

AN ACT Relating to clarifying and restating the scope of local authority regarding regulation of fireworks by adopting uniform statewide standards and rules that continue the current limited scope of local authority; amending RCW 70.77.250 and 70.77.270; and declaring an emergency.

Referred to Committee on Local Government.

HB 1703 by Representative Santos

AN ACT Relating to modifying the high school assessment system by changing the administration of alternative assessments, continuing the requirement for students to demonstrate achievement of state academic standards to earn a high school diploma, and aligning the system with career and college ready graduation requirements; amending RCW 28A.655.061, 28A.655.065, and 28A.655.070; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.655.066; and providing an effective date.

Referred to Committee on Education.

HB 1704 by Representatives Pettigrew, Haler, Reykdal, Zeiger, Tarleton, Sells, Pollet and Klippert

AN ACT Relating to enhancing public safety and reducing recidivism through postsecondary education; amending RCW 72.09.460 and 72.09.465; and creating a new section.

Referred to Committee on Higher Education.

HB 1705 by Representatives Haler, Reykdal, Tarleton, Zeiger, Sells and Pollet

AN ACT Relating to basic education for adults at community and technical colleges; amending RCW 43.88C.010; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1706 by Representatives Stanford, Zeiger, Reykdal, Haler, Tarleton, Hayes, Sells, Stambaugh and Klippert

AN ACT Relating to authorizing waivers of building fees and services and activities fees for certain military service members; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1707 by Representatives Takko, Dent and Fagan

AN ACT Relating to irrigation district administration; amending RCW 87.06.040; and repealing RCW 87.80.140 and 87.80.150.

Referred to Committee on Local Government.

HB 1708 by Representatives Dent, Takko, Fagan and Nealey

AN ACT Relating to clarifying that irrigation district facilities are not within the definition of shorelands; and amending RCW 90.58.030.

Referred to Committee on Local Government.

HB 1709 by Representatives Springer, Kretz, Takko, Pike and Wilcox

AN ACT Relating to establishing a process for the payment of impact fees through provisions stipulated in recorded covenants; amending RCW 82.02.050 and 36.70A.070; and providing an effective date.

Referred to Committee on Local Government.

HB 1710 by Representatives Tarleton, Walkinshaw, McBride, Ortiz-Self and Sawyer

AN ACT Relating to fostering economic growth in Washington by supporting the in-state production, processing, and distribution of food supply; creating new sections; making appropriations; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1711 by Representatives Senn, Condotta, Takko, G. Hunt and Gregerson

AN ACT Relating to contractor qualifications; and amending RCW 39.04.350.

Referred to Committee on Capital Budget.

HB 1712 by Representatives Harris, Riccelli, Rodne and Van De Wege

AN ACT Relating to audits and investigations; adding a new section to chapter 74.09 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1713 by Representatives Cody, Harris, Jinkins, Moeller and Tharinger

AN ACT Relating to integrating the treatment systems for mental health and chemical dependency; amending RCW 70.96A.020, 70.96A.140, 70.96A.145, 71.05.025, 71.05.026, 71.05.050, 71.05.120, 71.05.132, 71.05.150, 71.05.154, 71.05.156, 71.05.157, 71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.220, 71.05.230, 71.05.235, 71.05.240, 71.05.280, 71.05.290, 71.05.300, 71.05.320, 71.05.325, 71.05.340, 71.05.360, 71.05.380, 71.05.435, 71.05.530, 71.05.560, 71.05.700, 71.05.705, 71.34.020, 71.34.305, 71.34.375, 71.34.385, 71.34.400, 71.34.410, 71.34.500, 71.34.520, 71.34.600, 71.34.630, 71.34.650, 71.34.660, 71.34.700, 71.34.710, 71.34.720, 71.34.740, 71.34.750, 71.34.760, 71.34.780, 9.41.040, 9.41.047, 4.24.558, 5.60.060, 9.41.280, 9.95.143, 10.77.010, 10.77.025, 10.77.027, 10.77.060, 10.77.084, 10.77.088, 11.92.190, 13.32A.044, 18.83.110, 43.20A.025, 70.48.475, 70.97.010, 71.05.620, 71.05.660, 71.24.045, 71.24.330, 71.32.080, 71.32.140, 71.32.150, 72.09.315, 72.09.370, 74.13.033, and 74.50.070; reenacting and amending RCW 71.05.020, 71.05.153, 71.34.730, 10.77.065, 70.02.010, 70.02.230, and 71.24.025; adding new sections to chapter 71.05 RCW; repealing RCW 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.110, 70.96A.120, 70.96A.140, 70.96A.141, 70.96A.142, 70.96A.145, 70.96A.148, 70.96A.155, 70.96A.157, 70.96A.160, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96B.010, 70.96B.020, 70.96B.030, 70.96B.040, 70.96B.045, 70.96B.050, 70.96B.060, 70.96B.070, 70.96B.080, 70.96B.090, 70.96B.100, 70.96B.110, 70.96B.120, 70.96B.130, 70.96B.140, 70.96B.150, 70.96B.800, and 71.05.032; providing effective dates; and providing expiration dates.

Referred to Committee on Judiciary.

HB 1714 by Representatives Manweller and Bergquist

AN ACT Relating to the achievement index rating system; amending RCW 28A.657.110; and adding a new section to chapter 28A.657 RCW.

Referred to Committee on Education.

HB 1715 by Representatives Peterson, Fitzgibbon and S. Hunt

AN ACT Relating to protecting Puget Sound through funding and implementing local on-site sewage program management plans; amending RCW 70.05.190, 70.118A.030, and 70.118A.070; adding a new section to chapter 70.118A RCW; and creating a new section.

Referred to Committee on Environment.

HB 1716 by Representatives Moscoso, Appleton, Sells, Ortiz-Self, Robinson, Jinkins, Gregerson, Ryu, Peterson and Walkinshaw

AN ACT Relating to state and local enforcement of federal immigration detainers and administrative warrants; adding a new chapter to Title 10 RCW; repealing RCW 10.70.140; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1717 by Representatives Sawyer, Walsh and Kagi

AN ACT Relating to services for victims of sexual assault; and amending RCW 43.280.020, 43.280.050, 70.125.020, 70.125.030, and 70.125.060.

Referred to Committee on Early Learning & Human Services.

HB 1718 by Representatives Ormsby, Kilduff, Sullivan, Hayes, Tharinger, MacEwen, Sawyer, Zeiger, Walsh, Rodne, Hudgins, Van De Wege, Appleton and Muri

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1719 by Representatives Robinson, Cody and Tharinger

AN ACT Relating to the registration and disciplining of pharmacy assistants; and amending RCW 18.64A.030, 18.64A.050, and 18.64A.055.

Referred to Committee on Health Care & Wellness.

HB 1720 by Representatives Robinson, Peterson, Stanford, Riccelli, Gregerson and Senn

AN ACT Relating to healthy housing; and amending RCW 70.164.010, 70.164.020, and 70.164.040.

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

HB 1721 by Representatives Robinson, Schmick, Cody, Harris and Riccelli

AN ACT Relating to the transport of patients by ambulance to facilities other than hospitals; amending RCW 70.168.100 and 18.71.210; adding a new section to chapter 70.168 RCW; adding a new section to chapter 18.73 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1722 by Representatives Hayes, Blake, Sawyer, Manweller, Takko, Shea and Rodne

AN ACT Relating to the manufacture and repair of short-barreled rifles; and amending RCW 9.41.190.

Referred to Committee on Judiciary.

HB 1723 by Representatives Hayes, Hurst, Harmsworth, Takko, Rodne, Griffey, Pettigrew and Wilson

AN ACT Relating to allowing booking photographs and electronic images at jails to be open to the public; and amending RCW 70.48.100.

Referred to Committee on Public Safety.

HB 1724 by Representatives Walkinshaw, S. Hunt, Ortiz-Self, Fey, Fitzgibbon, Bergquist, Hansen, Tharinger, Senn, Tarleton and Robinson

AN ACT Relating to prepaid postage for primary and general election ballots; amending RCW 29A.04.420 and 29A.40.091; and creating a new section.

Referred to Committee on State Government.

HB 1725 by Representatives Cody and Tharinger

AN ACT Relating to the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers; amending RCW 74.39A.270; and declaring an emergency.

Referred to Committee on Labor.

HB 1726 by Representatives Moeller, Jinkins and Tharinger

AN ACT Relating to modifying certain definitions concerning vulnerable adults, including the definitions of abuse and sexual abuse; and amending RCW 74.34.020 and 74.34.205.

Referred to Committee on Judiciary.

HB 1727 by Representatives Schmick, Cody and Short

AN ACT Relating to permitting nursing assistants to perform simple care tasks under indirect supervision; and amending RCW 18.88A.020 and 18.88A.030.

Referred to Committee on Health Care & Wellness.

HB 1728 by Representatives Ormsby, Walsh, Ortiz-Self, Senn, Kagi, S. Hunt, Farrell, Dent and Zeiger

AN ACT Relating to creating the parents for parents program; reenacting and amending RCW 13.34.030; adding new sections to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1729 by Representatives Pettigrew, Magendanz, Kagi, Walsh, Van De Wege, DeBolt, Jinkins, Goodman, Dunshee, Hudgins, Wylie, Cody, Sawyer, Senn and Moeller

AN ACT Relating to the administration of a statewide network of community-based domestic violence victim services by the department of social and health services; amending RCW 70.123.010, 70.123.020, 70.123.030, 70.123.040, 70.123.070, 70.123.075, 70.123.080, 70.123.090, 70.123.110, 70.123.150, 36.18.010, 36.18.016, 43.235.020, and 43.235.040; and repealing RCW 70.123.050 and 70.123.130.

Referred to Committee on Public Safety.

HB 1730 by Representatives Kirby and Vick

AN ACT Relating to the handling of earnest money; amending RCW 4.28.080; and adding a new section to chapter 64.04 RCW.

Referred to Committee on Business & Financial Services.

HB 1731 by Representatives Ormsby, Riccelli, Walkinshaw and Fitzgibbon

AN ACT Relating to creating a protocol for the return of firearms in the possession of law enforcement agencies; adding a new section to chapter 9.41 RCW; adding a new section to chapter 36.28A RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1732 by Representatives Reykdal, Riccelli, Ryu, S. Hunt, Peterson, Ormsby, Stanford, Goodman, Cody, Tharinger, Ortiz-Self, Bergquist, Fitzgibbon, Farrell, Sullivan, Dunshee, Moscoso, Appleton, Sells, Pollet, Robinson, Walkinshaw, Jinkins, Senn, Wylie, Lytton, Hudgins, Tarleton, Kagi, Moeller, Sawyer, Fey, Pettigrew, Gregerson, Orwall, Santos, Kirby, McBride, Takko, Gregory, Clibborn, Springer, Van De Wege, Blake, Kilduff and Hansen

AN ACT Relating to meal and rest breaks and mandatory overtime for certain health care employees; amending RCW 49.28.130 and 49.28.140; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor.

HB 1733 by Representatives Cody, Ryu, S. Hunt, Peterson, Jinkins, Goodman, Ortiz-Self, Hudgins, Reykdal, Walkinshaw, Wylie, Fitzgibbon, Farrell, Sullivan, Bergquist, Dunshee, Moscoso, Appleton, Sells, Pollet, Riccelli, Robinson, Senn, Ormsby, Lytton, Tarleton, Sawyer, Moeller, Fey, Pettigrew, Gregerson, Orwall, Santos, Kirby, McBride, Takko, Gregory, Clibborn, Van De Wege and Tharinger

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

Referred to Committee on Health Care & Wellness.

HB 1734 by Representatives Kagi, Walsh, Rodne, Fey, Jinkins, Pettigrew, Carlyle and McBride

AN ACT Relating to creation of the one family one team public-private court innovation demonstration; adding new sections to chapter 2.56 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1735 by Representatives Orwall, Kagi and Carlyle

AN ACT Relating to extended foster care services; amending RCW 13.34.267 and 74.13.031; reenacting and amending RCW 74.13.020; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1736 by Representatives Orcutt, Blake, Pike, Vick, Harris and Wilson

AN ACT Relating to extending specific aerospace tax preferences to include other types of commercial aircraft to encourage the migration of good wage jobs in the state; amending RCW 82.32.550 and 82.04.290; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Technology & Economic Development.

HB 1737 by Representatives Orcutt, Santos, Magendanz, Bergquist and Ortiz-Self

AN ACT Relating to the availability of retired teachers as substitutes; adding a new section to chapter 41.32 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1738 by Representatives Orcutt, Clibborn, Hayes, Fey, Hargrove, Farrell, Zeiger and Moscoso

AN ACT Relating to marine, off-road recreational vehicle, and snowmobile fuel tax refunds based on actual fuel taxes paid; amending RCW 46.09.520, 46.10.530, and 79A.25.070; and creating a new section.

Referred to Committee on Transportation.

HB 1739 by Representatives Carlyle, Walsh, Orwall and Magendanz

AN ACT Relating to reducing criminal justice expenses by eliminating the death penalty in favor of life incarceration; amending RCW 10.95.030; and repealing RCW 10.95.040, 10.95.050, 10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, 10.95.200, and 10.95.900.

Referred to Committee on Judiciary.

HB 1740 by Representative Appleton

AN ACT Relating to political subdivisions purchasing health coverage through the public employees' benefits board program; and amending RCW 41.04.205 and 41.05.011.

Referred to Committee on Health Care & Wellness.

HB 1741 by Representatives Kretz and Blake

AN ACT Relating to allowing disabled persons to access public recreational sites or lands without a discover pass, vehicle access pass, or day-use permit; and amending RCW 79A.80.080.

Referred to Committee on Environment.

HB 1742 by Representatives Lytton, Young, Pettigrew, Stokesbary, Zeiger, Magendanz, Shea and Taylor

AN ACT Relating to cottage food operations; and amending RCW 69.22.050.

Referred to Committee on Agriculture & Natural Resources.

HB 1743 by Representatives Lytton and Pollet

AN ACT Relating to the acceptance of additional high school equivalency tests; amending RCW 28B.50.536; and creating a new section.

Referred to Committee on Higher Education.

HB 1744 by Representative Appleton

AN ACT Relating to inmate funds subject to deductions; and amending RCW 72.09.480.

Referred to Committee on Public Safety.

HJR 4206 by Representatives Orcutt, Hurst, G. Hunt, Vick, Wilson and Pike

Placing restrictions on tax increases.

Referred to Committee on Finance.

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

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

REPORTS OF STANDING COMMITTEES

January 23, 2015

HB 1022 Prime Sponsor, Representative Appleton: Prohibiting general power of attorney provisions in bail bond agreements. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

January 22, 2015

HB 1039 Prime Sponsor, Representative Hunt, S.: Allowing the use of a signature stamp for voting purposes. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

January 22, 2015

HB 1067 Prime Sponsor, Representative Jinkins: Reauthorizing the medicaid fraud false claims act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

January 23, 2015

HB 1068 Prime Sponsor, Representative Orwall: Concerning sexual assault examination kits. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

January 23, 2015

HB 1148 Prime Sponsor, Representative Goodman: Determining sentences for multiple offenses and enhancements. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., January 28, 2015, the 17th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, January 28, 2015

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

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

RESOLUTION

HOUSE RESOLUTION NO. 4605, by Representatives Blake and Buys

WHEREAS, Families across Washington depend on the safe and nutritious dairy products provided by the dairy farmers of Washington state; and

WHEREAS, There are approximately 480 family dairy farms in Washington state with approximately 266,000 dairy cows; and

WHEREAS, Washington state ranks tenth in total milk production in the United States with 6,336 million pounds annually; and

WHEREAS, Washington ranks fifth in milk production per cow, with 23,820 pounds of milk per year; and

WHEREAS, Milk is the second highest dollar-valued agricultural commodity produced in Washington, valued at 2.36 billion dollars; and

WHEREAS, Dairy farming has an annual economic impact of 5.2 billion dollars; and

WHEREAS, There are over 6,184 on-farm dairy jobs in 30 counties across Washington, and over 12,159 jobs in the dairy industry in total; and

WHEREAS, The Washington State Dairy Ambassadors for 2014-2015 are Ambassador Janis DeJager of Everson and alternate Ambassadors Marissa Apperson of Rochester and Marcy Bartelheimer of Snohomish; and

WHEREAS, Dairy Day at the Legislature is January 28, 2015, when the legislators will visit with the dairy producers of the state and enjoy ice cream that will be handed out by the Washington State Dairy Federation, Washington State Dairy Women, and the state and county Dairy Ambassadors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives acknowledge and honor the women and men whose work on dairy farms throughout Washington has contributed much to the strength and vitality of our economy, the character of our communities, and the general well-being of our citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Washington State Dairy Ambassador Janis DeJager, alternate Ambassadors Marissa Apperson and Marcy Bartelheimer, and the Washington State Dairy Federation.

The Speaker (Representative Appleton presiding) stated the question before the House to be adoption of House Resolution No. 4605.

HOUSE RESOLUTION NO. 4605 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4606, by Representative Lytton

WHEREAS, Events at fairgrounds in Washington state attract approximately 7.8 million people each year; and

WHEREAS, Fairs help educate Washington children through cooperation with local schools, providing young people with opportunities to learn where their food comes from, and other aspects of agriculture and farm life that enhance classroom teaching in science, math, social studies, reading, and art and support the state's Essential Academic Learning Requirements; and

WHEREAS, Displays, demonstrations, and special events at fairs and fairgrounds educate the public, offering many their first opportunity to see piglets and calves nursing, chicks hatching, and examples of local crops, and introducing people to the benefits of farm life and the importance of agriculture, which is Washington's largest employer; and

WHEREAS, Fairs provide members of 4-H and Future Farmers of America and other young people with opportunities to learn and demonstrate skills related to management, accounting, economics, public speaking, and more, with research showing this experience leads to better grades, greater interest in pursuing higher education, less inclination toward risky behaviors, and stronger family and community participation; and

WHEREAS, Fairs and activities at fairgrounds are sources of free entertainment and free youth activities, which are particularly important during difficult economic times, when 4-H enrollment grows as parents look for positive activities for their children; and

WHEREAS, Fairs support communities, as a walk along any midway confirms, with school organizations, churches, civic groups, and others operating food booths, dunk tanks, and other fund-raisers in support of everything from college scholarships to holiday food baskets; and

WHEREAS, Fairgrounds also serve as important venues for youth activities, community-related events, and cultural and other activities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives acknowledge the value of fairs and fairgrounds, which collectively represent the state's largest classroom, filled with lifelong learning opportunities for the people of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Washington State Fairs Association.

The Speaker (Representative Appleton presiding) stated the question before the House to be adoption of House Resolution No. 4606.

HOUSE RESOLUTION NO. 4606 was adopted.

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

INTRODUCTION & FIRST READING

HB 1745 by Representatives Moscoso, Bergquist, S. Hunt, Haler and Orwall

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020, 54.12.010, and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 52.14 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on State Government.

HB 1746 by Representatives Pollet and Hayes

AN ACT Relating to nonimpound tow truck operator licensing; amending RCW 18.235.020, 43.43.700, 43.43.705, 43.43.742, 46.63.020, and 46.76.020; adding a new chapter to Title 46 RCW; repealing RCW 46.55.025; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

HB 1747 by Representatives Kagi, Jinkins, Carlyle, Senn, Robinson and Walkinshaw

AN ACT Relating to the protection of children through responsible storage of firearms; adding new sections to chapter 9.41 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1748 by Representatives Blake, Shea, Kirby, Orcutt, MacEwen, Condotta, McCabe, Holy, Magendanz, Taylor, Hargrove, Griffey, Hayes, Johnson, Haler and Scott

AN ACT Relating to the use of motorcycle helmets; and amending RCW 46.37.530.

Referred to Committee on Transportation.

HB 1749 by Representative MacEwen

AN ACT Relating to contractor registration requirements for owners of property; and amending RCW 18.27.010.

Referred to Committee on Labor.

HB 1750 by Representatives Ortiz-Self, Magendanz, Tarleton, Moscoso, Riccelli, Robinson, Kagi, Ryu, Gregerson and Lytton

AN ACT Relating to the awareness of sudden cardiac arrest for students engaged in athletic activity; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.320 RCW; and creating new sections.

Referred to Committee on Education.

HB 1751 by Representative Santos

AN ACT Relating to parking impact mitigation from regional transit authority facility construction; and adding a new section to chapter 81.112 RCW.

Referred to Committee on Transportation.

HB 1752 by Representatives Hawkins and Takko

AN ACT Relating to qualifications for chief examiners; and amending RCW 41.14.050.

Referred to Committee on Local Government.

HB 1753 by Representatives Ryu, Shea, Moscoso, Kirby and Wylie

AN ACT Relating to distinguishing cannabis health and beauty aids from marijuana; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1754 by Representatives Buys, Dunshee, Muri, Haler, Senn, Ormsby and Sullivan

AN ACT Relating to adding building envelope to the list of building trades that a prime contractor must list for bids on public works; and amending RCW 39.30.060.

Referred to Committee on Capital Budget.

HB 1755 by Representatives Pettigrew and Stanford

AN ACT Relating to livestock movement reporting; and adding a new section to chapter 16.57 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1756 by Representatives Kilduff, Muri, Kirby, Goodman and Sawyer

AN ACT Relating to community policing at western state hospital and the surrounding areas; and adding a new section to chapter 72.23 RCW.

Referred to Committee on Public Safety.

HB 1757 by Representatives Fey, Muri, Clibborn and Reykdal

AN ACT Relating to local transportation options; amending RCW 36.73.065 and 82.80.140; adding a new chapter to Title 36 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1758 by Representatives Tharinger, Wilcox, Van De Wege, Takko, Walkinshaw, Blake, Ryu, Orcutt, Fitzgibbon and Nealey

AN ACT Relating to extending the expiration date of tax preferences for biofuel, biomass, and energy conservation; amending RCW 82.04.4334, 82.08.955, 82.12.955, 82.29A.135, 84.36.635, 82.04.4494, and 82.04.310; creating new sections; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1759 by Representative Manweller

AN ACT Relating to modifying the computer data center sales and use tax exemption; amending RCW 82.08.986, 82.12.986, 82.14.370, 67.28.180, and 82.32.534; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1760 by Representatives Senn, Magendanz, Orwall, Stambaugh, Ortiz-Self and Kagi

AN ACT Relating to providing students with skills that promote mental health and well-being and increase academic performance; amending RCW 28A.310.500; adding new sections to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1761 by Representatives Stanford, Vick, Kirby, Parker, Ryu, G. Hunt, Blake, Santos and Hurst

AN ACT Relating to insurance producers, insurers, and title insurance agents activities with customers and potential customers; amending RCW 48.30.140 and 48.30.150; and adding new sections to chapter 48.30 RCW.

Referred to Committee on Business & Financial Services.

HB 1762 by Representatives Riccelli, Schmick, Jinkins, Harris, Cody, Van De Wege and Robinson

AN ACT Relating to enhancing the relationship between a health insurer and a contracting health care provider; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.39 RCW; adding a new section to chapter 48.44 RCW; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Health Care & Wellness.

HB 1763 by Representatives Van De Wege, Lytton, Riccelli and Tharinger

AN ACT Relating to regulating music licensing agencies; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1764 by Representatives Van De Wege, Stokesbary, Tharinger and Ryu

AN ACT Relating to creating a business and occupation tax credit for advanced composite manufacturing and wholesaling; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1765 by Representative Klippert

AN ACT Relating to marijuana; amending RCW 69.50.101, 46.20.308, and 69.50.4013; repealing RCW 46.04.586, 69.50.325, 69.50.328, 69.50.331, 69.50.334, 69.50.339, 69.50.342, 69.50.345, 69.50.348, 69.50.351, 69.50.354, 69.50.357, 69.50.360, 69.50.363, 69.50.366, 69.50.369, 69.50.445, 69.50.530, 69.50.535, 69.50.540, 69.50.545, 69.50.550, 69.51A.005, 69.51A.010, 69.51A.020, 69.51A.025, 69.51A.030, 69.51A.040, 69.51A.043, 69.51A.045, 69.51A.047, 69.51A.050, 69.51A.055, 69.51A.060, 69.51A.070, 69.51A.085, 69.51A.090, 69.51A.100, 69.51A.110, 69.51A.120, 69.51A.130, 69.51A.140, 69.51A.200, 69.51A.900, 69.51A.901, 69.51A.902, and 69.51A.903; repealing 2013 c 3 ss 19, 22, 23, 24, 25, 32, 33, 34, 35, 36, and 37; and repealing 2013 c 3 ss 1 and 41 (uncodified).

Referred to Committee on Commerce & Gaming.

HB 1766 by Representatives Cody and Schmick

AN ACT Relating to medical marijuana; amending RCW 69.51A.005, 69.51A.010, 69.51A.025, 69.51A.030, 69.51A.040, 69.51A.043, 69.51A.047, 69.51A.055, 69.51A.060, 69.51A.110, 69.51A.120, and 69.51A.900; adding new sections to chapter 69.51A RCW; repealing RCW 69.51A.070, 69.51A.140, 69.51A.200, 69.51A.045, and 69.51A.085; and providing effective dates.

Referred to Committee on Health Care & Wellness.

HB 1767 by Representatives Hargrove, Walsh and Zeiger

AN ACT Relating to adding a minimum grade point average to the state need grant renewal requirement; and amending RCW 28B.92.060.

Referred to Committee on Higher Education.

HB 1768 by Representatives Kirby and Vick

AN ACT Relating to providing promotional items to a nonprofit charitable corporation or association; and amending RCW 66.28.310.

Referred to Committee on Commerce & Gaming.

HB 1769 by Representatives Pettigrew, Wilcox, Springer, Manweller, Harris, Farrell, Tarleton, Magendanz, Walkinshaw, Rodne, Peterson, Buys, Zeiger, Senn, Goodman, Reykdal and Morris

AN ACT Relating to reinstating tax preferences for high-technology research and development; amending RCW 82.63.020 and 82.63.045; reenacting and amending RCW 82.63.010; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.63 RCW; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1770 by Representatives Bergquist, Magendanz, Pollet, Lytton and Muri

AN ACT Relating to changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes; amending RCW 28A.660.020 and 28A.660.035; and repealing RCW 28A.660.040.

Referred to Committee on Education.

HB 1771 by Representatives Gregory, Magendanz, Lytton and Muri

AN ACT Relating to the professional educator standards board as an authorized representative of the state educational agencies; amending RCW 28A.410.210; and creating a new section.

Referred to Committee on Education.

HB 1772 by Representatives Shea, McCaslin, Scott, Taylor, Holy and G. Hunt

AN ACT Relating to the Washington State Bar Association; adding new sections to chapter 2.44 RCW; creating a new section; recodifying RCW 2.48.180, 2.48.190, and 2.48.200; and repealing RCW 2.48.010, 2.48.020, 2.48.021, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.080, 2.48.090, 2.48.100, 2.48.110, 2.48.130, 2.48.140, 2.48.150, 2.48.160, 2.48.165, 2.48.166, 2.48.170, 2.48.210, 2.48.220, and 2.48.230.

Referred to Committee on Judiciary.

HB 1773 by Representatives G. Hunt, Magendanz, Manweller, Shea, Taylor, Buys, Young, Nealey, Vick and Scott

AN ACT Relating to prohibiting public entities from giving or loaning public funds to bargaining unit representatives for nongovernment functions; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 49.66 RCW; and creating a new section.

Referred to Committee on Labor.

HB 1774 by Representatives Shea, Scott, Taylor, G. Hunt and Young

AN ACT Relating to protecting the right to work; amending RCW 41.56.113, 41.56.122, 41.59.060, 41.59.140, 41.76.045, 41.80.050, 41.80.100, 47.64.130, 49.66.010, 49.66.050, and 53.18.050; adding new sections to chapter 49.36 RCW; prescribing penalties; and repealing RCW 28B.52.045 and 47.64.160.

Referred to Committee on Labor.

HB 1775 by Representatives Cody and Jinkins

AN ACT Relating to reducing the costs of state health care expenses for residents committed to the special commitment center operated by the department of social and health services; and amending RCW 71.09.085.

Referred to Committee on Appropriations.

HB 1776 by Representatives Condotta and Hurst

AN ACT Relating to transportation and delivery services for licensed marijuana producers, marijuana processors, and marijuana retailers; amending RCW 69.50.4013, 69.50.4014, and 18.170.020; and adding new sections to chapter 69.50 RCW.

Referred to Committee on Commerce & Gaming.

HB 1777 by Representatives Condotta, Manweller and G. Hunt

AN ACT Relating to exclusive representation of employees in collective bargaining; amending RCW 41.56.080, 41.76.015, 49.39.050, 47.64.135, 41.80.080, and 41.59.090; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 49.39 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 41.59 RCW; and adding a new section to chapter 49.66 RCW.

Referred to Committee on Labor.

HB 1778 by Representatives Condotta, Manweller and G. Hunt

AN ACT Relating to lowering the workers' compensation structured settlements age requirement to thirty-five years of age beginning January 1, 2016; and amending RCW 51.04.063.

Referred to Committee on Labor.

HB 1779 by Representatives Van De Wege, Johnson, Harris, Jinkins and Tharinger

AN ACT Relating to requiring specialized training for persons conducting victim interviews as part of the disciplinary process for a health professional alleged to have committed sexual misconduct; and amending RCW 18.130.062.

Referred to Committee on Health Care & Wellness.

HB 1780 by Representatives Bergquist, Jinkins, S. Hunt, Appleton, Haler, MacEwen, Farrell, Harris, Tarleton, Fey, Pollet and Riccelli

AN ACT Relating to interpreter services; amending RCW 41.56.030 and 41.56.510; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1781 by Representatives Schmick, Hayes, G. Hunt and Parker

AN ACT Relating to adjusting the maximum speed limit for Interstate 90 in rural counties; and amending RCW 46.61.400.

Referred to Committee on Transportation.

HB 1782 by Representatives Wilcox, Springer, Takko, Blake, Short, Nealey, Pollet, Vick, Parker, Morris, Reykdal,

Orcutt, Schmick, DeBolt, MacEwen, Smith, Dent, Manweller, Robinson, Fitzgibbon, Wylie, Fagan, Tharinger and Stokesbary

AN ACT Relating to clarifying expenditures under the state universal communications services program; and amending RCW 80.36.650.

Referred to Committee on Appropriations.

HB 1783 by Representative Ortiz-Self

AN ACT Relating to expanding dual language and bilingual instruction for early learners through secondary students; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 43.215 RCW; and creating new sections.

Referred to Committee on Education.

HB 1784 by Representatives Tharinger, Cody, Van De Wege, Riccelli, Jinkins and Moeller

AN ACT Relating to promoting quality in nursing homes; amending RCW 74.42.360; adding a new section to chapter 74.46 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1785 by Representatives Reykdal, Taylor, Ortiz-Self, Dunshee, Moscoso, Appleton, S. Hunt, Takko, Gregory, Fitzgibbon, Gregerson, Pollet, Stanford, Sells, Fey, Blake, Ormsby, Peterson, Tarleton, Pike, Shea, Griffey and Klippert

AN ACT Relating to eliminating the certificate of academic achievement as a requirement for high school graduation; amending RCW 28A.230.090, 28A.230.125, 28A.195.010, 28A.200.010, 28A.230.122, 28A.300.575, 28A.305.130, 28A.320.190, 28A.320.195, 28A.320.208, 28A.600.310, 28A.655.068, 28A.655.070, and 28A.700.080; creating a new section; and repealing RCW 28A.155.045, 28A.155.170, 28A.600.405, 28A.655.061, 28A.655.063, 28A.655.065, 28A.655.066, and 28B.50.534.

Referred to Committee on Education.

HB 1786 by Representatives Gregerson, Tarleton, Robinson, Sells, Ortiz-Self and McBride

AN ACT Relating to establishing a statewide wage standard for aerospace employment as a requirement to qualify for certain aerospace-related tax incentives; amending RCW 82.32.534; amending 2013 3rd sp.s. c 2 s 1 (uncodified); reenacting and amending 82.04.260; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

HB 1787 by Representatives Riccelli, Jinkins, Robinson, Tharinger, Ormsby and S. Hunt

AN ACT Relating to patient-provider protection; and adding a new section to chapter 70.01 RCW.

Referred to Committee on Health Care & Wellness.

HB 1788 by Representatives Wylie, Holy, Ryu, Carlyle, Jinkins, Pollet, Moscoso, Appleton, Vick, Sawyer and Tarleton

AN ACT Relating to creating the crime of criminal invasion of privacy via nonconsensual dissemination or disclosure of a sexual act or intimate parts; adding a new section to chapter 9A.44 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1789 by Representatives Springer, Nealey, Fitzgibbon, Fagan, Tharinger, Takko, Reykdal, S. Hunt, Gregerson and Ryu

AN ACT Relating to granting counties and cities greater flexibility with real estate excise tax proceeds; and amending RCW 82.46.010 and 82.46.035.

Referred to Committee on Local Government.

HB 1790 by Representatives Springer, Muri, Ortiz-Self and Reykdal

AN ACT Relating to clarifying the authority of a nurse working in a school setting; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

HB 1791 by Representatives Kretz and Blake

AN ACT Relating to requiring the department of fish and wildlife to manage wolf-related wildlife interactions using lethal means when certain conditions are satisfied; and adding a new section to chapter 77.36 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1792 by Representatives Kretz and Blake

Requiring the department of fish and wildlife to amend the existing wolf conservation and management plan.

Referred to Committee on Agriculture & Natural Resources.

HJM 4002 by Representatives Kretz and Blake

Requesting the Washington fish and wildlife commission to revisit the gray wolf conservation and management plan.

Referred to Committee on Agriculture & Natural Resources.

HJM 4003 by Representatives Shea, Scott, Klippert, Taylor, McCaslin, Holy, G. Hunt and Young

Urging the members of the United States congress to propose the parental rights amendment to the states for ratification.

Referred to Committee on Judiciary.

HJR 4207 by Representatives Shea, Holy, Taylor, Scott, McCaslin and G. Hunt

Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and

administration of justice reside exclusively in the supreme court.

Referred to Committee on Judiciary.

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

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

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1740, and the bill was referred to the Committee on Appropriations.

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1459 and HOUSE BILL NO. 1638, and the bills were referred to the Committee on Finance.

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

There being no objection, the House adjourned until 10:00 a.m., January 29, 2015, the 18th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTEENTH DAY

House Chamber, Olympia, Thursday, January 29, 2015

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jarrett Cookingham and Emily Heiser. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Dr. William Adam, Chaplain and Detective with the Mason County Sheriff's Office, Washington.

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

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced the representatives of the Washington State Fairs Association to the Chamber and asked the members to acknowledge them.

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

INTRODUCTION & FIRST READING

HB 1793 by Representatives Lytton and Stanford

AN ACT Relating to working within the existing in-stream flow rules adopted by the department of ecology to provide a suite of tools, applicable to property owners located in areas with limited access to legal new water withdrawals, for alternative water procurement that does not result in a net loss to area surface waters; amending RCW 19.27.097; adding new sections to chapter 90.44 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1794 by Representatives Sawyer, Walsh and Kagi

AN ACT Relating to early intervention services for infants and toddlers with disabilities and their families; amending RCW 70.195.010, 70.195.020, and 28A.155.065; adding new sections to chapter 43.215 RCW; and recodifying RCW 70.195.005, 70.195.010, 70.195.020, and 70.195.030.

Referred to Committee on Early Learning & Human Services.

HB 1795 by Representatives Sullivan, Magendanz, Santos, Ortiz-Self, Haler, S. Hunt, Pettigrew, Stambaugh and Lytton

AN ACT Relating to school-community learning assistance program action plans; amending RCW 28A.165.035; and adding a new section to chapter 28A.165 RCW.

Referred to Committee on Education.

HB 1796 by Representatives Reykdal, Nealey, Manweller, Sullivan, Stokesbary, Springer, Wilcox, Pettigrew and Fitzgibbon

AN ACT Relating to taxation of businesses engaged in radio and television broadcasting; amending RCW 82.04.280, 82.04.280, 82.04.462, and 82.04.2907; reenacting and amending RCW 82.32.790; and providing a contingent effective date.

Referred to Committee on Finance.

HB 1797 by Representatives Sawyer, Pollet, Goodman and Walkinshaw

AN ACT Relating to publication of legal and other official notices; amending RCW 65.16.060 and 65.16.091; and adding new sections to chapter 65.16 RCW.

Referred to Committee on Judiciary.

HB 1798 by Representatives Takko, Griffey and Haler

AN ACT Relating to eliminating the collection of anticipated taxes and assessments; amending RCW 84.56.345; and repealing RCW 58.08.040.

Referred to Committee on Local Government.

HB 1799 by Representatives Nealey, Haler, Pike and Takko

AN ACT Relating to county electronic public auctions; amending RCW 36.34.060, 36.34.080, 36.34.090, 36.35.120, 84.56.070, 84.56.090, 84.64.005, 84.64.080, and 84.64.200; reenacting and amending RCW 36.16.140; adding a new section to chapter 36.16 RCW; adding a new section to chapter 84.64 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1800 by Representatives Hargrove, Kagi and Walsh

AN ACT Relating to filing a petition seeking termination of parental rights; and reenacting and amending RCW 13.34.138.

Referred to Committee on Early Learning & Human Services.

HB 1801 by Representative Moeller

AN ACT Relating to child support; amending RCW 26.23.035; adding new sections to chapter 26.23 RCW; adding a new section to chapter 9.46 RCW; adding a new section to chapter 67.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1802 by Representatives Fitzgibbon, Takko and Springer

AN ACT Relating to optional methods of financing long-range planning costs; and amending RCW 82.02.020.

Referred to Committee on Local Government.

HB 1803 by Representatives S. Hunt and Holy

AN ACT Relating to nonsubstantive updates and realignments of the statutory responsibilities of the office of financial management; amending RCW 43.82.055, 43.82.150, 43.88.160, 47.04.280, 47.64.170, 47.64.360, 79.44.060, 28A.345.060, 34.05.030, 34.12.100, 41.04.665, 41.04.680, 41.06.157, 41.06.167, 42.17A.705, 41.80.020, 43.03.040, 43.06.013, 43.41.113, 43.131.090, 48.37.060, and 49.74.020; reenacting and amending RCW 41.04.340 and 41.06.020; adding new sections to chapter 43.19 RCW; recodifying RCW 43.41.130, 43.41.140, 43.41.150, 43.41.370, and 43.41.380; and repealing RCW 43.41.190 and 43.41.195.

Referred to Committee on Gen Govt & Info Tech.

HB 1804 by Representatives Springer, Magendanz, Lytton and Muri

AN ACT Relating to confidentiality of educator professional growth plans; and amending RCW 42.56.250.

Referred to Committee on Education.

HB 1805 by Representatives Magendanz and Manweller

AN ACT Relating to the definition of school day; amending RCW 28A.150.203, 28A.305.140, 28A.305.140, 28A.655.180, and 28A.655.180; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Education.

HB 1806 by Representatives Van Werven, Bergquist, Holy, Appleton, Gregory and S. Hunt

AN ACT Relating to correcting references to elections statutes; amending RCW 3.34.050, 14.08.304, 27.12.100, 27.15.020, 27.15.050, 28A.315.275, 28A.320.410, 28A.323.050, 28A.343.010, 28A.343.330, 28A.343.350, 28A.343.670, 28A.535.030, 35.02.078, 35.02.100, 35.02.139, 35.06.080, 35.07.050, 35.10.410, 35.10.420, 35.13.060, 35.13.080, 35.13.090, 35.16.030, 35.16.050, 35.17.260, 35.17.310, 35.17.400, 35.18.020, 35.20.100, 35.21.203, 35.22.055, 35.22.200, 35.22.235, 35.22.245, 35.23.051, 35.23.805, 35.23.850, 35.30.080, 35.61.030, 35.61.050, 35.61.270, 35.95A.100, 35A.02.025, 35A.02.050, 35A.02.060, 35A.07.050, 35A.08.100, 35A.12.040, 35A.12.180, 35A.14.050, 35A.29.120, 35A.29.130, 35A.29.180, 35A.42.050, 35A.56.010, 36.16.020, 36.16.030, 36.22.220, 36.32.030, 36.32.0558, 36.32.070, 36.69.070, 36.69.090, 36.105.050, 39.36.050, 43.07.140, 43.135.060, 46.20.205, 52.04.011, 52.06.030, 52.14.060, 52.14.070, 53.04.020, 53.04.080, 53.12.130, 53.12.172, 53.12.221, 53.16.015, 53.36.070, 53.36.100, 54.08.060, 54.40.070, 57.04.140, 57.12.030, 57.12.039, 57.24.190, 67.38.130, 68.52.250, 70.44.047, 70.44.056, 80.36.390, 80.52.050, 82.14.036, 82.46.021, 82.80.090, 85.38.060, 85.38.070, 86.15.050, and 87.03.083; and reenacting and amending RCW 28A.343.030, 28A.343.320, and 28A.343.660.

Referred to Committee on State Government.

HB 1807 by Representatives Condotta and Hurst

AN ACT Relating to assisting small businesses licensed to sell spirits in Washington state; amending RCW 66.24.630, and 66.28.330; adding a new section to chapter 66.28 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1808 by Representatives Stanford, Manweller, Blake, Orcutt, Ryu, Zeiger, Moscoso, Harris, Appleton, Wilcox, Takko, Haler, Pollet, Kochmar, Ormsby, Holy, Vick, Fey, Sells, Dunshee, Hayes and Farrell

AN ACT Relating to passenger-carrying vehicles for railroad employees; amending RCW 81.61.010, 81.61.020, and 81.61.040; and adding new sections to chapter 81.61 RCW.

Referred to Committee on Transportation.

HB 1809 by Representatives Haler, Blake, Orcutt, S. Hunt, Harris, Takko, Walsh, Stanford, Muri, Moscoso, Holy, Pollet, Magendanz, Ryu, McCaslin, Appleton, Klippert, Fey, Johnson, Sells, Stokesbary, Vick, Young, Zeiger, Ormsby, Kochmar, Dunshee, Hayes and Farrell

AN ACT Relating to establishing minimum crew size on certain trains; adding new sections to chapter 81.40 RCW; creating a new section; repealing RCW 81.40.010 and 81.40.035; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

HB 1810 by Representatives Holy, S. Hunt, Manweller, Walkinshaw, Haler, Harris, Zeiger, Nealey, Smith, G. Hunt, Wylie, Shea, DeBolt, Rodne and Johnson

AN ACT Relating to making ample provisions to support higher education; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Appropriations.

HB 1811 by Representatives Holy, Ormsby, Haler, Wylie, Zeiger, Scott, Shea, Kochmar, Condotta, Johnson, McCaslin, G. Hunt and Rodne

AN ACT Relating to restricting bonuses and other incentives in higher education; amending RCW 28B.20.130, 28B.30.150, 28B.35.120, and 28B.40.120; and creating a new section.

Referred to Committee on Higher Education.

HB 1812 by Representatives Hansen, Magendanz, Hargrove, Haler and Zeiger

AN ACT Relating to an informational program to increase applications from high-achieving low-income high school students to selective institutions of higher education; adding a

new section to chapter 28B.77 RCW; and creating new sections.

Referred to Committee on Higher Education.

HB 1813 by Representatives Hansen, Magendanz, Reykdal, Muri, Tarleton, Zeiger, Lytton, Haler, Senn, Harmsworth, Tharinger, Young and Walkinshaw

AN ACT Relating to expanding computer science education; amending RCW 28A.660.045 and 28A.660.050; adding a new section to chapter 28A.188 RCW; adding a new section to chapter 28A.230 RCW; and adding a new section to chapter 28A.410 RCW.

Referred to Committee on Education.

HB 1814 by Representatives Tarleton, Haler, Hargrove, Van Werven, Sells and Zeiger

AN ACT Relating to creating a certified public accounting scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1815 by Representatives Wylie, Harris, Takko, Moeller and Ryu

Revising local government treasury practices and procedures.

Referred to Committee on Local Government.

HB 1816 by Representatives Wilson, Wylie, Pike, Moeller, Griffey, Caldier, Stokesbary, Van Werven and Scott

AN ACT Relating to adding responsibilities to the duties of the joint administrative rules review committee; amending RCW 34.05.630; and adding a new section to chapter 34.05 RCW.

Referred to Committee on State Government.

HB 1817 by Representatives Shea, Taylor, Holy and Scott

AN ACT Relating to liability immunity for local jurisdictions when wheeled all-terrain vehicles are operated on public roadways; and amending RCW 46.09.457.

Referred to Committee on Judiciary.

HB 1818 by Representatives Shea, McCaslin, Taylor, Haler and Klippert

AN ACT Relating to creating a task force to determine the impacts of adjusting the boundary lines of Washington to create two new states with one state east and one state west of the Cascade mountain range; and creating new sections.

Referred to Committee on State Government.

HB 1819 by Representatives Wilson, Griffey, Dent, Van Werven, Caldier and Pike

AN ACT Relating to making an appointment to inspect the books of account of a political committee or a candidate committee; and amending RCW 42.17A.235.

Referred to Committee on State Government.

HB 1820 by Representatives Reykdal, Zeiger, Senn, Haler, Riccelli, Bergquist, Kagi, Wilcox, Pollet, Walkinshaw, McBride, Stambaugh, Muri, Harmsworth and Springer

AN ACT Relating to requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education; creating new sections; and providing a contingent expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1821 by Representatives Sullivan, Manweller, Condotta, Orwall, Blake, Fitzgibbon and Gregerson

AN ACT Relating to industrial insurance requirements and options for owners and lessees of for hire vehicles, limousines, and taxicabs; amending RCW 51.12.020, 51.12.185, and 81.72.240; and repealing RCW 46.72.073, 46.72A.053, 51.12.180, 51.12.183, 51.16.240, and 81.72.230.

Referred to Committee on Labor.

HB 1822 by Representatives Farrell, Orcutt and Fey

AN ACT Relating to extending and modifying the commute trip reduction tax credit; amending RCW 82.70.900, 82.70.050, 82.70.020, 82.70.025, 82.70.040, and 82.70.060; creating a new section; and providing expiration dates.

Referred to Committee on Transportation.

HB 1823 by Representatives Nealey, Springer, Chandler, Blake, Buys, Lytton, Walsh, Orcutt and Dent

AN ACT Relating to extending the expiration date of tax preferences for food processing; amending RCW 82.04.4266, 82.04.4268, and 82.04.4269; reenacting and amending RCW 82.04.260; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 1824 by Representatives Takko, Johnson, Van De Wege, Fitzgibbon, Kochmar and Ryu

AN ACT Relating to promoting fire safety with long-life smoke detection devices; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1825 by Representatives Kilduff, Muri, Gregory, Haler, Riccelli and Walkinshaw

AN ACT Relating to modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014; and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

HB 1826 by Representatives Johnson and Blake

AN ACT Relating to creating flexibility in the state's recreational fee-for-access programs to better accommodate families that recreate with multiple vehicles; amending RCW 79A.80.080 and 79A.80.020; creating a new section; and providing an expiration date.

Referred to Committee on Environment.

HB 1827 by Representatives Haler and Manweller

AN ACT Relating to providing an exemption for nonprofit entities from LEED standards for major facility projects funded by the state capital budget; and amending RCW 39.35D.030.

Referred to Committee on Capital Budget.

HB 1828 by Representatives Haler and Hayes

AN ACT Relating to a business and occupation tax credit for businesses that hire individuals with developmental disabilities; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

HB 1829 by Representatives Goodman and Rodne

AN ACT Relating to adverse possession; and adding a new section to chapter 7.28 RCW.

Referred to Committee on Judiciary.

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

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

REPORTS OF STANDING COMMITTEES

January 26, 2015

HB 1003 Prime Sponsor, Representative Hawkins: Concerning the development of a model policy on natural disaster school infrastructure recovery. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

January 26, 2015

HB 1007 Prime Sponsor, Representative Fey: Limiting the use of automated traffic safety cameras to detect speed violations not in school zones to certain cities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Pike; Rodne; Shea; Wilson and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Zeiger.

Passed to Committee on Rules for second reading.

January 27, 2015

HB 1032 Prime Sponsor, Representative Blake: Amending the fee structure provided in RCW 77.55.321 to encourage habitat projects that provide a public benefit. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

January 27, 2015

HB 1077 Prime Sponsor, Representative Kirby: Regulating credit for reinsurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 26, 2015

HB 1087 Prime Sponsor, Representative Takko: Concerning automated traffic safety cameras in school speed zones. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1105 Prime Sponsor, Representative Hunter: Making 2015 supplemental operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G.; Schmick; Taylor and Van Werven.

Referred to Committee on .

January 26, 2015

HB 1112 Prime Sponsor, Representative Appleton: Authorizing siblings of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

January 26, 2015

HB 1157 Prime Sponsor, Representative Pike: Modifying the apportionment of quick title service fees collected by appointed subagents. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

January 27, 2015

HB 1172 Prime Sponsor, Representative Stanford: Creating the risk management and solvency assessment act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 28, 2015

EHB 1258 Prime Sponsor, Representative Walkinshaw: Concerning court review of detention decisions under the involuntary treatment act. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Referred to Committee on .

January 26, 2015

HB 1277 Prime Sponsor, Representative Klippert: Concerning transient lodging for military service members in armories. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

January 27, 2015

HB 1343 Prime Sponsor, Representative Springer: Concerning spirits retailers when selling for resale. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Kirby; Scott and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Moscoso.

MINORITY recommendation: Without recommendation. Signed by Representative Blake.

Referred to Committee on Finance.

There being no objection, the bills, memorials and resolutions listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 1105 and HOUSE BILL NO. 1258 which were placed on the second reading calendar.

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

SECOND READING

ENGROSSED HOUSE BILL NO. 1258, by Representatives Walkinshaw, Rodne, Jinkins, Haler, Cody, Harris, Goodman, Muri, Fagan, Hansen, Buys, Orwall, Kilduff, Springer, Senn, Walsh, Pettigrew, Robinson, Bergquist, Stanford, Fitzgibbon, Pollet, Stokesbary, Sells, Peterson, McBride, Pike, Farrell, Ortiz-Self, Zeiger, Van De Wege, Tharinger, Hunter, Sullivan, Lytton, Riccelli, Carlyle, Clibborn, Magendanz and Gregerson

Concerning court review of detention decisions under the involuntary treatment act.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (001).

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

"NEW SECTION. **Sec. 2.** This act may be known and cited as Joel's law."

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

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

Amendment (001) was adopted.

The bill was ordered engrossed.

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

Representatives Walkinshaw, Rodne, Jinkins, Hayes, Cody, Griffey, Goodman and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1258.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1258, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1258, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1105, by Representatives Hunter, Ormsby, Sullivan and Gregerson

Making 2015 supplemental operating appropriations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1105 was substituted for House Bill No. 1105 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1105 was read the second time.

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

Representatives Hunter, Chandler and Kagi spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Hargrove, Holy, McCabe, McCaslin, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1105, having received the necessary constitutional majority, was declared passed.

FORMATTING CHANGED TO ACCOMMODATE TEXT.

RESOLUTION

HOUSE RESOLUTION NO. 2015-4607, by Representatives Sullivan and Kretz

BE IT RESOLVED, That ((~~no later than Friday, January 30, 2015, the nineteenth legislative day, the House of Representatives shall meet to consider adoption of permanent House Rules for the Sixty-Fourth Legislature; and~~

~~BE IT FURTHER RESOLVED, That temporary~~))the permanent House Rules for the Sixty-Fourth Legislature be adopted as follows:

((~~TEMPORARY~~))PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES
SIXTY-FOURTH LEGISLATURE 2015-2016

HOUSE RULE NO.

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Definitions

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

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

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

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

"Fiscal committee" means the appropriations, capital budget, finance, general government & information technology, and transportation committees.

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

Chief Clerk to Call to Order

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

Election of Officers

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

Powers and Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

Chief Clerk

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

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

Duties of Employees

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

Admission to the House

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

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

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

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

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

Absentees and Courtesy

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

Bills, Memorials and Resolutions - Introductions

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

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

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

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

No house bill may be introduced that is identical to any other pending house bill.

Reading of Bills

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

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

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

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

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

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

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

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

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

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

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

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

Amendments

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

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

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

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

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

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

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

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

Final Passage

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

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

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

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

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

Hour of Meeting, Roll Call and Quorum

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

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

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

Daily Calendar and Order of Business

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

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

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.
Second: Introduction of visiting dignitaries.
Third: Messages from the senate, governor, and other state officials.
Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.
Fifth: Committee reports.
Sixth: Second reading of bills.
Seventh: Third reading of bills.
Eighth: Floor resolutions and motions.
Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.
Tenth: Introduction of visitors and other business to be considered.
Eleventh: Announcements.

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

(C) EXCEPTIONS. Exceptions to the order of business are as follows:
(1) The order of business may be changed by a majority vote of those present.
(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.
(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

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

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

(1) Privileged motions:
Adjourn
Adjourn to a time certain
Recess to a time certain

Reconsider
Demand for division
Question of privilege
Orders of the day

(2) Subsidiary motions:

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

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

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

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

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

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

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

Members Right to Debate

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

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

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

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

Rules of Debate

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

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

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

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

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

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

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

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

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

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

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

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

Ending of Debate - Previous Question

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

The previous question is not debatable and cannot be amended.

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

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

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

Voting

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

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

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

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

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

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

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

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

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

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

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

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

(I) STATEMENT FOR JOURNAL. A member whose recorded vote does not accurately reflect his or her intent may submit a written statement for the journal clarifying their intent to vote aye or nay. The statement must be submitted to the chief clerk on the same day the vote is taken. A member who is excused for one or more days of recorded votes may submit a written statement for the journal explaining the reason for his or her absence. The statement may not exceed fifty words and must be submitted to the chief clerk on the same day the member returns.

Reconsideration

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

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

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

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

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

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

Call of the House

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

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

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

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

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

Appeal from Decision of Chair

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

Standing Committees

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

1. Agriculture & Natural Resources....13
2. Appropriations....33
3. Business & Financial Services....11
4. Capital Budget....9
5. Commerce & Gaming....9
6. Community Development, Housing & Tribal Affairs....7
7. Early Learning & Human Services....11
8. Education....21
9. Environment....11
10. Finance....((~~15~~))16
11. General Government & Information Technology....7
12. Health Care & Wellness....15
13. Higher Education....13
14. Judiciary....13
15. Labor....7
16. Local Government....9
17. Public Safety....9
18. Rules....23
19. State Government....7
20. Technology & Economic Development....13
21. Transportation....25

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

Duties of Committees

Rule 24. House committees shall operate as follows:

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

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

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

(D) DUTIES OF STANDING COMMITTEES.

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time.

Standing Committees - Expenses - Subpoena Power

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

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

Vetoed Bills

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

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

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

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

Suspension of Compensation

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

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

Smoking

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

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

Liquor

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

Parliamentary Rules

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

Standing Rules Amendment

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

Rules to Apply for Assembly

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

Legislative Mailings

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

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4607.

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

HOUSE RESOLUTION NO. 4607 was adopted.

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

COMMITTEE APPOINTMENT

The Speaker (Representative Orwall presiding) announced the following committee appointment:

Representative Vick was appointed to the Committee on Finance.

There being no objection, the House adjourned until 10:00 a.m., January 30, 2015, the 19th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETEENTH DAY

House Chamber, Olympia, Friday, January 30, 2015

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

The flags were escorted to the rostrum by the Washington Army National Guard Honor Guard. The National Anthem was performed by the 133rd Washington Army National Guard Band. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Lieutenant Colonel Donald Brewer, Chaplain, Washington Army National Guard.

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

RESOLUTION

HOUSE RESOLUTION NO. 4604, by Representative Klippert

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, voluntarily serve and put personal lives aside when the needs of the nation and the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts and to protect lives and property; and

WHEREAS, The Washington Army and Air National Guard continue to provide critical support to federal missions around the world, including Afghanistan, Kuwait, Bangladesh, and Korea as well as supporting federal mission requirements throughout the continental United States; and

WHEREAS, The Guard continues to train and prepare for natural disasters and threats to our national security, including cyberthreats; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its ongoing work of the invaluable Washington Youth Academy; and

WHEREAS, The Guard continues to actively enable the state's and nation's counterdrug efforts by providing soldiers, airmen, and specialized equipment to over thirty-four local, state, and federal law enforcement agencies and community-based and other organizations; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for public and other community and youth activities use. The Guard continues to build upon these Readiness Centers and Armories throughout the state to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the Readiness Centers and Armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Representative Kilduff moved adoption of HOUSE RESOLUTION NO. 4604.

Representatives Kilduff, Kochmar, Appleton and Griffey spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4604 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Assistant Adjutant Generals for the Army Guard, Brigadier General Turner and Brigadier General Tuohy, Army Chief of Staff, Colonel Sabatine, and Command Sergeant Major Parker to the Chamber and asked the members to acknowledge them.

The Speaker (Representative Orwall presiding) further recognized members of the Washington Army and Air National Guard, seated in the north and south galleries, to the Chamber and asked the members to acknowledge them.

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

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

INTRODUCTION & FIRST READING

HB 1830 by Representative Muri

AN ACT Relating to Washington state wrestling special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1831 by Representatives Klippert, Shea, Rodne, Haler, Hayes and Griffey

AN ACT Relating to the murder of an unborn quick child; amending RCW 9A.32.030 and 9A.32.050; adding a new section to chapter 9A.32 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1832 by Representatives Klippert, Shea and Haler

AN ACT Relating to creating a task force to determine the impacts of adjusting the boundary lines of Washington and Oregon to create two new states with one state east and one state west of the Cascade mountain range; and creating new sections.

Referred to Committee on State Government.

HB 1833 by Representatives Klippert, Takko, Griffey and Wilson

AN ACT Relating to timing free access days at state parks with local community events; and amending RCW 79A.80.050.

Referred to Committee on Environment.

HB 1834 by Representatives Klippert, S. Hunt, Haler, Bergquist and Johnson

AN ACT Relating to making certain higher education facilities available for use by certain public high school programs; adding a new section to chapter 28B.77 RCW; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1835 by Representatives Harris, Jinkins, Haler and Riccelli

AN ACT Relating to containing the scope and costs of the diabetes epidemic in Washington; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care & Wellness.

HB 1836 by Representatives Stanford, Blake and Lytton

AN ACT Relating to state drought preparedness; amending RCW 43.83B.400, 43.83B.405, 43.83B.410, 43.83B.415, 43.83B.360, 43.83B.430, 90.86.020, 90.86.030, and 90.03.280; adding a new section to chapter 43.83B RCW; adding new sections to chapter 90.86 RCW; adding a new section to chapter 43.21C RCW; and repealing RCW 90.86.010.

Referred to Committee on Agriculture & Natural Resources.

HB 1837 by Representatives Morris and Lytton

AN ACT Relating to border area jurisdiction fuel tax authority; and amending RCW 82.47.020.

Referred to Committee on Transportation.

HB 1838 by Representative MacEwen

AN ACT Relating to the baiting of black bears; amending RCW 77.15.245; adding a new section to chapter 77.32 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1839 by Representatives Kilduff, Rodne, Muri, Goodman and Orwall

AN ACT Relating to services that provide support for decision making; and amending RCW 2.72.005, 2.72.010, 2.72.020, and 2.72.030.

Referred to Committee on Judiciary.

HB 1840 by Representatives Magendanz, Caldier, Orwall, Ortiz-Self and Kagi

AN ACT Relating to conflict resolution programs in schools; and amending RCW 28A.300.280.

Referred to Committee on Education.

HB 1841 by Representatives Morris and Lytton

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

Referred to Committee on Judiciary.

HB 1842 by Representatives Farrell, Hargrove, Fey, Harmsworth, Senn, Wylie, Gregerson and Robinson

AN ACT Relating to improving transit agency coordination; amending RCW 35.58.2796, 47.66.030, and 47.66.040; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 1843 by Representatives Morris and Lytton

AN ACT Relating to creating a residential energy efficiency incentive pilot program; and adding a new chapter to Title 84 RCW.

Referred to Committee on Technology & Economic Development.

HB 1844 by Representatives Moscoso, Kochmar, Clibborn, Fey and Appleton

AN ACT Relating to work performed by state forces on ferry vessels and terminals; amending RCW 47.28.030; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1845 by Representatives DeBolt, Fitzgibbon, Orcutt and Short

AN ACT Relating to pharmaceutical waste; and creating new sections.

Referred to Committee on Environment.

HB 1846 by Representatives Appleton and Hayes

AN ACT Relating to establishing the position and authority of warrant officers; amending RCW 35.20.270; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Judiciary.

HB 1847 by Representatives Rodne and Jinkins

AN ACT Relating to pricing agreements between contact lens manufacturers or distributors and retailers; and amending RCW 18.195.030.

Referred to Committee on Business & Financial Services.

HB 1848 by Representative Schmick

AN ACT Relating to requiring voter approval for direct petition annexations; and amending RCW 35A.14.140, 35A.14.150, 35A.14.440, and 35A.14.450.

Referred to Committee on Local Government.

HB 1849 by Representatives Gregory, S. Hunt, Bergquist and Appleton

AN ACT Relating to uniform ballot design; amending RCW 29A.36.111; and adding a new section to chapter 29A.36 RCW.

Referred to Committee on State Government.

HB 1850 by Representatives Hayes, Clibborn, Orcutt, Takko, Harmsworth, Riccelli, Rodne, Bergquist, Wilson and Robinson

AN ACT Relating to improving the efficiency of conducting certain department of transportation actions by exempting these actions from obtaining local reviews or permits under the shoreline management act; amending RCW 90.58.355; and creating a new section.

Referred to Committee on Local Government.

HB 1851 by Representatives Hayes, Bergquist, Zeiger, Takko, Harmsworth, Wilson and Griffey

AN ACT Relating to expedited permitting and contracting for bridges owned by local governments that are deemed structurally deficient; amending RCW 47.28.170; adding a new section to chapter 43.21C RCW; and adding a new section to chapter 39.04 RCW.

Referred to Committee on Environment.

HB 1852 by Representatives Caldier, Jinkins, Young, Moeller, Short, Manweller, Hayes, Riccelli and Cody

AN ACT Relating to the pediatric oral services essential health benefit category; and amending RCW 43.71.065 and 48.43.715.

Referred to Committee on Health Care & Wellness.

HB 1853 by Representatives Magendanz, Bergquist, Morris, Muri and Tarleton

AN ACT Relating to utility leadership in electric vehicle charging infrastructure build-out; adding a new section to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1854 by Representatives Magendanz and Muri

AN ACT Relating to a salary allocation system for certificated instructional staff; amending RCW 28A.150.410, 28A.415.265, 28A.405.415, 28A.400.200, 28A.415.020, 28A.415.023, 28A.415.024, 28A.415.025, 28A.400.205, and 41.59.935; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 41.59 RCW; and providing expiration dates.

Referred to Committee on Education.

HB 1855 by Representatives Caldier, Santos, Parker, Reykdal, Magendanz and Hayes

AN ACT Relating to waiving local graduation requirements for certain students; and amending RCW 28A.320.192.

Referred to Committee on Education.

HB 1856 by Representatives Ryu, Walkinshaw, Morris, Riccelli, Stanford, Wylie, Ormsby and Fitzgibbon

AN ACT Relating to providing an exception to the community economic revitalization board program's median hourly wage requirement for counties with the state's highest unemployment rates; amending RCW 43.160.060; adding a new section to chapter 43.160 RCW; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1857 by Representatives Jinkins and Ormsby

AN ACT Relating to creating an extreme risk protective order; amending RCW 9.41.040 and 9.41.047; adding new sections to chapter 10.79 RCW; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1858 by Representatives Shea, S. Hunt, Taylor and G. Hunt

AN ACT Relating to prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for

reelection; and amending RCW 29A.32.070, 29A.32.241, and 29A.40.091.

Referred to Committee on State Government.

HB 1859 by Representatives Kilduff, Smith and Dunshee

AN ACT Relating to the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington; amending RCW 28A.525.200, 28B.10.851, 28B.14D.040, 28B.50.401, 35.21.900, 35A.40.050, 35A.79.020, 41.16.040, 43.70.900, 43.83.020, 43.83A.030, 43.83D.120, 43.83H.030, 43.83I.040, 43.99C.070, 43.99E.020, 43.99F.030, 43.99G.020, 43.99I.020, 43.99K.020, 43.99L.020, 43.99P.020, 43.99Q.020, 70.95.165, 70.95.267, 70.95.268, 79.17.120, 87.80.130, 90.38.900, 90.42.060, and 90.72.080; reenacting and amending RCW 43.99H.020; adding a new section to chapter 90.48 RCW; adding new sections to chapter 43.83 RCW; recodifying RCW 90.50.020, 28B.10.851, 28B.14.040, 43.75.225, 43.83A.030, 43.83H.030, 43.83I.040, 43.99E.020, 43.99F.030, and 43.99G.020; decodifying RCW 15.24.800, 15.24.802, 15.24.804, 15.24.806, 15.24.808, 15.24.810, 15.24.812, 15.24.814, 15.24.816, 15.24.818, 79.24.100, 79.24.110, 79.24.120, 79.24.130, 79.24.140, 79.24.150, 79.24.160, 79.24.652, 79.24.654, 79.24.656, 79.24.658, 79.24.660, 79.24.662, 79.24.664, 79.24.666, 79.24.668, 28A.525.210, 28A.525.212, 28A.525.214, 28A.525.216, 28A.525.218, 28A.525.220, 28A.525.222, 28A.525.230, 28A.525.240, 28A.525.250, 28A.525.260, 28A.525.270, 28A.525.280, 28A.525.290, 28A.525.300, 28B.50.403, 28B.50.404, 28B.50.405, 28B.50.406, 28B.50.407, 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 43.83I.010, 43.83I.020, 43.83I.030, 43.83I.050, 43.83I.060, 43.83I.100, 43.83I.110, 43.83I.120, 43.83I.130, 43.83I.140, 43.83I.150, 43.83I.160, 43.83I.162, 43.83I.164, 43.83I.168, 43.83I.170, 43.83I.172, 43.83I.174, 43.83I.176, 43.83I.178, 43.83I.180, 43.83I.182, 43.83I.184, 43.83I.186, 43.83I.188, 43.83I.190, 43.83I.192, 43.83I.194, 43.83I.900, 43.83I.910, 43.83I.912, 43.83I.914, 43.83I.915, 43.96B.200, 43.96B.205, 43.96B.210, 43.96B.215, 43.96B.220, 43.96B.225, 43.96B.230, 43.96B.235, 43.96B.240, 43.96B.245, 43.96B.900, 43.99C.010, 43.99C.015, 43.99C.020, 43.99C.025, 43.99C.030, 43.99C.035, 43.99C.045, 43.99C.047, 43.99C.050, 43.99C.055, 43.99C.060, 28B.10.850, 28B.10.852, 28B.10.853, 28B.10.854, 28B.10.855, 28B.106.005, 28B.106.010, 28B.106.020, 28B.106.030, 28B.106.040, 28B.106.050, 28B.106.060, 28B.106.070, 28B.106.080, 28B.106.901, 28B.106.902, 28B.13.010, 28B.13.020, 28B.13.030, 28B.13.040, 28B.13.050, 28B.13.060, 28B.13.900, 28B.14.010, 28B.14.020, 28B.14.030, 28B.14.040, 28B.14.050, 28B.14.060, 28B.14B.010, 28B.14B.020, 28B.14B.030, 28B.14B.040, 28B.14B.050, 28B.14B.060, 28B.14C.010, 28B.14C.020, 28B.14C.030, 28B.14C.040, 28B.14C.050, 28B.14C.060, 28B.14C.070, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14C.140, 28B.14C.900, 28B.14D.010, 28B.14D.020, 28B.14D.030, 28B.14D.050, 28B.14D.060, 28B.14D.070, 28B.14D.080, 28B.14D.090, 28B.14D.900, 28B.14D.950, 28B.14E.010, 28B.14E.020, 28B.14E.030, 28B.14E.040, 28B.14E.050, 28B.14E.060, 28B.14E.950, 28B.14F.010, 28B.14F.020, 28B.14F.030, 28B.14F.040, 28B.14F.050, 28B.14F.060, 28B.14F.062, 28B.14F.064, 28B.14F.066, 28B.14F.068, 28B.14F.070, 28B.14F.072, 28B.14F.074, 28B.14F.076, 28B.14F.078, 28B.14F.950, 28B.14F.951, 28B.14F.952, 28B.14G.010, 28B.14G.020, 28B.14G.030, 28B.14G.040, 28B.14G.050, 28B.14G.060, 28B.14G.070, 28B.14G.080, 28B.14G.900, 28B.14G.950, 47.10.010, 47.10.020, 47.10.030, 47.10.040, 47.10.050, 47.10.060, 47.10.070, 47.10.080, 47.10.090, 47.10.100, 47.10.110, 47.10.120, 47.10.130, 47.10.140, 47.10.150, 47.10.160, 47.10.170, 47.10.180, 47.10.190, 47.10.200, 47.10.210, 47.10.220, 47.10.230, 47.10.240, 47.10.250, 47.10.260, 47.10.270, 47.10.280, 47.10.290, 47.10.300, 47.10.310, 47.10.320, 47.10.330, 47.10.340, 47.10.350, 47.10.360, 47.10.370, 47.10.380, 47.10.390, 47.10.400, 47.10.410, 47.10.420, 47.10.430, 47.10.440, 47.10.450, 47.10.460, 47.10.470, 47.10.480, 47.10.490, 47.10.500, 47.10.700, 47.10.702, 47.10.704, 47.10.706, 47.10.708, 47.10.710, 47.10.712, 47.10.714, 47.10.716, 47.10.718, 47.10.720, 47.10.722, 47.10.724, 47.10.726, 47.10.727, 47.10.728, 47.10.729, 47.10.730, 47.10.731, 47.10.732, 47.10.733, 47.10.734, 47.10.735, 47.10.736, 47.10.737, 47.10.738, 47.10.751, 47.10.752, 47.10.753, 47.10.754, 47.10.755, 47.10.756, 47.10.757, 47.10.758, 47.10.759, 47.10.760, 47.10.761, 47.10.762, 47.10.763, 47.10.764, 47.10.765, 47.10.766, 47.10.767, 47.10.768, 47.10.769, 47.10.770, 47.10.771, 37.14.010, 37.14.020, 37.14.030, 37.14.040, 37.14.050, 37.14.900, 70.48.270, 70.48.280, 70.48.310, 70.48.320, 72.19.070, 72.19.100, 72.19.110, 72.19.120, 72.19.130, 70.48A.010, 70.48A.020, 70.48A.030, 70.48A.040, 70.48A.050, 70.48A.060, 70.48A.070, 70.48A.080, 70.48A.090, 70.48A.900, 43.83.010, 43.83.030, 43.83.040, 43.83.050, 43.83.060, 43.83.062, 43.83.064, 43.83.066, 43.83.068, 43.83.070, 43.83.074, 43.83.076, 43.83.078, 43.83.082, 43.83.084, 43.83.090, 43.83.094, 43.83.096, 43.83.098, 43.83.102, 43.83.104, 43.83.110, 43.83.112, 43.83.114, 43.83.116, 43.83.118, 43.83.120, 43.83.122, 43.83.124, 43.83.126, 43.83.130, 43.83.132, 43.83.134, 43.83.136, 43.83.138, 43.83.140, 43.83.142, 43.83.144, 43.83.146, 43.83.148, 43.83.150, 43.83.152, 43.83.154, 43.83.156, 43.83.158, 43.83.160, 43.83.162, 43.83.164, 43.83.166, 43.83.168, 43.83.170, 43.83.172, 43.83.174, 43.83.176, 43.83.178, 43.83.180, 43.83.182, 43.83.184, 43.83.186, 43.83.188, 43.83.190, 43.83.192, 43.83.194, 43.83.196, 43.83.198, 43.83.200, 43.83.202, 43.83.204, 43.83.206, 43.83.208, 43.83.210, 43.99G.010, 43.99G.030, 43.99G.040, 43.99G.050, 43.99G.060, 43.99G.070, 43.99G.080, 43.99G.090, 43.99G.100, 43.99G.102, 43.99G.104, 43.99G.108, 43.99G.112, 43.99G.114, 43.99G.900, 43.99G.901, 43.31.956, 43.31.960, 43.31.962, 43.31.964, 43.83C.010, 43.83C.020, 43.83C.040, 43.83C.050, 43.83C.060, 43.83C.070, 43.83C.080, 43.83C.090, 43.83C.100, 43.83C.110, 43.99A.010, 43.99A.020, 43.99A.030, 43.99A.040, 43.99A.050, 43.99A.060,

43.99A.070, 43.99A.080, 43.99A.090, 43.99A.100, 43.99A.110, 43.99B.010, 43.99B.012, 43.99B.014, 43.99B.016, 43.99B.018, 43.99B.020, 43.99B.022, 43.99B.024, 43.99B.026, 43.99B.028, 43.99B.030, 43.99B.032, 43.99B.034, 43.99B.036, 43.99B.038, 43.99B.040, 43.99B.042, 79A.10.010, 79A.10.020, 79A.10.030, 79A.10.040, 79A.10.050, 79A.10.060, 79A.10.070, 79A.10.090, 77.90.010, 77.90.020, 77.90.030, 77.90.040, 77.90.050, 77.90.060, 77.90.070, 77.90.080, 43.83D.010, 43.83D.020, 43.83D.030, 43.83D.040, 43.83D.050, 43.83D.060, 43.83D.070, 43.83D.080, 43.83D.090, 43.83D.100, 43.83D.110, 43.83H.010, 43.83H.020, 43.83H.040, 43.83H.050, 43.83H.060, 43.83H.100, 43.83H.110, 43.83H.120, 43.83H.130, 43.83H.140, 43.83H.150, 43.83H.160, 43.83H.162, 43.83H.164, 43.83H.166, 43.83H.168, 43.83H.170, 43.83H.172, 43.83H.174, 43.83H.176, 43.83H.178, 43.83H.180, 43.83H.182, 43.83H.184, 43.83H.186, 43.83H.188, 43.83H.190, 43.83H.192, 43.83H.194, 43.83H.900, 43.83H.910, 43.83H.912, 43.83H.914, 43.83H.915, 43.75.200, 43.75.205, 43.75.215, 43.75.230, 43.75.235, 43.75.900, 43.75.910, 47.02.020, 47.02.030, 47.02.040, 47.02.050, 47.02.060, 47.02.070, 47.02.080, 47.02.090, 47.02.100, 47.02.110, 28B.20.750, 28B.20.751, 28B.20.752, 28B.20.753, 28B.20.754, 28B.20.755, 28B.20.756, 28B.20.757, 28B.20.758, 28B.20.759, 28B.30.600, 28B.30.602, 28B.30.604, 28B.30.606, 28B.30.608, 28B.30.610, 28B.30.612, 28B.30.614, 28B.30.616, 28B.30.618, 28B.30.619, 28B.30.620, 28B.31.010, 28B.31.020, 28B.31.030, 28B.31.050, 28B.31.060, 28B.31.070, 28B.31.080, 28B.31.090, 28B.31.100, 43.83A.010, 43.83A.020, 43.83A.040, 43.83A.050, 43.83A.060, 43.83A.070, 43.83A.080, 43.83A.090, 43.83A.100, 43.83A.110, 43.83A.900, 43.99F.010, 43.99F.020, 43.99F.040, 43.99F.050, 43.99F.060, 43.99F.070, 43.99F.080, 43.99F.090, 43.99F.100, 43.99F.110, 90.50.010, 90.50.030, 90.50.040, 90.50.050, 90.50.060, 90.50.080, 90.50.900, 43.83B.010, 43.83B.020, 43.83B.030, 43.83B.040, 43.83B.050, 43.83B.060, 43.83B.070, 43.83B.080, 43.83B.090, 43.83B.100, 43.83B.110, 43.83B.355, 43.83B.365, 43.83B.370, 43.83B.375, 43.99D.005, 43.99D.010, 43.99D.015, 43.99D.020, 43.99D.025, 43.99D.030, 43.99D.035, 43.99D.040, 43.99D.045, 43.99D.050, 43.99D.055, 43.99D.900, 43.99E.005, 43.99E.010, 43.99E.015, 43.99E.025, 43.99E.030, 43.99E.035, 43.99E.040, 43.99E.045, 43.99E.050, 43.99E.055, 43.99E.900, and 43.75.225; and repealing RCW 67.40.040.

Referred to Committee on Capital Budget.

HB 1860 by Representatives Santos and Pettigrew

AN ACT Relating to first-class school director districts for the purposes of dividing large districts and limiting their number of board of director members; adding a new section to chapter 28A.343 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 1861 by Representatives Harmsworth, Muri, Stokesbary, Griffey, Nealey, Vick, Hayes and Buys

AN ACT Relating to creating a business and occupation tax deferral program for small businesses; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Finance.

HB 1862 by Representatives Ortiz-Self, Fagan, Orwall, Johnson, Lytton and Muri

AN ACT Relating to professional development for school counselors, social workers, and psychologists; adding a new section to chapter 28A.320 RCW; and creating new sections.

Referred to Committee on Education.

HB 1863 by Representatives Reykdal, Muri, Bergquist, S. Hunt, Fey, Gregory, Haler, Sells, Pollet, Tarleton, Springer, Moscoso, Wylie, Stanford, Ryu and Appleton

AN ACT Relating to modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges; amending RCW 28B.52.035 and 28B.50.140; and creating a new section.

Referred to Committee on Labor.

HB 1864 by Representative Kilduff

AN ACT Relating to supporting evidence-based strategies to promote high school graduation; amending RCW 28A.600.045 and 28A.300.500; adding a new section to chapter 28A.300 RCW; and creating new sections.

Referred to Committee on Education.

HB 1865 by Representatives Magendanz, Ortiz-Self, McCaslin and Hayes

AN ACT Relating to visual screening in schools; and amending RCW 28A.210.020.

Referred to Committee on Education.

HB 1866 by Representatives Bergquist and S. Hunt

AN ACT Relating to improving voter registration by providing new residential tenants with voter registration information; and adding a new section to chapter 29A.08 RCW.

Referred to Committee on State Government.

HB 1867 by Representatives Bergquist, Orwall, Pollet and S. Hunt

AN ACT Relating to the frequency of evaluations for certain classroom teachers; and amending RCW 28A.405.100.

Referred to Committee on Education.

HB 1868 by Representatives Lytton and Morris

AN ACT Relating to county road fund purposes for certain counties; and amending RCW 36.82.070.

Referred to Committee on Local Government.

HB 1869 by Representatives Pollet, Harris, Hayes and Moscoso

AN ACT Relating to nonimpound tow truck operator licensing; amending RCW 18.235.020, 46.63.020, and 46.76.020; adding a new chapter to Title 46 RCW; repealing RCW 46.55.025; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HJR 4208 by Representatives Pollet, Muri, Hargrove, Sells, Moscoso and Wylie

Amending the Constitution regarding the people's right of access to information concerning the conduct of the people's business.

Referred to Committee on State Government.

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

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

REPORTS OF STANDING COMMITTEES

January 27, 2015

HB 1055 Prime Sponsor, Representative Bergquist: Making conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government. Reported by Committee on Gen Govt & Info Tech

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1145 Prime Sponsor, Representative Haler: Allowing joint meetings of county legislative authorities under certain circumstances. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1150 Prime Sponsor, Representative Muri: Requiring the department of social and health services to notify the military regarding child abuse and neglect allegations of families with an active military status. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Farrell; Hawkins; McCaslin; Ortiz-Self; Sawyer and Senn.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1170 Prime Sponsor, Representative Clibborn: Granting port districts certain administrative powers. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1176 Prime Sponsor, Representative Kirby: Concerning pawnbroker fees and interest rates. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1189 Prime Sponsor, Representative Hunt, S.: Regarding hours of availability of cities, towns, and special purpose districts for inspection and copying of public records. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1231 Prime Sponsor, Representative Ormsby: Establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1249 Prime Sponsor, Representative Clibborn: Providing authority for two or more nonprofit corporations to participate in a joint self-insurance program covering property or liability risks. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Hunt, G..

Referred to Committee on Gen Govt & Info Tech.

January 28, 2015

HB 1263 Prime Sponsor, Representative Stokesbary: Exempting certified public accountants from private investigator regulations. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1283 Prime Sponsor, Representative Parker: Concerning nonprofit organizations engaged in debt adjusting. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 28, 2015

HB 1336 Prime Sponsor, Representative Kirby: Allowing fingerprint-based background checks for the licensing of any security guard. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Hunt, G..

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1355 Prime Sponsor, Representative Farrell: Increasing the minimum hourly wage to twelve dollars over four years. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., February 2, 2015, the 22nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SECOND DAY

House Chamber, Olympia, Monday, February 2, 2015

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

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

MESSAGES FROM THE SENATE

January 30, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5035
SENATE BILL NO. 5064
SUBSTITUTE SENATE BILL NO. 5081
SENATE BILL NO. 5164

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

January 30, 2015

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8401

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1870 by Representatives Schmick and Cody

AN ACT Relating to the ownership of hospitals; adding a new section to chapter 70.38 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1871 by Representatives Ryu and Vick

AN ACT Relating to credit unions' corporate governance and investments; and amending RCW 31.12.255, 31.12.365, 31.12.418, and 31.12.436.

Referred to Committee on Business & Financial Services.

HB 1872 by Representative Ryu

AN ACT Relating to credit unions' capital; and amending RCW 31.12.005 and 31.12.402.

Referred to Committee on Business & Financial Services.

HB 1873 by Representatives Tharinger, Cody and Riccelli

AN ACT Relating to requiring physicians and physician assistants to provide requested demographic information at the time of license renewal; and amending RCW 18.71.080 and 18.71A.020.

Referred to Committee on Health Care & Wellness.

HB 1874 by Representatives Tharinger, Cody and Riccelli

AN ACT Relating to the requirements of allopathic physician licensure; amending RCW 18.71.050, 18.71.055, and 18.71.095; adding a new section to chapter 18.71 RCW; and repealing RCW 18.71.051.

Referred to Committee on Health Care & Wellness.

HB 1875 by Representatives Walsh, Kagi, Johnson, Sawyer, Pettigrew, Moscoso, Zeiger and Ormsby

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250.

Referred to Committee on Early Learning & Human Services.

HB 1876 by Representative Manweller

AN ACT Relating to residential security system installations; amending RCW 19.28.006 and 19.28.261; and reenacting and amending RCW 19.28.091.

Referred to Committee on Labor.

HB 1877 by Representative MacEwen

AN ACT Relating to requiring fines and assessments against professional athletes be donated to charity; and adding a new chapter to Title 19 RCW.

Referred to Committee on Business & Financial Services.

HB 1878 by Representatives Kagi, Jinkins, Manweller and Tharinger

AN ACT Relating to authorizing emergency medical technicians to administer glucagon in emergency situations; amending RCW 18.73.250; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1879 by Representatives Kagi, Walsh, Cody, Harris and Orwall

AN ACT Relating to directing the health care authority to issue a request for proposals for integrated managed health and behavioral health services for foster children; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

HB 1880 by Representatives Springer, Haler, Reykdal, Hargrove, Pollet and Zeiger

AN ACT Relating to including Everett Community College as an aerospace training or educational program; and amending RCW 28B.122.010.

Referred to Committee on Higher Education.

HB 1881 by Representatives Short, Harris, Parker, Chandler and Kretz

AN ACT Relating to requiring express legislative authorization prior to the enactment of any regulation regarding the carbon content of fuel; amending RCW 70.120A.010; adding a new section to chapter 43.17 RCW; adding new sections to chapter 70.235 RCW; adding a new section to chapter 70.94 RCW; and declaring an emergency.

Referred to Committee on Environment.

HB 1882 by Representatives Moscoso, Orcutt, Kochmar and Farrell

AN ACT Relating to the regulation of passenger charter and excursion carriers; amending RCW 81.70.020, 81.70.030, 81.70.220, 81.70.260, 81.70.320, 81.70.350, and 81.70.360; adding new sections to chapter 81.70 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1883 by Representatives Senn and Walsh

AN ACT Relating to investigations and family assessments in cases of child abuse and neglect; and reenacting and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

HB 1884 by Representatives Vick, Bergquist, Hayes, Riccelli, Orcutt, Wilson and Pike

AN ACT Relating to the definition of a one-wheeled self-balancing device; amending RCW 46.04.1695; and creating a new section.

Referred to Committee on Transportation.

HB 1885 by Representatives Klippert, Hudgins, Chandler, Hunter, MacEwen, Goodman and Ormsby

AN ACT Relating to addressing and mitigating the impacts of property crimes in Washington state; amending RCW 9.94A.030, 9.94A.501, 9.94A.505, 9.94A.506, 9.94A.585, 9.94A.702, 9.94A.171, 9.94A.860, 9.94A.8673, 9.94A.870, 9.94A.875, 43.15.020, 72.09.350, 10.98.160, and 70.96A.350; reenacting and amending RCW 9.94A.515 and 9.94A.701; adding a new section to chapter 43.88 RCW; adding new sections to chapter 9.94A RCW; adding new sections to chapter 43.131 RCW; creating new sections; prescribing penalties; making appropriations; and providing an effective date.

Referred to Committee on Public Safety.

HB 1886 by Representatives G. Hunt, Shea, Taylor, Young, Klippert, Dent, Haler, Wilcox, Short, Wilson, Scott, Condotta, Harris and Schmick

AN ACT Relating to criminal and public safety background checks for gun sales and transfers; repealing RCW 9.41.092, 9.41.113, 9.41.115, 9.41.137, and 82.08.833; repealing 2015 c ss 2, 5, 6, 7, and 11; repealing 2015 c 1 s 1 (uncodified); and providing for submission of this act to a vote of the people.

Referred to Committee on Judiciary.

HB 1887 by Representatives Stanford, MacEwen, Gregerson, Peterson, Orwall and Wylie

AN ACT Relating to creating the student veterans' support program; and adding a new section to chapter 43.60A RCW.

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

HB 1888 by Representatives Dent, Kagi, McCabe, Haler, Manweller, Fagan, Walsh, Farrell, Johnson, Van Werven and Moeller

AN ACT Relating to transferring certification responsibilities for chemical dependency treatment programs from the department of social and health services to the department of health; amending RCW 70.96A.090, 70.96A.095, 70.96A.240, and 70.96A.245; reenacting and amending RCW 70.96A.020; adding a new section to chapter 70.96A RCW; adding a new chapter to Title 70 RCW; creating new sections; providing an effective date; and prescribing penalties.

Referred to Committee on Early Learning & Human Services.

HB 1889 by Representatives Dent, Schmick, Manweller, Buys, Haler, Van Werven, Short, Griffey, Harris, Klippert, Blake, Chandler, Condotta, Fagan, Kretz, McCaslin and Wilson

AN ACT Relating to limiting the authority of growth management hearings boards to hear petitions challenging the regulation of permit exempt wells; amending RCW 36.70A.280 and 36.70A.280; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

HB 1890 by Representatives Schmick and Cody

AN ACT Relating to a second-party payment process for paying insurers; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1891 by Representatives Fey, Orcutt, Farrell and Moscoso

AN ACT Relating to stage II gasoline vapor control programs; and creating a new section.

Referred to Committee on Environment.

HB 1892 by Representatives Fey, Clibborn, Farrell and Moscoso

AN ACT Relating to repealing the deduction for handling losses of motor vehicle fuel; repealing RCW 82.38.083; and providing an effective date.

Referred to Committee on Transportation.

HB 1893 by Representatives Sells, Haler, Moscoso, Zeiger, Pollet, S. Hunt, Appleton and Riccelli

AN ACT Relating to increasing transparency in community and technical colleges by requiring certain budget detail to be available online; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1894 by Representatives Gregerson, Jinkins, Goodman, Kirby, Walkinshaw, Ormsby and Moeller

AN ACT Relating to the protection of workers acting in furtherance of public policy; adding a new section to chapter 49.60 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1895 by Representative Smith

AN ACT Relating to smart grid technology reporting; and adding a new section to chapter 80.28 RCW.

Referred to Committee on Technology & Economic Development.

HB 1896 by Representatives Smith and Hudgins

AN ACT Relating to providing a statewide minimum privacy policy for disclosure of customer energy use information; amending RCW 19.29A.010 and 19.29A.020; and adding a new section to chapter 19.29A RCW.

Referred to Committee on Technology & Economic Development.

HB 1897 by Representatives Smith and Morris

AN ACT Relating to the joint center for deployment and research in earth-abundant materials; amending RCW 42.52.150; and adding a new chapter to Title 28B RCW.

Referred to Committee on Technology & Economic Development.

HB 1898 by Representatives Ortiz-Self, Johnson, Walkinshaw, Muri, Robinson, Pettigrew and Lytton

AN ACT Relating to protection of child victims; amending RCW 7.69.030 and 43.101.270; and creating a new section.

Referred to Committee on Judiciary.

HB 1899 by Representatives Ortiz-Self, Pettigrew, Walkinshaw and Lytton

AN ACT Relating to consideration of equity and social justice impacts from public education system decision making; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1900 by Representatives Ortiz-Self, Johnson, Orwall, Muri and Lytton

AN ACT Relating to defining the role of the school counselor, social worker, and psychologist; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

HB 1901 by Representatives Harmsworth, Farrell, Buys, Vick, Griffey and Young

AN ACT Relating to two-year registration periods for certain vehicles while maintaining existing annual vehicle registration fee amounts; amending RCW 46.16A.010, 46.16A.020, 46.16A.110, 46.16A.180, 46.17.015, 46.17.025, 46.17.305, 46.17.323, 46.17.350, 46.17.355, 46.17.365, 46.17.375, 46.68.030, 82.44.060, 82.50.460, and 82.80.140; adding a new section to chapter 46.16A RCW; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Transportation.

HB 1902 by Representatives Harmsworth, Young, Scott, Griffey and Hayes

AN ACT Relating to renaming the spirits retail license fee as a tax and dedicating revenue to education; and amending RCW 66.24.630, 66.24.632, 66.08.190, and 82.08.155.

Referred to Committee on Commerce & Gaming.

HB 1903 by Representatives Peterson, Harmsworth, Reykdal, Moscoso and Hurst

AN ACT Relating to spirits samples offered by distillers; and amending RCW 66.24.140 and 66.24.145.

Referred to Committee on Commerce & Gaming.

HB 1904 by Representatives Tharinger, Cody and Harris

AN ACT Relating to assisted living payment rates; amending RCW 74.39A.030 and 74.39A.320; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1905 by Representatives Klippert and Haler

AN ACT Relating to government ownership of vacant or undeveloped land for extended periods of time; amending RCW 84.40.045 and 84.40.175; adding a new section to chapter 82.02 RCW; and adding a new chapter to Title 42 RCW.

Referred to Committee on State Government.

HB 1906 by Representative Klippert

AN ACT Relating to prohibiting mandatory child support for postsecondary education of adult children; amending RCW 26.09.170, 26.09.225, 26.19.035, and 26.19.075; adding a new section to chapter 26.09 RCW; creating a new section; and repealing RCW 26.19.090.

Referred to Committee on Judiciary.

HB 1907 by Representative Klippert

AN ACT Relating to restricting the operation of state licensed marijuana producers, marijuana processors, or marijuana retailers within one thousand feet of a religious facility; amending RCW 69.50.101, 69.50.331, and 69.50.369; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1908 by Representatives Klippert, Caldier, Hayes and Griffey

AN ACT Relating to photo identification on electronic benefit cards issued to recipients of public assistance; and amending RCW 74.08.580.

Referred to Committee on Early Learning & Human Services.

HB 1909 by Representatives Walsh and Kagi

AN ACT Relating to service options for individuals with developmental disabilities; amending RCW 71A.12.290; creating a new section; and declaring an emergency.

Referred to Committee on Early Learning & Human Services.

HB 1910 by Representatives Ryu, Moscoso, Gregerson and Appleton

AN ACT Relating to law enforcement oversight recorders; amending RCW 9.73.090; reenacting and amending RCW 42.56.240; adding a new chapter to Title 10 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1911 by Representative Fitzgibbon

AN ACT Relating to authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities; and adding a new section to chapter 35.91 RCW.

Referred to Committee on Local Government.

HB 1912 by Representative Morris

AN ACT Relating to distributed generation.

Referred to Committee on Technology & Economic Development.

HB 1913 by Representatives Wylie, Wilson, Gregerson and Ryu

AN ACT Relating to rule making, including requiring new information uncovered during the rule-making process to be provided to the appropriate legislative policy committees and a review of certain rules; and amending RCW 34.05.325, 34.05.620, and 34.05.630.

Referred to Committee on State Government.

HB 1914 by Representatives Orwall and Hansen

AN ACT Relating to the reporting of gifts in the form of food and beverage to state officers and state employees; and amending RCW 42.52.150, 42.17A.615, and 42.17A.710.

Referred to Committee on State Government.

HB 1915 by Representatives S. Hunt, Harris, MacEwen, Walkinshaw, Sells, Goodman, Moscoso, Reykdal, Robinson, Kilduff, Fitzgibbon, Hayes and Hudgins

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 39.26.180, 43.19.008, and 39.26.200; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1916 by Representatives Cody and Harris

AN ACT Relating to integrating administrative provisions for chemical dependency and mental health; amending RCW 71.24.035, 70.96A.050, 71.24.037, 70.96A.090, 71.24.385, 70.96A.350, 70.96A.035, 70.96C.010, 70.96A.037, 70.96A.047, 70.96A.055, 70.96A.087, 70.96A.170, 70.96A.180, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.265, 70.96A.300, 70.96A.310, 70.96A.320, 70.96A.400, 70.96A.800, 70.96A.905, 2.28.170, 9.94A.660, 10.05.020, 10.05.030, 10.05.150, 46.61.5055, and 46.61.5056; reenacting and amending RCW 71.24.025 and 70.96A.020; adding new sections to chapter 71.24 RCW; recodifying RCW 70.96A.035, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, 70.96A.080, 70.96A.085, 70.96A.090, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.170, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.300, 70.96A.310, 70.96A.320, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430, 70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, and 70.96C.010; decodifying RCW 43.135.03901; repealing RCW 70.96A.030, 70.96A.045, 70.96A.060, 70.96A.150, and 70.96A.325; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1917 by Representatives Hansen, Pettigrew and Ortiz-Self

AN ACT Relating to video and/or sound recordings made by law enforcement or corrections officers; amending RCW 9.73.090; reenacting and amending RCW 42.56.240; adding a new chapter to Title 5 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1918 by Representatives Shea, Orcutt, Hayes and Scott

AN ACT Relating to provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers; and amending RCW 38.52.180, 46.09.320, 46.09.442, and 46.09.457.

Referred to Committee on Transportation.

HB 1919 by Representative S. Hunt

AN ACT Relating to the timing of special elections; and amending RCW 29A.04.330, 29A.32.280, and 35.17.260.

Referred to Committee on State Government.

HB 1920 by Representatives S. Hunt, Appleton and Johnson

AN ACT Relating to the use, acceptance, and removal of barriers to the use and acceptance of electronic signatures; amending RCW 18.25.020, 18.32.100, and 29A.72.010; reenacting and amending RCW 19.34.231; adding a new chapter to Title 19 RCW; creating a new section; and repealing RCW 39.04.390, 19.34.300, 19.34.320, 19.34.321, 19.34.330, 19.34.350, 19.34.360, and 19.34.501.

Referred to Committee on State Government.

HB 1921 by Representatives S. Hunt and Reykdal

AN ACT Relating to adding new counties to a regional transit authority; and amending RCW 81.112.050.

Referred to Committee on Transportation.

HB 1922 by Representatives Springer, Lytton, Hurst, DeBolt, Rodne, S. Hunt, Kirby, Morris, Senn, Pettigrew, Blake, Clibborn, Takko, MacEwen, Harris, Stanford, Short, Vick, Parker, Wilcox, G. Hunt, Wylie, Pike, Moeller, Nealey, Hawkins, Johnson, Condotta, Walsh, Fagan, Buys, Kretz, Santos and Fey

AN ACT Relating to small loans and small consumer installment loans; amending RCW 31.45.010, 31.45.020, 31.45.030, 31.45.040, 31.45.050, 31.45.060, 31.45.070, 31.45.090, 31.45.100, 31.45.105, 31.45.110, 31.45.150, 31.45.180, 31.45.190, and 31.45.200; adding new sections to chapter 31.45 RCW; creating new sections; repealing RCW 31.45.073, 31.45.077, 31.45.079, 31.45.082, 31.45.084, 31.45.085, 31.45.086, 31.45.088, 31.45.093, 31.45.095, and 31.45.210; prescribing penalties; providing an effective date; and providing a contingent effective date.

Referred to Committee on Business & Financial Services.

HB 1923 by Representatives Zeiger, Bergquist, Kirby, Haler and Hargrove

AN ACT Relating to income share agreements; amending RCW 19.52.080; reenacting and amending RCW 31.04.025; adding a new chapter to Title 31 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1924 by Representatives Hargrove, Farrell, Zeiger, Blake, Rodne and Kochmar

AN ACT Relating to adding elected members to regional transit authority boards; amending RCW 81.112.040; and creating a new section.

Referred to Committee on Transportation.

HB 1925 by Representative Fitzgibbon

AN ACT Relating to extending the alternative fuel vehicle retail sales and use tax exemption; amending RCW 82.08.809 and 82.12.809; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

HB 1926 by Representatives Stanford, Sells and Bergquist

AN ACT Relating to noncompetition agreements; adding new sections to chapter 49.44 RCW; creating a new section; and repealing RCW 49.44.190.

Referred to Committee on Labor.

HJM 4004 by Representatives Wylie, Tarleton, Lytton, S. Hunt, Van De Wege, Kirby, Sawyer, Riccelli, Robinson, Moscoso, Hurst, Jinkins, Farrell, Walkinshaw, Gregerson, Cody, Sells, Peterson, Takko, Appleton, Goodman, Kilduff, Moeller, Carlyle, Morris, Tharinger, Fitzgibbon, Bergquist, Stanford, Dunshee, Pollet and Fey

Calling on Congress to exercise its authority under Article V of the United States Constitution to regulate money spent on elections.

Referred to Committee on State Government.

HJR 4209 by Representatives Scott, Young, Shea, Taylor, Haler, Kochmar, Pike and Wilson

Requiring a balanced budget.

Referred to Committee on Capital Budget.

SB 5035 by Senators Pearson, Kohl-Welles, Hatfield and Liias

AN ACT Relating to the medal of valor; amending RCW 1.60.010, 1.60.020, and 1.60.030; and declaring an emergency.

Referred to Committee on State Government.

SB 5064 by Senators Hill, Ericksen, Dammeier, Sheldon, Warnick, Frockt, Hewitt and Mullet

AN ACT Relating to providing that a quarterly revenue forecast is due on February 20th during both a long and short legislative session year; reenacting and amending RCW 82.33.020; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5081 by Senate Committee on Ways & Means (originally sponsored by Senators Miloscia, Hill, Bailey, Becker and Dammeier)

AN ACT Relating to increasing transparency of state government expenditures related to state employees, state vendors and other public entities; amending RCW 43.82.150, 39.26.140, 39.26.150, 39.26.200, 39.26.210, and 39.19.060; reenacting and amending RCW 41.06.133; adding new sections to chapter 43.88 RCW; adding new sections to chapter 44.48 RCW; and adding a new section to chapter 39.26 RCW.

Referred to Committee on State Government.

SB 5164 by Senators Hobbs, Bailey, Rolfes, Roach, Hatfield, O'Ban, McCoy, Litzow, Conway and Chase

AN ACT Relating to transient lodging for military service members in armories; and amending RCW 38.20.010.

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

SCR 8401 by Senators Schoesler, Nelson, Hasegawa and McAuliffe

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

There being no objection, the bills, memorials and resolutions listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8401 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

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

REPORTS OF STANDING COMMITTEES

January 29, 2015

HB 1079 Prime Sponsor, Representative Kochmar: Allowing public agencies to enter into contracts providing for the joint utilization of architectural or engineering services. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1085 Prime Sponsor, Representative Moeller: Requiring lobbying reports to be filed electronically. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Referred to Committee on Appropriations.

January 29, 2015

HB 1090 Prime Sponsor, Representative Kirby: Concerning the financial fraud and identity theft crimes investigation and prosecution program. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on General Government & Information Technology.

January 29, 2015

HB 1091 Prime Sponsor, Representative Van De Wege: Concerning the unauthorized interference of ticket sales over the internet. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; Fey; Hudgins; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Harmsworth; Magendanz and Young.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1111 Prime Sponsor, Representative Kilduff: Concerning court transcripts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1113 Prime Sponsor, Representative Appleton: Authorizing tribal court judges to solemnize marriages. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1129 Prime Sponsor, Representative Goodman: Granting the office of civil legal aid access to juvenile case records. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1188 Prime Sponsor, Representative Hunt, S.: Delaying annual leave payments upon employment termination. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Referred to Committee on Appropriations.

January 29, 2015

HB 1217 Prime Sponsor, Representative Moeller: Concerning the capitol furnishings preservation committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1260 Prime Sponsor, Representative Kilduff: Providing credit towards child support obligations for veterans benefits. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1296 Prime Sponsor, Representative Vick: Establishing special license endorsements for cigar lounges and retail tobacconist shops. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Referred to Committee on Health Care & Wellness.

January 29, 2015

HB 1317 Prime Sponsor, Representative Zeiger: Revising the lien for collection of sewer charges by counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1354 Prime Sponsor, Representative Ryu: Concerning the employee antiretaliation act. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

January 29, 2015

HB 1356 Prime Sponsor, Representative Jinkins: Establishing minimum standards for sick and safe leave from employment. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., February 3, 2015, the 23rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, February 3, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1927 by Representatives Fey and Smith

AN ACT Relating to distributed generation; amending RCW 82.16.120, 80.28.005, 82.08.963, 82.12.963, 82.08.962, 82.12.962, 80.60.005, 80.60.020, 80.60.030, and 80.60.040; adding a new section to chapter 82.16 RCW; adding new sections to chapter 80.28 RCW; adding a new chapter to Title 80 RCW; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1928 by Representatives Fey, Kagi, Jinkins, McBride, Senn, Robinson, Walkinshaw and Tharinger

AN ACT Relating to the homeless youth population; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1929 by Representative Fitzgibbon

AN ACT Relating to requiring incentives for electric vehicle readiness in buildings; amending RCW 35.63.126 and 35.63.127; and creating a new section.

Referred to Committee on Local Government.

HB 1930 by Representatives MacEwen, Riccelli, Parker, Tharinger, McCaslin and Ormsby

AN ACT Relating to the nonemployee status of athletes in amateur sports; amending RCW 49.12.005 and 49.17.020; and reenacting and amending RCW 49.46.010.

Referred to Committee on Labor.

HB 1931 by Representatives Cody, Riccelli, Reykdal, Robinson, Walkinshaw, Moscoso, Ormsby, Fey, Gregory, Ryu, Ortiz-Self, Peterson, Tharinger, Dunshee, Bergquist, Jinkins and Moeller

AN ACT Relating to employer obligations to provide health care for employees; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1932 by Representatives Kagi and Walsh

AN ACT Relating to improving medication management for youth; amending RCW 74.09.490; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1933 by Representatives Short and Kretz

AN ACT Relating to authorizing local health jurisdictions to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards for household use; amending RCW 43.20.050; and adding a new section to chapter 70.119A RCW.

Referred to Committee on Environment.

HB 1934 by Representative Manweller

AN ACT Relating to state regulation of local employment laws and contracts; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 53.08 RCW; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor.

HB 1935 by Representatives Harmsworth, Hayes, Manweller, Vick, Griffey, Orcutt, Shea, Wilson, Buys, Kochmar, Stambaugh, Smith and Young

AN ACT Relating to increasing public transparency related to actions pertaining to high occupancy vehicle lanes; amending RCW 47.52.025 and 46.61.165; and creating a new section.

Referred to Committee on Transportation.

HB 1936 by Representatives Muri and Magendanz

AN ACT Relating to the hearing process for adverse changes to certificated employees' contracts; amending RCW 28A.405.210, 28A.405.300, 28A.405.320, 28A.405.330, 28A.405.340, and 42.30.110; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 41.59 RCW; creating a new section; and repealing RCW 28A.405.310.

Referred to Committee on Labor.

HB 1937 by Representatives Magendanz and Muri

AN ACT Relating to establishing a consolidating purchasing system for public school employees; amending RCW 41.05.011, 41.05.021, 41.05.022, 41.05.026, 41.05.050,

41.05.055, 41.05.075, 41.05.130, 41.05.143, 41.05.670, 28A.400.270, 28A.400.275, 28A.400.280, 28A.400.350, 41.56.500, and 41.59.105; reenacting and amending RCW 41.05.120; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Appropriations.

HB 1938 by Representatives Appleton, Johnson, Ryu, Muri and Van De Wege

AN ACT Relating to tourism marketing; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 43 RCW; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.

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

HB 1939 by Representatives Stambaugh, Zeiger, Muri and Orcutt

AN ACT Relating to modifying the transportation system policy goal of mobility; and amending RCW 47.04.280.

Referred to Committee on Transportation.

HB 1940 by Representatives Stokesbary, Fitzgibbon, Ryu, Magendanz, Kochmar, Hargrove and Rodne

AN ACT Relating to exempting levies imposed by qualifying flood control zone districts from certain limitations upon regular property tax levies; amending 2011 1st sp.s. c 28 s 7 (uncodified); creating a new section; and repealing 2011 c 275 ss 4 and 5 (uncodified).

Referred to Committee on Finance.

HB 1941 by Representatives Gregerson, Muri, Santos, Orwall, Ryu, Hunter, Sells, Ormsby, Springer, Bergquist, Ortiz-Self, Kilduff, Moscoso, Peterson, Senn, Farrell, Hudgins, McBride, Fitzgibbon, Clibborn, Fey, Morris, Takko, Moeller, Wylie, Gregory, Walkinshaw, Riccelli, Hansen, Robinson, Kagi, Jinkins, Pettigrew, Lytton, Tharinger, Cody, Carlyle, Sawyer, Stanford, Goodman, Dunshee, Appleton and Tarleton

AN ACT Relating to approval of school district bonds and bond levies at general elections; amending RCW 28A.535.020, 28A.535.050, 84.52.056, 39.36.020, and 28A.530.020; and providing a contingent effective date.

Referred to Committee on Education.

HB 1942 by Representative Tarleton

AN ACT Relating to ballot measures regarding required information and filing fees; amending RCW 29A.72.010 and 29A.72.020; adding a new section to chapter 29A.72 RCW; and providing an effective date.

Referred to Committee on State Government.

HB 1943 by Representatives Shea, Goodman and McCaslin

AN ACT Relating to improving home detention accountability to better protect the public; amending RCW 9.94A.030, 9.94A.734, 10.21.030, 9.94A.505, and 9A.76.130; adding new sections to chapter 9.94A RCW; adding a new section to chapter 10.21 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1944 by Representatives Rodne, Schmick, Muri, Holy, Hayes and Zeiger

AN ACT Relating to exemptions and immunities during a state of emergency; and amending RCW 43.06.220.

Referred to Committee on Judiciary.

HB 1945 by Representatives Rodne, Hayes, Schmick, Muri, Wilcox and Zeiger

AN ACT Relating to standards for detention of persons with mental disorders or chemical dependency; amending RCW 70.96B.045 and 71.05.050; and reenacting and amending RCW 71.05.153.

Referred to Committee on Judiciary.

HB 1946 by Representatives Jinkins, Robinson, Riccelli, Moeller and Cody

AN ACT Relating to Washington wellness trust obligations for hospitals; adding new sections to chapter 70.170 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1947 by Representatives Pollet, Walsh, Santos, S. Hunt, Orwall and Ortiz-Self

AN ACT Relating to establishing a comprehensive plan to expand learning opportunities and improve educational outcomes for students with disabilities or special needs using multiple strategies and statewide partnerships; adding new sections to chapter 28A.155 RCW; adding a new section to chapter 28A.290 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 1948 by Representatives Blake and Kretz

AN ACT Relating to providing increased revenue to the state wildlife account without directing any changes to resource allocation outcomes; amending RCW 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.280, 77.65.340, 77.65.440, 77.65.480, 77.65.510, 82.27.020, and 82.27.070; reenacting and amending RCW 77.12.170; adding a new section to chapter 77.65 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1949 by Representatives Pollet, S. Hunt, Gregerson, Ortiz-Self and Moscoso

AN ACT Relating to regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business

practices; amending RCW 28B.85.020, 28B.85.040, 28B.85.070, 28B.85.090, 28B.85.100, 28B.92.030, 28C.10.050, 28C.10.110, 28C.10.120, and 28C.10.130; adding new sections to chapter 28B.85 RCW; adding a new section to chapter 28C.10 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Higher Education.

HB 1950 by Representative Lytton

AN ACT Relating to the science assessment required for a certificate of academic achievement; amending RCW 28A.655.061, 28A.655.065, and 28A.655.068; and declaring an emergency.

Referred to Committee on Education.

HJM 4005 by Representatives Dent, Springer, Manweller, Clibborn, Klippert, Sullivan, Short, Hawkins, Smith, MacEwen, Wilcox, McCaslin, Kretz, Wilson, Fagan, Walsh, Condotta, Harris, Chandler, Scott, Magendanz, Pettigrew, Haler, Moeller, Kagi, Orcutt, Hargrove, Griffey, Buys and Carlyle

Requesting assistance to minimize the impacts of recent changes in port operations on Washington's agriculture, food, and timber industries.

Referred to Committee on Labor.

HJR 4210 by Representatives Gregerson, Muri, Santos, Orwall, Ryu, Hunter, Sells, Ormsby, Springer, Bergquist, Ortiz-Self, Kilduff, Moscoso, Peterson, Senn, Farrell, Hudgins, Fey, McBride, Fitzgibbon, Clibborn, Morris, Moeller, Takko, Wylie, Gregory, Riccelli, Walkinshaw, Hansen, Robinson, Kagi, Jinkins, Lytton, Tharinger, Goodman, Pettigrew, Cody, Carlyle, Sawyer, Stanford, Appleton, Dunshee and Tarleton

Amending the Constitution to provide for a simple majority of voters voting to authorize school district bonds at general elections.

Referred to Committee on Education.

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

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

REPORTS OF STANDING COMMITTEES

January 30, 2015

HB 1005 Prime Sponsor, Representative Cody: Addressing third-party payor release of health care information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1010 Prime Sponsor, Representative Johnson: Concerning referral of medical cases to occupational therapists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1042 Prime Sponsor, Representative Cody: Clarifying that the physical therapist scope of practice does not include dry needling. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1045 Prime Sponsor, Representative Tharinger: Concerning the practice of East Asian medicine. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1053 Prime Sponsor, Representative Kirby: Concerning filing requirements for large group health benefit plans, stand-alone dental plans, and stand-alone vision plans. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1092 Prime Sponsor, Representative Jinkins: Creating the patent troll prevention act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Kirby; Klippert; Muri; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Hansen.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1093 Prime Sponsor, Representative Morris: Concerning unmanned aircraft. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; Fey; Harmsworth; Hudgins; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Magendanz and Young.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1100 Prime Sponsor, Representative Morris: Creating new appliance efficiency standards. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Fey; Hudgins; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; Harmsworth and Nealey.

MINORITY recommendation: Without recommendation. Signed by Representatives Magendanz and Young.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1103 Prime Sponsor, Representative Jinkins: Providing access to the prescription drug monitoring database for clinical laboratories. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1126 Prime Sponsor, Representative Kagi: Concerning department of early learning fatality reviews. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Referred to Committee on Appropriations.

January 30, 2015

HB 1134 Prime Sponsor, Representative Moeller: Concerning scope of practice for certified counselors and advisers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative DeBolt.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1139 Prime Sponsor, Representative Orwall: Establishing a work group to study human trafficking of youth issues. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1177 Prime Sponsor, Representative Kirby: Addressing the regulation of service contracts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1178 Prime Sponsor, Representative Moscoso: Expanding assault in the third degree provisions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes, Assistant Ranking Minority Member and Wilson.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1184 Prime Sponsor, Representative Cody: Allowing licensed marriage and family therapist associates access to the University of Washington health sciences library. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1190 Prime Sponsor, Representative Harris: Concerning the use of hydrocodone products by licensed optometrists in Washington state. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1226 Prime Sponsor, Representative Goodman: Concerning arrest of sixteen and seventeen year olds for domestic violence assault. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; McCaslin; Ortiz-Self; Sawyer and Senn.

Passed to Committee on Rules for second reading.

January 29, 2015

HB 1248 Prime Sponsor, Representative Shea: Concerning court proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member and Muri.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1252 Prime Sponsor, Representative Wylie: Prescribing penalties for allowing or permitting unlicensed practice of massage therapy or reflexology. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

January 30, 2015

HB 1259 Prime Sponsor, Representative Cody: Allowing advanced registered nurse practitioners to sign and attest to certain documentation. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1275 Prime Sponsor, Representative Cody: Increasing the number of members on the board of osteopathic medicine and surgery. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and DeBolt.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1307 Prime Sponsor, Representative Harris: Concerning enforcement standards for residential services and support providers. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; McCaslin; Ortiz-Self; Sawyer and Senn.

Referred to Committee on Appropriations.

January 30, 2015

HB 1311 Prime Sponsor, Representative Hunt, S.: Concerning a nonoperating advisory board reporting to the state patrol. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1339 Prime Sponsor, Representative Cody: Allowing the secretary of health to intercede and stay any decision of a disciplining authority that expands scope of practice. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short and Tharinger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1348 Prime Sponsor, Representative Appleton: Requiring crisis intervention training for peace officers. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Referred to Committee on Appropriations.

January 30, 2015

HB 1499 Prime Sponsor, Representative Goodman: Concerning vulnerable adults. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., February 4, 2015, the 24th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, February 4, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 1951 by Representative Pike

AN ACT Relating to clarifying the authority of local law enforcement agencies to use unmarked vehicles; and amending RCW 46.08.065.

Referred to Committee on Public Safety.

HB 1952 by Representative Pike

AN ACT Relating to transfer of school district territory initiated by school district boards of directors; and amending RCW 28A.315.195.

Referred to Committee on Education.

HB 1953 by Representatives Pike and Manweller

AN ACT Relating to requiring periodic recertification elections for bargaining representatives of partial public employees; and amending RCW 74.39A.270, 41.56.028, 41.56.029, and 41.56.510.

Referred to Committee on Labor.

HB 1954 by Representative Pike

AN ACT Relating to creating a task force on the Columbia river gorge commission; creating new sections; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1955 by Representatives Van Werven, Manweller, Zeiger, Haler, Hargrove and Holy

AN ACT Relating to defining satisfactory academic progress for purposes of higher education; and amending RCW 28B.92.030.

Referred to Committee on Higher Education.

HB 1956 by Representative Moeller

AN ACT Relating to independent review organizations; amending RCW 41.05.017, 48.43.530, 48.43.545, 48.125.030, and 70.47.130; reenacting and amending RCW 48.43.005; adding a new chapter to Title 48 RCW; repealing RCW 43.70.235 and 48.43.535; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1957 by Representative Walkinshaw

AN ACT Relating to job order contracting for certain cities with populations over four hundred thousand; amending RCW 39.10.440; and reenacting and amending RCW 43.131.408.

Referred to Committee on Local Government.

HB 1958 by Representatives Zeiger, Pollet, Haler, Stambaugh and Hargrove

AN ACT Relating to limiting the cost of assigned textbooks for institutions of higher education; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1959 by Representatives Dunshee, Riccelli, Walsh, DeBolt and MacEwen

AN ACT Relating to public works; amending RCW 43.155.030, 43.155.060, 43.155.065, 43.155.068, and 43.155.070; and adding new sections to chapter 43.155 RCW.

Referred to Committee on Capital Budget.

HB 1960 by Representatives Sullivan, S. Hunt, Ortiz-Self and Pettigrew

AN ACT Relating to the Washington community learning center program; and amending RCW 28A.215.060.

Referred to Committee on Education.

HB 1961 by Representatives Zeiger, Reykdal and Sells

AN ACT Relating to decodifying, expiring, and making nonsubstantive changes to community and technical college provisions; amending RCW 28B.15.546, 28B.50.1401, 28B.50.1402, 28B.50.1403, 28B.50.1404, 28B.50.1405, 28B.50.1406, 28B.50.256, 28B.50.285, 28B.50.327, 28B.50.482, 28B.50.534, 28B.10.025, 28B.10.280, 28B.10.570, 28B.10.571, 28B.10.650, 28B.10.679, 28B.15.012, 28B.15.014, 28B.15.025, 28B.15.041, 28B.15.067, 28B.15.069, 28B.15.100, 28B.15.385, 28B.15.395, 28B.15.520, 28B.15.522, 28B.15.543, 28B.15.545, 28B.15.558, 28B.15.621, 28B.15.740, 28B.15.910, 28B.15.915, 28B.50.030, 28B.50.455,

28B.50.850, 28B.50.851, and 28B.50.862; reenacting and amending RCW 28B.15.515; adding a new section to chapter 28B.04 RCW; adding a new section to chapter 28B.06 RCW; decodifying RCW 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 28B.50.301, 28B.50.302, 28B.50.914, 28B.50.915, and 28B.50.917; and providing expiration dates.

Referred to Committee on Higher Education.

HB 1962 by Representatives Griffey, Peterson, Harmsworth, Wilson, Scott, Van Werven and Stokesbary

AN ACT Relating to disclosure of process server social security numbers; and adding a new section to chapter 36.22 RCW.

Referred to Committee on Judiciary.

HB 1963 by Representatives Griffey, Dent, Short, Van Werven, Young, Blake and Wilson

AN ACT Relating to requiring that the departments of fish and wildlife and ecology use empirical science to support agency actions affecting land use; and amending RCW 34.05.271 and 34.05.272.

Referred to Committee on Environment.

HB 1964 by Representatives Blake, Haler and MacEwen

AN ACT Relating to the public employees' collective bargaining act as applied to commissioned officers of the department of fish and wildlife; amending RCW 41.80.020; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor.

HB 1965 by Representative Hudgins

AN ACT Relating to a temporary additional fee on licenses and permits issued by the Washington state liquor control board; adding a new section to chapter 66.08 RCW; creating new sections; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 1966 by Representatives Fey, Zeiger, Farrell, Fitzgibbon, Nealey and Walsh

AN ACT Relating to exempting transit agencies that manufacture liquid natural gas or compressed natural gas for the purposes of providing public transportation from the definition of manufacturing in respect to business and occupation tax; and amending RCW 82.04.120.

Referred to Committee on Finance.

HB 1967 by Representatives Cody and Schmick

AN ACT Relating to creating flexibility in health care coverage by seeking federal waivers; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1968 by Representatives Shea, Condotta, G. Hunt, Taylor and Short

AN ACT Relating to accommodating the civil rights of religious objectors to mandatory payments to labor organizations; and amending RCW 41.56.122, 41.76.045, 41.59.100, 28B.52.045, 49.39.090, 47.64.160, 41.80.100, and 49.66.010.

Referred to Committee on Labor.

HB 1969 by Representatives Shea, Ryu, Taylor, Short and Young

AN ACT Relating to adding posttraumatic stress and traumatic brain injury to the terminal or debilitating medical conditions that qualify for the medical use of marijuana; and amending RCW 69.51A.010.

Referred to Committee on Health Care & Wellness.

HB 1970 by Representatives Senn and Walsh

AN ACT Relating to permanency plans of care for dependent children; amending RCW 13.34.136; and reenacting and amending RCW 13.34.145.

Referred to Committee on Early Learning & Human Services.

HB 1971 by Representative Fey

AN ACT Relating to charter schools; and amending RCW 28A.710.030, 28A.710.070, and 28A.710.080.

Referred to Committee on Education.

HB 1972 by Representatives Jinkins, Walsh, Walkinshaw, DeBolt, McBride, Harris, Moeller, Kilduff and Goodman

AN ACT Relating to restricting the practice of sexual orientation change efforts; amending RCW 18.130.020 and 18.130.180; and creating new sections.

Referred to Committee on Health Care & Wellness.

HB 1973 by Representatives Stambaugh, Bergquist, Hargrove, Haler, Zeiger and Van Werven

AN ACT Relating to the Washington open education pilot program at Eastern Washington University; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1974 by Representatives Stambaugh, Sells, Muri and Klippert

AN ACT Relating to a pilot program to implement regional school safety and security centers in three educational service districts; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1975 by Representatives Blake, Hurst and Vick

AN ACT Relating to exempting distillers from certain licensing fees; and amending RCW 66.24.630.

Referred to Committee on Commerce & Gaming.

HB 1976 by Representatives Vick, Blake and Hurst

AN ACT Relating to marketing opportunities for spirits produced in Washington by craft and general licensed distilleries; amending RCW 66.24.140, 66.24.145, 66.24.175, and 66.20.010; and adding a new section to chapter 66.20 RCW.

Referred to Committee on Commerce & Gaming.

HB 1977 by Representatives Moscoso, Orcutt, Clibborn, Bergquist, Zeiger and Pollet

AN ACT Relating to a tuition and fees exemption for children and surviving spouses of certain highway workers; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

HB 1978 by Representative Appleton

AN ACT Relating to amending the patient bill of rights to ensure continuity of care; and amending RCW 48.43.515.

Referred to Committee on Health Care & Wellness.

HB 1979 by Representatives Kilduff and Hurst

AN ACT Relating to prohibiting legislators from accepting meals; and amending RCW 42.52.150.

Referred to Committee on State Government.

HB 1980 by Representative Springer

AN ACT Relating to implementing recommendations of the sunshine committee; amending RCW 13.34.100, 42.56.230, and 70.148.060; and reenacting and amending RCW 42.56.240 and 42.56.330.

Referred to Committee on State Government.

HB 1981 by Representative Pollet

AN ACT Relating to a pilot project on elementary science education programs; adding new sections to chapter 28A.630 RCW; and providing an expiration date.

Referred to Committee on Education.

HB 1982 by Representatives Pollet and Walkinshaw

AN ACT Relating to enhancing student completion through advising, mentoring, recapture initiatives, remedial programs, and accelerated precollege instruction and creating the innovations for student completion program; and adding new sections to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 1983 by Representatives Pollet, Zeiger, S. Hunt and Haler

AN ACT Relating to a pilot project on financial assistance for teachers taking basic skills and content tests for teacher certification programs; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1984 by Representatives Pollet, Appleton and Ryu

AN ACT Relating to the use of certain chemicals in food products; amending RCW 70.280.010 and 70.280.020; adding new sections to chapter 70.280 RCW; creating a new section; and providing an effective date.

Referred to Committee on Environment.

HB 1985 by Representatives Pollet and Ryu

AN ACT Relating to protecting human health by labeling foods exposed to human sewage; amending RCW 19.86.023; and adding a new chapter to Title 70 RCW.

Referred to Committee on Agriculture & Natural Resources.

HJM 4006 by Representatives Shea and Taylor

Petitioning for the creation of a new state in eastern Washington.

Referred to Committee on State Government.

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

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

REPORTS OF STANDING COMMITTEES

February 2, 2015

HB 1160 Prime Sponsor, Representative Pike: Stamping out litter in Washington state by increasing penalties for littering while providing additional funding to state parks. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman; Harris and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member and Taylor.

Referred to Committee on General Government & Information Technology.

February 2, 2015

HB 1219 Prime Sponsor, Representative Zeiger: Authorizing expedited permitting and contracting for Washington state bridges deemed structurally deficient. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1276 Prime Sponsor, Representative Klippert: Concerning impaired driving. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

February 3, 2015

HB 1308 Prime Sponsor, Representative Vick: Addressing surplus lines of insurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 30, 2015

HB 1320 Prime Sponsor, Representative Goodman: Creating an identicard program for certain incarcerated offenders. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Health Care & Wellness was relieved of HOUSE BILL NO. 1652, and the bill was referred to the Committee on Appropriations.

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

There being no objection, the House adjourned until 9:55 a.m., February 5, 2015, the 25th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIFTH DAY

House Chamber, Olympia, Thursday, February 5, 2015

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

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

MESSAGE FROM THE SENATE

February 4, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5012
SENATE BILL NO. 5074
SENATE BILL NO. 5079
SENATE BILL NO. 5107
SENATE BILL NO. 5155
SENATE BILL NO. 5172
SUBSTITUTE SENATE BILL NO. 5234
SUBSTITUTE SENATE BILL NO. 5268
SENATE BILL NO. 5337

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1986 by Representatives Kochmar and Sells

AN ACT Relating to permitting certain uniformed personnel, as defined in chapter 41.56 RCW, who are employed by counties and are members of the public employees' retirement system or the public safety employees' retirement system to negotiate to have their employers make the member retirement system contributions that are picked up pursuant to the federal tax code; and amending RCW 41.04.450 and 41.45.067.

Referred to Committee on Labor.

HB 1987 by Representatives Kochmar and Sells

AN ACT Relating to adding certain commissioned court marshals of county sheriff's offices to the definition of uniformed personnel for the purposes of public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Labor.

HB 1988 by Representatives Goodman, Pollet, Wylie, Stanford, Tharinger, Takko, Blake, Fitzgibbon, Tarleton, Orwall, Fey, Sells, Kilduff, Farrell, Jinkins and Ortiz-Self

AN ACT Relating to freezing resident undergraduate tuition at the four-year institutions of higher education; and amending RCW 28B.15.067.

Referred to Committee on Higher Education.

HB 1989 by Representatives Dent and Takko

AN ACT Relating to water storage asset management services; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 1990 by Representatives Fey, Sells and Appleton

AN ACT Relating to use tax on vehicles transferred between immediate family members for no consideration other than to relieve the transferor of the underlying debt on the vehicle; amending RCW 82.12.020; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1991 by Representatives Muri and Wilson

AN ACT Relating to employee organizations representing educational public employees submitting digital copies of their collective bargaining agreements to the public employment relations commission; and adding a new section to chapter 41.59 RCW.

Referred to Committee on Labor.

HB 1992 by Representatives Stanford, Pike, Orcutt, Reykdal, Walsh, Hayes, Harris, Moscoso, Appleton, Fey, Pollet, Condotta, Takko, Bergquist, Ormsby, Tarleton, Senn, Jinkins and Wilson

AN ACT Relating to restoring resources to the capital budget beginning with the 2015-2017 biennium; amending RCW 82.45.060, 82.16.020, 82.18.040, 43.135.045, 43.88.055, and 82.33.060; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1993 by Representatives Moscoso and Clibborn

AN ACT Relating to updating and clarifying statutory provisions within the commercial vehicle registration and fuel tax administrative systems; amending RCW 46.87.010, 46.87.020, 46.87.022, 46.87.025, 46.87.030, 46.87.040, 46.87.050, 46.87.060, 46.87.070, 46.87.080, 46.87.090, 46.87.120, 46.87.130, 46.87.140, 46.87.150, 46.87.190, 46.87.200, 46.87.220, 46.87.230, 46.87.240, 46.87.250, 46.87.260, 46.87.280, 46.87.290, 46.87.294, 46.87.296, 46.87.300, 46.87.310, 46.87.320, 46.87.330, 46.87.335,

46.87.340, 46.87.350, 46.87.360, 46.87.370, 46.87.410, and 46.19.020; amending 2013 c 225 s 650 (uncodified); repealing RCW 46.87.023, 46.87.210, 46.87.270, and 46.87.380; repealing 2013 c 225 s 305; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

HB 1994 by Representatives Ryu, Moscoso, Ortiz-Self and Tarleton

AN ACT Relating to reducing traffic fatalities and serious injuries through improved traffic safety education; amending RCW 46.20.285; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.68 RCW; adding new sections to chapter 46.82 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 1995 by Representative Ryu

AN ACT Relating to a new studded tire fee; adding a new section to chapter 46.37 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1996 by Representatives Ortiz-Self, Bergquist, Gregerson, Walkinshaw, Kagi, Tarleton, Condotta and Farrell

AN ACT Relating to music education in elementary schools; amending RCW 28A.150.315 and 28A.300.040; and adding a new section to chapter 28A.230 RCW.

Referred to Committee on Education.

HB 1997 by Representatives Tharinger and Tarleton

AN ACT Relating to authorizing the creation and use of community facilities districts in limited areas of more intensive rural development; amending RCW 36.145.020; and creating a new section.

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

HB 1998 by Representatives Johnson, Morris, Short, Wylie, Smith, McCabe, Nealey, Tarleton, Tharinger and Van De Wege

AN ACT Relating to allowing public utility districts to produce and sell renewable natural gas; and amending RCW 54.04.190.

Referred to Committee on Technology & Economic Development.

HB 1999 by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman and Jinkins

AN ACT Relating to coordinating services and programs for foster youth in order to improve educational outcomes; amending RCW 28B.117.060; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 28B.77 RCW; creating a new section; recodifying RCW 28B.117.060; and repealing RCW 74.13.105.

Referred to Committee on Early Learning & Human Services.

HB 2000 by Representatives Hurst, Condotta and Tarleton

AN ACT Relating to authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana; amending RCW 69.50.360, 69.50.363, and 69.50.366; adding new sections to chapter 43.06 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Commerce & Gaming.

HB 2001 by Representatives Zeiger and Condotta

AN ACT Relating to the use of and possession of electronic or electromechanical amusement machines; and amending RCW 9.46.0201.

Referred to Committee on Commerce & Gaming.

SSB 5012 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield, Honeyford, Rolfes, Ericksen, Kohl-Welles, Hasegawa, Chase and Hobbs)

AN ACT Relating to authorizing the growing of industrial hemp; adding a new chapter to Title 15 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Commerce & Gaming.

SB 5074 by Senators Bailey, Conway, Benton and Hobbs

AN ACT Relating to veterans' scoring criteria; and amending RCW 41.04.010.

Referred to Committee on State Government.

SB 5079 by Senators O'Ban, Conway and Dammeier

AN ACT Relating to notifying the military regarding child abuse and neglect allegations of families with an active military status; and reenacting and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

SB 5107 by Senators Padden, Pedersen, Roach, O'Ban, Darneille and Benton

AN ACT Relating to authorizing, funding, and encouraging the establishment of therapeutic courts; amending RCW 82.14.460, 9.94A.517, 9.94A.517, and 70.96A.350; adding a new chapter to Title 2 RCW; creating a new section; repealing RCW 2.28.170, 2.28.175, 2.28.180, 2.28.190, 13.40.700, 13.40.710, 26.12.250, 2.28.165, and 2.28.166; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

SB 5155 by Senator King

AN ACT Relating to special occasion licenses; and amending RCW 66.24.380.

Referred to Committee on Commerce & Gaming.

SB 5172 by Senators Dammeier, Roach and Conway

AN ACT Relating to the lien for collection of sewer utility charges by counties; and amending RCW 36.94.150.

Referred to Committee on Local Government.

SSB 5234 by Senate Committee on Commerce & Labor (originally sponsored by Senators Sheldon, Dansel, Dammeier, Becker, Schoesler, Honeyford and Conway)

AN ACT Relating to miniature hobby boilers; and amending RCW 70.79.070 and 70.79.080.

Referred to Committee on Labor.

SSB 5268 by Senate Committee on Health Care (originally sponsored by Senators Parlette, Kohl-Welles, Hatfield, Angel and Fraser)

AN ACT Relating to refilling eye drop prescriptions; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care & Wellness.

SB 5337 by Senators Fraser and Pearson

AN ACT Relating to per diem rates for port district officers and employees; and amending RCW 53.08.176.

Referred to Committee on Local Government.

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

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

REPORTS OF STANDING COMMITTEES

February 3, 2015

HB 1006 Prime Sponsor, Representative Sawyer: Providing damages for wage violations. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Hunt, G., Assistant Ranking Minority Member; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representative Manweller, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1031 Prime Sponsor, Representative Johnson: Expanding participation in college in the high school programs. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1121 Prime Sponsor, Representative Parker: Regarding the financial education public-private partnership. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1123 Prime Sponsor, Representative Blake: Regulating the minimum dimensions of habitable spaces in single-family residential areas. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1131 Prime Sponsor, Representative Pettigrew: Concerning ivory and rhinoceros horn trafficking. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Orcutt and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representative Kretz.

Referred to Committee on General Government & Information Technology.

February 3, 2015

HB 1152 Prime Sponsor, Representative Fitzgibbon: Concerning the management of forage fish resources. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Hurst; Pettigrew; Schmick; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler and Orcutt.

MINORITY recommendation: Without recommendation. Signed by Representative Kretz.

Referred to Committee on Appropriations.

February 4, 2015

HB 1179 Prime Sponsor, Representative Lytton: Exempting cider makers from the wine commission assessment. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Schmick and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Van De Wege.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1180 Prime Sponsor, Representative Fey: Concerning dedicated funding sources for high capacity transportation service. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Morris; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Harmsworth; Kochmar; Moeller; Pike; Shea; Wilson and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; Hayes; Rodne and Zeiger.

Referred to Committee on Finance.

February 4, 2015

HB 1182 Prime Sponsor, Representative Hurst: Concerning a geological hazards assessment. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1213 Prime Sponsor, Representative Orwall: Concerning the definition of veteran for the purposes of the county veterans assistance fund. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1221 Prime Sponsor, Representative Hansen: Creating passenger-only ferry service districts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Takko; Tarleton; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Rodne and Wilson.

Referred to Committee on Finance.

February 2, 2015

HB 1222 Prime Sponsor, Representative McBride: Modifying certain firefighting apparatus length and weight limits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1241 Prime Sponsor, Representative Muri: Providing a business and occupation tax credit for businesses that hire veterans. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 2, 2015

HB 1279 Prime Sponsor, Representative Kochmar: Modifying the definition of legislative authority for purposes of local tourism promotion areas. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 3, 2015

HB 1309 Prime Sponsor, Representative Vick: Concerning the sale of floating homes or floating on-water residences by brokers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1341 Prime Sponsor, Representative Tharinger: Concerning unlawfully engaging in fishing guide activity. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1365 Prime Sponsor, Representative Riccelli: Requiring universal screening and provider payment for autism and developmental delays for children in medicaid programs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Referred to Committee on Appropriations.

February 3, 2015

HB 1369 Prime Sponsor, Representative Riccelli: Enabling student volunteers to provide health care services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 2, 2015

HB 1370 Prime Sponsor, Representative Wylie: Increasing the total amount of tax credits allowed under the Washington main street program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 3, 2015

HB 1403 Prime Sponsor, Representative Bergquist: Regarding telemedicine. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Caldier.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1491 Prime Sponsor, Representative Kagi: Improving quality in the early care and education system. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Farrell; Hawkins; Ortiz-Self and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; McCaslin and Sawyer.

Referred to Committee on Appropriations.

February 3, 2015

HB 1641 Prime Sponsor, Representative Blake: Adding shellfish to the list of species types listed in RCW 77.15.260(1)(a). Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTION

HOUSE RESOLUTION NO. 4609, by Representative Cody

WHEREAS, The history and participation of people of Russian heritage in the American experience will be greatly enhanced and appreciated through the observation of the month of June as Russian American Heritage and Culture Month in the State of Washington; and

WHEREAS, Individuals of Russian heritage such as Ivan Turchaninov, Union Army Brigadier General; Igor Sikorsky, inventor of the helicopter and the multi-engine airplane; Vladimir Zworykin, a Russian American inventor, engineer, and pioneer of television technology; Sergei Rachmaninoff and Igor Stravinsky, world-renowned composers; Vladimir Nabokov, acclaimed novelist; Michael Douglas, Milla Jovovich, Mila Kunis, Billy Crystal, Yul Brynner, and Kirk Douglas, Hollywood legends; Sergey Brin, co-founder and head of the Google Corporation; Irving Berlin, author of the song "God Bless America"; and many others have made important contributions to the United States and the world; and

WHEREAS, The recognition of such significant contributions will enhance the opportunities for Russian American youth to take pride in their forebears and to identify with them as role models; and

WHEREAS, Better knowledge of the role of Russian Americans in the history of the United States and of relations between Russia and America can lead to more productive opportunities for cooperation and mutual understanding; and

WHEREAS, Russian American Heritage and Culture Month is recognized by Russian World, a cultural organization based in Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the month of June as Russian American Heritage and Culture Month; and urge that during this month there be active efforts to examine the subject in public schools, colleges, universities, and other venues; and encourage events and activities supporting interest and attention to Russian American history and how Russian Americans have retained their cultural identity while contributing significantly to the enrichment of Washington State and America; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Jay Inslee, Governor of the State of Washington; to His Excellency Sergey Ivanovich Kislyak, Russian Federation Ambassador to the United States; to Andrey K. Yushmanov, Russian Federation Consul General in Seattle; to Russian American organizations; to other historical societies and government entities; and to the Superintendent of Public Instruction.

The Speaker (Representative Blake presiding) stated the question before the House to be adoption of House Resolution No. 4609.

HOUSE RESOLUTION NO. 4609 was adopted.

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

There being no objection, the House adjourned until 8:00 a.m., February 6, 2015, the 26th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, February 6, 2015

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

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

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

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

INTRODUCTION & FIRST READING

HB 2002 by Representatives Morris, Magendanz and Fitzgibbon

AN ACT Relating to regulatory and financial mechanisms and means to promote the retirement of coal-fired electric generation facilities; amending RCW 19.285.030, 54.48.030, and 80.80.060; adding new sections to chapter 80.82 RCW; and recodifying RCW 80.82.010 and 80.82.020.

Referred to Committee on Technology & Economic Development.

HB 2002 by Representatives Morris, Magendanz and Fitzgibbon

AN ACT Relating to regulatory and financial mechanisms and means to promote the retirement of coal-fired electric generation facilities; amending RCW 19.285.030, 54.48.030, and 80.80.060; adding new sections to chapter 80.82 RCW; and recodifying RCW 80.82.010 and 80.82.020.

Referred to Committee on Technology & Economic Development.

HB 2003 by Representatives Ormsby and S. Hunt

AN ACT Relating to health care coverage for retired or disabled school employees and state employees; adding a new section to chapter 41.05 RCW; and providing an effective date.

Referred to Committee on Appropriations.

HB 2003 by Representatives Ormsby and S. Hunt

AN ACT Relating to health care coverage for retired or disabled school employees and state employees; adding a new section to chapter 41.05 RCW; and providing an effective date.

Referred to Committee on Appropriations.

HB 2004 by Representatives Taylor, Reykdal, Takko, Rodne, Shea, Griffey, Vick, Zeiger, Condotta, Hayes, Buys, Harmsworth, Scott, Pike, Van Werven, Muri and Wilson

AN ACT Relating to defining professional legislative staff member for purposes of personal financial affairs reporting; and amending RCW 42.17A.705.

Referred to Committee on State Government.

HB 2004 by Representatives Taylor, Reykdal, Takko, Rodne, Shea, Griffey, Vick, Zeiger, Condotta, Hayes, Buys, Harmsworth, Scott, Pike, Van Werven, Muri and Wilson

AN ACT Relating to defining professional legislative staff member for purposes of personal financial affairs reporting; and amending RCW 42.17A.705.

Referred to Committee on State Government.

HB 2005 by Representatives Moscoso, Goodman, Pettigrew, Appleton, Orwall, Ormsby and Jinkins

AN ACT Relating to creating an office of corrections ombuds; and adding a new chapter to Title 43 RCW.

Referred to Committee on Public Safety.

HB 2005 by Representatives Moscoso, Goodman, Pettigrew, Appleton, Orwall, Ormsby and Jinkins

AN ACT Relating to creating an office of corrections ombuds; and adding a new chapter to Title 43 RCW.

Referred to Committee on Public Safety.

HB 2006 by Representatives Moscoso, Kagi, Pettigrew, Appleton, Orwall, Bergquist and Pollet

AN ACT Relating to a model policy and procedures for language access by limited-English proficient parents of students; amending RCW 28A.300.580; adding a new section to chapter 28A.320 RCW; and repealing RCW 28A.345.032.

Referred to Committee on Education.

HB 2006 by Representatives Moscoso, Kagi, Pettigrew, Appleton, Orwall, Bergquist and Pollet

AN ACT Relating to a model policy and procedures for language access by limited-English proficient parents of students; amending RCW 28A.300.580; adding a new section to chapter 28A.320 RCW; and repealing RCW 28A.345.032.

Referred to Committee on Education.

HB 2007 by Representatives Zeiger, Sullivan, Stambaugh, Van De Wege, Riccelli and Ormsby

AN ACT Relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services; and adding new sections to chapter 41.05 RCW.

Referred to Committee on Appropriations.

HB 2007 by Representatives Zeiger, Sullivan, Stambaugh, Van De Wege, Riccelli and Ormsby

AN ACT Relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services; and adding new sections to chapter 41.05 RCW.

Referred to Committee on Appropriations.

HB 2008 by Representatives Carlyle, Hurst, Wylie, Condotta, Cody, Tharinger, Hunter, Kagi and Reykdal

AN ACT Relating to comprehensive marijuana tax reform to ensure a well regulated and taxed marijuana market in Washington; amending RCW 69.50.530, 69.50.535, 69.50.540, 69.50.357, and 69.50.369; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Finance.

HB 2008 by Representatives Carlyle, Hurst, Wylie, Condotta, Cody, Tharinger, Hunter, Kagi and Reykdal

AN ACT Relating to comprehensive marijuana tax reform to ensure a well regulated and taxed marijuana market in Washington; amending RCW 69.50.530, 69.50.535, 69.50.540, 69.50.357, and 69.50.369; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Finance.

HB 2009 by Representatives Robinson, Johnson, Walkinshaw, Magendanz, Jinkins, Gregerson, Harris, Tarleton, Lytton, Riccelli, Cody, Tharinger, Senn, Kilduff, Stanford, Peterson, Moeller, Kagi, Takko, Moscoso, Wylie, Clibborn, Van De Wege, S. Hunt, Farrell, Pollet and Ryu

AN ACT Relating to exemptions from immunizations; and amending RCW 28A.210.090.

Referred to Committee on Health Care & Wellness.

HB 2009 by Representatives Robinson, Johnson, Walkinshaw, Magendanz, Jinkins, Gregerson, Harris, Tarleton, Lytton, Riccelli, Cody, Tharinger, Senn, Kilduff, Stanford, Peterson, Moeller, Kagi, Takko, Moscoso, Wylie, Clibborn, Van De Wege, S. Hunt, Farrell, Pollet and Ryu

AN ACT Relating to exemptions from immunizations; and amending RCW 28A.210.090.

Referred to Committee on Health Care & Wellness.

HB 2010 by Representatives Takko, Reykdal and Buys

AN ACT Relating to appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Local Government.

HB 2010 by Representatives Takko, Reykdal and Buys

AN ACT Relating to appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Local Government.

HB 2011 by Representatives Springer, Condotta, McBride, Vick, Takko, Hayes, Walkinshaw, Pettigrew, Magendanz, Wilcox, Stokesbary, Kirby, Goodman, Blake, DeBolt, Morris, Zeiger, Moscoso, Rodne, Harris, Fagan, Schmick, Stanford, Holy and Ormsby

AN ACT Relating to providing a sales and use tax exemption for eligible server equipment installed in certain data centers; amending RCW 82.08.986 and 82.12.986; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

HB 2011 by Representatives Springer, Condotta, McBride, Vick, Takko, Hayes, Walkinshaw, Pettigrew, Magendanz, Wilcox, Stokesbary, Kirby, Goodman, Blake, DeBolt, Morris, Zeiger, Moscoso, Rodne, Harris, Fagan, Schmick, Stanford, Holy and Ormsby

AN ACT Relating to providing a sales and use tax exemption for eligible server equipment installed in certain data centers; amending RCW 82.08.986 and 82.12.986; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

HB 2012 by Representatives Orcutt, Clibborn, Hargrove, Hayes, Pike, Zeiger, Muri and Wilson

AN ACT Relating to the department of transportation implementation of practical design; adding a new section to chapter 47.01 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2012 by Representatives Orcutt, Clibborn, Hargrove, Hayes, Pike, Zeiger, Muri and Wilson

AN ACT Relating to the department of transportation implementation of practical design; adding a new section to chapter 47.01 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2013 by Representatives Orcutt, Hargrove, Hayes and Pike

AN ACT Relating to environmental standards related to transportation projects; amending RCW 47.01.290, 90.48.260, and 77.55.021; adding a new section to chapter 43.21C RCW; and adding a new section to chapter 77.55 RCW.

Referred to Committee on Environment.

HB 2013 by Representatives Orcutt, Hargrove, Hayes and Pike

AN ACT Relating to environmental standards related to transportation projects; amending RCW 47.01.290, 90.48.260, and 77.55.021; adding a new section to chapter 43.21C RCW; and adding a new section to chapter 77.55 RCW.

Referred to Committee on Environment.

HB 2014 by Representatives Orcutt, Hayes and Pike

AN ACT Relating to the implementation of potential action seven of the joint transportation committee report on efficiencies in the construction and operation of state transportation projects; amending RCW 39.12.020; and creating a new section.

Referred to Committee on Labor.

HB 2014 by Representatives Orcutt, Hayes and Pike

AN ACT Relating to the implementation of potential action seven of the joint transportation committee report on efficiencies in the construction and operation of state transportation projects; amending RCW 39.12.020; and creating a new section.

Referred to Committee on Labor.

HB 2015 by Representatives Orcutt, Hayes, Pike and Wilson

AN ACT Relating to exempting from the prevailing wage laws work performed or funded by nonprofit organizations; and amending RCW 39.12.020.

Referred to Committee on Labor.

HB 2015 by Representatives Orcutt, Hayes, Pike and Wilson

AN ACT Relating to exempting from the prevailing wage laws work performed or funded by nonprofit organizations; and amending RCW 39.12.020.

Referred to Committee on Labor.

HB 2016 by Representatives Klippert and Sullivan

AN ACT Relating to unmanned aerial vehicles; and adding new sections to chapter 9.73 RCW.

Referred to Committee on Public Safety.

HB 2016 by Representatives Klippert and Sullivan

AN ACT Relating to unmanned aerial vehicles; and adding new sections to chapter 9.73 RCW.

Referred to Committee on Public Safety.

HB 2017 by Representatives Klippert, Cody, Blake, Dent, Hayes, Fagan and Kretz

AN ACT Relating to Washington farmers and ranchers special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2017 by Representatives Klippert, Cody, Blake, Dent, Hayes, Fagan and Kretz

AN ACT Relating to Washington farmers and ranchers special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2018 by Representatives Kirby, Stanford and McBride

AN ACT Relating to insurance covering for hire operators using personal vehicles; amending RCW 46.72.010; and adding a new section to chapter 46.72 RCW.

Referred to Committee on Business & Financial Services.

HB 2018 by Representatives Kirby, Stanford and McBride

AN ACT Relating to insurance covering for hire operators using personal vehicles; amending RCW 46.72.010; and adding a new section to chapter 46.72 RCW.

Referred to Committee on Business & Financial Services.

HB 2019 by Representatives Muri, Magendanz and Stambaugh

AN ACT Relating to clarifying the teacher and principal evaluation process with the intent of strengthening the process; and amending RCW 28A.405.100.

Referred to Committee on Education.

HB 2019 by Representatives Muri, Magendanz and Stambaugh

AN ACT Relating to clarifying the teacher and principal evaluation process with the intent of strengthening the process; and amending RCW 28A.405.100.

Referred to Committee on Education.

HB 2020 by Representatives Magendanz, Blake, Nealey, Takko and Smith

AN ACT Relating to improving utility emissions reduction standards at a low-cost to utility customers with electricity generated by renewable resources; and amending RCW 19.285.010, 19.285.020, 19.285.030, and 19.285.040.

Referred to Committee on Technology & Economic Development.

HB 2020 by Representatives Magendanz, Blake, Nealey, Takko and Smith

AN ACT Relating to improving utility emissions reduction standards at a low-cost to utility customers with electricity generated by renewable resources; and amending RCW 19.285.010, 19.285.020, 19.285.030, and 19.285.040.

Referred to Committee on Technology & Economic Development.

HB 2021 by Representatives Riccelli, Parker, Cody, Holy, Ormsby and Muri

AN ACT Relating to the prescription drug assistance foundation; and amending RCW 41.05.550.

Referred to Committee on Health Care & Wellness.

HB 2021 by Representatives Riccelli, Parker, Cody, Holy, Ormsby and Muri

AN ACT Relating to the prescription drug assistance foundation; and amending RCW 41.05.550.

Referred to Committee on Health Care & Wellness.

HB 2022 by Representatives Hawkins, Appleton, Johnson, Robinson, Zeiger, Blake, Haler, Parker, Kretz, Condotta, Short, Manweller, Tarleton, Ryu and Fitzgibbon

AN ACT Relating to support for economic recovery from natural disasters; and adding a new section to chapter 43.330 RCW.

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

HB 2022 by Representatives Hawkins, Appleton, Johnson, Robinson, Zeiger, Blake, Haler, Parker, Kretz, Condotta, Short, Manweller, Tarleton, Ryu and Fitzgibbon

AN ACT Relating to support for economic recovery from natural disasters; and adding a new section to chapter 43.330 RCW.

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

HB 2023 by Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos

AN ACT Relating to changing the deadline for notices of nonrenewal of contracts for certificated school employees; amending RCW 28A.405.210, 28A.405.220, 28A.405.230, 28A.405.245, and 28A.310.250; and declaring an emergency.

Referred to Committee on Education.

HB 2023 by Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos

AN ACT Relating to changing the deadline for notices of nonrenewal of contracts for certificated school employees; amending RCW 28A.405.210, 28A.405.220, 28A.405.230, 28A.405.245, and 28A.310.250; and declaring an emergency.

Referred to Committee on Education.

HB 2024 by Representatives Parker, Kagi, Carlyle, Riccelli, Ormsby, Santos and Zeiger

AN ACT Relating to the use of student housing facilities at the institutions of higher education by homeless students; amending RCW 59.18.040; adding a new section to chapter 28B.15 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 2024 by Representatives Parker, Kagi, Carlyle, Riccelli, Ormsby, Santos and Zeiger

AN ACT Relating to the use of student housing facilities at the institutions of higher education by homeless students; amending RCW 59.18.040; adding a new section to chapter 28B.15 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 2025 by Representative Appleton

AN ACT Relating to the sale and commercial display of human remains; amending RCW 68.50.130; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

HB 2025 by Representative Appleton

AN ACT Relating to the sale and commercial display of human remains; amending RCW 68.50.130; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

HB 2026 by Representative Haler

AN ACT Relating to providing a business and occupation tax credit for certain medical facilities to hire physicians; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

HB 2026 by Representative Haler

AN ACT Relating to providing a business and occupation tax credit for certain medical facilities to hire physicians; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

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

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

REPORTS OF STANDING COMMITTEES

February 4, 2015

HB 1054 Prime Sponsor, Representative Stanford: Concerning collection agency transaction fees for processing electronic payments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Ryu, Vice Chair and Hunt, G..

Passed to Committee on Rules for second reading.

February 4, 2015

HB 1138 Prime Sponsor, Representative Orwall: Creating a task force on mental health and suicide prevention in higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1174 Prime Sponsor, Representative Van De Wege: Concerning flame retardants. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman; McBride and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris and Pike.

Referred to Committee on Appropriations.

February 4, 2015

HB 1236 Prime Sponsor, Representative Ortiz-Self: Eliminating the parent or guardian approval requirement for the college bound scholarship pledge. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representatives Hargrove; Holy and Van Werven.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1273 Prime Sponsor, Representative Robinson: Implementing family and medical leave insurance. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 4, 2015

HB 1351 Prime Sponsor, Representative Blake: Concerning license fees for national guard members under Title 77 RCW. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Dent, Assistant Ranking Minority Member.

Referred to Committee on General Government & Information Technology.

February 4, 2015

HB 1367 Prime Sponsor, Representative Johnson: Requiring the student achievement council to develop a grant program to encourage training for students studying in the medical field to work with individuals with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 4, 2015

HB 1422 Prime Sponsor, Representative Scott: Concerning misrepresentation of a floral product business's geographic location. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1437 Prime Sponsor, Representative Cody: Modifying the all payer claims database to improve health care quality and cost transparency by changing provisions related to definitions regarding data, reporting and pricing of products, responsibilities of the office of financial management and the lead organization, submission to the database, and parameters for release of information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and Short.

Referred to Committee on Appropriations.

February 4, 2015

HB 1443 Prime Sponsor, Representative Hunt, G.: Concerning fees charged by commercial parking businesses and requiring notice to customers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 3, 2015

HB 1518 Prime Sponsor, Representative Gregerson: Creating the Washington wage recovery act. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 3, 2015

HB 1519 Prime Sponsor, Representative Riccelli: Simplifying and enforcing employee status under employment laws to ensure fairness to employers and employees and address the underground economy. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Representative Orwall presiding) called upon Deputy Chief Clerk Dean to preside.

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

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2011, and the bill was referred to the Committee on Technology & Economic Development.

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

There being no objection, the House adjourned until 8:00 a.m., February 9, 2015, the 29th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY NINTH DAY

House Chamber, Olympia, Monday, February 9, 2015

The House was called to order at 8:00 a.m. by the Speaker (Chief Clerk Baker presiding).

The Speaker (Chief Clerk Baker presiding) called upon Representative Orwall to preside.

The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Wulf Jinkins and Brook DeRuwe. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Trisha Ferguson, Capitol Christian Center, Olympia, Washington.

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

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced students from Snoqualmie's sister city Chaclacayo, Peru to the Chamber and asked the members to acknowledge them.

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

INTRODUCTION & FIRST READING

HB 2027 by Representatives Chandler and Hurst

AN ACT Relating to the regulation of gambling devices; and amending RCW 9.46.310.

Referred to Committee on Commerce & Gaming.

HB 2028 by Representatives Cody and Muri

AN ACT Relating to a business and occupation tax deduction for chemical dependency services provided by a health or social welfare organization; amending RCW 82.04.4277; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2029 by Representative Fey

AN ACT Relating to population-based representation on the governing body of public transportation benefit areas; amending RCW 36.57A.050 and 36.57A.055; and providing an effective date.

Referred to Committee on Transportation.

HB 2030 by Representatives Manweller and Haler

AN ACT Relating to establishing districts from which supreme court justices are elected; amending RCW 29A.76.040, 44.05.020, 44.05.030, 44.05.060, 44.05.090, 44.05.100, and 44.05.120; adding a new chapter to Title 29A RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 2031 by Representatives Harmsworth, Blake, Scott, Buys, Vick, Zeiger, Griffey and Young

AN ACT Relating to improving public safety by encouraging the voluntary purchase and voluntary use of firearm safety products; amending RCW 82.08.832 and 82.12.832; and creating a new section.

Referred to Committee on Judiciary.

HB 2032 by Representative Sawyer

AN ACT Relating to tribal-state relations; amending RCW 44.80.020; reenacting and amending RCW 43.88.230 and 44.04.260; and adding a new chapter to Title 44 RCW.

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

HB 2033 by Representatives Goodman, Rodne, Orwall and Jinkins

AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120 and 7.90.121.

Referred to Committee on Judiciary.

HB 2034 by Representatives Reykdal, Goodman, Kilduff, Appleton and Sells

AN ACT Relating to collective bargaining for assistant attorneys general; amending RCW 43.10.070; adding a new section to chapter 41.56 RCW; adding new sections to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Labor.

HB 2035 by Representatives Scott, Morris and Lytton

AN ACT Relating to lengthening the maximum terms of leases entered into by the director of enterprise services in certain counties; and amending RCW 43.82.010.

Referred to Committee on Capital Budget.

HB 2036 by Representative Fitzgibbon

AN ACT Relating to improving permit and approval efficiencies under the shoreline management act; and adding new sections to chapter 90.58 RCW.

Referred to Committee on Local Government.

HB 2037 by Representative Klippert

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

HB 2050 by Representative Pettigrew

AN ACT Relating to establishing the small business enhancement program; and adding a new section to chapter 39.19 RCW.

Referred to Committee on Technology & Economic Development.

HB 2051 by Representatives Farrell, Tarleton, Pollet, Robinson, Gregerson, Ryu, Orwall and Walkinshaw

AN ACT Relating to providing adequate time and assistance for tenants to relocate due to a rent increase or change of use of the residential unit; amending RCW 59.18.140 and 59.18.440; and creating a new section.

Referred to Committee on Judiciary.

HB 2052 by Representatives Young, Fey, Caldier, Shea, Orcutt, Hayes and Scott

AN ACT Relating to a task force to evaluate the efficacy of contracting with a private enterprise to provide services and the collection of tolls on the Tacoma Narrows bridge; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

HB 2053 by Representatives Young, Taylor, Short, Harmsworth, Shea, G. Hunt, McCaslin, Scott, Vick and Pike

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

Referred to Committee on Judiciary.

HB 2054 by Representatives Young, Magendanz and Riccelli

AN ACT Relating to establishing community service standards for individuals receiving unemployment benefits; amending RCW 50.20.010; adding a new section to chapter 50.20 RCW; and creating a new section.

Referred to Committee on Labor.

HB 2055 by Representatives Johnson, S. Hunt, Walsh, Van De Wege, Haler, Appleton, Hawkins, Robinson, Zeiger, Sawyer, Wilson, Clibborn and Scott

AN ACT Relating to statements on ballot measures in voters' pamphlets; and amending RCW 29A.32.040, 29A.32.060, and 29A.72.025.

Referred to Committee on State Government.

HJM 4007 by Representatives Morris and Smith

Encouraging the successful negotiation of the Transatlantic Trade and Investment Partnership between the United States and the European Union.

Referred to Committee on Technology & Economic Development.

HJR 4211 by Representatives Manweller and Haler

Amending the Constitution to provide for supreme court districts.

Referred to Committee on Judiciary.

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

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

REPORTS OF STANDING COMMITTEES

February 5, 2015

HB 1036 Prime Sponsor, Representative Moeller: Addressing survivor benefits from the public employees' retirement system for survivors of members in registered domestic partnerships prior to December 2012. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Condotta; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Buys; Dent; Haler; Hunt, G.; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1094 Prime Sponsor, Representative Morris: Concerning biometric identifiers. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Nealey; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representative Magendanz.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1143 Prime Sponsor, Representative Hunt, S.: Allowing voters to return a voted ballot and signed declaration by fax or email. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1169 Prime Sponsor, Representative Ormsby: Authorizing an optional life annuity benefit for members of the Washington state patrol retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1191 Prime Sponsor, Representative Taylor: Concerning concealed pistol license renewal notices. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 5, 2015

HB 1197 Prime Sponsor, Representative Takko: Concerning water-sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1234 Prime Sponsor, Representative Senn: Modifying certain building permit fees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Referred to Committee on General Government & Information Technology.

February 5, 2015

HB 1282 Prime Sponsor, Representative Zeiger: Addressing the crime of driving while license suspended where the suspension is based on noncompliance with a child support order. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1287 Prime Sponsor, Representative Orwall: Concerning less restrictive alternative orders under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 5, 2015

HB 1295 Prime Sponsor, Representative Hudgins: Concerning breakfast after the bell programs. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Klippert and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Referred to Committee on Appropriations.

February 5, 2015

HB 1302 Prime Sponsor, Representative Haler: Clarifying the applicability of child abduction statutes to residential provisions ordered by a court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1310 Prime Sponsor, Representative Takko: Concerning standards adopted by the national fire protection association and the state building code council. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1313 Prime Sponsor, Representative Zeiger: Granting fire protection districts and regional fire protection service authorities biennial budget authority. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1316 Prime Sponsor, Representative Stambaugh: Allowing for an arrest without a warrant when a police officer has probable cause to believe a person has violated certain temporary protection orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1337 Prime Sponsor, Representative Takko: Increasing the flexibility for industrial development district levies for public port districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

February 5, 2015

HB 1368 Prime Sponsor, Representative Reykdal: Removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

February 5, 2015

HB 1397 Prime Sponsor, Representative Holy: Concerning personal financial affairs statement reporting requirements for elected and appointed officials, candidates, and appointees. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1410 Prime Sponsor, Representative Takko: Modifying provisions governing the competitive bidding process of water-sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1417 Prime Sponsor, Representative Takko: Subjecting a resolution or ordinance adopted by the legislative body of a city or town to assume a water-sewer district to a referendum. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 5, 2015
HB 1431 Prime Sponsor, Representative Bergquist: Modifying exemptions relating to real estate appraisals. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton and Hawkins.

Passed to Committee on Rules for second reading.

February 5, 2015
HB 1447 Prime Sponsor, Representative Holy: Granting the director of the department of enterprise services the authority to fine contractors as a penalty for certain behaviors. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 5, 2015
HB 1448 Prime Sponsor, Representative Riccelli: Providing procedures for responding to reports of threatened or attempted suicide. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 5, 2015
HB 1547 Prime Sponsor, Representative Hunt, S.: Authorizing funding and expenditures for the hosting of the annual conference of the national association of state treasurers. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 5, 2015
HB 1752 Prime Sponsor, Representative Hawkins: Addressing the qualifications for chief examiners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 5, 2015
HB 1806 Prime Sponsor, Representative Van Werven: Correcting references to elections statutes. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 1003, by Representatives Hawkins, Lytton, Magendanz, Bergquist, Hayes, Robinson, Parker, Ortiz-Self, Harris, Reykdal, Johnson, Senn, Muri, Farrell, Klippert, Pollet, Nealey, Manweller, Kretz, Hargrove, Appleton, Gregerson, Condotta, Kilduff and Walkinshaw

Concerning the development of a model policy on natural disaster school infrastructure recovery.

The bill was read the second time.

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

Representatives Hawkins and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1003.

MOTIONS

On motion of Representative Van De Wege, Representative Moeller was excused. On motion of Representative Harris, Representative Rodne was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1003, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew,

Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

HOUSE BILL NO. 1003, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1010, by Representatives Johnson, Cody, Harris, Moeller, Manweller, Walsh, Clibborn, Robinson, Tharinger, Riccelli, Rodne, Short, Gregerson and Buys

Concerning referral of medical cases to occupational therapists.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1010 was substituted for House Bill No. 1010 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1010 was read the second time.

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

Representatives Johnson and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1010.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1010, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

SUBSTITUTE HOUSE BILL NO. 1010, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1042, by Representatives Cody, Gregerson, Van De Wege and Moeller

Clarifying that the physical therapist scope of practice does not include dry needling.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1042, and the bill passed the House by the following vote: Yeas, 71; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, McBride, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Bergquist, Buys, Chandler, Condotta, Farrell, G. Hunt, Haler, Hawkins, Holy, Klippert, Manweller, McCabe, McCaslin, Muri, Orcutt, Pollet, Reykdal, Scott, Shea, Stambaugh, Stokesbary, Taylor, Wilson, Young and Zeiger.

Excused: Representatives Moeller and Rodne.

HOUSE BILL NO. 1042, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1339, by Representatives Cody, Schmick, Riccelli, Jinkins, Harris, Tharinger, Moeller and Wylie

Allowing the secretary of health to intercede and stay any decision of a disciplining authority that expands scope of practice.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1339.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1339, and the bill passed the House by the following vote: Yeas, 88; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory,

Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, McCaslin, Scott, Shea, Taylor, Van Werven and Young.

Excused: Representatives Moeller and Rodne.

HOUSE BILL NO. 1339, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1045, by Representatives Tharinger, Harris, Van De Wege, Rodne, Moeller, Clibborn, Cody, G. Hunt, Jinkins, Gregerson, Santos and Riccelli

Concerning the practice of East Asian medicine.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1045 was substituted for House Bill No. 1045 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1045 was read the second time.

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

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1045.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1045, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

SUBSTITUTE HOUSE BILL NO. 1045, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1103, by Representatives Jinkins, Zeiger, Moeller, Rodne, Cody, Harris, Clibborn, Riccelli, Kagi and Gregerson

Providing access to the prescription drug monitoring database for clinical laboratories.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1103 was substituted for House Bill No. 1103 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1103 was read the second time.

Representative Jinkins moved the adoption of amendment (003):

On page 3, at the beginning of line 11, strike "70.225.040(3)" and insert "70.225.040(3)(a)"

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

Amendment (003) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1103.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1103, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hargrove, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Griffey, Haler, Harmsworth, Hawkins, Hayes, Holy, Kristiansen, McCabe, McCaslin, Scott, Shea, Smith, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representatives Moeller and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1103, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1184, by Representatives Cody and Harris

Allowing licensed marriage and family therapist associates access to the University of Washington health sciences library. Revised for 1st Substitute: Increasing the health professions participating in online access to the University of Washington health sciences library.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1184 was substituted for House Bill No. 1184 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1184 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1184.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1184, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

SUBSTITUTE HOUSE BILL NO. 1184, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1190, by Representatives Harris, Riccelli, Fitzgibbon, Robinson, Goodman, Buys and Vick

Concerning the use of hydrocodone products by licensed optometrists in Washington state.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1190 was substituted for House Bill No. 1190 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1190 was read the second time.

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

Representatives Harris and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1190.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1190, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

SUBSTITUTE HOUSE BILL NO. 1190, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1259, by Representatives Cody, Schmick, Clibborn, Harris, Jinkins, Robinson and Buys

Allowing advanced registered nurse practitioners to sign and attest to certain documentation.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1259.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1259, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew,

Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

HOUSE BILL NO. 1259, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1277, by Representatives Klippert, Appleton, MacEwen, Muri, Orwall, Goodman, Shea, Haler, Moscoso, Young, Scott, Zeiger and McCaslin

Concerning transient lodging for military service members in armories.

The bill was read the second time.

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

Representatives Klippert, Appleton and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1277.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1277, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Moeller and Rodne.

HOUSE BILL NO. 1277, having received the necessary constitutional majority, was declared passed.

SENATE CONCURRENT RESOLUTION NO. 8401, by Senators Schoesler, Nelson, Hasegawa and McAuliffe

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

The concurrent resolution was read the second time.

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

Representative Van De Wege spoke in favor of the adoption of the resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8401.

SENATE CONCURRENT RESOLUTION NO. 8401 was adopted.

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

COMMITTEE APPOINTMENTS

The Speaker (Representative Orwall presiding) announced the following committee appointments:

Representative Kilduff was appointed to the Committee on Early Learning & Human Services.

Representative Farrell was removed from the Committee on Early Learning & Human Services.

The Speaker (Representative Orwall presiding) called upon Representative Van De Wege to preside.

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

There being no objection, the House adjourned until 9:55 a.m., February 10, 2015, the 30th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTIETH DAY

House Chamber, Olympia, Tuesday, February 10, 2015

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

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

MESSAGE FROM THE SENATE

February 10, 2015

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8401

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2056 by Representatives Sawyer, Ormsby, Pollet and Tarleton

AN ACT Relating to tribal-state relations regarding fish and wildlife; amending RCW 77.04.055; and adding a new section to chapter 77.04 RCW.

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

HB 2057 by Representatives Farrell, Fitzgibbon, Kagi, Walkinshaw and Pollet

AN ACT Relating to directing the department of ecology to conduct a study of light pollution that provides recommendations to the legislature on policy options to reduce light pollution; and creating a new section.

Referred to Committee on Environment.

HB 2058 by Representatives Moscoso, Walsh and Appleton

AN ACT Relating to medical use of cannabis; amending RCW 69.51A.010 and 69.51A.050; adding new sections to chapter 69.51A RCW; adding a new section to chapter 42.56 RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Commerce & Gaming.

HB 2059 by Representatives Peterson, Dunshee, Fey, Stanford and Tarleton

AN ACT Relating to a county property tax exemption for energy efficient construction; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Local Government.

HB 2060 by Representatives Jinkins and Ormsby

AN ACT Relating to timeliness of competency evaluation and restoration services; and amending RCW 10.77.068.

Referred to Committee on Judiciary.

HB 2061 by Representatives Short and Kretz

AN ACT Relating to authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards; amending RCW 43.20.050; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Environment.

HB 2062 by Representatives Takko and Taylor

AN ACT Relating to increasing certainty and predictability in the land use permit process; and amending RCW 19.27.095, 36.70B.180, and 58.17.033.

Referred to Committee on Judiciary.

HB 2063 by Representatives Kilduff, Kagi, Jinkins, Springer, Hunter, Ormsby, Tharinger and Tarleton

AN ACT Relating to the creation of the Washington achieving a better life experience program; amending RCW 43.330.010; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 2064 by Representatives Morris, Pollet and Tarleton

AN ACT Relating to providing compliance options for qualifying utilities; and amending RCW 19.285.040 and 19.285.080.

Referred to Committee on Technology & Economic Development.

HB 2065 by Representatives Cody, Walkinshaw, Harris, Johnson, Carlyle, Pollet, Farrell, Ormsby, Tharinger and Tarleton

AN ACT Relating to increasing the health care workforce and increasing health care access across Washington state through expansion of undergraduate medical and dental education, graduate medical education, and health professional scholarship and loan repayment programming; adding new

sections to chapter 28B.20 RCW; adding new sections to chapter 70.112 RCW; adding a new section to chapter 28B.115 RCW; creating new sections; and making appropriations.

Referred to Committee on Higher Education.

HB 2066 by Representatives Sells, Parker, Moscoso, Harmsworth, Ryu, Stanford, Robinson, Riccelli, McCaslin and Scott

AN ACT Relating to the taxation of wax and ceramic materials used to make molds; creating new sections; repealing 2010 c 225 s 4 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2067 by Representatives Young, Caldier, Magendanz, Short, Harmsworth, McCaslin, Smith, Scott, Zeiger and Fagan

AN ACT Relating to specifying that qualified grandparents are the priority placement option for children needing out-of-home care in dependency proceedings; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Early Learning & Human Services.

HB 2068 by Representatives Young, Taylor, G. Hunt, Shea and Scott

AN ACT Relating to the deauthorization of union security provisions by public employees; and amending RCW 41.56.122, 41.76.045, 49.39.090, 47.64.160, 41.80.100, 41.59.100, and 49.66.010.

Referred to Committee on Labor.

HB 2069 by Representative Blake

AN ACT Relating to agreements with the federal government, such as those available under the endangered species act, affecting the state's management of its natural resources; reenacting and amending RCW 43.30.411; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 2070 by Representative Kretz

AN ACT Relating to forest fire suppression; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 2071 by Representative Kretz

AN ACT Relating to the impact of appropriate forest management on stream flow outcomes; amending RCW 79.10.120; and adding a new section to chapter 90.22 RCW.

Referred to Committee on Agriculture & Natural Resources.

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

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

REPORTS OF STANDING COMMITTEES

February 6, 2015

HB 1059 Prime Sponsor, Representative Fagan: Concerning sexually violent predators. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Appleton.

Referred to Committee on Appropriations.

February 6, 2015

HB 1060 Prime Sponsor, Representative Fitzgibbon: Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1065 Prime Sponsor, Representative Kirby: Amending the insurer holding company act. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1109 Prime Sponsor, Representative Reykdal: Authorizing membership in the teachers' retirement system for certificated employees of the superintendent of public instruction. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1120 Prime Sponsor, Representative Wilcox: Providing immunity for school bus drivers. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Hansen.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1168 Prime Sponsor, Representative Ormsby: Correcting restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by a different state retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1281 Prime Sponsor, Representative Sawyer: Concerning the sexual exploitation of minors. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Pettigrew and Wilson.

Referred to Committee on Appropriations.

February 6, 2015

HB 1285 Prime Sponsor, Representative Riccelli: Requiring critical congenital heart disease screening for newborns. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1319 Prime Sponsor, Representative Goodman: Making technical corrections to processes for persons sentenced for offenses committed prior to reaching eighteen years of age. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1322 Prime Sponsor, Representative Reykdal: Addressing membership in state retirement plans prior to attaining the normal retirement age in another plan. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1340 Prime Sponsor, Representative Cody: Developing a process to allow pilot programs for health care professionals to learn new skills or roles, use existing skills in new circumstances, and accelerate training. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Assistant Ranking Minority Member; Caldier and DeBolt.

Referred to Committee on Appropriations.

February 5, 2015

HB 1382 Prime Sponsor, Representative Griffey: Addressing the delivery of basic firefighter training and testing. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1464 Prime Sponsor, Representative Hudgins: Transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Capital Budget.

February 6, 2015

HB 1465 Prime Sponsor, Representative MacEwen: Creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Appropriations.

February 6, 2015

HB 1485 Prime Sponsor, Representative Haler: Concerning family medicine residencies in health professional shortage areas. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 6, 2015

HB 1553 Prime Sponsor, Representative Walkinshaw: Encouraging certificates of restoration of opportunity. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1674 Prime Sponsor, Representative Pettigrew: Allowing youthful offenders who complete their confinement terms prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1727 Prime Sponsor, Representative Schmick: Permitting nursing assistants to perform simple care tasks under indirect supervision. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Commerce & Gaming was relieved of HOUSE BILL NO. 1902, and the bill was referred to the Committee on Finance.

There being no objection, the Committee on Judiciary was relieved of HOUSE BILL NO. 2043, and the bill was referred to the Committee on Appropriations.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SENATE CONCURRENT RESOLUTION NO. 8401.

The Speaker called upon Representative Van De Wege to preside.

RESOLUTION

HOUSE RESOLUTION NO. 4610, by Representative Vick

WHEREAS, It is the policy of the Washington State House of Representatives to recognize the extraordinary accomplishments of high school students and athletes; and

WHEREAS, Union High School senior, academic award winner, and football quarterback Nolan Henry was awarded the 2014 National High School Heisman award; and

WHEREAS, Nolan was one of 12 finalists for the award from a pool of 30,000 applicants nationwide, and one of two national winners; and

WHEREAS, Nolan has maintained a 4.0 grade point average and is ranked the number three quarterback in Washington state for the class of 2015; and

WHEREAS, Nolan is a member of the National Honor Society; and

WHEREAS, Nolan is an AP Scholar with Distinction award winner; and

WHEREAS, He was the Washington Interscholastic Association Scholar Athlete Award Winner for 2011, 2012, and 2013; and

WHEREAS, Nolan was declared to be the National Honor Society's Mr. Union 2014; and

WHEREAS, He was awarded the Nordstrom's Community Service award; and

WHEREAS, He was the winner of the Peacehealth Southwest Medical Center Foundation Cascade award; and

WHEREAS, Nolan was awarded both the KGW/Wells Fargo Community Service award and the Eristand Character County Community Service award; and

WHEREAS, Nolan serves as a mentor to young athletes and has founded the Union Scholar Athlete Club, which promotes academic achievement, mentorship, and school spirit; and

WHEREAS, He is the president of the Clark County Titan's Youth Foundation and the director of the Union High School football team's Titan's Youth Foundation Food Drive; and

WHEREAS, Nolan also serves as the president of a school group which provides aid to widows and orphans in Liberia and, in 2013, led a group of students to Liberia to help build community developments; and

WHEREAS, Nolan helped raise more than $25,000 for a local medical center's intensive care unit; and

WHEREAS, He serves as a counselor and mentor for the Clark County Youth Football Camp; and

WHEREAS, Nolan was a Union High School Scholar Athlete Leadership Conference Delegate for 2013 and 2014; and

WHEREAS, Nolan was selected three times as an All-Conference and All-District football player; and

WHEREAS, He was a two time winner of the Titan Attitude Award representing the team's highest individual honor; and

WHEREAS, Nolan currently holds 11 team football records for game, season, and career accomplishments; and

WHEREAS, His dedication has highlighted his great leadership skills, commitment to serving our community, and determination to achieve academic excellence; and

WHEREAS, This body recognizes the scholastic and athletic achievements of all of Washington's students;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Nolan Henry, whose devotion to community service, exceptional work ethic, and academic achievements make him an admirable recipient of the 2014 National High School Heisman award; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this resolution to Nolan Henry.

The Speaker (Representative Van De Wege presiding) stated the question before the House to be adoption of House Resolution No. 4610.

HOUSE RESOLUTION NO. 4610 was adopted.

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

There being no objection, the House adjourned until 8:00 a.m., February 11, 2015, the 31st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

THIRTY FIRST DAY

House Chamber, Olympia, Wednesday, February 11, 2015

The House was called to order at 8:00 a.m. by the Speaker (Representative Sullivan presiding).

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

The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Naval Hospital Bremerton Color Guard. The National Anthem was performed by Musician First Class, Andrew Williams. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Lt. Commander Dwayne Jackson, Naval Base Kitsap, Washington accompanied by the Navy Band Northwest Saxophone Quartet.

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

RESOLUTION

HOUSE RESOLUTION NO. 4608, by Representatives Chopp, Kristiansen, Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, G. Hunt, S. Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

WHEREAS, The 21st century is the Pacific century, and Washington State is uniquely positioned politically, economically, and geographically to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, The United States Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state and the nation, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, The Navy has explored and defended Northwest waters for more than one hundred fifty years; and

WHEREAS, Washington State naval bases consistently receive awards for the quality of life they provide to sailors and family members, are recognized as models for other military facilities, and are continuously being improved in energy efficiency and environmental responsibility; and

WHEREAS, Washington State and the Pacific Northwest are home to approximately 31,000 active duty Navy service members, 15,000 Navy civilian employees, 2,400 drilling Navy reservists, 42,000 Navy family members, and 55,000 Navy retirees; and

WHEREAS, Puget Sound is the United States Navy's third largest fleet concentration area, with two aircraft carriers, more than ten surface ships, fourteen submarines, and one hundred twenty aircraft in Washington State; and

WHEREAS, The United States Navy spends 4.3 billion dollars annually in the Northwest and provides economic stability to dozens of Washington cities and tens of thousands of Washington State citizens; and

WHEREAS, Navy personnel provide homeland security, disaster assistance, and rescue services to Washington State citizens; and

WHEREAS, More than 125,000 members of the Navy family, including active duty, retired, dependent, and civilian Navy personnel, consider Washington home; are community leaders, role models, and mentors; and invest millions of dollars and thousands of hours to the economy, local charities, and community programs;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and express appreciation for all those who have ever served in the United States Navy, and all the family members and friends who shared their sacrifices with them; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize all the many contributions the Navy and its personnel make for everyone living in Washington State, the United States, and the entire global community; and express our heartfelt thanks to each and every person involved in the Navy's mission and work in Washington State.

Representative Appleton moved adoption of HOUSE RESOLUTION NO. 4608.

Representatives Appleton, Young, Tarleton and MacEwen spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4608 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Rear Admiral Jeff Ruth, Commander Navy Region Northwest, to the Chamber and asked the members to acknowledge him.

The Speaker (Representative Orwall presiding) further recognized the delegation of Navy leadership, Commanding Officer, Naval Base Kitsap, Captain Thomas Zwolfer, Commanding Officer Naval Facilities Command Northwest, Captain Mark Geronime, Captain Garrett Farman, Captain Christopher Quarles, Captain Mark Vanye, Captain Jim Bilotta, Commander Jeff Caulk, Command Master Chief, Todd Gruchalla and Command Master Chief, David Lynch.

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

INTRODUCTION & FIRST READING

HB 2072 by Representatives S. Hunt, Reykdal and Appleton

AN ACT Relating to allowing a public employee to transfer excess vacation days to the employee's sick leave bank; and amending RCW 43.01.044.

Referred to Committee on Appropriations.

HB 2073 by Representative Fey

AN ACT Relating to the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

HB 2074 by Representatives Fey, Jinkins, Sawyer and Kirby

AN ACT Relating to the petition-based annexation method for owners of property within a city or town that seek annexation to another city or town.

Referred to Committee on Local Government.

HB 2075 by Representatives Bergquist and S. Hunt

AN ACT Relating to certification of elections; and reenacting and amending RCW 29A.60.190.

Referred to Committee on State Government.

HB 2076 by Representatives Sawyer and Pollet

AN ACT Relating to information concerning racial disproportionality; amending RCW 43.88C.050; adding a new section to chapter 43.88C RCW; and creating a new section.

Referred to Committee on State Government.

HB 2077 by Representatives Peterson, Stanford, Ormsby, Kagi, Appleton, Robinson, Sells and Ryu

AN ACT Relating to allowing emergency medical services to develop community assistance referral and education services programs; and amending RCW 35.21.930, 18.71.200, and 18.71.205.

Referred to Committee on Health Care & Wellness.

HB 2078 by Representatives Sells, Appleton, Stanford, Kochmar, Ormsby and S. Hunt

AN ACT Relating to collective bargaining by ferry employee organizations; amending RCW 47.64.011; and adding a new section to chapter 47.64 RCW.

Referred to Committee on Labor.

HB 2079 by Representatives Parker and Harris

AN ACT Relating to the maintenance and operations of parks and recreational land acquired through the conservation futures program; and amending RCW 84.34.240.

Referred to Committee on Environment.

HB 2080 by Representatives Stanford, Goodman and S. Hunt

AN ACT Relating to fingerprint-based background checks for health professionals; and amending RCW 43.43.700, 43.43.705, 43.43.742, and 18.130.064.

Referred to Committee on Public Safety.

HB 2081 by Representative Hurst

AN ACT Relating to adjudicative proceedings involving a state agency that is also a party to the proceeding; amending RCW 34.05.030, 34.05.425, 34.05.461, 34.12.040, 34.12.060, 9.46.140, 9.46.231, 9A.88.150, 10.105.010, 18.27.225, 18.27.310, 18.235.030, 19.28.131, 19.28.490, 19.290.230, 26.23.120, 28A.300.120, 41.05.021, 43.19.008, 43.43.395, 43.215.030, 46.12.735, 46.20.331, 46.55.180, 49.12.285, 49.48.084, 49.60.250, 49.70.165, 49.74.040, 49.86.120, 66.24.010, 69.50.331, 74.09.741, 82.24.550, 82.26.220, and 88.16.090; reenacting and amending RCW 18.130.050 and 48.04.010; adding a new section to chapter 34.05 RCW; adding a new section to chapter 34.12 RCW; repealing RCW 46.20.332 and 46.20.333; and providing an effective date.

Referred to Committee on Judiciary.

HB 2082 by Representative Springer

AN ACT Relating to commerce in liquor.

Referred to Committee on Commerce & Gaming.

HB 2083 by Representative Hunter

AN ACT Relating to additional contribution rates for contributions made after the date the service is rendered for individual employers of the Washington state retirement systems; amending RCW 41.45.010, 41.45.050, and 41.45.060; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2084 by Representative Hunter

AN ACT Relating to imposing fines, withholding taxes, and other measures to encourage local jurisdictions to timely file state-required reports; amending RCW 36.96.010, 43.09.230, 57.90.010, 68.52.290, 27.12.050, 84.52.063, and 36.69.145; and adding a new section to chapter 43.09 RCW.

Referred to Committee on Local Government.

HB 2085 by Representatives Goodman and Ryu

AN ACT Relating to providing alternatives for penalties stemming from traffic infractions; amending RCW 46.63.060, 46.63.110, and 46.63.120; adding a new section to chapter 46.04 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 2086 by Representatives McBride, Walkinshaw, Moscoso, Farrell, Riccelli, Ormsby, Ryu, Robinson and Pollet

AN ACT Relating to the hosting of the homeless by religious organizations; and amending RCW 36.01.290, 35.21.915, and 35A.21.360.

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

HB 2087 by Representatives Fey and Muri

AN ACT Relating to clean alternative fuel vehicles, including electric vehicles and electric vehicle charging infrastructure; amending RCW 82.08.809, 82.12.809, and 46.17.323; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new section to chapter 47.04 RCW; adding a new section to chapter 82.44 RCW; creating new sections; providing an effective date; providing a contingent effective date; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

HB 2088 by Representatives Shea, Taylor, Young, Scott, Schmick, Buys and Condotta

AN ACT Relating to authorizing possession of pistols by qualified persons who are eighteen years of age and older; amending RCW 9.41.070 and 9.41.073; and repealing RCW 9.41.240.

Referred to Committee on Judiciary.

HB 2089 by Representatives Shea, Taylor, Young, Schmick, Scott, Buys, McCaslin and Condotta

AN ACT Relating to improving reciprocity for concealed pistol licenses; and amending RCW 9.41.073.

Referred to Committee on Judiciary.

HB 2090 by Representatives Shea, Taylor, Young, Scott and Buys

AN ACT Relating to a deputy prosecuting attorney oath of office; and amending RCW 36.27.040.

Referred to Committee on Judiciary.

HB 2091 by Representatives Shea, Taylor, Young, Scott and Condotta

AN ACT Relating to establishing the restoration of constitutional governance in Washington act; adding a new section to chapter 38.38 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2092 by Representatives Shea, Young, Taylor, Scott, Buys, McCaslin and Condotta

AN ACT Relating to the acquisition of land by state natural resources agencies; amending RCW 77.12.037, 77.12.220, 79.70.030, 79.71.040, and 79A.05.095; reenacting and amending RCW 79A.05.030; adding a new section to chapter 77.12 RCW; adding a new section to chapter 43.30 RCW; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Capital Budget.

HB 2093 by Representatives Kretz, Short, Blake, Buys and Condotta

AN ACT Relating to wildland fire suppression; amending RCW 76.04.015; reenacting and amending RCW 76.04.005; adding a new section to chapter 43.30 RCW; adding new sections to chapter 76.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 2094 by Representative Sells

AN ACT Relating to financial responsibility of motorcycle operators; and amending RCW 46.30.020.

Referred to Committee on Business & Financial Services.

HB 2095 by Representatives Pettigrew, Kagi and Ryu

AN ACT Relating to behavioral rehabilitation services; adding new sections to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2096 by Representatives Sells, Tarleton, Senn, Wylie, Robinson, Pollet, Peterson, Appleton, Stanford, Walkinshaw, Ryu and Santos

AN ACT Relating to the Washington materials management and financing authority's compliance with the provision of the maximum practicable opportunity for participation by minority and women-owned and controlled businesses; and amending RCW 70.95N.320.

Referred to Committee on Technology & Economic Development.

HJM 4008 by Representatives Klippert, Shea, Young, Rodne, Goodman, Griffey, Holy, Scott, McCaslin, Haler, Hargrove, Carlyle, Muri, Harmsworth, Taylor, Senn,

Van Werven, MacEwen, Buys, Pollet, Condotta and Farrell

Recognizing the right of Israel to exist as a sovereign state with secure and defensible borders.

Referred to Committee on State Government.

HJM 4009 by Representatives Fitzgibbon, McBride, Peterson, Fey, Ryu, S. Hunt and Pollet

Requesting action to address global climate change.

Referred to Committee on Environment.

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

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

REPORTS OF STANDING COMMITTEES

February 6, 2015

HB 1061 Prime Sponsor, Representative Hayes: Increasing the number of district court judges in Skagit county. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 5, 2015

HB 1278 Prime Sponsor, Representative Fitzgibbon: Concerning building energy use disclosure requirements. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on General Government & Information Technology.

February 6, 2015

HB 1466 Prime Sponsor, Representative Hudgins: Establishing data classification and encryption standards for state agencies. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Appropriations.

February 6, 2015

HB 1470 Prime Sponsor, Representative Hudgins: Establishing a blue-ribbon panel on cybersecurity. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 6, 2015

HB 1632 Prime Sponsor, Representative Goodman: Concerning domestic violence. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 1011, by Representatives Short, Takko, Springer, Buys, Kretz, Shea, Gregerson and Condotta

Assigning counties to two climate zones for purposes of the state building code.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1011.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1011, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1013, by Representatives Appleton, Johnson, Hansen, Takko, Gregerson and Fey

Authorizing regular meetings of county legislative authorities to be held at alternate locations within the county.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1013.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, DeBolt, Harris, Kochmar, MacEwen, McCaslin, Shea, Taylor, Wilcox, Wilson and Young.

HOUSE BILL NO. 1013, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1043, by Representatives Ryu and Parker

Concerning self-service storage facilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1043 was substituted for House Bill No. 1043 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1043 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1043.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1043, and the bill passed the House by the following vote:
Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, G., Hunt, S., Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

Voting nay: Representatives Kretz and Pollet

SUBSTITUTE HOUSE BILL NO. 1043, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1048, by Representatives Kirby, Stanford, Vick and Ryu

Updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1048 was substituted for House Bill No. 1048 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1048 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1048.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1048, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1048, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1053, by Representatives Kirby and Schmick

Concerning filing requirements for large group health benefit plans, stand-alone dental plans, and stand-alone vision plans. Revised for 1st Substitute: Concerning the filing of group health benefit plans other than small group plans, stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1053 was substituted for House Bill No. 1053 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1053 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1053.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1053, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1062, by Representatives Stanford, Kirby, Gregerson, Vick and Ryu

Updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions.

The bill was read the second time.

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

Representatives Stanford and Vick spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1062.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1062, and the bill passed the House by the following vote: Yeas, 85; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker,

Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, G. Hunt, Harmsworth, Holy, McCaslin, Orcutt, Scott, Shea, Short, Smith, Taylor and Young.

HOUSE BILL NO. 1062, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1063, by Representatives Kirby, Blake and Ryu

Concerning cosmetology, hair design, barbering, esthetics, and manicuring.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1063 was substituted for House Bill No. 1063 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1063 was read the second time.

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

Representatives Kirby, Vick and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1063.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Shea, Taylor and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1063, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1088, by Representative Takko

Modifying per diem compensation for flood control zone district supervisors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1088 was substituted for House Bill No. 1088 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1088 was read the second time.

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

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1088.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1088, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Absent: Representative Van Werven

SUBSTITUTE HOUSE BILL NO. 1088, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1088 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1088 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1088 on reconsideration, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1088 on reconsideration, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1145, by Representatives Haler and Fey

Allowing joint meetings of county legislative authorities under certain circumstances.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1145 was substituted for House Bill No. 1145 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1145 was read the second time.

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

Representatives Haler, Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1145.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1145, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1145, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1317, by Representatives Zeiger, Kilduff, Kirby, Wylie and Sawyer

Revising the lien for collection of sewer charges by counties.

The bill was read the second time.

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

Representatives Zeiger and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1317.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1317, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1317, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1043 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1317 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1317 on reconsideration, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins,

Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Pollet, Scott and Young.

HOUSE BILL NO. 1317 on reconsideration, having received the necessary constitutional majority, was declared passed.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Representative Lytton gave notice of her intent to move for reconsideration of the vote by which House Bill No. 1013 passed the House.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Representative Lytton gave notice of her intent to move for reconsideration of the vote by which Substitute House Bill No. 1043 passed the House.

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

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

There being no objection, the House adjourned until 10:00 a.m., February 12, 2015, the 32nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SECOND DAY

House Chamber, Olympia, Thursday, February 12, 2015

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jack Yount and Lauryn Armfield. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 4612, by Representative Parker

WHEREAS, It is the policy of the Washington State House of Representatives to recognize the extraordinary accomplishments of colleges and universities in the State of Washington; and

WHEREAS, Whitworth College, now Whitworth University, was founded on February 20, 1890, in Sumner, Washington by George F. Whitworth; and

WHEREAS, In 1914, Whitworth relocated to Spokane, Washington from Tacoma, Washington, commencing classes in September 1914; and

WHEREAS, Spokane developer Jay P. Graves' generous offer of land and the enthusiastic support of Spokane's citizens, who raised significant donations towards a building fund, led to Whitworth's impressive and now prestigious campus in north Spokane; and

WHEREAS, Today, Whitworth has a student body of 3,000 students and a strong educational program, teaching students the principles of their majors and the Christian principles Whitworth was founded upon; and

WHEREAS, Whitworth's mission is to provide its diverse student body with an education of mind and heart, equipping its graduates to serve humanity; and

WHEREAS, The students who graduate from Whitworth go on not only to apply what they have learned, but also to do so in a manner that is singular to the ideals and morals of Whitworth; and

WHEREAS, An education received from Whitworth is marked by an education of mind and heart, academic excellence, the integration of faith and learning, and great opportunities to study abroad, enroll in various internships and practicums, and receive an education that is parallel to the great universities of our state; and

WHEREAS, Whitworth and the State of Washington have enjoyed a strong and mutually enriching friendship that has benefited the school, its students, and the citizens of Washington in immeasurable ways; and

WHEREAS, Whitworth's academic honors, athletic victories, and record of public service demonstrate the university putting its mission into practice; and

WHEREAS, Whitworth's faculty and staff are given the freedom to incite students to fearlessly ask questions, and go to great lengths to prepare students for the work they will move on to after graduation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the scholastic and athletic achievements of Whitworth University, congratulate Whitworth University on its 125th anniversary, and honor Whitworth University's devotion to educating students, which has made it among the most excellent universities in Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Whitworth University.

The Speaker stated the question before the House to be adoption of House Resolution No. 4612.

HOUSE RESOLUTION NO. 4612 was adopted.

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

INTRODUCTION & FIRST READING

HB 2097 by Representatives Kirby, Rodne, Goodman and Walkinshaw

AN ACT Relating to fees in courts of limited jurisdiction; and amending RCW 10.01.160, 3.50.100, and 35.20.030.

Referred to Committee on Judiciary.

HB 2098 by Representatives Orwall, Kochmar, Goodman, Moscoso, Young, Zeiger, Harmsworth and Santos

AN ACT Relating to establishing a statewide training program on human trafficking laws for criminal justice personnel; adding a new section to chapter 43.280 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 2099 by Representatives MacEwen and Schmick

AN ACT Relating to eliminating certificate of need requirements for kidney disease treatment centers in rural counties; and amending RCW 70.38.025 and 70.38.105.

Referred to Committee on Health Care & Wellness.

HB 2100 by Representatives Kagi, Walsh and Santos

AN ACT Relating to health and safety requirements for child care programs that serve school-age children; amending RCW 43.215.360; and reenacting and amending RCW 43.215.200.

Referred to Committee on Early Learning & Human Services.

HB 2101 by Representative MacEwen

AN ACT Relating to veterans' preferences; and reenacting and amending RCW 41.06.133.

Referred to Committee on State Government.

HB 2102 by Representative Appleton

AN ACT Relating to allowing expansion of public facilities districts formed before July 31, 2002; and amending RCW 82.14.390.

Referred to Committee on Finance.

HB 2103 by Representatives Kirby and Vick

AN ACT Relating to the collection of fees in connection with making consumer loans; amending RCW 31.04.105; and creating a new section.

Referred to Committee on Business & Financial Services.

HB 2104 by Representatives Tharinger, Vick, Van De Wege and Orcutt

AN ACT Relating to providing a public utilities tax credit for forest derived biomass used to produce energy; amending RCW 82.04.4494; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2105 by Representatives Takko and Rodne

AN ACT Relating to the processing of vehicle certificates of title and registrations; amending RCW 46.68.400; and adding a new section to chapter 46.01 RCW.

Referred to Committee on Transportation.

HB 2106 by Representatives Muri and Magendanz

AN ACT Relating to creating regulatory certainty for autonomous vehicle testing in designated areas; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

HB 2107 by Representatives Kretz, Blake, Short, Dent and Schmick

AN ACT Relating to requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 2108 by Representatives Hargrove, Shea, McCaslin, Buys, Wilson, Scott, Haler, Zeiger, Parker, Dent, Young, Short, Harmsworth, Walsh and Schmick

AN ACT Relating to the foster care licensing requirement to provide proof of influenza immunizations; and adding a new section to chapter 74.15 RCW.

Referred to Committee on Health Care & Wellness.

HB 2109 by Representatives Springer, Manweller, Pettigrew, Harris, Kilduff, S. Hunt, Bergquist, Lytton, Tharinger and Santos

AN ACT Relating to creating the Washington small business retirement marketplace; adding new sections to chapter 43.330 RCW; adding a new section to chapter 43.320 RCW; and creating a new section.

Referred to Committee on Appropriations.

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

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

REPORTS OF STANDING COMMITTEES

February 10, 2015

HB 1000 Prime Sponsor, Representative Blake: Concerning water rights appurtenant to land managed by the department of fish and wildlife. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Hurst; Orcutt and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Kretz; Schmick and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Pettigrew.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1030 Prime Sponsor, Representative Johnson: Creating the Washington advance higher education loan program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Sells; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Referred to Committee on Appropriations.

February 9, 2015

HB 1038 Prime Sponsor, Representative Moeller: Extending apprenticeship utilization requirements. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member Hunt, G., Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe.

Referred to Committee on Finance.

February 10, 2015

HB 1052 Prime Sponsor, Representative Hayes: Requiring institutions of higher education to make an early registration process available to spouses and domestic partners of active members of the military. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1095 Prime Sponsor, Representative Morris: Promoting thermal energy efficiency. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Ryu; Santos and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Young.

Referred to Committee on Appropriations.

February 10, 2015

HB 1118 Prime Sponsor, Representative Blake: Creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt and Schmick.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1194 Prime Sponsor, Representative Kirby: Addressing the death benefits of a surviving spouse of a member of the law enforcement officers' and firefighters' retirement system or the state patrol retirement system. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Referred to Committee on Appropriations.

February 10, 2015

HB 1195 Prime Sponsor, Representative Rodne: Concerning office hours for registered tow truck operators. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1211 Prime Sponsor, Representative Hunt, G.: Addressing fees and costs related to methods of wage payment. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1218 Prime Sponsor, Representative Zeiger: Implementing public-private partnership best practices for nontoll transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1235 Prime Sponsor, Representative Holy: Making nonsubstantive changes to procurement law. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1249 Prime Sponsor, Representative Clibborn: Providing authority for two or more nonprofit corporations to participate in a joint self-insurance program covering property or liability risks. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1255 Prime Sponsor, Representative Tarleton: Concerning the office of minority and women's business enterprises account. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Ryu; Santos; Wylie and Young.

Referred to Committee on Appropriations.

February 11, 2015

HB 1267 Prime Sponsor, Representative Buys: Concerning de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Hurst; Kretz; Orcutt; Pettigrew and Schmick.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1268 Prime Sponsor, Representative Buys: Regarding hemp as a component of commercial animal feed. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1269 Prime Sponsor, Representative Buys: Extending the dairy inspection program assessment expiration date. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Hurst; Kretz; Orcutt; Pettigrew and Schmick.

MINORITY recommendation: Do not pass. Signed by Representative Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representatives Dunshee and Stanford.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1284 Prime Sponsor, Representative Haler: Concerning hours of service for certain railroad employees. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1314 Prime Sponsor, Representative Fitzgibbon: Implementing a carbon pollution market program

to reduce greenhouse gas emissions. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on Appropriations.

February 10, 2015

HB 1387 Prime Sponsor, Representative Takko: Supporting apprenticeship training for building officials. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 9, 2015

HB 1393 Prime Sponsor, Representative Ortiz-Self: Authorizing certain public transportation benefit areas to impose a sales and use tax approved by voters. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Takko; Tarleton; Wilson and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Young.

Referred to Committee on Finance.

February 10, 2015

HB 1399 Prime Sponsor, Representative Hudgins: Annually adjusting the limit on distribution of hazardous substance tax revenues to the state and local toxics control accounts to correct for inflation. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Smith, Assistant Ranking Minority Member; Kilduff; Peterson and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives DeBolt, Ranking Minority Member and Kochmar.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Referred to Committee on Appropriations.

February 9, 2015

HB 1404 Prime Sponsor, Representative Wylie: Requiring a bistate work group for certain transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Shea; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1409 Prime Sponsor, Representative Walkinshaw: Concerning the disclosure of vessel owner information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1436 Prime Sponsor, Representative Kagi: Concerning homeless youth prevention and protection. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent; Hawkins and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, Ranking Minority Member.

Referred to Committee on Appropriations.

February 9, 2015

HB 1480 Prime Sponsor, Representative Holy: Creating intermittent-use trailer license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1496 Prime Sponsor, Representative Sells: Addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Referred to Committee on Appropriations.

February 9, 2015

HB 1511 Prime Sponsor, Representative Ortiz-Self: Requiring Washington's tribal history, culture, and government to be taught in the common schools. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1512 Prime Sponsor, Representative Sells: Encouraging fairness in disciplinary actions of peace officers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1527 Prime Sponsor, Representative Dent: Requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1532 Prime Sponsor, Representative Smith: Concerning budget submissions for capital design and construction at institutions of higher education. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1549 Prime Sponsor, Representative Carlyle: Providing reasonable tools for the effective administration of the public utility district privilege tax. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1550 Prime Sponsor, Representative Carlyle: Simplifying the taxation of amusement, recreation, and physical fitness services. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1559 Prime Sponsor, Representative Riccelli: Concerning higher education programs at Washington State University and the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representative Pollet, Vice Chair.

Referred to Committee on Appropriations.

February 10, 2015

HB 1590 Prime Sponsor, Representative Reykdal: Requiring completion of an apprenticeship program to receive a journey level or residential specialty electrician certificate of competency. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1595 Prime Sponsor, Representative Senn: Changing the definition of labor hours for the purposes of the apprenticeship utilization statute. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1622 Prime Sponsor, Representative Young: Expanding the products considered to be potentially nonhazardous as they apply to cottage food operations. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1633 Prime Sponsor, Representative Zeiger: Giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities or nonprofit housing providers to help children of low-income families succeed in school. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Smith, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1646 Prime Sponsor, Representative Senn: Enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member Hunt, G., Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1672 Prime Sponsor, Representative Kagi: Modifying provisions governing the maintenance and disclosure of information related to reports of child abuse and neglect. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Referred to Committee on Appropriations.

February 10, 2015

HB 1707 Prime Sponsor, Representative Takko: Concerning irrigation district administration. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1728 Prime Sponsor, Representative Ormsby: Creating the parents for parents program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

February 9, 2015

HB 1732 Prime Sponsor, Representative Reykdal: Addressing meal and rest breaks and mandatory overtime for certain health care employees. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member Hunt, G., Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 10, 2015

HB 1735 Prime Sponsor, Representative Orwall: Concerning extended foster care services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Referred to Committee on Appropriations.

February 11, 2015

HB 1742 Prime Sponsor, Representative Lytton: Changing cottage food operation provisions. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Hurst; Kretz; Orcutt; Pettigrew; Schmick and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1798 Prime Sponsor, Representative Takko: Eliminating the collection of anticipated taxes and assessments. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

THIRD READING

RECONSIDERATIOIN

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1013 passed the House.

MOTIONS

On motion of Representative Van De Wege, Representative S. Hunt was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1013 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1013 on reconsideration, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van Werven, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, DeBolt, G. Hunt, Harmsworth, Harris, MacEwen, McCaslin, Pike, Scott, Shea, Taylor, Van De Wege, Vick, Wilcox, Wilson and Young.

Excused: Representative S. Hunt.

HOUSE BILL NO. 1013 on reconsideration, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1043 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1043 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1043, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, and Zeiger

Voting nay: Representatives Hunt, G., McCaslin, Pollet, Scott, and Young

SUBSTITUTE HOUSE BILL NO. 1043 on reconsideration, having received the necessary constitutional majority, was declared passed.

FORMAT CHANGED TO ACCOMMODATE TEXT

MESSAGE FROM THE SENATE

February 11, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1105 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 3. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund—State Appropriation (FY 2015)..... $276,000

The appropriation in this section is subject to the following conditions and limitations: $276,000 of the general fund—state appropriation for fiscal year 2015 is provided to improve the legislature's access to independent and objective health care actuarial analysis.

NEW SECTION. **Sec. 4. FOR THE MILITARY DEPARTMENT**

Disaster Response Account—State Appropriation $11,460,000

Disaster Response Account—Federal Appropriation $6,141,000
TOTAL APPROPRIATION $17,601,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for disasters declared by the governor and may be spent only with the approval of the office of financial management.

NEW SECTION. **Sec. 5. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM**

General Fund—State Appropriation (FY 2015)..... $9,424,000

General Fund—Federal Appropriation ..... ($2,459,000)
TOTAL APPROPRIATION $6,965,000

The appropriations in this section are subject to the following conditions and limitations: The amount provided in this section is for increased costs of services for children and families, including supervised visitation and extended foster care.

NEW SECTION. **Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH DIVISION—COMMUNITY SERVICES**

General Fund—State Appropriation (FY 2015)..... $11,999,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The entire appropriation is provided solely to reimburse regional support networks for increased costs that are not covered under the Medicaid program and that are incurred in order to meet statutory obligations to provide individualized mental health treatment in appropriate settings to individuals who are detained or committed under the involuntary treatment act. Prior to distributing funds to a

regional support network requesting reimbursement for costs relative to increased utilization, the department must receive adequate documentation of such increased utilization and costs.

(2) In addition to those authorized in section 204(1)(d), chapter 221, Laws of 2014, an additional 30 nonforensic beds per day are allocated for use by regional support networks at western state hospital.

NEW SECTION. **Sec. 7. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH DIVISION—INSTITUTIONAL SERVICES**

General Fund—State Appropriation (FY 2015)..... $8,621,000

The appropriation in this section is subject to the following conditions and limitations:

(1) $1,425,000 of the appropriation is provided solely for the startup and operation of a 30 bed civil ward at western state hospital.

(2) $450,000 of the appropriation is provided solely for the startup and operation of a 15 bed forensic ward at western state hospital.

(3) $106,000 of the appropriation is provided solely to increase the number of staff providing competency evaluation services.

(4) $339,000 of the appropriation is provided solely for the startup and operation of a psychiatric intensive care unit to provide specialized intensive care to assaultive patients from western and eastern state hospitals.

(5) $318,000 of the appropriation is provided solely to expand the use of psychiatric emergency response teams at western and eastern state hospitals.

(6) $459,000 of the appropriation is provided solely for assignment pay to improve recruitment and retention of psychiatrists at eastern and western state hospitals.

(7) $5,524,000 of the appropriation is provided for covering increased costs of operations at the state hospitals. By April 1, 2015, the department shall prepare and submit to the office of financial management and the fiscal committees of the legislature a staffing plan for the state institutions of the mental health division that will maintain expenditures within appropriated levels.

NEW SECTION. **Sec. 8. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH DIVISION—PROGRAM SUPPORT**

General Fund—State Appropriation (FY 2015)..... $535,000

General Fund—Federal Appropriation $115,000

TOTAL APPROPRIATION $650,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $335,000 of the general fund—state appropriation and the entire general fund—federal appropriation are provided solely for coordination of efforts to meet statutory obligations to provide individualized mental health treatment in appropriate settings to individuals who are detained or committed under the involuntary treatment act.

(2) $200,000 of the general fund—state appropriation is provided solely for increasing the number of community competency evaluations that can be done under chapter 284, Laws of 2013 (ESSB 5551).

NEW SECTION. **Sec. 9. FOR THE CONSERVATION COMMISSION**

Budget Stabilization Account Appropriation (FY 2015) $1,165,000

General Fund—Federal Appropriation $1,538,000
TOTAL APPROPRIATION $2,703,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to protect water quality, prevent crop damage, and help landowners recover from losses sustained during the Carlton Complex fire.

NEW SECTION. **Sec. 10. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Budget Stabilization Account Appropriation (FY 2015) $62,704,000

General Fund—Federal Appropriation $9,661,000
TOTAL APPROPRIATION $72,365,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for costs of emergency fire suppression. These amounts may not be used to fund agency indirect and administrative expenses.

NEW SECTION. **Sec. 11. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Budget Stabilization Account Appropriation (FY 2015) $771,000

The appropriation in this section is subject to the following conditions and limitations: The appropriations are provided solely to pay for emergency fire suppression costs, emergency seeding, winter feeding of deer, and emergency fence repair costs. These amounts may not be used to fund agency indirect and administrative expenses.

NEW SECTION. **Sec. 12. FOR THE WASHINGTON STATE PATROL**

Disaster Response Account—State Appropriation $12,547,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964.

NEW SECTION. **Sec. 13. FOR THE OFFICE OF FINANCIAL MANAGEMENT—FIRE CONTINGENCY**

Budget Stabilization Account Appropriation (FY 2015) $12,547,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the disaster response account to be used for any Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964.

NEW SECTION. **Sec. 14. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES DIVISION**

General Fund—State Appropriation (FY 2015) $10,625,000

General Fund—Federal Appropriation $10,625,000

TOTAL APPROPRIATION $21,250,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to fully satisfy the first amended supplemental judgment and order and second amended final judgment on jury verdict issued by the Thurston county superior court on September 5, 2014, in the case of *Rekhter v. DSHS*, cause no. 07-2-00895-8.

NEW SECTION. **Sec. 15. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE ADMINISTRATION**

General Fund—State Appropriation (FY 2015) $24,769,000

General Fund—Federal Appropriation $24,875,000

TOTAL APPROPRIATION $49,644,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to fully satisfy the first amended supplemental judgment and order and second amended final judgment on jury verdict issued by the Thurston county superior court on September 5, 2014, in the case of *Rekhter v. DSHS*, cause no. 07-2-00895-8.

Sec. 16. RCW 82.33.020 and 2012 1st sp.s. c 8 s 3 are each amended to read as follows:

(1) Four times each year the supervisor must prepare, subject to the approval of the economic and revenue forecast council under RCW 82.33.010:

(a) An official state economic and revenue forecast;

(b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and

(c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

(2) The supervisor must submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.33.010, to the governor and the members of the committees on ways and means and the chairs of the committees on transportation of the senate and house of representatives, including one copy to the staff of each of the committees, on or before November 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 27th, and September 27th. In fiscal year 2015, the March 20th forecast shall be submitted on or before February 20, 2015. All forecasts must include both estimated receipts and estimated revenues in

conformance with generally accepted accounting principles as provided by RCW 43.88.037. In odd-numbered years, the period covered by forecasts for the state general fund and related funds must cover the current fiscal biennium and the next ensuing fiscal biennium. In even-numbered years, the period covered by the forecasts for the state general fund and related funds shall be current fiscal and the next two ensuing fiscal biennia.

(3) All agencies of state government must provide to the supervisor immediate access to all information relating to economic and revenue forecasts. Revenue collection information must be available to the supervisor the first business day following the conclusion of each collection period.

(4) The economic and revenue forecast supervisor and staff must co-locate and share information, data, and files with the tax research section of the department of revenue but may not duplicate the duties and functions of one another.

(5) As part of its forecasts under subsection (1) of this section, the supervisor must provide estimated revenue from tuition fees as defined in RCW 28B.15.020.

(6) The economic and revenue forecast council must, in consultation with the economic and revenue forecast work group created in RCW 82.33.040, review the existing economic and revenue forecast council revenue model, data, and methodologies and in light of recent economic changes, engage outside experts if necessary, and recommend changes to the economic and revenue forecast council revenue forecasting process to increase confidence and promote accuracy in the revenue forecast. The recommendations are due by September 30, 2012, and every five years thereafter.

NEW SECTION. **Sec. 17.** Sections 1 through 13 of this act are each added to 2013 2nd sp.s. c 4 (uncodified).

NEW SECTION. **Sec. 18.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert: "amending RCW 82.33.020; adding new sections to 2013 2nd sp.s. c 4 (uncodified); making appropriations; and declaring an emergency."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1105 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1105, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1105, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Pike, Scott, Shea, Taylor, Wilson and Young.

Excused: Representative S. Hunt.

SUBSTITUTE HOUSE BILL NO. 1105, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1105.

Representative Scott, 39th District

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

SECOND READING

HOUSE BILL NO. 1032, by Representatives Blake, Hurst and Moeller

Amending the fee structure provided in RCW 77.55.321 to encourage habitat projects that provide a public benefit.

The bill was read the second time.

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

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1032.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1032, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, MacEwen, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, McCabe, McCaslin, Parker, Pike, Rodne, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative S. Hunt.

HOUSE BILL NO. 1032, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1070, by Representatives Goodman, Rodne and Jinkins

Creating the international commercial arbitration act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1070 was substituted for House Bill No. 1070 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1070 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1070.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1070, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt,

Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative S. Hunt.

SUBSTITUTE HOUSE BILL NO. 1070, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1070.

Representative Scott, 39th District

SECOND READING

HOUSE BILL NO. 1100, by Representatives Morris, S. Hunt, Hudgins, Ormsby and Fey

Creating new appliance efficiency standards.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1100 was substituted for House Bill No. 1100 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1100 was read the second time.

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

Representative Morris spoke in favor of the passage of the bill.

Representative Smith spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1100.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1100, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative S. Hunt.

SUBSTITUTE HOUSE BILL NO. 1100, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1111, by Representatives Kilduff, Stokesbary, Walkinshaw, Goodman, Gregerson, Jinkins, Muri, Rodne and Moeller

Concerning court transcripts.

The bill was read the second time.

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

Representatives Kilduff, Rodne, Jinkins, Rodne (again), Klippert and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1111.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1111, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative S. Hunt.

HOUSE BILL NO. 1111, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Jinkins congratulated Representative Kilduff on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1129, by Representatives Goodman, Walsh, Jinkins, Ortiz-Self, Gregerson and Pollet

Granting the office of civil legal aid access to juvenile case records.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1129.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1129, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative S. Hunt.

HOUSE BILL NO. 1129, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1134, by Representatives Moeller and Harris

Concerning scope of practice for certified counselors and advisers.

The bill was read the second time.

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

Representatives Moeller and Cody spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1134.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

Excused: Representative S. Hunt.

HOUSE BILL NO. 1134, having received the necessary constitutional majority, was declared passed.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Nolan Henry, the 2014 National High School Heisman Award recipient, who was recognized with the passage of House Resolution No. 4610, to the Chamber and asked the members to acknowledge him.

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

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

There being no objection, the House adjourned until 9:55 a.m., February 13, 2015, the 33rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY THIRD DAY

House Chamber, Olympia, Friday, February 13, 2015

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

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

MESSAGE FROM THE SENATE

February 11, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5083
SUBSTITUTE SENATE BILL NO. 5175

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2110 by Representatives Tharinger and Schmick

AN ACT Relating to taxes and service charges on certain stand-alone dental plans offered through the health benefit exchange; amending RCW 48.14.020 and 48.14.0201; adding a new section to chapter 43.71 RCW; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Appropriations.

HB 2111 by Representatives Tharinger and Nealey

AN ACT Relating to creating a tax division of the court of appeals; amending RCW 2.06.020, 2.06.030, 2.06.040, 2.06.050, 2.06.070, 2.06.150, 34.05.030, 39.88.060, 42.17A.705, 79.125.450, 82.01.090, 82.29A.060, 82.32.160, 82.32.170, 82.32.180, 82.49.060, 84.08.060, 84.08.130, 84.33.091, 84.34.065, 84.36.850, 84.39.020, 84.40.038, 84.48.080, 84.52.018, 84.56.290, 84.69.020, and 84.69.030; reenacting and amending RCW 34.12.020; adding new sections to chapter 2.06 RCW; creating new sections; repealing RCW 82.03.010, 82.03.020, 82.03.030, 82.03.040, 82.03.050, 82.03.060, 82.03.070, 82.03.080, 82.03.090, 82.03.100, 82.03.110, 82.03.120, 82.03.130, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 82.03.180, 82.03.190, 82.03.200, and 82.32.150; and providing effective dates.

Referred to Committee on Judiciary.

HB 2112 by Representatives Hunter and Walkinshaw

AN ACT Relating to annexation of islands of unincorporated territory in areas subject to boundary review; amending RCW 36.93.180 and 36.70A.110; and creating a new section.

Referred to Committee on Local Government.

HB 2113 by Representatives Walkinshaw, Walsh, Kagi, Johnson, Appleton, Sawyer, Kilduff, Stanford, Jinkins, Zeiger, Santos, Ortiz-Self, Pollet and Ormsby

AN ACT Relating to creating a legislative task force on poverty; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 2114 by Representatives Appleton, Caldier, Johnson, Kilduff, Ortiz-Self, Hayes and Muri

AN ACT Relating to providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee; and amending RCW 43.60A.080.

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

HB 2115 by Representatives Blake, Sawyer, Stanford and S. Hunt

AN ACT Relating to cetacean captivity; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 2116 by Representatives Holy and Goodman

AN ACT Relating to motor vehicle crimes; amending RCW 9.94A.030, 9.94A.525, 9.94A.734, 13.40.0357, 13.40.160, 13.40.210, 13.40.305, 13.40.308, and 9A.56.065; reenacting and amending RCW 9.94A.515; repealing RCW 9A.56.075; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2117 by Representatives Pollet, Ortiz-Self, S. Hunt, Santos, Taylor, Scott, Griffey and Shea

AN ACT Relating to reevaluating the duties of the state board of education; and creating new sections.

Referred to Committee on Education.

HB 2118 by Representatives Orwall, Cody, Stokesbary and Pollet

AN ACT Relating to providing a business and occupation tax credit to alleviate the additional costs incurred by small businesses that previously provided health insurance through

an association health plan and currently provide nongrandfathered small group coverage; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2119 by Representatives Smith and Pollet

AN ACT Relating to consumer data privacy protection and the work of a task force to consider creating a consumer data privacy protection office; adding a new section to chapter 82.04 RCW; adding a new section to chapter 43.79 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

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

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

REPORTS OF STANDING COMMITTEES

February 9, 2015

HB 1107 Prime Sponsor, Representative Springer: Concerning access to and creation of cultural and heritage programs and facilities. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 10, 2015

HB 1164 Prime Sponsor, Representative Riccelli: Creating a competitive equipment assistance grant program to enhance student nutrition in public schools. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1223 Prime Sponsor, Representative Springer: Allowing the use of lodging taxes for financing workforce housing. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins and Van De Wege.

Referred to Committee on Finance.

February 10, 2015

HB 1265 Prime Sponsor, Representative Fey: Creating a bond issuance exemption for qualifying local revitalization financing projects. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; DeBolt, Assistant Ranking Minority Member; Fey; Hudgins; Magendanz; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; Harmsworth and Young.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1294 Prime Sponsor, Representative Bergquist: Enhancing youth voter registration. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member and Hawkins.

MINORITY recommendation: Without recommendation. Signed by Representative Van Werven, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1346 Prime Sponsor, Representative Blake: Allowing additional hunting opportunities on state land. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Fey; Goodman; Harris; Pike and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative McBride.

MINORITY recommendation: Without recommendation. Signed by Representative Farrell.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1392 Prime Sponsor, Representative Stanford: Concerning the administrative rate the recreation and conservation funding board may retain to administer the grant programs established in

February 10, 2015

HB 1634 Prime Sponsor, Representative DeBolt: Modifying certain job order contracting requirements. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 9, 2015

HB 1637 Prime Sponsor, Representative Stokesbary: Authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1648 Prime Sponsor, Representative Walsh: Concerning infrastructure financing for local governments. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 11, 2015

HB 1656 Prime Sponsor, Representative Takko: Concerning Washington's property assessment appeal procedures. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1657 Prime Sponsor, Representative Takko: Concerning Washington's property assessment appeal procedures. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1711 Prime Sponsor, Representative Senn: Concerning criteria for bidders on public works contracts. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Kilduff; Peterson and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member and Kochmar.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1755 Prime Sponsor, Representative Pettigrew: Authorizing a livestock movement reporting system. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Chandler; Dunshee; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Kretz; Orcutt and Schmick.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1799 Prime Sponsor, Representative Nealey: Concerning county electronic public auctions. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1928 Prime Sponsor, Representative Fey: Requiring an analysis of the homeless youth population. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Kilduff; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Referred to Committee on Appropriations.

February 11, 2015

HB 2010 Prime Sponsor, Representative Takko: Creating appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SUBSTITUTE HOUSE BILL NO. 1105.

The Speaker called upon Representative Sullivan to preside.

MESSAGES FROM THE SENATE

February 13, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1105

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

February 13, 2015

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5052
ENGROSSED SUBSTITUTE SENATE BILL NO. 5267
SENATE BILL NO. 5464

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

There being no objection, the House adjourned until 10:00 a.m., February 16, 2015, the 36th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SIXTH DAY

House Chamber, Olympia, Monday, February 16, 2015

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

The flags were escorted to the rostrum by the Columbia River Young Marines. The National Anthem was performed by the North Thurston High School Jazz Choir. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Aaragon Markwell, First Baptist Church of South Bend, Washington.

The Speaker (Representative Orwall presiding) introduced the North Thurston High School Jazz Choir, which performed "Stand By Me".

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

RESOLUTION

HOUSE RESOLUTION NO. 4611, by Representatives Chopp, Kristiansen, Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, G. Hunt, S. Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

WHEREAS, The House of Representatives recognize that children represent the future of our state, nation, and world; and

WHEREAS, Children's Day has been celebrated around the world since 1925 and this legislature has celebrated it since 1995; and

WHEREAS, The House of Representatives previously chose to commemorate Children's Day as a reminder of the special place that children hold in each and every one of our hearts; and

WHEREAS, When Children's Day was first established it was intended to promote mutual exchange and understanding among children and to initiate action to benefit and promote the welfare of the world's children; and

WHEREAS, The House of Representatives recognize that every child deserves to have an education; and

WHEREAS, The House of Representatives will not forget that an educated child is the key to a successful future; and

WHEREAS, Children's Day is a day to remember that every child deserves a chance to succeed; and

WHEREAS, Children's Day is a wonderful reminder that children deserve faith, hope, love, and commitment to their future; and

WHEREAS, The House of Representatives continue to support the goals of Children's Day;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the children of the State of Washington and encourage all of its citizens to celebrate children on Children's Day as well as throughout the year by nurturing them with love, attention, and encouragement in order to keep our communities strong.

Representative Kilduff moved adoption of HOUSE RESOLUTION NO. 4611.

Representatives Kilduff and Stokesbary spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4611 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4614, by Representatives Chopp, Kristiansen, Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, G. Hunt, S. Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

WHEREAS, Washington State and the nation have set aside the third Monday of every February to celebrate George Washington's and Abraham Lincoln's birthdays, as both of these presidents were born in February; and

WHEREAS, George Washington, the first president of the United States of America, leader of the rebel forces against Britain in the Revolutionary War, and signer of the Constitution of the

United States of America is celebrated on Presidents Day for his birthday; and

WHEREAS, Abraham Lincoln, the sixteenth president of the United States of America, leader of the nation in the Civil War, ender of slavery with the Emancipation Proclamation, and writer of the iconic Gettysburg Address is also celebrated on Presidents Day for his birthday; and

WHEREAS, This is also a day to remember the first ladies who have aided our presidents to serve in the past, each one playing her part in guiding and setting an excellent example of how a strong and courageous woman should be seen; and

WHEREAS, It is recognized that this wonderful diverse land, stretching from the Atlantic to the Pacific, is filled with proud Americans who honor those leaders from our past two hundred thirty-eight years as a nation; and

WHEREAS, Our federal government began the honoring of our presidents with Presidents Day starting in July of 1968 when the "Monday Holidays Act" was enacted; and

WHEREAS, The forebearers of this nation worked tirelessly to ensure that we live in a free nation, away from the tyranny of evil, under our own choices, and ruled by those elected to serve the residents of this powerful nation; and

WHEREAS, The House of Representatives recognize Presidents Day as a day to remember how our nation is led and what impacts those great leaders have had on our proud nation;

NOW, THEREFORE, BE IT RESOLVED, That on this sixteenth day of February, 2015, the House of Representatives honor the first and sixteenth presidents of the United States for their immeasurable contributions to, and noble sacrifices for, the causes of liberty, equality, and justice.

Representative Gregory moved adoption of HOUSE RESOLUTION NO. 4614

Representatives Gregory and Manweller spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4614 was adopted.

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

INTRODUCTION & FIRST READING

HB 2120 by Representatives Fitzgibbon, Takko and Farrell

AN ACT Relating to a leasehold excise tax credit for properties of market value in excess of ten million dollars; and amending RCW 82.29A.120.

Referred to Committee on Finance.

HB 2121 by Representatives Kochmar and Gregory

AN ACT Relating to providing certain documents to prospective tenants and buyers of a mobile home lot; and amending RCW 59.20.050.

Referred to Committee on Judiciary.

HB 2122 by Representatives McBride, Nealey, Peterson, Fey, Muri, Ryu, Walsh and Springer

AN ACT Relating to real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions; amending RCW 82.46.010, 82.46.035, 43.110.030, 35.21.698, and 36.01.240; and adding a new section to chapter 64.06 RCW.

Referred to Committee on Local Government.

HB 2123 by Representatives Young, Scott, Shea, G. Hunt and Zeiger

ACT Relating to exploring the creation of a highway military tribute bridge across a portion of Puget Sound; adding a new section to chapter 47.04 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

HB 2124 by Representative Wilson

AN ACT Relating to members of regional transportation planning organizations representing out-of-state governments or organizations; adding a new section to chapter 47.80 RCW; and repealing RCW 47.80.080.

Referred to Committee on Transportation.

HB 2125 by Representatives Parker, Hudgins, Wilcox and Ormsby

AN ACT Relating to information technology budget requests; and amending RCW 43.88.092.

Referred to Committee on General Government & Information Technology.

HB 2126 by Representatives Holy, Blake, Kretz and Buys

AN ACT Relating to initiating the adaptive management program within the forests and fish law to ensure that no proposed timber harvest is negatively affected solely due to its proximity to a stream that is not a fish bearing stream; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 2127 by Representatives Farrell, Tarleton, Robinson, Walkinshaw, Riccelli, Gregerson, Lytton and Bergquist

AN ACT Relating to creating a pedestrian fatality and serious injury review panel; amending RCW 43.59.040; and adding a new section to chapter 43.59 RCW.

Referred to Committee on Transportation.

HB 2128 by Representative Hudgins

AN ACT Relating to fees assessed by the department of agriculture; amending RCW 15.36.051, 15.36.081, 15.36.491, 15.36.525, 69.07.040, 69.07.085, and 69.10.015; adding a new section to chapter 15.36 RCW; and creating a new section.

Referred to Committee on General Government & Information Technology.

HB 2129 by Representative Santos

AN ACT Relating to bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements; and amending RCW 39.08.010.

Referred to Committee on State Government.

HB 2130 by Representative Klippert

AN ACT Relating to the murder of an unborn viable child; amending RCW 9A.32.030 and 9A.32.050; adding a new section to chapter 9A.32 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2131 by Representative Kirby

AN ACT Relating to insurance for providers of commercial transportation services.

Referred to Committee on Business & Financial Services.

HB 2132 by Representatives Peterson, Walkinshaw, Gregerson, Robinson, McBride, Tarleton, Riccelli, Bergquist and Stanford

AN ACT Relating to the distribution of naloxone to persons at risk for opioid overdose; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Appropriations.

HB 2133 by Representative S. Hunt

AN ACT Relating to exempting the addresses of certain child care providers from the public records act; and amending RCW 42.56.230.

Referred to Committee on State Government.

HB 2134 by Representatives Carlyle, Manweller, Pollet, Ryu and Reykdal

AN ACT Relating to the creation, extension, expansion, accountability, and transparency of state tax preferences; amending RCW 82.32.090, 82.32.590, 82.32.600, 82.32.605, 82.32.607, 82.32.710, 82.32.808, 82.04.240, 82.04.2404, 82.04.2909, 82.04.294, 82.04.426, 82.04.4277, 82.04.4277, 82.04.4461, 82.04.4463, 82.04.448, 82.04.4481, 82.04.4483, 82.04.449, 82.08.805, 82.08.965, 82.08.9651, 82.08.970, 82.08.980, 82.08.980, 82.08.986, 82.12.022, 82.12.025651, 82.12.805, 82.12.965, 82.12.9651, 82.12.970, 82.12.980, 82.16.0421, 82.29A.137, 82.60.070, 82.63.020, 82.63.045, 82.74.040, 82.74.050, 82.75.040, 82.75.070, 82.82.020, 82.82.040, 84.36.645, 84.36.655, 82.32.330, 82.04.390, and 43.06.400; reenacting and amending RCW 82.04.260 and 82.32.790; adding new sections to chapter 82.32 RCW; creating new sections; repealing RCW 82.32.534 and 82.32.585; providing effective dates; providing a contingent effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

ESSB 5083 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Rolfes, McCoy, Billig, Darneille, Kohl-Welles, Frockt and Fraser)

AN ACT Relating to the awareness of sudden cardiac arrest for students engaged in athletic activity; amending RCW 4.24.660 and 28A.195.010; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.320 RCW; and creating new sections.

Referred to Committee on Education.

SSB 5175 by Senate Committee on Health Care (originally sponsored by Senators Becker, Frockt, Angel, Rivers, Cleveland, Dammeier, Keiser, Fain, Parlette, Darneille, Pedersen, Habib, Kohl-Welles and Mullet)

AN ACT Relating to telemedicine; amending RCW 70.41.020 and 70.41.230; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 74.09 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health Care & Wellness.

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

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

REPORTS OF STANDING COMMITTEES

February 13, 2015

HB 1008 Prime Sponsor, Representative Smith: Authorizing the state auditor to conduct audits of state government and local agencies' data storage and management practices thereby protecting privacy and securing personal information from computer hacking or misuse of data. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

MINORITY recommendation: Without recommendation. Signed by Representative Senn, Vice Chair.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1090 Prime Sponsor, Representative Kirby: Concerning the financial fraud and identity theft crimes investigation and prosecution program. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1147 Prime Sponsor, Representative Haler: Requiring a study of the transition to a three-track or four-track admission system for public institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Stambaugh and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representative Reykdal.

MINORITY recommendation: Without recommendation. Signed by Representatives Sells and Tarleton.

Referred to Committee on Appropriations.

February 11, 2015

HB 1238 Prime Sponsor, Representative Pollet: Concerning affordable tuition planning. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Stambaugh and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Zeiger, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1257 Prime Sponsor, Representative Walkinshaw: Concerning tenant screening. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Haler; Klippert; Muri and Stokesbary.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1344 Prime Sponsor, Representative Pollet: Creating the nurse educator pay it forward program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Ranking Minority Member; Hargrove; Holy; Stambaugh and Van Werven.

Referred to Committee on Appropriations.

February 12, 2015

HB 1364 Prime Sponsor, Representative Hunt, S.: Establishing a citizens' initiative review pilot program. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Referred to Committee on Appropriations.

February 12, 2015

HB 1426 Prime Sponsor, Representative Jinkins: Concerning competency to stand trial evaluations. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 11, 2015

HB 1428 Prime Sponsor, Representative Fitzgibbon: Concerning voter registration. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 10, 2015

HB 1469 Prime Sponsor, Representative Hudgins: Addressing removal of payment credentials and other sensitive data from state data networks. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Appropriations.

February 11, 2015

HB 1482 Prime Sponsor, Representative Pollet: Requiring an analysis of regional higher education capacity to meet

educational attainment goals. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 10, 2015

HB 1513 Prime Sponsor, Representative Springer: Concerning local infrastructure project areas. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Sawyer and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Hawkins.

Referred to Committee on Finance.

February 12, 2015

HB 1536 Prime Sponsor, Representative Klippert: Addressing the timing of emergency detentions and assessments under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 12, 2015

HB 1561 Prime Sponsor, Representative Hudgins: Concerning the consideration of information technology security matters. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1564 Prime Sponsor, Representative Kilduff: Concerning the local option prohibition on the sale of liquor. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1567 Prime Sponsor, Representative Walkinshaw: Revising the uniform interstate family support act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1574 Prime Sponsor, Representative Rodne: Creating procedures for disposing property in the leased premises of a deceased tenant. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1599 Prime Sponsor, Representative Rodne: Concerning secure facilities for the criminally insane. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 12, 2015

HB 1602 Prime Sponsor, Representative Bergquist: Allowing for certain prima facie presumptions for occupational diseases affecting emergency medical technicians. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1603 Prime Sponsor, Representative Moeller: Allowing for certain prima facie presumptions for occupational diseases affecting public employee fire investigators. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1604 Prime Sponsor, Representative Reykdal: Studying an occupational disease exposure reporting requirement for firefighters. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1611 Prime Sponsor, Representative Reykdal: Addressing claims and compensation under the industrial insurance laws. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1612 Prime Sponsor, Representative Robinson: Addressing the payment of workers' compensation benefits by self-insured employers pending appeal. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1617 Prime Sponsor, Representative Rodne: Concerning the use of the judicial information system by courts before granting certain orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1618 Prime Sponsor, Representative Kilduff: Concerning objecting to relocation in child custody cases. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler; Klippert; Muri and Stokesbary.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1635 Prime Sponsor, Representative Hunt, S.: Concerning write-in candidates and votes. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton; Gregory and Hawkins.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1654 Prime Sponsor, Representative Peterson: Controlling noxious weeds while still supporting pollen-rich forage

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt and Schmick.

Referred to Committee on General Government & Information Technology.

February 10, 2015

HB 1720 Prime Sponsor, Representative Robinson: Concerning healthy housing. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1725 Prime Sponsor, Representative Cody: Concerning a consumer's right to assign hours to individual providers and the department of social and health services' authority to establish criteria regarding the payment of individual providers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 12, 2015

HB 1793 Prime Sponsor, Representative Lytton: Working within the existing in-stream flow rules adopted by the department of ecology to provide a suite of tools, applicable to property owners located in areas with limited access to legal new water withdrawals, for alternative water procurement that does not result in a net loss to area surface waters. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Dent, Assistant Ranking Minority Member; Dunshee; Hurst; Kretz; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Chandler; Orcutt and Schmick.

Referred to Committee on Capital Budget.

February 11, 2015

HB 1858 Prime Sponsor, Representative Shea: Prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for reelection. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5035 Prime Sponsor, Senator Pearson: Authorizing the awarding of the medal of valor to a group of persons. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of SENATE BILL NO. 5035 which was placed on the second reading calendar.

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1089, by House Committee on State Government (originally sponsored by Representatives S. Hunt, Moscoso, Robinson, Tarleton, Gregerson and Pollet)

Adding adherence to state wage payment laws to the state's responsible bidder criteria.

The bill was read the second time.

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

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1089.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1089, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick,

Scott, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1089, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1089.
Representative Manweller, 13th District

SECOND READING

ENGROSSED HOUSE BILL NO. 1091, by Representatives Van De Wege, Klippert, Carlyle, Fey, Goodman, Tarleton, Holy, Gregerson, Jinkins, Lytton, Stanford, Orwall, Kirby, Fitzgibbon, Sawyer, Ryu, Riccelli and Morris

Concerning the unauthorized interference of ticket sales over the internet.

The bill was read the second time.

Representative Young moved the adoption of amendment (010):

On page 2, beginning on line 37, strike all of section 3 and insert the following:

"NEW SECTION. **Sec. 3.** (1) A person may not:

(a) Use software to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site; or

(b) Sell software that is advertised for profit with the express purpose to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site.

(2) The use or sale of software as described in subsection (1) of this section only violates this section if the user or seller knows that the purpose of the software is to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a ticket seller's internet web site.

(3) The legislature finds that the conduct described in subsection (1) of this section vitally affects the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Using or selling software to circumvent, thwart, or evade a control or measure, which is used on a ticket seller's internet web site to ensure an equitable distribution of tickets, is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purposes of applying the consumer protection act, chapter 19.86 RCW."

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

Amendment (010) was adopted.

The bill was ordered engrossed.

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

Representatives Van De Wege, Young and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1091.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1091, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1091, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1263, by Representatives Stokesbary, Kirby, Vick, Hurst and Buys

Exempting certified public accountants from private investigator regulations.

The bill was read the second time.

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

Representatives Stokesbary, Kirby, Hargrove, Riccelli and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1263.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1263, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea and Taylor.

HOUSE BILL NO. 1263, having received the necessary constitutional majority, was declared passed.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) DID WHAT? INTRODUCED SOMEONE? FROM GALLERY OR SEATED AT ROSTRUM?

The Speaker (Representative Orwall presiding) congratulated Representative Stokesbary on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

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

There being no objection, the Committee on Agriculture & Natural Resources was relieved of HOUSE BILL NO. 1563, and the bill was referred to the Committee on Appropriations.

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

There being no objection, the House adjourned until 9:55 a.m., February 17, 2015, the 37th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 17, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 2135 by Representative Appleton

AN ACT Relating to the Washington homeless client management information system; amending RCW 43.185C.100 and 43.185C.180; reenacting and amending RCW 43.185C.010; and creating a new section.

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

HB 2136 by Representative Carlyle

AN ACT Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state; and creating a new section.

Referred to Committee on Finance.

HB 2137 by Representatives Cody and Harris

AN ACT Relating to promoting quality nursing home care with a quality workforce through value-focused, acuity-based purchasing utilizing the nursing home payment methodology; amending RCW 74.42.360, 74.46.022, 74.46.431, 74.46.435, 74.46.437, 74.46.485, 74.46.506, 74.46.515, 74.46.521, and 74.46.541; adding new sections to chapter 74.46 RCW; creating a new section; repealing RCW 74.46.024, 74.46.803, and 74.46.807; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2138 by Representatives Reykdal, S. Hunt, Sells, Muri, Pollet, Pettigrew, Johnson, Haler, Ormsby, Dunshee and Lytton

AN ACT Relating to cost-of-living adjustments for plan 1 retirees of the teachers' retirement system and public employees' retirement system; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2139 by Representatives S. Hunt and Kretz

AN ACT Relating to the presidential primary; and amending RCW 29A.56.010, 29A.56.020, 29A.56.030, and 29A.56.050.

Referred to Committee on State Government.

HB 2140 by Representative Kagi

AN ACT Relating to good cause exceptions during permanency hearings; reenacting and amending RCW 13.34.145; providing and effective date; and declaring an emergency.

Referred to Committee on Early Learning & Human Services.

HB 2141 by Representatives Young and Caldier

AN ACT Relating to dedicating revenue from civil penalties associated with tolls for crossing the Tacoma Narrows bridge to repaying debt issued to construct the bridge; amending RCW 46.63.160, 47.46.100, 47.46.110, 47.46.130, and 47.56.165; and repealing RCW 47.46.140.

Referred to Committee on Transportation.

HB 2142 by Representatives Young and Caldier

AN ACT Relating to providing for a sufficient minimum balance to cover Tacoma Narrows bridge operating expenses; amending RCW 47.56.165; and adding a new section to chapter 47.46 RCW.

Referred to Committee on Transportation.

HB 2143 by Representatives Young and Caldier

AN ACT Relating to deferring the repayment of state sales and use tax on the Tacoma Narrows bridge project; and amending RCW 47.46.060.

Referred to Committee on Appropriations.

HB 2144 by Representatives Young and Caldier

AN ACT Relating to requiring that drivers pay only one toll on the Tacoma Narrows bridge for multiple crossings in one calendar day; and amending RCW 47.46.105 and 47.46.110.

Referred to Committee on Transportation.

2SSB 5052 by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Hatfield and Conway)

AN ACT Relating to establishing the cannabis patient protection act; amending RCW 66.08.012, 69.50.101, 69.50.325, 69.50.331, 69.50.342, 69.50.345, 69.50.354, 69.50.357, 69.50.360, 69.50.4013, 69.51A.005, 69.51A.010,

69.51A.030, 69.51A.040, 69.51A.045, 69.51A.055, 69.51A.060, 69.51A.070, 69.51A.085, and 69.51A.100; adding new sections to chapter 69.50 RCW; adding new sections to chapter 69.51A RCW; adding a new section to chapter 42.56 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; creating new sections; repealing RCW 69.51A.020, 69.51A.025, 69.51A.047, 69.51A.090, 69.51A.140, 69.51A.200, 69.51A.043, and 69.51A.085; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

ESSB 5267 by Senate Committee on Government Operations & Security (originally sponsored by Senators Habib, Roach, Liias, Pearson, Keiser, Mullet and Chase)

AN ACT Relating to prerecorded video testimony and written testimony on pending legislation; amending RCW 40.14.100; adding a new section to chapter 44.68 RCW; and creating new sections.

Referred to Committee on State Government.

SB 5464 by Senators Warnick, Hatfield, Parlette, Hargrove, Ranker, Hewitt, Fraser and Chase

AN ACT Relating to unlawfully engaging in fishing guide activity; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

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

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

REPORTS OF STANDING COMMITTEES

February 13, 2015

HB 1002 Prime Sponsor, Representative DeBolt: Prohibiting unfair and deceptive dental insurance practices. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1021 Prime Sponsor, Representative Appleton: Creating a silver alert system. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1132 Prime Sponsor, Representative Tharinger: Concerning the regulation of adult family homes. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1135 Prime Sponsor, Representative Cody: Concerning remediation plans for licensed health and health-related professions to resolve eligible complaints of unprofessional conduct. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1183 Prime Sponsor, Representative Harris: Concerning radiology benefit managers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1186 Prime Sponsor, Representative Clibborn: Requiring notification to patients in observation status at hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives DeBolt; Rodne and Short.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1212 Prime Sponsor, Representative Hunt, G.: Prohibiting retail businesses from recording consumer identification information during transactions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1286 Prime Sponsor, Representative Tharinger: Requiring a study for funding options for long-term care services and supports. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative DeBolt.

Referred to Committee on Appropriations.

February 13, 2015

HB 1353 Prime Sponsor, Representative Robinson: Requiring free infectious disease testing for good samaritans. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1415 Prime Sponsor, Representative Kirby: Concerning the linked deposit program. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1440 Prime Sponsor, Representative Taylor: Prohibiting the use of a cell site simulator device without a warrant. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1500 Prime Sponsor, Representative Zeiger: Concerning a study of higher education cost drivers. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 13, 2015

HB 1531 Prime Sponsor, Representative Tharinger: Removing expiration dates for training and certification exemptions for certain long-term care workers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1579 Prime Sponsor, Representative Sawyer: Addressing motor vehicle underinsured coverage. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Blake; Hurst; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Vick, Ranking Minority Member; Hunt, G.; Kochmar and McCabe.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1626 Prime Sponsor, Representative Schmick: Addressing health benefit plan grace periods. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority

Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1639 Prime Sponsor, Representative Taylor: Concerning technology-enhanced government surveillance. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Appleton and Pettigrew.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1644 Prime Sponsor, Representative Gregory: Concerning veteran survivor tuition waiver eligibility. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Stambaugh; Tarleton and Van Werven.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1647 Prime Sponsor, Representative Cody: Concerning health plan coverage of reproductive health care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Rodne and Short.

MINORITY recommendation: Without recommendation. Signed by Representative Johnson.

Referred to Committee on Appropriations.

February 13, 2015

HB 1659 Prime Sponsor, Representative Vick: Addressing the benefits of group life and disability insurance policies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1671 Prime Sponsor, Representative Walkinshaw: Increasing access to opioid antagonists to prevent opioid-related overdose deaths. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1673 Prime Sponsor, Representative Kagi: Concerning substance abuse prevention and treatment programs funded by the marijuana excise tax. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Referred to Committee on Appropriations.

February 13, 2015

HB 1693 Prime Sponsor, Representative Pollet: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Stambaugh and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Referred to Committee on Capital Budget.

February 13, 2015

HB 1704 Prime Sponsor, Representative Pettigrew: Enhancing public safety and reducing recidivism through postsecondary education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority

Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 13, 2015

HB 1706 Prime Sponsor, Representative Stanford: Authorizing waivers of building fees and services and activities fees for certain military service members. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Stambaugh; Tarleton and Van Werven.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1729 Prime Sponsor, Representative Pettigrew: Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

February 13, 2015

HB 1733 Prime Sponsor, Representative Cody: Concerning nursing staffing practices at hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Johnson; Rodne and Short.

Referred to Committee on Appropriations.

February 13, 2015

HB 1794 Prime Sponsor, Representative Sawyer: Concerning early intervention services for infants and toddlers with disabilities and their families. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1812 Prime Sponsor, Representative Hansen: Creating an informational program to increase applications from high-achieving low-income high school students to selective institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 13, 2015

HB 1820 Prime Sponsor, Representative Reykdal: Requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 1839 Prime Sponsor, Representative Kilduff: Concerning services that provide support for decision making. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 11, 2015

HB 1922 Prime Sponsor, Representative Springer: Addressing small loans and small consumer installment loans. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Ryu, Vice Chair.

Referred to Committee on General Government & Information Technology.

February 13, 2015

HB 1951 Prime Sponsor, Representative Pike: Clarifying the authority of local law enforcement agencies to use unmarked vehicles. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Griffey.

MINORITY recommendation: Without recommendation. Signed by Representative Orwall, Vice Chair.

Passed to Committee on Rules for second reading.

February 12, 2015

HB 2000 Prime Sponsor, Representative Hurst: Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Referred to Committee on Finance.

February 12, 2015

HB 2001 Prime Sponsor, Representative Zeiger: Concerning amusement games. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1672, and the bill was referred to the Committee on Rules.

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

There being no objection, the House adjourned until 9:55 a.m., February 18, 2015, the 38th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY EIGHTH DAY

House Chamber, Olympia, Wednesday, February 18, 2015

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

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

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

INTRODUCTION & FIRST READING

HB 2145 by Representative Fitzgibb(o)-10.6n

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1290 Prime Sponsor, Representative Condotta: Increasing the number of tasting rooms allowed under a domestic winery license. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Referred to Committee on General Government & Information Technology.

February 13, 2015

HB 1320 Prime Sponsor, Representative Goodman: Creating an identicard program for certain incarcerated offenders. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1468 Prime Sponsor, Representative Hudgins: Granting the governor authority to proclaim a state of emergency in the event of a cybersecurity incident. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1487 Prime Sponsor, Representative Fey: Reducing emissions by making changes to the clean car standards and clean car program. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1505 Prime Sponsor, Representative Goodman: Allowing prosecutors to refer juveniles to restorative justice programs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Kilduff; McCaslin; Ortiz-Self and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Dent and Hawkins.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1522 Prime Sponsor, Representative Taylor: Establishing an intrastate meat inspection program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew; Schmick and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Stanford.

Referred to Committee on Appropriations.

February 17, 2015

HB 1529 Prime Sponsor, Representative Tharinger: Modifying per diem rates for port district officers and employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1592 Prime Sponsor, Representative Hunt, S.: Concerning tuition waivers for state and educational employees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Bergquist; Gregory; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Hargrove; Holy and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Stambaugh.

Referred to Committee on Appropriations.

February 13, 2015

HB 1668 Prime Sponsor, Representative Kilduff: Restricting conditional releases of sexually violent predators outside their county of origin. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

February 17, 2015

HB 1696 Prime Sponsor, Representative Haler: Modifying provisions related to tuition setting authority at public institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 16, 2015

HB 1738 Prime Sponsor, Representative Orcutt: Concerning marine, off-road recreational vehicle, and snowmobile fuel tax refunds based on actual fuel taxes paid. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 13, 2015

HB 1744 Prime Sponsor, Representative Appleton: Modifying provisions governing inmate funds subject to deductions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

February 13, 2015

HB 1756 Prime Sponsor, Representative Kilduff: Concerning community policing at and around western state hospital. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey and Wilson.

Referred to Committee on Appropriations.

February 16, 2015

HB 1757 Prime Sponsor, Representative Fey: Concerning local transportation options. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Rodne; Shea; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1800 Prime Sponsor, Representative Hargrove: Concerning filing a petition seeking termination of parental rights. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self and Senn.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1836 Prime Sponsor, Representative Stanford: Concerning state drought preparedness. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Kretz; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Orcutt and Schmick.

Referred to Committee on General Government & Information Technology.

February 16, 2015

HB 1837 Prime Sponsor, Representative Morris: Concerning border area jurisdiction fuel tax authority. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Rodne; Shea; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1838 Prime Sponsor, Representative MacEwen: Concerning the baiting of black bears. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt; Pettigrew; Schmick and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Dunshee.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1875 Prime Sponsor, Representative Walsh: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Kilduff; Ortiz-Self and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Referred to Committee on Appropriations.

February 16, 2015

HB 1887 Prime Sponsor, Representative Stanford: Creating the student veterans' support program. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Appropriations.

February 16, 2015

HB 1965 Prime Sponsor, Representative Hudgins: Implementing a temporary additional fee on licenses and permits issued by the Washington state liquor control board. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Blake; Kirby and Moscoso.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Scott and Vick.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

Joint Session

Pursuant to Senate Concurrent Resolution No. 8401, the President called the Joint Session to order. The Secretary called the roll of the members of the Senate. The Secretary called the roll of the members of the House of Representatives. The President declared that a quorum of the Legislature was present.

The President welcomed and introduced the statewide elected officials who were present at the rostrum: Kim Wyman, Secretary of State; Troy Kelley, State Auditor; James McIntire, State Treasurer; Justice Mary Fairhurst, Justice Debra Stephens; Justice Charles Wiggins; Justice Steven Gonzalez; Justice Sheryl Gordon McCloud and Justice Mary Yu of the Washington State Supreme Court.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard. Rabbi Cheski Edelman of Olympia delivered the invocation.

Rabbi Cheski Edelman: "'Everything has an appointed season, and there is a time for every matter under the heaven. A time to give birth and a time to die; a time to plant and a time to uproot that which is planted. A time to weep and a time to laugh; a time of wailing and a time of dancing.' King Solomon, Ecclesiastes, Chapter 3.

We stand before you God, at a time when we are to pay tribute and to remember men and women who have honorably served this great state in its legislature. Is this a time to weep or is a time to laugh? Is it a time for wailing or is it a time for dancing? This evening the Jewish month of Adar begins, which obligates us to increase in joy. Every event, every happening must be punctuated and permeated with joyfulness. The legislators who we remember today should be a source of joy and inspiration to their families, colleagues and all who knew them. May the memory of these public servants who valiantly fought for the good of their fellow man, bring joy and gladness to our lives. Please, God almighty, lead us to remember with joy, that we might fulfill the teaching of the holy

Zohar, to be joyous and create joy in the divine realm, causing God to reveal a dimension of blessing that transcends all limitations. May God Almighty shower His blessings on those assembled here today. May He grant them only health, prosperity, and to know only goodness all the days of their lives. Today as we reflect upon the lives of these leaders of our communities, their accomplishments and the lessons in life they passed on, may their legacy continue in the untold blessings released from the heavens through our joy. May the memory of these legislators be a blessing and a guiding light for us all? Amen."

President Owen: "Honored statewide officials, justice of the court members of the Legislature, Ladies and Gentlemen, the purpose of this Joint Session is to conduct a memorial service in memory of members of the legislature who have passed from among us. This has been our longstanding custom. For more than a century the Senate and House have met as we meet today, to pay special tribute and fitting tribute to the lives and service of these valued public servants. Despite the abundant work we have here before us, we pause upon this sad occasion and reflect upon the course that we have traveled and pay homage to the disappearing generations of men and women who aided in strengthening and multiplied the powers and opportunities, the pleasures and possibilities of the people who constitute this great state. On behalf of the Senate and the House of Representatives, I would like to extend a warm welcome to the family members, friends and colleagues who have joined us today and offer our deep sympathies.

The President called upon the Deputy Speaker Pro Tempore Tina Orwall to preside over the Joint Session.

The Speaker (Representative Orwall presiding): "We gather today to pay tribute to the contributions of the distinguished former members of the Washington State Senate and House of Representatives who have passed from among us. The people of our state are grateful for their public service.

The Sixty-Fourth Legislature conveys its respects to these deceased legislators. They once sat in these chambers, they made important votes, they attended committee meetings and through it sought always to make our state a better place. While their journey in life is complete, their achievements, public record and valued service are recorded in the journals of the Senate and House and are forever a permanent part of our state's history.

We express our sympathies to their families, friends and colleagues of these public servants. We also share with them on this memorial occasion, the fond and happy memories of these legislators. They leave a legacy of dedicated service that remains always in our hearts, our memories and a history of our state."

The Speaker (Representative Orwall presiding) welcomed and introduced Father Photios Dumont, St Demetrios Greek Orthodox Church of Seattle who offered the Memorial Prayer.

Father Photios Dumont: "In the name of the Father, the Son and the Holy spirit, Amen. O God of all, we give thanks to You and praise You on this day, as we gather to honor and remember all of those who so faithfully served their fellow citizens and this great State of Washington and have now departed to the next life. We are thankful as we remember their work and dedicated service, and we ask You to grant them mercy, and Your good favor. To all of their surviving family, relatives, friends and colleagues, we ask You to bring comfort and peace, consoling their hearts and souls, as such that only You can do. We bless and praise Your Holy Name for Your gracious favor and divine blessing upon the State of Washington, our Governor Jay Inslee, and the members of this august assembly of State Representatives and Senators. Bless, preserve, and keep them and their families safe and healthy, together with all who serve our Great State. May they be inspired by all those who served before them, who we honor and remember this day, and diligently seek to imitate their good deeds, bringing justice, equality and goodness to our beloved state. Heavenly Father, may we ever abide in this land of opportunity and freedom in "perfect tranquility," faithful to our foundations, and ever building a more prosperous, just, equitable, and decent society for all our citizens, through the example of our forebears. For our departed Governor, Representatives and Senators, O Merciful God, grant them rest where the light of Your countenance shines – where there is no more pain, sorrow or suffering, but life everlasting. May their memory be eternal. Amen."

The Speaker (Representative Orwall presiding) and the President called the roll of the deceased former members of the Senate and the House of Representatives. The deceased former members were memorialized by the Governor, the senators and representatives and assisted by candle lighters: Miss Zsa Zsa Bell Toms, Senate Page, and Mr. Christopher Miyake, House Page.

ROLL CALL OF MEMBERS MEMORIALIZED

Arthur "Art" Avery 2nd District
House
Memorialized by Representative Shelly Short

Ida Ballasiotes 41st District
House
Memorialized by Representatives Judy Clibborn and Tana Senn

Duane L. Berentson 40th District
House
Memorialized by Representative Norm Johnson

Jean L. Berkey 38th District
House & Senate
Memorialized by Representative Mike Sells

Allen Bluechel 1st & 45th Districts
House & Senate
Memorialized by Senator Jim Honeyford

Ted Bottiger 2nd, 28th & 29th Districts
House & Senate
Memorialized by Representative Sam Hunt

Michael Carrell 28th District
House &Senate
Memorialized by Senator Mike Hargrove

John Erak, Jr. 19th District
House
Memorialized by Representative Brian Blake

Phyllis Erickson 2nd District
House
Memorialized by Representative Ed Orcutt

Roger Freeman 30th District
House
Memorialized by Representatives Steve Bergquist and Linda Kochmar

Wm. Booth Gardner 26th District

Senate & Governor
Memorialized by Governor Jay Inslee

Robert F. Goldsworthy 9th District
House
Memorialized by Senator Mark Schoesler

Wilbur G. "Web" Hallauer 1st District
Senate
Memorialized by Representative Tom Dent

Tom Huff 26h District
House
Memorialized by Senator Jan Angel

John David Jones 48th District
House & Senate
Memorialized by Representative Melanie Stambaugh

John Martinis 38th District
House
Memorialized by Senator John McCoy

Mary Ellen McCaffree 32nd District
House
Memorialized by Senator Christine Rolfes

Don Moos 8th District
House
Memorialized by Senator Linda Parlette

Richard Morphis 7th District
House
Memorialized by Representative Bob McCaslin

John A. Moyer 3rd & 6th Districts
House & Senate
Memorialized by Senator Bruce Dammeier

Andrew Nisbet 24th District
House
Memorialized by Senator Brian Hatfield

Val Ogden 49th District
House
Memorialized by Senator Annette Cleveland and Representatives Jim Moeller and Sharon Wylie

Margaret Rayburn 15th District
House
Memorialized by Representative Bruce Chandler

Brian J. Sullivan 29th District
House
Memorialized by Senator Steve Conway

Kip Tokuda 37h District
House
Memorialized by Senator Bob Hasegawa and Representative Sharon Santos

Larry Vognild 38th District
Senate
Memorialized by Representative Mike Sells

Alvin C. "Al" Williams 32nd District
House & Senate
Memorialized by Senator Marilyn Chase

The Olympia Youth Chorus Cantabile Ensemble, performed "Steal Away and Psalm 23."

The Speaker (Representative Orwall presiding) welcomed and introduced Reverend Kojo Kakihara of the Buddhist Temple, Tacoma who offered the Closing Prayer.

Reverend Kakihara: "Every life is interconnected and resonates each other beyond our physical lives. This moment we share together is a precious gift, given by those whom we remember and honor today. We share this moment and we share life. Buddha said, 'To benefit others is to benefit yourself, and brings you true happiness.' They lived to contribute to the world and dedicated themselves to serving others. Their spirit is in us. Let us all keep their legacies and walk forward in the same spirit. As the sun shines upon the earth awakening into the growth the seeds that lie dormant in the soil, may the Light of Truth cast its splendor upon the minds and hearts that they may continue to guide the State of Washington, this Nation, and the world with great wisdom and deep compassion. May the same Light shine upon us all, giving us the insight to realize that all life is in Oneness, that we may constantly strive for the wellbeing, not only of ourselves, but also, for all people everywhere. Please join me and let us have a moment of meditation. You are welcome to express words in your own respective religious traditions. Namoamidabutsu"

Representative Hans Dunshee performed "The Skye Boat Song" and "Highland Cathedral" on the Scottish pipes from rear of the Chamber

The Speaker (Representative Orwall presiding) returned the gavel to the President Owen to preside over the Joint Session.

President Owen: "Thank you Madam Speaker and members of the House of Representatives for participating in this ceremony in this memorial today. Our deepest gratitude go out to all of those who have participated in this service today. Special thanks to the outstanding member of the Washington State Patrol, of course to the members of the clergy as well and again to the outstanding and beautiful Olympia Youth Chorus that recently had just performed for us. The President does hope that the loved ones of those we honor today will draw comfort from today's observances. It's very helpful to all of us to able to look back and remember the times and the relationships that we had developed with these wonderful people who we memorialized today."

MOTION

On motion of Senator Fain, the Joint Session was dissolved.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort Deputy Speaker Pro Tempore Tina Orwall and the members of the House of Representatives from the Senate Chamber.

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

There being no objection, the House adjourned until 10:00 a.m., February 19, 2015, the 39th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY NINTH DAY

House Chamber, Olympia, Thursday, February 19, 2015

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

The flags were escorted to the rostrum by Boy Scout Troop 252, Seattle, Washington. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend (retired) Kenneth Miyake, Blaine United Methodist Church, Blaine, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 4613, by Representatives Santos, Morris, Tharinger, Takko, Kochmar, Smith, Caldier, Parker, Zeiger, Cody, Harmsworth, Johnson, Fagan, MacEwen, Chandler, Stambaugh, Magendanz, Short, Rodne, Buys, Pike, Walkinshaw, Springer, Pollet, Riccelli, Hansen, Young, Gregerson, Peterson, Ormsby, Gregory, Fey, Condotta, Nealey, Walsh, Harris, Kagi, Wylie, Appleton, Ryu, Senn, Stanford, Kirby, Moscoso, Fitzgibbon, Reykdal, Stokesbary, Van De Wege, and McBride

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, authorizing the military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first Civilian Evacuation Order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, farms, businesses, friends, and family and to report to hastily constructed detention centers, such as Camp Harmony on the grounds of the Western Washington Fair in Puyallup; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, many of whom reported for military duty from concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to unfounded questions of their loyalty and patriotism by amassing a battle record unparalleled in United States military history that, according to General Douglas MacArthur's chief of intelligence, "saved a million lives and shortened the war by two years"; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent and civil disobedience, including University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional Commission on Wartime Relocation and Internment of Civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined it "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, As a result of this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, immeasurable physical and psychological harm, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, President Gerald Ford rescinded Executive Order 9066 in 1976, calling upon the American people to "resolve that this kind of action shall never again be repeated"; and

WHEREAS, The Washington State Legislature enacted token compensatory redress for forty state workers who lost their jobs due to their incarceration while Congressman Mike Lowry of Washington State introduced federal legislation to provide reparations and an apology to all living former Japanese-American internees, initiating a ten-year quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, along with the people of Washington, pause to acknowledge the seventy-third anniversary of the signing of Executive Order 9066 as well as the seventieth anniversary of the end of World War II, to recognize and honor the heroism, sacrifice, patience, and loyalty of the Japanese-American World War II veterans and internees, and to remember the lessons and blessing of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nisei Veterans Committee, the Military Intelligence Service – Northwest Association, the Japanese American Citizens League, the Japanese Cultural & Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Representative Santos moved adoption of HOUSE RESOLUTION NO. 4613

Representatives Santos and Stambaugh spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4613 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced Former Governor Mike Lowry, World War II veterans Tom Kometani, Frank Shinoda, and Tosh Tokunaga to the Chamber and asked the members to acknowledge them.

The Speaker (Representative Orwall presiding) further recognized Commander Allen Nakamoto and members of the Nisei Veteran's Committee, Representatives of the Japanese American Citizen's League – Olympia, Seattle and Pacific Northwest Chapter, Nikkei Concerns Commission on Asian Pacific American Affairs and World War II Incarcerees.

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

INTRODUCTION & FIRST READING

HB 2149 by Representative Senn

AN ACT Relating to the promotion of a safe and healthy school learning climate; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Appropriations.

HB 2150 by Representative MacEwen

AN ACT Relating to reforming the business and occupation tax to provide fairness and administrative simplicity; amending RCW 82.04.050, 82.04.051, 82.04.062, 82.04.190, 82.04.2403, 82.04.255, 82.04.257, 82.04.261, 82.04.285, 82.04.286, 82.04.29001, 82.04.2907, 82.04.297, 82.04.334, 82.04.360, 82.04.4291, 82.04.4295, 82.04.4324, 82.04.433, 82.04.440, 82.04.460, 82.04.462, and 82.04.540; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.04 RCW; repealing RCW 82.04.230, 82.04.240, 82.04.2404, 82.04.250, 82.04.263, 82.04.270, 82.04.272, 82.04.280, 82.04.290, 82.04.29002, 82.04.2905, 82.04.2906, 82.04.2908, 82.04.2909, 82.04.293, 82.04.294, 82.04.298, 82.04.426, 82.04.620, 82.04.4451, 82.04.44525, 82.04.447, 82.04.448, 82.04.4481, 82.04.4482, 82.04.4483, 82.04.4485, 82.04.4486, 82.04.4489, and 82.04.449; and providing an effective date.

Referred to Committee on Finance.

HB 2151 by Representatives Jinkins and Schmick

AN ACT Relating to continuation of the hospital safety net assessment for two additional biennia; amending RCW 74.60.005, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, and 74.60.901; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2152 by Representatives Tharinger, Nealey, Manweller, Takko, Kretz, Vick, Fey, Fitzgibbon and Robinson

AN ACT Relating to extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration; amending RCW 82.04.310; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2153 by Representatives Reykdal and Carlyle

AN ACT Relating to improving the ability of cities and counties to keep pace with service delivery demands through revenue reforms.

Referred to Committee on Finance.

HB 2154 by Representatives Reykdal and Carlyle

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

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

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1198 Prime Sponsor, Representative Vick: Concerning the sale of beer and cider by grocery store licensees. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Condotta, Ranking Minority Member.

Referred to Committee on General Government & Information Technology.

February 17, 2015

HB 1250 Prime Sponsor, Representative Holy: Concerning notice and review processes for annexations, deannexations, incorporations, disincorporations, consolidations, and boundary line adjustments under Titles 35 and 35A RCW. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1279 Prime Sponsor, Representative Kochmar: Modifying the definition of legislative authority for purposes of local tourism promotion areas. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Fitzgibbon; Manweller; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1342 Prime Sponsor, Representative Bergquist: Permitting the sale of cider in microbrewery tasting rooms. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1352 Prime Sponsor, Representative Nealey: Allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Fey; Hudgins and Ryu.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1391 Prime Sponsor, Representative Hudgins: Aligning functions of the consolidated technology services agency, office of the chief information officer, and department of enterprise services. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Appropriations.

February 17, 2015

HB 1449 Prime Sponsor, Representative Farrell: Concerning oil transportation safety. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on Finance.

February 16, 2015

HB 1457 Prime Sponsor, Representative Springer: Authorizing sixteen and seventeen year old store employees to handle liquor. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Moscoso.

MINORITY recommendation: Without recommendation. Signed by Representative Wylie, Vice Chair.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1458 Prime Sponsor, Representative Orwall: Concerning the age of individuals at which sale or distribution of tobacco and vapor products may be made. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Clibborn; DeBolt; Jinkins; Johnson; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and Moeller.

Referred to Committee on Finance.

February 17, 2015

HB 1472 Prime Sponsor, Representative Fitzgibbon: Concerning use of chemical action plans to require safer chemicals in Washington. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on Appropriations.

February 16, 2015

HB 1478 Prime Sponsor, Representative Condotta: Allowing additional liquor distributor employees to stock liquor under certain circumstances. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1516 Prime Sponsor, Representative Pettigrew: Providing an exemption for certain lodging services from the convention and trade center tax. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1545 Prime Sponsor, Representative Robinson: Encouraging the safe practice of public health nurses dispensing certain medications. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; DeBolt; Rodne and Short.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1605 Prime Sponsor, Representative Peterson: Modifying certain provisions governing benefit charges of fire protection districts and regional fire protection service authorities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

February 17, 2015

HB 1606 Prime Sponsor, Representative McBride: Establishing regional fire protection service authorities within the boundaries of regional cities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and Pike.

Referred to Committee on Finance.

February 17, 2015

HB 1625 Prime Sponsor, Representative Schmick: Concerning provision of drugs to ambulance or aid

services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1676 Prime Sponsor, Representative Short: Understanding the effects of predation on wild ungulate populations. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Referred to Committee on General Government & Information Technology.

February 17, 2015

HB 1741 Prime Sponsor, Representative Kretz: Allowing disabled persons to access public recreational sites or lands without a discover pass, vehicle access pass, or day-use permit. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride; Pike and Taylor.

Referred to Committee on General Government & Information Technology.

February 17, 2015

HB 1783 Prime Sponsor, Representative Ortiz-Self: Expanding dual language and bilingual instruction for early learners through secondary students. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Hargrove; Hayes; Klippert and McCaslin.

Referred to Committee on Appropriations.

February 17, 2015

HB 1804 Prime Sponsor, Representative Springer: Concerning the confidentiality of educator professional growth plans. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1807 Prime Sponsor, Representative Condotta: Assisting small businesses licensed to sell spirits in Washington state. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Referred to Committee on Appropriations.

February 16, 2015

HB 1844 Prime Sponsor, Representative Moscoso: Concerning work performed by state forces on ferry vessels and terminals. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1849 Prime Sponsor, Representative Gregory: Concerning uniform ballot design. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1853 Prime Sponsor, Representative Magendanz: Encouraging utility leadership in electric vehicle

charging infrastructure build-out. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1863 Prime Sponsor, Representative Reykdal: Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 16, 2015

HB 1884 Prime Sponsor, Representative Vick: Expanding the definition of an electric personal assistive mobility device to include a one-wheeled self-balancing device. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; Moeller; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative McBride.

MINORITY recommendation: Without recommendation. Signed by Representative Ortiz-Self.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1926 Prime Sponsor, Representative Stanford: Restricting noncompetition agreements. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1964 Prime Sponsor, Representative Blake: Addressing the public employees' collective bargaining act as applied to commissioned officers of the department of fish and wildlife. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 17, 2015

HB 1967 Prime Sponsor, Representative Cody: Directing the health care authority to apply for federal waivers concerning health care coverage. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 16, 2015

HB 1976 Prime Sponsor, Representative Vick: Concerning marketing opportunities for spirits produced in Washington by craft and general licensed distilleries. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Condotta, Ranking Minority Member.

Referred to Committee on General Government & Information Technology.

February 17, 2015

HB 2078 Prime Sponsor, Representative Sells: Addressing collective bargaining by ferry employee organizations. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 1148, by Representative Goodman

Determining sentences for multiple offenses and enhancements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1148 was substituted for House Bill No. 1148 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1148 was read the second time.

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

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

MOTIONS

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1148.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1148, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

SUBSTITUTE HOUSE BILL NO. 1148, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1157, by Representatives Pike, Wylie, Wilson and Moeller

Modifying the apportionment of quick title service fees collected by appointed subagents.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1157 was substituted for House Bill No. 1157 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1157 was read the second time.

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

Representatives Pike and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1157.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1157, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

SUBSTITUTE HOUSE BILL NO. 1157, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1248, by Representatives Shea, Sawyer, Rodne, Jinkins, Walkinshaw, Fitzgibbon, Kilduff and Pollet

Concerning court proceedings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1248 was substituted for House Bill No. 1248 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1248 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1248.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hawkins, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Shea, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, DeBolt, Haler, Hargrove, Harris, Hayes, Kochmar, Kretz, Kristiansen, Manweller, Muri, Parker, Rodne, Schmick, Short, Stokesbary, Van Werven, Vick and Wilcox.

Excused: Representative Hurst.

SUBSTITUTE HOUSE BILL NO. 1248, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1260, by Representatives Kilduff, Muri, Goodman, Rodne, Klippert, Kirby, Walkinshaw, Stokesbary, Jinkins and Stanford

Providing credit towards child support obligations for veterans benefits.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1260.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1260, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

HOUSE BILL NO. 1260, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1304, by Representatives Kirby and Vick

Allowing a public depository to arrange for reciprocal deposits of public funds.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1304.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1304, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

HOUSE BILL NO. 1304, having received the necessary constitutional majority, was declared passed.

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

SENATE BILL NO. 5035, by Senators Pearson, Kohl-Welles, Hatfield and Liias

Authorizing the awarding of the medal of valor to a group of persons.

The bill was read the second time.

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

Representatives S. Hunt and Kristiansen spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Senate Bill No. 5035.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5035, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

SENATE BILL NO. 5035, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1069, by Representatives Orwall, Appleton, Kagi, Gregerson, Reykdal, Carlyle, Stanford, Sawyer, Fitzgibbon, Jinkins, Hudgins, Goodman, Clibborn, Moeller, Moscoso, Farrell and Fey

Concerning preservation of DNA work product.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1069 was substituted for House Bill No. 1069 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1069 was read the second time.

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

Representatives Orwall, Klippert, Goodman and Stambaugh spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1069.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1069, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, G. Hunt, Holy, Kretz, Kristiansen, McCaslin, Orcutt, Parker, Pike, Ryu, Santos, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Hurst.

SUBSTITUTE HOUSE BILL NO. 1069, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Orwall to preside.

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

There being no objection, the House adjourned until 9:55 a.m., February 20, 2015, the 40th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTIETH DAY

House Chamber, Olympia, Friday, February 20, 2015

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

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

RESOLUTION

HOUSE RESOLUTION NO. 4616, by Representative Fagan

WHEREAS, It is the policy of the Washington State House of Representatives to recognize the extraordinary accomplishments of high school students and athletes; and

WHEREAS, The Colton High School Wildcats girls' basketball team won the title of Washington state streak champions for having the all-time longest winning streak in Washington girls' basketball; and

WHEREAS, The team beat the previous record for the most consecutive wins after 57 repeated victories, and has since stretched their winning streak to 59 consecutive victories; and

WHEREAS, The team's winning streak stretched over three seasons with three different teams; and

WHEREAS, The team has won eight consecutive District 9 League titles and the last six State 1B titles; and

WHEREAS, The team's resilience, hard work, and talent serve as an example to their fellow peers at Colton High School and to student athletes throughout Washington; and

WHEREAS, The devotion of these female athletes to their sport and teammates has contributed to their overall success in their division; and

WHEREAS, The dedication and support of Colton High School Wildcats coaches Clark Vining and Ben Emerson have helped lead the team to victory for multiple seasons; and

WHEREAS, this body recognizes the athletic achievements of all of Washington's students;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the Colton High School Wildcats girls' basketball team, whose commitment to the team, exceptional work ethic, and athletic achievements make them admirable holders of the all-time longest winning-streak record; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Colton High School Wildcats girls' basketball team, and to its team managers and coaches.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4616.

HOUSE RESOLUTION NO. 4616 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4617, by Representative Kochmar

WHEREAS, The Washington State Legislature recognizes and honors the extreme bravery and honor that was displayed over 60 years ago by James Hayden in both World War II and the Korean War; and

WHEREAS, James Hayden left his home of Kentucky in 1944 at the age of 18 to serve in the United States Armed Forces; and

WHEREAS, On March 15, 1945, James Hayden was on a routine patrol and found a tunnel after seeing a German soldier poke his head out of it; and

WHEREAS, When Private Hayden charged inside to route the enemy, grenade fire rendered his rifle inoperable; and

WHEREAS, Private Hayden immediately obtained another rifle and charged back in, where he single-handedly killed two German soldiers, wounded four, and captured 12 prisoners; and

WHEREAS, James Hayden was awarded the Silver Star for these heroic actions; and

WHEREAS, Less than two months later James Hayden received a Purple Heart after taking a German bullet to the leg, ending his participation in World War II; and

WHEREAS, James Hayden's overwhelming patriotism led him back to the action by 1950, when he served in the Korean War; and

WHEREAS, On December 1, 1950, James Hayden was captured in battle alongside 100 of his comrades; and

WHEREAS, James Hayden miraculously survived years of harsh treatment through the camaraderie of his fellow prisoners and his Catholic faith until he was released nearly three years later on September 5, 1953; and

WHEREAS, James Hayden's repeated actions of "just doing his duty" have saved countless lives, touched the hearts of many, and reflect an uncommon heroism and modesty; and

WHEREAS, The courage that James Hayden was able to express during his time in Germany and Korea did not end when he finally returned home; and

WHEREAS, James Hayden has repeatedly combatted tragedy with calm and courage, and is an example to follow for his loving family; and

WHEREAS, James Hayden continues to inspire many with the valor and honor that he showed in both World War II and the Korean War; and

WHEREAS, James Hayden never received his Korean Prisoner of War and Korean Service Medals for various reasons, including a fire that destroyed service records; and

WHEREAS, 61 years later on September 3, 2014, at a ceremony on Joint Base Lewis-McChord, Major General Terry Ferrell, commander of the 7th Infantry Division, honored Retired Army Master Sergeant James Hayden with a Prisoner of War Medal and a Korean War Service Medal from the Republic of Korea;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives join the citizens of the State of Washington, the citizens of the United States of America, and the family of James Hayden in recognizing his unwavering valor, courage, and dedication to his country; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to James Hayden and his family.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4617.

HOUSE RESOLUTION NO. 4617 was adopted.

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

INTRODUCTION & FIRST READING

HB 2161 by Representatives Pollet, Kagi, Tarleton, Ryu and Farrell

AN ACT Relating to the school construction assistance program; amending RCW 28A.525.162 and 28A.525.166; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2162 by Representatives Condotta and Holy

AN ACT Relating to marijuana; amending RCW 69.50.535, 69.50.334, 69.50.331, 69.50.445, 69.50.4013, 69.50.4014, 18.170.020, 66.08.050, 69.50.540, and 69.50.101; adding new sections to chapter 69.50 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Gaming.

HB 2163 by Representatives Shea, Orcutt, Taylor, Harmsworth, Haler, Scott, Schmick, Hargrove and Wilson

AN ACT Relating to sales tax revenues of transportation projects being deposited into the motor vehicle fund; adding a new section to chapter 82.32 RCW; and adding a new section to chapter 43.135 RCW.

Referred to Committee on Appropriations.

HB 2164 by Representatives Shea, Blake, Rodne, Takko, Young, Scott, Manweller, Dent, Muri, Klippert, Haler, Holy, G. Hunt, Wilson, Fagan, McCaslin, Johnson, Griffey, Buys, Wilcox, Hargrove, Schmick, Parker, Stokesbary, Kristiansen, Nealey, MacEwen, Kretz, Smith, Harmsworth, DeBolt, Magendanz, Vick, Walsh, Kochmar, McCabe, Van Werven, Chandler, Condotta, Harris, Orcutt, Caldier, Hayes and Pike

AN ACT Relating to revising background check requirements for sales and transfers of firearms, including exempting from the background check provisions of RCW 9.41.113 transfers of firearms involving persons who are not otherwise disqualified from legally possessing a firearm and that are: Between and among owners of a firearm and persons who have obtained a temporary restraining order, protection order, or no-contact order involving domestic violence, sexual assault, stalking, or harassment; between and among persons who are active members of the armed forces of the United States or the national guard or veterans who have been honorably discharged from military service; between and among persons who are active members of the armed forces of the United States or the national guard and family members or friends for the purpose of maintaining the members' firearms while the members are under orders for deployment; between and among persons participating in an honor guard for a funeral or flag ceremony who are associated with an organization such as the American legion, American veterans, veterans of foreign wars, wounded warrior project, and boy scouts of America, or other such organizations; between and among law enforcement officers who are otherwise not on duty acting within the course and scope of their employment or official duties; between and among corrections officers who are otherwise not on duty acting within the course and scope of their employment or official duties; between and among first responders, including public safety, fire, and emergency medical staff who are designated or trained to respond immediately to the scene of an emergency, accident, or incident in order to provide assistance, save lives, or protect property; between and among persons who are licensed private security guards, armed private security guards, bail bond agents, bail bond recovery agents, or registered process servers; between and among owners, executives, employees, and customers of businesses engaged in the manufacture, repair, renovation, modification, alteration, or engraving of firearms or firearm parts, or firearm-related accessories; between and among certified, licensed, or recognized firearm training or safety instructors and students participating in the firearm training or safety class; between and among certified, licensed, or recognized hunter education training course instructors and students participating in the hunter education training course; between and among persons who hold a valid hunting license during a recognized hunting season or while legally hunting; between and among persons at a recognized or otherwise legal military, law enforcement, commercial, or other public or private shooting range facility; between and among persons loaning, giving, or receiving firearms that are curios, relics, or antiques, or have otherwise been made completely inoperable; between and among persons who own firearms and persons who represent historical societies or museums; between and among representatives of a firearm or hunter organization while preparing for an organization event that includes a raffle or auction and between and among representatives of the organization and persons who are attending the event; between and among the owner of a firearm and other persons who remain in the immediate presence of the firearm owner and the firearm is retained by the owner once the other persons have departed from the immediate presence of the firearm owner; between and among immediate family members; and between and among persons

who possess a valid concealed pistol license; exempting the transfer of a firearm that is gifted from a deceased person to a beneficiary including a widow, child, or other immediate family member, friend, or other beneficiary and who are not otherwise disqualified from possessing a firearm; prohibiting a state or local registry or database of information provided by persons involved in the transfer of a firearm between two persons who are not federal firearms licensees; clarifying that Initiative Measure No. 594 sales or transfers between two persons who are not federal firearms licensees are exempt from the use tax as well as the sales tax; and clarifying that the term transfer means the conveyance of a firearm from a person to another person with the intent of both parties to the conveyance that the transferee assumes all rights of possession, ownership, and control of the firearm and the transferor loses all rights of possession, ownership, and control of the firearm; amending RCW 9.41.113; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2165 by Representatives Scott, Haler, Shea, Vick, Short, Van Werven, Condotta, Wilson, Young, Orcutt, Kochmar, Schmick, Taylor, Harmsworth, G. Hunt, Griffey, Klippert, Buys, Parker, Holy, Pike and MacEwen

AN ACT Relating to eliminating the use of common core state standards and assessments in Washington; amending RCW 28A.300.803, 28A.305.130, 28A.410.221, 28A.655.061, 28A.655.070, and 28A.655.235; adding a new section to chapter 28A.300 RCW; and repealing RCW 28A.305.215 and 28A.655.071.

Referred to Committee on Education.

HB 2166 by Representatives McCabe, Blake, Pettigrew, Wilcox, Takko, Buys, Kochmar, Hayes, Vick, Harmsworth, Haler, MacEwen, Wilson and Magendanz

AN ACT Relating to extending the federal internet tax freedom act to Washington state by preserving the current treatment; amending RCW 35.21.714, 35.21.717, 35.21.860, 35.21.865, 35.21.870, and 35A.82.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Finance.

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

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

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

REPORTS OF STANDING COMMITTEES

February 17, 2015

HB 1078 Prime Sponsor, Representative Hudgins: Enhancing the protection of consumer financial information. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1136 Prime Sponsor, Representative Carlyle: Concerning employment after public service in state government. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton; Gregory and Hawkins.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member Van Werven, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1230 Prime Sponsor, Representative Sells: Authorizing the ordering of interest arbitration. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 17, 2015

HB 1240 Prime Sponsor, Representative Pollet: Concerning restraint or isolation of students, including students with disabilities, in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Hayes; Klippert and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representative Muri, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 16, 2015

HB 1380 Prime Sponsor, Representative Wylie: Creating a special permit by a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Scott and Vick.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1381 Prime Sponsor, Representative Buys: Concerning encouraging job retention and creation in rural economies through the transparent and accountable extension of aluminum smelter tax preferences. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Fey; Hudgins; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Smith, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey and Young.

Referred to Committee on Finance.

February 17, 2015

HB 1540 Prime Sponsor, Representative Kretz: Concerning tribal timber harvest excise tax agreements. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Referred to Committee on Finance.

February 17, 2015

HB 1546 Prime Sponsor, Representative Reykdal: Concerning dual credit opportunities provided by Washington state's public institutions of higher education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Bergquist; Gregory; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier; Griffey; Hargrove; Hayes; Klippert and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representatives Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member and Fagan.

Referred to Committee on Appropriations.

February 18, 2015

HB 1556 Prime Sponsor, Representative Hargrove: Strengthening the Washington advanced college tuition payment program by setting new requirements on the purchase and use of tuition units. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 17, 2015

HB 1577 Prime Sponsor, Representative Manweller: Restricting employment noncompetition agreements. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1591 Prime Sponsor, Representative Ortiz-Self: Concerning high school and beyond plans. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Referred to Committee on Appropriations.

February 17, 2015

HB 1619 Prime Sponsor, Representative Hunt, S.: Providing a business and occupation tax exemption for environmental handling charges. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority

Member; Condotta; Fitzgibbon; Manweller; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1666 Prime Sponsor, Representative Magendanz: Making the results on the statewide assessments available as norm-referenced results and as student growth percentiles. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Referred to Committee on Appropriations.

February 18, 2015

HB 1667 Prime Sponsor, Representative Cody: Establishing the bleeding disorder collaborative for care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 18, 2015

HB 1669 Prime Sponsor, Representative Riccelli: Establishing a task force on continuity of health coverage and care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Assistant Ranking Minority Member; Caldier and Short.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; DeBolt; Johnson and Rodne.

Referred to Committee on Appropriations.

February 17, 2015

HB 1701 Prime Sponsor, Representative Moscoso: Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1714 Prime Sponsor, Representative Manweller: Concerning the achievement index rating system. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1754 Prime Sponsor, Representative Buys: Adding building envelope to the list of building trades that a prime contractor must list for bids on public works. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1763 Prime Sponsor, Representative Van De Wege: Regulating music licensing agencies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on General Government & Information Technology.

February 18, 2015

HB 1780 Prime Sponsor, Representative Bergquist: Regulating interpreter services. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Referred to Committee on Appropriations.

February 17, 2015

HB 1786 Prime Sponsor, Representative Gregerson: Establishing a statewide wage standard for aerospace employment as a requirement to qualify for certain aerospace-related tax incentives. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Finance.

February 17, 2015

HB 1790 Prime Sponsor, Representative Springer: Clarifying the authority of a nurse working in a school setting. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1809 Prime Sponsor, Representative Haler: Establishing minimum crew size on certain trains. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1815 Prime Sponsor, Representative Wylie: Revising local government treasury practices and procedures. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1819 Prime Sponsor, Representative Wilson: Concerning appointments to inspect the books of account of a political committee or a candidate committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Gregory and Hawkins.

MINORITY recommendation: Do not pass. Signed by Representative Appleton.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1824 Prime Sponsor, Representative Takko: Promoting fire safety with long-life smoke detection devices. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

On page 2, line 10, after "alarms" insert ","
On page 2, line 12, after "buildings" strike ","
On page 2, line 16, after "alarms" insert "offered for retail sale in this state"

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1825 Prime Sponsor, Representative Kilduff: Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 19, 2015

HB 1845 Prime Sponsor, Representative DeBolt: Concerning pharmaceutical waste. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride and Pike.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Shea, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1859 Prime Sponsor, Representative Kilduff: Concerning the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1868 Prime Sponsor, Representative Lytton: Expanding county road fund purposes for certain counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

On page 1, line 21, after "islands" insert ", or have tidally influenced islands"

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1871 Prime Sponsor, Representative Ryu: Addressing credit unions' corporate governance and investments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1880 Prime Sponsor, Representative Springer: Including Everett Community College as an aerospace training or educational program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 18, 2015

HB 1896 Prime Sponsor, Representative Smith: Providing a statewide minimum privacy policy for disclosure of customer energy use information. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1897 Prime Sponsor, Representative Smith: Creating the joint center for deployment and research in earth-abundant materials. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Referred to Committee on Appropriations.

February 18, 2015

HB 1911 Prime Sponsor, Representative Fitzgibbon: Authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1915 Prime Sponsor, Representative Hunt, S.: Protecting taxpayers by providing for accountability and transparency in government contracting. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Referred to Committee on Appropriations.

February 18, 2015

HB 1919 Prime Sponsor, Representative Hunt, S.: Clarifying the timing of special elections. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton and Gregory.

MINORITY recommendation: Without recommendation. Signed by Representative Hawkins.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1932 Prime Sponsor, Representative Kagi: Concerning medication management for youth. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 17, 2015

HB 1938 Prime Sponsor, Representative Appleton: Enacting the tourism marketing act. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Sawyer and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Hawkins.

Referred to Committee on Finance.

February 18, 2015

HB 1977 Prime Sponsor, Representative Moscoso: Creating a tuition and fees exemption for children and surviving spouses of certain highway workers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Holy and Stambaugh.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1987 Prime Sponsor, Representative Kochmar: Adding certain commissioned court marshals of county sheriff's offices to the definition of uniformed personnel for the purposes of public employees' collective bargaining. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Moeller and Ormsby.

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attorneys general. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

February 18, 2015

HB 2046 Prime Sponsor, Representative Dent: Adding a definition of streams to the shoreline management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 2055 Prime Sponsor, Representative Johnson: Concerning statements on ballot measures in voters' pamphlets. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2114 Prime Sponsor, Representative Appleton: Providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Sawyer and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2015

HJM 4009 Prime Sponsor, Representative Fitzgibbon: Requesting action to address global climate change. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 18, 2015

SB 5079 Prime Sponsor, Senator O'Ban: Requiring the department of social and health services to notify the military regarding child abuse and neglect allegations of families with an active military status. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Passed to Committee on Rules for second reading.

FIRST SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 19, 2015

HB 1142 Prime Sponsor, Representative Wilcox: Modifying school district authority with respect to student parking. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1149 Prime Sponsor, Representative Muri: Providing for educational data on students from military families. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hunt, S.; Kilduff; Klippert; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes and McCaslin.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1270 Prime Sponsor, Representative Buys: Increasing salmon populations in Washington through the implementation of a new fish hatchery management structure that is modeled on the proven, successful structure utilized by the state of Alaska for the past forty years. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew and Schmick.

MINORITY recommendation: Do not pass. Signed by Representatives Stanford and Van De Wege.

Referred to Committee on General Government & Information Technology.

February 19, 2015

HB 1323 Prime Sponsor, Representative Reykdal: Repealing advisory votes. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1329 Prime Sponsor, Representative Stanford: Addressing electronic notices and document delivery of insurance products. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1331 Prime Sponsor, Representative Muri: Concerning school library and technology programs. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1349 Prime Sponsor, Representative Hunt, S.: Concerning requesting public records for the purpose of obtaining exempted information relating to employment and licensing. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1407 Prime Sponsor, Representative Jinkins: Concerning procedures for guardianship termination and modification. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1408 Prime Sponsor, Representative Ortiz-Self: Concerning the development of a definition and model for "family engagement coordinator" and other terms used interchangeably with it. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1420 Prime Sponsor, Representative Wilcox: Concerning school siting and school district aid in reducing overall school construction costs. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1424 Prime Sponsor, Representative Orwall: Concerning suicide prevention. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1445 Prime Sponsor, Representative Reykdal: Using computer sciences to satisfy world language college admission requirements. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Gregory; Hargrove; Holy and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Stambaugh.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1514 Prime Sponsor, Representative Jinkins: Concerning dental office support services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Riccelli, Vice Chair; Schmick, Ranking Minority Member; Caldier; DeBolt; Jinkins; Johnson; Moeller; Rodne; Short and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Harris, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Cody, Chair; Clibborn; Robinson and Tharinger.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1541 Prime Sponsor, Representative Santos: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Hayes; Klippert and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representatives Muri, Assistant Ranking Minority Member Stambaugh, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 19, 2015

HB 1560 Prime Sponsor, Representative Hudgins: Recognizing the thirty-first of March as Cesar Chavez Day. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1562 Prime Sponsor, Representative Sullivan: Requiring posting of allergen information in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Bergquist; Gregory; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier; Griffey; Hargrove; Hayes; Klippert and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representatives Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member and Fagan.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1568 Prime Sponsor, Representative Reykdal: Concerning dropout prevention through engaging youth in farming. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Referred to Committee on Appropriations.

February 19, 2015

HB 1570 Prime Sponsor, Representative Gregory: Creating flexibility for the educator retooling conditional scholarship program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1578 Prime Sponsor, Representative Kirby: Authorizing insurers to offer customer satisfaction benefits. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1610 Prime Sponsor, Representative McCaslin: Changing jury service provisions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1613 Prime Sponsor, Representative Pollet: Authorizing treatment to protect life or alleviate pain of injured workers with permanent partial disabilities. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1627 Prime Sponsor, Representative Schmick: Expanding the existing prohibition on unlawfully entering the land of another to hunt or to retrieve hunted wildlife under Title 77 RCW to include entering the land of another to collect wildlife parts. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1636 Prime Sponsor, Representative MacEwen: Requiring disability employment reporting by state agencies. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1651 Prime Sponsor, Representative Ryu: Concerning definitions related to human trafficking. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1682 Prime Sponsor, Representative Fey: Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and McCaslin.

Referred to Committee on Appropriations.

February 19, 2015

HB 1684 Prime Sponsor, Representative Takko: Concerning charges for the cost of providing public records in response to public records requests. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Referred to Committee on Appropriations.

February 19, 2015

HB 1690 Prime Sponsor, Representative Walkinshaw: Providing a tax deferral for the expansion of certain existing public facilities district convention centers. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; Fey; Hudgins; Magendanz; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Young.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Assistant Ranking Minority Member and Harmsworth.

Referred to Committee on Finance.

February 19, 2015

HB 1695 Prime Sponsor, Representative Clibborn: Establishing a priority for the use, reuse, and recycling of construction aggregate and recycled concrete materials in Washington. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride; Pike and Taylor.

Referred to Committee on Transportation.

February 19, 2015

HB 1715 Prime Sponsor, Representative Peterson: Protecting Puget Sound through funding and implementing local on-site sewage program management plans. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on Appropriations.

February 18, 2015

HB 1721 Prime Sponsor, Representative Robinson: Concerning the transport of patients by ambulance to facilities other than hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1730 Prime Sponsor, Representative Kirby: Concerning the handling of earnest money. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1745 Prime Sponsor, Representative Moscoso: Enacting the Washington voting rights act. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1749 Prime Sponsor, Representative MacEwen: Concerning contractor registration requirements for owners of property. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

February 17, 2015

HB 1760 Prime Sponsor, Representative Senn: Providing students with skills that promote mental health and

well-being and increase academic performance. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes and Klippert.

Referred to Committee on Appropriations.

February 18, 2015

HB 1761 Prime Sponsor, Representative Stanford: Addressing insurance producers, insurers, and title insurance agents activities with customers and potential customers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1762 Prime Sponsor, Representative Riccelli: Concerning the relationship between a health insurer and a contracting health care provider. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Assistant Ranking Minority Member and Short.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1785 Prime Sponsor, Representative Reykdal: Eliminating the certificate of academic achievement as a requirement for high school graduation. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Bergquist; Caldier; Gregory; Griffey; Hayes; Hunt, S.; Kilduff; Klippert; McCaslin; Orwall and Pollet.

MINORITY recommendation: Do not pass. Signed by Representatives Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Hargrove and Lytton.

MINORITY recommendation: Without recommendation. Signed by Representatives Stambaugh, Assistant Ranking Minority Member; Fagan and Springer.

Referred to Committee on Appropriations.

February 19, 2015

HB 1802 Prime Sponsor, Representative Fitzgibbon: Concerning optional methods of financing long-range planning costs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1813 Prime Sponsor, Representative Hansen: Expanding computer science education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 18, 2015

HB 1814 Prime Sponsor, Representative Tarleton: Creating the certified public accounting scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 19, 2015

HB 1821 Prime Sponsor, Representative Sullivan: Addressing industrial insurance requirements and options for owners and lessees of for hire vehicles, limousines, and taxicabs. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1826 Prime Sponsor, Representative Johnson: Creating flexibility in the state's recreational fee-for-access programs to better accommodate families that recreate with multiple vehicles. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on General Government & Information Technology.

February 19, 2015

HB 1833 Prime Sponsor, Representative Klippert: Concerning timing free access days at state parks with local community events. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1851 Prime Sponsor, Representative Hayes: Creating an expedited permitting and contracting process for bridges owned by local governments that are deemed structurally deficient. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1852 Prime Sponsor, Representative Caldier: Addressing the pediatric oral services essential health benefit category. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Moeller; Robinson and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; DeBolt; Johnson; Short and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1864 Prime Sponsor, Representative Kilduff: Supporting evidence-based strategies to promote high school graduation. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Referred to Committee on Appropriations.

February 19, 2015

HB 1866 Prime Sponsor, Representative Bergquist: Improving voter registration by providing new residential tenants with voter registration information. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 18, 2015

HB 1879 Prime Sponsor, Representative Kagi: Directing the health care authority to issue a request for proposals for integrated managed health and behavioral health services for foster children. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

February 19, 2015

HB 2048 Prime Sponsor, Representative Santos: Concerning the division of large first-class school districts. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hargrove; Hunt, S.; Lytton; McCaslin; Orwall and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Kilduff; Klippert and Pollet.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2049 Prime Sponsor, Representative Santos: Supporting the development of affordable housing in urban areas. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Assistant Ranking Minority Member; Hawkins and Van De Wege.

Referred to Committee on Capital Budget.

February 19, 2015

HB 2051 Prime Sponsor, Representative Farrell: Concerning the provision of time and assistance for tenants to relocate due to a rent increase or change of use of the residential unit. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Haler and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Muri and Stokesbary.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2061 Prime Sponsor, Representative Short: Authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2074 Prime Sponsor, Representative Fey: Relating to the petition-based annexation method for owners of property within a city or town that seek annexation to another city or town. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2084 Prime Sponsor, Representative Hunter: Imposing fines, withholding taxes, and other measures to encourage local jurisdictions to timely file state-required reports. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

February 19, 2015

HB 2086 Prime Sponsor, Representative McBride: Prohibiting certain limitations on the hosting of the homeless by religious organizations. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Sawyer and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2093 Prime Sponsor, Representative Kretz: Concerning wildland fire suppression. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Referred to Committee on Appropriations.

February 19, 2015

HB 2107 Prime Sponsor, Representative Kretz: Requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew and Schmick.

MINORITY recommendation: Do not pass. Signed by Representative Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Stanford.

Referred to Committee on Appropriations.

February 19, 2015

HB 2122 Prime Sponsor, Representative McBride: Concerning real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

February 18, 2015

HB 2131 Prime Sponsor, Representative Kirby: Relating to insurance for providers of commercial transportation services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 19, 2015

HB 1047 Prime Sponsor, Representative Goodman: Concerning state agencies continuity of operations planning requirements. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dent; Hunt, G.; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1068 Prime Sponsor, Representative Orwall: Concerning sexual assault examination kits. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Hunt, G.; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1154 Prime Sponsor, Representative Bergquist: Creating the affordable college for everyone grant contract program. Reported by Committee on Higher Education

MAJORIT

MINORITY recommendation: Do not pass. Signed by Representative Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Hargrove; Holy and Stambaugh.

Referred to Committee on Appropriations.

February 17, 2015

HB 1252 Prime Sponsor, Representative Wylie: Prescribing penalties for allowing or permitting unlicensed practice of massage therapy or reflexology. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1272 Prime Sponsor, Representative Buys: Creating the crime of wrongfully distributing intimate images. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

February 19, 2015

HB 1345 Prime Sponsor, Representative Lytton: Adopting a definition and standards of professional learning. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 19, 2015

HB 1354 Prime Sponsor, Representative Ryu: Concerning the employee antiretaliation act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Condotta; Fagan and Springer.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1355 Prime Sponsor, Representative Farrell: Increasing the minimum hourly wage to twelve dollars over four years. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Fagan and Stokesbary.

Passed to Committee on Rules for second reading.

February 19

HB 1389 Prime Sponsor, Representative Goodman: Addressing the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1390 Prime Sponsor, Representative Goodman: Concerning legal financial obligations. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Referred to Committee on Appropriations.

February 19, 2015

HB 1395 Prime Sponsor, Representative Springer: Authorizing the use of nonappropriated funds on certain administrative costs and expenses of the stay-at-work and self-insured employer programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1400 Prime Sponsor, Representative Haler: Increasing transparency in higher education by requiring budgeting information to be available online. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Reykdal and Sells.

Referred to Committee on Appropriations.

February 19, 2015

HB 1450 Prime Sponsor, Representative Jinkins: Concerning involuntary outpatient mental health treatment. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 19, 2015

HB 1453 Prime Sponsor, Representative Pike: Eliminating the backlog of land use applications in the Columbia River Gorge commission for the purpose of protecting and enhancing the natural scenery and regional economic development of the Columbia River Gorge national scenic area. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Dunshee; Orcutt; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler; Kretz and Schmick.

Referred to Committee on General Government & Information Technology.

February 20, 2015

HB 1471 Prime Sponsor, Representative Cody: Mitigating barriers to patient access to care resulting from health insurance contracting practices. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Johnson.

Referred to Committee on Appropriations.

February 19, 2015

HB 1476 Prime Sponsor, Representative Rodne: Removing references to faith-based exemptions regarding criminal mistreatment of children and vulnerable adults. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Goodman and Klippert.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1492 Prime Sponsor, Representative Magendanz: Addressing technology literacy. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Kilduff; Lytton; McCaslin; Orwall and Pollet.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, S.; Klippert and Springer.

Referred to Committee on Appropriations.

February 19, 2015

HB 1495 Prime Sponsor, Representative Reykdal: Enacting the student user privacy in education rights act. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1501 Prime Sponsor, Representative Zeiger: Concerning public-private financing of prevention-based social service programs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; Ortiz-Self and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; McCaslin and Sawyer.

Referred to Committee on Appropriations.

February 19, 2015

HB 1503 Prime Sponsor, Representative Jinkins: Concerning medical liens. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Klippert.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1537 Prime Sponsor, Representative Moscoso: Concerning state liquor control board enforcement officers. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey and Wilson.

Referred to Committee on Appropriations.

February 19, 2015

HB 1554 Prime Sponsor, Representative Stambaugh: Exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1569 Prime Sponsor, Representative Kagi: Improving the drug offender sentencing alternative. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Referred to Committee on Appropriations.

February 19, 2015

HB 1597 Prime Sponsor, Representative Jinkins: Improving timeliness of competency evaluation and restoration services. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member and Klippert.

Referred to Committee on Appropriations.

February 19, 2015

HB 1601 Prime Sponsor, Representative Rodne: Concerning venue of actions by or against counties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1670 Prime Sponsor, Representative Walkinshaw: Spurring agricultural innovations. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1681 Prime Sponsor, Representative Tharinger: Increasing jobs in the maritime trades industry. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Referred to Committee on Finance.

February 19, 2015

HB 1702 Prime Sponsor, Representative Moscoso: Addressing local authority in the regulation of fireworks. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; McCaslin and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member and Pike.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1705 Prime Sponsor, Representative Haler: Concerning basic education for adults at community and technical colleges. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Reykdal; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Holy and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Hargrove and Stambaugh.

Referred to Committee on Appropriations.

February 19, 2015

HB 1709 Prime Sponsor, Representative Springer: Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1710 Prime Sponsor, Representative Tarleton: Fostering economic growth in Washington by supporting the in-state production, processing, and distribution of food supply. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Referred to Committee on Appropriations.

February 19, 2015

HB 1713 Prime Sponsor, Representative Cody: Integrating the treatment systems for mental health and chemical dependency. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne, Ranking Minority Member; Muri and Stokesbary.

Referred to Committee on Appropriations.

February 20, 2015

HB 1716 Prime Sponsor, Representative Moscoso: Addressing state and local enforcement of federal immigration detainers and administrative warrants. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey and Wilson.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Referred to Committee on Finance.

February 19, 2015

HB 1759 Prime Sponsor, Representative Manweller: Modifying the computer data center sales and use tax exemption. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Smith, Ranking Minority Member; Fey; Hudgins; Magendanz; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Tarleton, Vice Chair; DeBolt, Assistant Ranking Minority Member and Harmsworth.

Referred to Committee on Finance.

February 19, 2015

HB 1764 Prime Sponsor, Representative Van De Wege: Creating a business and occupation tax credit for advanced composite manufacturing and wholesaling. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Referred to Committee on Finance.

February 19, 2015

HB 1770 Prime Sponsor, Representative Bergquist: Changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1771 Prime Sponsor, Representative Gregory: Confirming that the professional educator standards board is an authorized representative of the state educational agencies. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hayes; Hunt, S.; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Hargrove; Klippert and McCaslin.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1779 Prime Sponsor, Representative Van De Wege: Requiring specialized training for persons conducting victim interviews as part of the disciplinary process for a health professional alleged to have committed sexual misconduct. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member and Short.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1784 Prime Sponsor, Representative Tharinger: Concerning nursing home quality. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; DeBolt; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Johnson and Short.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Referred to Committee on Appropriations.

February 19, 2015

HB 1817 Prime Sponsor, Representative Shea: Providing liability immunity for local jurisdictions when wheeled all-terrain vehicles are operated on public roadways. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne,

Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1843 Prime Sponsor, Representative Morris: Creating a residential energy efficiency incentive pilot program. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Fey; Hudgins; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey and Young.

Referred to Committee on Finance.

February 19, 2015

HB 1850 Prime Sponsor, Representative Hayes: Exempting certain department of transportation actions from local review or permit processes under the shoreline management act. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McCaslin; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representative McBride.

Referred to Committee on Transportation.

February 19, 2015

HB 1855 Prime Sponsor, Representative Caldier: Waiving local graduation requirements for certain students. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1857 Prime Sponsor, Representative Jinkins: Concerning extreme risk protective orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Haler; Klippert and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representative Muri.

Referred to Committee on General Government & Information Technology.

February 19, 2015

HB 1865 Prime Sponsor, Representative Magendanz: Concerning visual screening in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Referred to Committee on Appropriations.

February 20, 2015

HB 1874 Prime Sponsor, Representative Tharinger: Regarding the requirements of allopathic physician licensure. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1885 Prime Sponsor, Representative Klippert: Addressing and mitigating the impacts of property crimes in Washington state. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

February 19, 2015

HB 1898 Prime Sponsor, Representative Ortiz-Self: Concerning awareness of the possibility of children testifying remotely in certain cases. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1916 Prime Sponsor, Representative Cody: Integrating administrative provisions for chemical dependency and mental health. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Referred to Committee on Appropriations.

February 19, 2015

HB 1917 Prime Sponsor, Representative Hansen: Concerning video and/or sound recordings made by law enforcement or corrections officers. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Haler; Hansen; Kirby; Klippert; Muri and Stokesbary.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member and Goodman.

MINORITY recommendation: Without recommendation. Signed by Representatives Orwall and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1920 Prime Sponsor, Representative Hunt, S.: Promoting the use, acceptance, and removal of barriers to the use and acceptance of electronic signatures. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1929 Prime Sponsor, Representative Fitzgibbon: Requiring incentives for electric vehicle readiness in buildings. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1942 Prime Sponsor, Representative Tarleton: Concerning ballot measures regarding required information and filing fees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1943 Prime Sponsor, Representative Shea: Concerning home detention. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

February 19, 2015

HB 1954 Prime Sponsor, Representative Pike: Creating a task force on the Columbia river gorge commission. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Kretz; Orcutt and Schmick.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1956 Prime Sponsor, Representative Moeller: Creating independent review organizations. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Johnson; Rodne and Short.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 1962 Prime Sponsor, Representative Griffey: Regulating disclosure of process server social security numbers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1973 Prime Sponsor, Representative Stambaugh: Creating an open education pilot program at Eastern Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Hargrove; Holy; Sells; Stambaugh and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representative Gregory.

MINORITY recommendation: Without recommendation. Signed by Representatives Reykdal and Tarleton.

Referred to Committee on Appropriations.

February 19, 2015

HB 1980 Prime Sponsor, Representative Springer: Implementing recommendations of the sunshine committee. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 1982 Prime Sponso1.7(u)2 0 Tw 5d ( )-10.3(r)6.6(i)5982

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Ryu; Santos and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Fey; Hudgins; Nealey and Wylie.

Referred to Committee on General Government & Information Technology.

February 20, 2015

HB 2005 Prime Sponsor, Representative Moscoso: Creating an office of corrections ombuds. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey and Wilson.

Referred to Committee on Appropriations.

February 18, 2015

HB 2009 Prime Sponsor, Representative Robinson: Concerning exemptions from immunizations for school-age children. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and Short.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt and Rodne.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2021 Prime Sponsor, Representative Riccelli: Concerning the prescription drug assistance foundation. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2023 Prime Sponsor, Representative Parker: Changing the deadline for notices of nonrenewal of contracts for certificated school employees. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2025 Prime Sponsor, Representative Appleton: Prohibiting the sale and commercial display of human remains. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2041 Prime Sponsor, Representative Hansen: Creating a pilot project on performance-based scholarships in the state need grant program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

February 20, 2015

HB 2042 Prime Sponsor, Representative McCabe: Establishing the crime of voyeurism in the second degree. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2044 Prime Sponsor, Representative Schmick: Concerning emergency medical services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick,

Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2050 Prime Sponsor, Representative Pettigrew: Establishing the small business enhancement program. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Fey; Hudgins; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; Magendanz and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives DeBolt, Assistant Ranking Minority Member; Harmsworth and Nealey.

Referred to Committee on Appropriations.

February 19, 2015

HB 2060 Prime Sponsor, Representative Jinkins: Concerning timeliness of competency evaluation and restoration services. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

February 20, 2015

HB 2063 Prime Sponsor, Representative Kilduff: Creating an investment program for individuals with disabilities. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

February 19, 2015

HB 2064 Prime Sponsor, Representative Morris: Providing compliance options for qualifying utilities. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins.

MINORITY recommendation: Without recommendation. Signed by Representative Fey.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2085 Prime Sponsor, Representative Goodman: Providing alternatives for penalties stemming from traffic infractions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2098 Prime Sponsor, Representative Orwall: Establishing a statewide training program on human trafficking laws for criminal justice personnel. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

February 20, 2015

HB 2100 Prime Sponsor, Representative Kagi: Concerning health and safety requirements for child care programs that serve school-age children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2113 Prime Sponsor, Representative Walkinshaw: Creating a task force on poverty. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2133 Prime Sponsor, Representative Hunt, S.: Exempting the addresses of certain child care providers from the public records act. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 20, 2015

HB 2140 Prime Sponsor, Representative Kagi: Concerning good cause exceptions during permanency hearings. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representative

Passed to Committee on Rules for second reading.

February 19, 2015

HB 2160 Prime Sponsor, Representative Wylie: Concerning the distribution of intimate images. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

February 19, 2015

HJM 4004 Prime Sponsor, Representative Wylie: Calling on Congress to exercise its authority under Article V of the United States Constitution to regulate money spent on elections. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

February 19, 2015

HJM 4007 Prime Sponsor, Representative Morris: Encouraging the successful negotiation of the Transatlantic Trade and Investment Partnership between the United States and the European Union. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Hudgins; Magendanz; Nealey; Ryu and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Harmsworth; Santos and Young.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports and first and second supplemental introduction sheets under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Agriculture & Natural Resources was relieved of HOUSE BILL NO. 2115, and the bill was referred to the Committee on Rules.

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

There being no objection, the House adjourned until 9:55 a.m., February 23, 2015, the 43rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY THIRD DAY

House Chamber, Olympia, Monday, February 23, 2015

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

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

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

INTRODUCTION & FIRST READING

FORTY FOURTH DAY

House Chamber, Olympia, Tuesday, February 24, 2015

The House was called to order at 9:55 a.m. by the Speaker.

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

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

INTRODUCTION & FIRST READING

HCR 4403 by Representatives Sullivan, Kretz, Haler and Bergquist

Honoring the recipients of the state Medal of Merit and Medal of Valor.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4403 was read the first time, and under suspension of the rules was placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4403, by Representatives Sullivan, Kretz, Haler and Bergquist

Honoring the recipients of the state Medal of Merit and Medal of Valor.

The concurrent resolution was read the second time.

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

The Speaker stated the question before the House to be the adoption of House Concurrent Resolution No. 4403.

HOUSE CONCURRENT RESOLUTION NO. 4403 was adopted.

MESSAGE FROM THE SENATE

Febeuary 23, 2015

FORTY FIFTH DAY

House Chamber, Olympia, Wednesday, February 25, 2015

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

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

MESSAGE FROM THE SENATE

February 24, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5011
SENATE BILL NO. 5015
SENATE BILL NO. 5024
SENATE BILL NO. 5031
SENATE BILL NO. 5032
SENATE BILL NO. 5046
SUBSTITUTE SENATE BILL NO. 5059
SENATE BILL NO. 5075
SENATE BILL NO. 5101
SENATE BILL NO. 5146
SENATE BILL NO. 5176
SENATE BILL NO. 5204
SENATE BILL NO. 5207
SENATE BILL NO. 5249
SENATE BILL NO. 5271
SENATE BILL NO. 5272
SENATE BILL NO. 5312
SENATE JOINT MEMORIAL NO. 8000

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2168 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2169 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2170 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2171 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2172 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2173 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2174 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2175 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2176 by Representative Hunter

AN ACT Relating to natural resources.

Referred to Committee on Appropriations.

HB 2177 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2178 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2179 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2180 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

SB 5011 by Senators Becker, Cleveland, Frockt and Keiser

AN ACT Relating to third-party payor release of health care information; amending RCW 70.02.045; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SB 5015 by Senators Honeyford and Ericksen

AN ACT Relating to extending the dairy inspection program assessment expiration date; amending RCW 15.36.551; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SB 5024 by Senator Benton

AN ACT Relating to conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government; amending RCW 2.36.057, 2.36.0571, 2.68.060, 4.92.110, 4.96.020, 8.26.085, 15.24.086, 15.64.060, 15.65.285, 15.66.280, 15.88.070, 15.89.070, 15.100.080, 15.115.180, 17.15.020, 19.27.097, 19.27.150, 19.27A.020, 19.27A.190, 19.34.100, 19.285.060, 27.34.075, 27.34.410, 27.48.040, 28A.150.530, 28A.335.300, 28B.10.417, 35.21.779, 35.68.076, 35A.65.010, 36.28A.070, 39.04.155, 39.04.220, 39.04.290, 39.04.320, 39.04.330, 39.04.370, 39.04.380, 39.24.050, 39.30.050, 39.32.020, 39.32.040, 39.32.060, 39.35.060, 39.35A.050, 39.35B.040, 39.35C.050, 39.35C.090, 39.59.010, 41.04.017, 41.04.220, 41.04.375, 43.01.090, 43.01.091, 43.01.240, 43.01.250, 43.01.900, 43.15.020, 43.17.050, 43.17.100, 43.17.400, 43.19.647, 43.19.651, 43.19.670, 43.19.682, 43.19.691, 43.19.757, 43.19A.022, 43.19A.040, 43.21F.045, 43.34.090, 43.82.035, 43.82.055, 43.82.130, 43.83.116, 43.83.120, 43.83.136, 43.83.142, 43.83.156, 43.83.176, 43.83.188, 43.83.202, 43.88.090, 43.88.350, 43.88.560, 43.96B.215, 43.101.080, 43.325.020, 43.325.030, 43.330.907, 43.331.040, 43.331.050, 44.68.065, 44.73.010, 46.08.065, 46.08.150, 46.08.172, 47.60.830, 70.58.005, 70.94.537, 70.94.551, 70.95.265, 70.95C.110, 70.95H.030, 70.95M.060, 70.235.050, 71A.20.190, 72.01.430, 72.09.450, 77.12.177, 77.12.451, 79.19.080, 79.24.300, 79.24.530, 79.24.540, 79.24.560, 79.24.570, 79.24.664, 79.24.710, 79.24.720, 79.24.730, and 79A.15.010; reenacting RCW 42.17A.110; adding a new section to chapter 49.74 RCW; decodifying RCW 37.14.010, 43.19.533, 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210; repealing RCW 43.105.041, 43.105.178, 43.105.330, 43.105.070, and 49.74.040; and providing an expiration date.

Referred to Committee on General Government & Information Technology.

SB 5031 by Senators Pedersen and O'Ban

AN ACT Relating to permitting advance action regarding business opportunities under the business corporation act; amending RCW 23B.01.400, 23B.02.020, 23B.08.700, and 23B.08.720; and adding a new section to chapter 23B.08 RCW.

Referred to Committee on Judiciary.

SB 5032 by Senators Pedersen and O'Ban

AN ACT Relating to specifying when a transaction in the form of a lease does not create a security interest for purposes of the uniform commercial code; and amending RCW 62A.1-203.

Referred to Committee on Judiciary.

SB 5046 by Senators Padden and Pedersen

AN ACT Relating to correcting a codification error concerning the governor's designee to the traffic safety commission; reenacting and amending RCW 43.59.030; and creating a new section.

Referred to Committee on Transportation.

SSB 5059 by Senate Committee on Law & Justice (originally sponsored by Senators Frockt, Fain, Pedersen and Chase)

AN ACT Relating to bad faith assertions of patent infringement; and adding a new chapter to Title 19 RCW.

Referred to Committee on Judiciary.

SB 5075 by Senator Baumgartner

AN ACT Relating to making nonsubstantive changes to procurement law; amending RCW 28B.10.029, 35.57.080, 36.100.190, 39.04.190, 39.26.070, 39.26.251, 39.26.255, 39.26.271, 39.35C.050, 39.35C.090, and 43.19.1919; reenacting and amending RCW 39.26.010; and repealing RCW 43.19.520, 43.19.525, and 43.19.533.

Referred to Committee on State Government.

SB 5101 by Senators Padden and O'Ban

AN ACT Relating to mental status evaluations; and amending RCW 9.94B.080.

Referred to Committee on Judiciary.

SB 5146 by Senators Bailey and Rivers

AN ACT Relating to improving the quality of medicaid purchasing, delivery, and transparency; amending RCW 74.09.010; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care & Wellness.

SB 5176 by Senators Keiser, Honeyford, Roach, Fraser, Schoesler and Chase

AN ACT Relating to the capitol furnishings preservation committee; and amending RCW 27.48.040.

Referred to Committee on State Government.

SB 5204 by Senators Parlette, Pearson and Warnick

AN ACT Relating to providing an exemption from hydraulic project permit fees for certain emergency permits; amending RCW 77.55.321; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SB 5207 by Senators Liias and King

AN ACT Relating to office hours for registered tow truck operators; and amending RCW 46.55.060.

Referred to Committee on Labor.

SB 5249 by Senators Darneille, Conway and Miloscia

AN ACT Relating to creating a bond issuance exemption for qualifying local revitalization financing projects; and amending RCW 82.14.510 and 82.14.515.

Referred to Committee on Technology & Economic Development.

SB 5271 by Senators Roach, Hasegawa, Liias and Benton

AN ACT Relating to standards adopted by the national fire protection association and the state building code council; and amending RCW 43.44.110, 46.37.467, and 70.95I.080.

Referred to Committee on Local Government.

SB 5272 by Senators Schoesler, Sheldon, Fain, Hatfield, King, Hewitt and Parlette

AN ACT Relating to heavy haul industrial corridors; amending RCW 46.44.0915; and providing an effective date.

Referred to Committee on Transportation.

SB 5312 by Senators Litzow, McAuliffe, Dammeier, Rolfes, Mullet, Billig, Kohl-Welles, Keiser and Chase

AN ACT Relating to creating flexibility for the educator retooling conditional scholarship program; and amending RCW 28A.660.045 and 28A.660.050.

Referred to Committee on Education.

SJM 8000 by Senator Brown

Requesting the permanent siting and development of a federal nuclear waste repository.

Referred to Committee on Environment.

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

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

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

There being no objection, the House adjourned until 9:55 a.m., February 26, 2015, the 46th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY SIXTH DAY

House Chamber, Olympia, Thursday, February 26, 2015

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

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

MESSAGES FROM THE SENATE

February 25, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5025
SUBSTITUTE SENATE BILL NO. 5030
SUBSTITUTE SENATE BILL NO. 5073
SENATE BILL NO. 5085
SENATE BILL NO. 5088
SENATE BILL NO. 5119
SUBSTITUTE SENATE BILL NO. 5156
SUBSTITUTE SENATE BILL NO. 5163
SENATE BILL NO. 5174
SUBSTITUTE SENATE BILL NO. 5294
SENATE BILL NO. 5297
SENATE BILL NO. 5302
SUBSTITUTE SENATE BILL NO. 5350
SENATE BILL NO. 5457
SENATE BILL NO. 5556
SENATE BILL NO. 5581

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

February 25, 2015

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4403

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2181 by Representatives Schmick, Clibborn, Orcutt and Scott

AN ACT Relating to the maximum speed limit on highways; amending RCW 46.61.410; and creating a new section.

Referred to Committee on Transportation.

HB 2182 by Representatives Tarleton, Smith, Takko, Pike, Clibborn, Zeiger, Hayes, Young, Fey, Sells and Blake

AN ACT Relating to ensuring the competitiveness of Washington state's fishing and seafood processing industries by supporting the recapitalization of fishing fleets through certain tax preferences; amending RCW 82.04.440; adding a new section to chapter 82.04 RCW; creating new sections; and providing an effective date.

Referred to Committee on Technology & Economic Development.

SSB 5025 by Senate Committee on Transportation (originally sponsored by Senators Rivers, Cleveland and Benton)

AN ACT Relating to the apportionment of quick title service fees collected by appointed subagents; amending RCW 46.68.025 and 88.02.640; and providing an effective date.

Referred to Committee on Transportation.

SSB 5030 by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and O'Ban)

AN ACT Relating to the limited liability company act; amending RCW 23B.11.080, 23B.11.090, 23B.11.110, 25.05.375, 25.05.380, 25.05.385, 25.05.390, 25.05.425, 25.10.781, 30A.08.025, 32.08.025, and 82.32.145; adding new sections to chapter 25.15 RCW; repealing RCW 25.15.005, 25.15.007, 25.15.010, 25.15.015, 25.15.020, 25.15.025, 25.15.030, 25.15.035, 25.15.040, 25.15.045, 25.15.050, 25.15.055, 25.15.060, 25.15.070, 25.15.075, 25.15.085, 25.15.090, 25.15.095, 25.15.100, 25.15.105, 25.15.115, 25.15.120, 25.15.125, 25.15.130, 25.15.135, 25.15.140, 25.15.150, 25.15.155, 25.15.160, 25.15.165, 25.15.170, 25.15.175, 25.15.180, 25.15.185, 25.15.190, 25.15.195, 25.15.200, 25.15.205, 25.15.215, 25.15.220, 25.15.225, 25.15.230, 25.15.235, 25.15.245, 25.15.250, 25.15.255, 25.15.260, 25.15.270, 25.15.273, 25.15.275, 25.15.280, 25.15.285, 25.15.290, 25.15.293, 25.15.295, 25.15.298, 25.15.300, 25.15.303, 25.15.310, 25.15.315, 25.15.320, 25.15.325, 25.15.330, 25.15.335, 25.15.340, 25.15.345, 25.15.350, 25.15.355, 25.15.360, 25.15.365, 25.15.366, 25.15.370, 25.15.375, 25.15.380, 25.15.385, 25.15.390, 25.15.395, 25.15.400, 25.15.405, 25.15.410, 25.15.415, 25.15.417, 25.15.419, 25.15.420, 25.15.422, 25.15.423, 25.15.425, 25.15.430, 25.15.435, 25.15.440, 25.15.445, 25.15.450, 25.15.455, 25.15.460, 25.15.465, 25.15.470, 25.15.475, 25.15.480, 25.15.800, 25.15.805, 25.15.810, 25.15.900, 25.15.901, and 25.15.902; and providing an effective date.

Referred to Committee on Judiciary.

SSB 5073 by Senate Committee on Government Operations & Security (originally sponsored by Senators Roach and Liias)

AN ACT Relating to nonsubstantive updates and realignments of the statutory responsibilities of the office of financial

management; amending RCW 43.82.055, 43.82.150, 43.88.160, 47.04.280, 47.64.170, 47.64.360, 79.44.060, 28A.345.060, 34.05.030, 34.12.100, 41.04.665, 41.04.680, 41.06.157, 41.06.167, 42.17A.705, 41.80.020, 43.03.040, 43.06.013, 43.41.113, 43.131.090, 48.37.060, and 49.74.020; reenacting and amending RCW 41.04.340 and 41.06.020; adding new sections to chapter 43.19 RCW; recodifying RCW 43.41.130, 43.41.140, 43.41.150, 43.41.370, and 43.41.380; and repealing RCW 43.41.190 and 43.41.195.

Referred to Committee on General Government & Information Technology.

SB 5085 by Senators Rolfes, Dammeier, Conway, Benton, Chase, Billig, Ranker, Hobbs, Fraser, McAuliffe and Pearson

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

Referred to Committee on Transportation.

SB 5088 by Senators Pearson, Hargrove, Honeyford, Parlette, Keiser, Liias, Hobbs, Hatfield, Kohl-Welles, Frockt, Dammeier, Rolfes, Hewitt, Dansel, Fraser, Chase and Conway

AN ACT Relating to geological hazards assessment; and amending RCW 43.92.025 and 58.24.060.

Referred to Committee on Agriculture & Natural Resources.

SB 5119 by Senators Angel and Mullet

AN ACT Relating to nonprofit risk pools; amending RCW 48.01.050, 48.62.031, and 48.62.141; reenacting and amending RCW 48.62.021; adding a new cha

AN ACT Relating to irrigation district administration; amending RCW 87.06.040; and repealing RCW 87.80.140 and 87.80.150.

Referred to Committee on Local Government.

SB 5581 by Senators Angel and Hobbs

AN ACT Relating to the benefits of group life and disability insurance policies; amending RCW 48.24.280; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Business & Financial Services.

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

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

REPORTS OF STANDING COMMITTEES

February 23, 2015

HB 1464 Prime Sponsor, Representative Hudgins: Transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1678 Prime Sponsor, Representative Carlyle: Improving tax fairness for businesses engaged in electronic commerce by eliminating inconsistent tax treatment of digital business inputs, ensuring that prewritten computer software developers remain eligible for the manufacturing machinery and equipment sales and use tax exemption, and providing greater clarity for out-of-state sellers concerning their tax obligations. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Vick.

MINORITY recommendation: Without recommendation. Signed by Representative Pollet.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1693 Prime Sponsor, Representative Pollet: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1793 Prime Sponsor, Representative Lytton: Working within the existing in-stream flow rules adopted by the department of ecology to provide a suite of tools, applicable to property owners located in areas with limited access to legal new water withdrawals, for alternative water procurement that does not result in a net loss to area surface waters. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Kilduff; Peterson and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representatives DeBolt, Ranking Minority Member and Kochmar.

MINORITY recommendation: Without recommendation. Signed by Representatives Smith, Assistant Ranking Minority Member and Walsh.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 2035 Prime Sponsor, Representative Scott: Lengthening the maximum terms of leases entered into by the director of enterprise services in certain counties. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 2146 Prime Sponsor, Representative Kilduff: Concerning public works assistance account program interest rates, project ranking, board membership, and other requirements. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Peterson and Riccelli.

MINORITY recommendation: Do not pass. Signed by Representative Kochmar.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed HOUSE CONCURRENT RESOLUTION NO. 4403.

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

There being no objection, the House adjourned until 9:55 a.m., February 27, 2015, the 47th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY SEVENTH DAY

House Chamber, Olympia, Friday, February 27, 2015

The House was called to order at 9:55 a.m. by the Speaker.

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

MESSAGE FROM THE SENATE

February 27, 2015

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4403

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2183 by Representatives McCabe, Orwall, Dent, Senn, Caldier, Johnson, Fagan, Parker, Kagi, Gregerson and Santos

AN ACT Relating to a curriculum for the prevention of sexual abuse for students; and adding a new section to chapter 28A.230 RCW.

Referred to Committee on Education.

HB 2184 by Representatives Lytton, Magendanz, Hunter and Gregerson

AN ACT Relating to providing a cost savings by making changes to high school science assessment requirements; amending RCW 28A.655.061, 28A.655.065, and 28A.655.068; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2185 by Representative S. Hunt

AN ACT Relating to cancellation of the 2016 presidential primary; amending RCW 29A.56.020; and providing an expiration date.

Referred to Committee on Appropriations.

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

The Speaker called upon Deputy Chief Clerk Bernard C. Dean to preside.

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

REPORTS OF STANDING COMMITTEES

February 25, 2015

HB 1009 Prime Sponsor, Representative Manweller: Allowing rural counties providing emergency medical services to locations with a rural amphitheater to impose an additional admissions surcharge. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Manweller; Pollet; Reykdal; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair and Condotta.

MINORITY recommendation: Without recommendation. Signed by Representatives Fitzgibbon and Robinson.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1118 Prime Sponsor, Representative Blake: Creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier, Assistant Ranking Minority Member and McCabe.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1171 Prime Sponsor, Representative Kirby: Concerning expiration dates related to real estate broker provisions. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1175 Prime Sponsor, Representative Van De Wege: Creating a penalty for concealing the source of a campaign contribution. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1234 Prime Sponsor, Representative Senn: Modifying certain building permit fees. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1272 Prime Sponsor, Representative Buys: Creating the crime of wrongfully distributing intimate images. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1276 Prime Sponsor, Representative Klippert: Concerning impaired driving. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1284 Prime Sponsor, Representative Haler: Concerning hours of service for certain railroad employees. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier, Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1430 Prime Sponsor, Representative Walkinshaw: Creating Washington state tree special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1449 Prime Sponsor, Representative Farrell: Concerning oil transportation safety. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Manweller; Stokesbary; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1481 Prime Sponsor, Representative Kagi: Concerning the sealing of juvenile records and fines imposed in juvenile cases. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representative McCabe.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1499 Prime Sponsor, Representative Goodman: Concerning vulnerable adults. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Repres.147 Td ( )Tj EMC114 Tw 7.267 0 Td [(es)-1.6(en)-10.7(t)-6(a5.9(v)2.6(es)-1.6(H)-2(u)-10.7(d)-10.7(g)-10.6(i)-6(n)-10.7(s

railroad employees. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Bergquist; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Ortiz-Self.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1822 Prime Sponsor, Representative Farrell: Extending and modifying the commute trip reduction tax credit. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1830 Prime Sponsor, Representative Muri: Creating Washington state wrestling special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1836 Prime Sponsor, Representative Stanford: Concerning state drought preparedness. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representative McCabe.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1842 Prime Sponsor, Representative Farrell: Concerning transit agency coordination. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1843 Prime Sponsor, Representative Morris: Creating a residential energy efficiency incentive pilot program. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Manweller; Stokesbary; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1850 Prime Sponsor, Representative Hayes: Exempting certain department of transportation actions from local review or permit processes under the shoreline management act. Reported by Committee on Transportation

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Clibborn, Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Harmsworth; Hayes; Kochmar; Morris; Pike; Rodne; Shea; Takko; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Farrell, Vice Chair; Gregerson; McBride; Moeller; Riccelli; Sells and Tarleton.

MINORITY recommendation: Without recommendation. Signed by Representatives Fey, Vice Chair; Moscoso, Vice Chair and Ortiz-Self.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1892 Prime Sponsor, Representative Fey: Repealing the deduction for handling losses of motor vehicle fuel. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Rodne; Shea; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1918 Prime Sponsor, Representative Shea: Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Rodne; Sells; Shea; Takko; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Bergquist and Tarleton.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1943 Prime Sponsor, Representative Shea: Concerning home detention. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1993 Prime Sponsor, Representative Moscoso: Updating and clarifying statutory provisions within the commercial vehicle registration and fuel tax administrative systems. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Bergquist; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Shea and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Harmsworth.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1995 Prime Sponsor, Representative Ryu: Imposing a new studded tire fee. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko; Tarleton; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Rodne; Shea and Wilson.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 2012 Prime Sponsor, Representative Orcutt: Concerning the implementation of practical design by the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Bergquist; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 2017 Prime Sponsor, Representative Klippert: Creating Washington farmers and ranchers special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 2122 Prime Sponsor, Representative McBride: Concerning real estate as it concerns the local government authority in the use of real estate

excise tax revenues and regulating real estate

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1067 Prime Sponsor, Representative Jinkins: Reauthorizing the medicaid fraud false claims act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member and Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1085 Prime Sponsor, Representative Moeller: Requiring lobbying reports to be filed electronically. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; Schmick and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member and Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1095 Prime Sponsor, Representative Morris: Promoting thermal energy efficiency. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1107 Prime Sponsor, Representative Springer: Concerning access to and creation of cultural and heritage programs and facilities. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

MINORITY recommendation: Without recommendation. Signed by Representative Manweller.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1126 Prime Sponsor, Representative Kagi: Concerning department of early learning fatality reviews. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Dent; Hunt, G.; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1127 Prime Sponsor, Representative Chandler: Creating the agricultural labor skills and safety program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Haler and Hunt, G..

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1152 Prime Sponsor, Representative Fitzgibbon: Concerning the management of forage fish resources. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Fagan and Magendanz.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1174 Prime Sponsor, Representative Van De Wege: Concerning flame retardants. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Condotta; Dunshee; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dent and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member and Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1194 Prime Sponsor, Representative Kirby: Addressing the death benefits of a surviving spouse of a member of the law enforcement officers' and firefighters' retirement system or the state patrol retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; MacEwen; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1221 Prime Sponsor, Representative Hansen: Creating passenger-only ferry service districts. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1223 Prime Sponsor, Representative Springer: Allowing the use of lodging taxes for financing workforce housing. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

MINORITY recommendation: Without recommendation. Signed by Representative Carlyle, Chair.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1278 Prime Sponsor, Representative Fitzgibbon: Concerning building energy use disclosure requirements. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1281 Prime Sponsor, Representative Sawyer: Concerning the sexual exploitation of minors. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1295 Prime Sponsor, Representative Hudgins: Concerning breakfast after the bell programs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Schmick; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1307 Prime Sponsor, Representative Harris: Concerning enforcement standards for residential services and support providers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven

HB 1439 Prime Sponsor, Representative Sawyer: Establishing an online alternative credit model at Central Washington University. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Wilcox, Assistant Ranking Minority Member; Condotta; Hunt, G.; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Parker, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1448 Prime Sponsor, Representative Riccelli: Providing procedures for responding to reports of threatened or attempted suicide. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Condotta; Dent; Hunt, G.; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1450 Prime Sponsor, Representative Jinkins: Concerning involuntary outpatient mental health treatment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1465 Prime Sponsor, Representative MacEwen: Creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Dent; Hunt, G.; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1469 Prime Sponsor, Representative Hudgins: Addressing removal of payment credentials and other sensitive data from state data networks. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on General Government & Information Technology. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1471 Prime Sponsor, Representative Cody: Mitigating barriers to patient access to care resulting from health insurance contracting practices. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins;

Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Hunt, G.; MacEwen; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1472 Prime Sponsor, Representative Fitzgibbon: Concerning use of chemical action plans to require safer chemicals in Washington. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Condotta and Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1485 Prime Sponsor, Representative Haler: Concerning family medicine residencies in health professional shortage areas. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1491 Prime Sponsor, Representative Kagi: Improving quality in the early care and education system. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Haler; Hunt, G.; Sawyer; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1496 Prime Sponsor, Representative Sells: Addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 1513 Prime Sponsor, Representative Springer: Concerning local infrastructure project areas. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Vick.

MINORITY recommendation: Without recommendation. Signed by Representative Condotta.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1536 Prime Sponsor, Representative Klippert: Addressing the timing of emergency detentions and assessments under the involuntary treatment act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter,

Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1541 Prime Sponsor, Representative Santos: Implementing strategies to close the educational opportunity gap, based on the recommendations of

February 25, 2015

HB 1605 Prime Sponsor, Representative Peterson: Modifying certain provisions governing benefit charges of fire protection districts and regional fire protection service authorities. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Manweller; Stokesbary; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1620 Prime Sponsor, Representative Tharinger: Increasing the surcharge to fund biotoxin testing and monitoring. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1647 Prime Sponsor, Representative Cody: Concerning health plan coverage of reproductive health care. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Fagan and Stokesbary.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1652 Prime Sponsor, Representative Cody: Concerning medicaid managed health care system payments for health care services provided by nonparticipating providers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1666 Prime Sponsor, Representative Magendanz: Making the results on the statewide assessments available as norm-referenced results and as student growth percentiles. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Fagan; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee; Hunt, G.; Hunt, S. and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Ormsby, Vice Chair.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1667 Prime Sponsor, Representative Cody: Establishing the bleeding disorder collaborative for care. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1668 Prime Sponsor, Representative Kilduff: Restricting conditional releases of sexually violent predators outside their county of origin. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Dent; Haler; Magendanz; Schmick and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Ormsby, Vice Chair Parker, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1682 Prime Sponsor, Representative Fey: Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Hunt, G.; Schmick; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1684 Prime Sponsor, Representative Takko: Concerning charges for the cost of providing public records in response to public records requests. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1689 Prime Sponsor, Representative Reykdal: Concerning taxes on in-state broadcasters. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1696 Prime Sponsor, Representative Haler: Modifying provisions related to tuition setting authority at public institutions of higher education. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Without recommendation. Signed by Representative Carlyle.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1704 Prime Sponsor, Representative Pettigrew: Enhancing public safety and reducing recidivism through postsecondary education. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; Schmick and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1713 Prime Sponsor, Representative Cody: Integrating the treatment systems for mental health and chemical dependency. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass.

On page 151, after line 2, insert the following:

"NEW SECTION. **Sec. 505.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1715 Prime Sponsor, Representative Peterson: Protecting Puget Sound through funding and implementing local on-site sewage program management plans. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Walkinshaw.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1718 Prime Sponsor, Representative Ormsby: Authorizing membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Dent; Hunt, G.; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1725

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1783 Prime Sponsor, Representative Ortiz-Self: Expanding dual language and bilingual instruction for early learners through secondary students. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1807 Prime Sponsor, Representative Condotta: Assisting small businesses licensed to sell spirits in Washington state. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Commerce & Gaming. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 26, 2015

HB 1813 Prime Sponsor, Representative Hansen: Expanding computer science education. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1825 Prime Sponsor, Representative Kilduff: Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Dent; Hunt, G.; Schmick and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Wilcox, Assistant Ranking Minority Member and Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1863 Prime Sponsor, Representative Reykdal: Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Fagan and Jinkins.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1865 Prime Sponsor, Representative Magendanz: Concerning visual screening in schools. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys;

Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1875 Prime Sponsor, Representative Walsh: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Buys; Carlyle; Cody; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta; Dent; Hunt, G.; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member Wilcox, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1879 Prime Sponsor, Representative Kagi: Directing the health care authority to issue a request for proposals for integrated managed health and behavioral health services for foster children. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1880 Prime Sponsor, Representative Springer: Including Everett Community College as an aerospace training or educational program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1882 Prime Sponsor, Representative Moscoso: Concerning the regulation of passenger charter and excursion carriers. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Rodne; Sells; Takko; Tarleton; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike; Shea and Wilson.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1885 Prime Sponsor, Representative Klippert: Addressing and mitigating the impacts of property crimes in Washington state. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Fagan and Sawyer.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1916 Prime Sponsor, Representative Cody: Integrating administrative provisions for chemical dependency and mental health. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care &

Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Pettigrew; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Buys; Condotta; Dent; Hunt, G.; Magendanz; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 1922 Prime Sponsor, Representative Springer: Addressing small loans and small consumer installment loans. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Business & Financial Services. Signed by Representatives Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins, Chair.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1940 Prime Sponsor, Representative Stokesbary: Exempting levies imposed by qualifying flood control zone districts from certain limitations upon regular property tax levies. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member and Condotta.

MINORITY recommendation: Without recommendation. Signed by Representatives Nealey, Ranking Minority Member and Vick.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1965 Prime Sponsor, Representative Hudgins: Implementing a temporary additional fee on licenses and permits issued by the Washington state liquor control board. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 1966 Prime Sponsor, Representative Fey: Exempting transit agencies that manufacture liquid natural gas or compressed natural gas for the purposes of providing public transportation from the definition of manufacturing in respect to business and occupation tax. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1967 Prime Sponsor, Representative Cody: Directing the health care authority to apply for federal waivers concerning health care coverage. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Hunt, G.; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 1999 Prime Sponsor, Representative Carlyle: Coordinating services and programs for foster youth in order to improve educational outcomes. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do

not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 2000 Prime Sponsor, Representative Hurst: Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

February 25, 2015

HB 2002 Prime Sponsor, Representative Morris: Concerning regulatory and financial mechanisms and means to promote the retirement of coal-fired electric generation facilities. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; Morris and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member and McCabe.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2007 Prime Sponsor, Representative Zeiger: Concerning reimbursement to eligible providers for medicaid ground emergency medical transportation services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2040 Prime Sponsor, Representative McCabe: Initiating a campaign to increase veteran employment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2041 Prime Sponsor, Representative Hansen: Creating a pilot project on performance-based scholarships in the state need grant program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2060 Prime Sponsor, Representative Jinkins: Concerning timeliness of competency evaluation and restoration services. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox,

Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Fagan and Stokesbary.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2063 Prime Sponsor, Representative Kilduff: Creating an investment program for individuals with disabilities. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 24, 2015

HB 2084 Prime Sponsor, Representative Hunter: Imposing fines, withholding taxes, and other measures to encourage local jurisdictions to timely file state-required reports. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Stokesbary; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2093 Prime Sponsor, Representative Kretz: Concerning wildland fire suppression. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2015

HB 2098 Prime Sponsor, Representative Orwall: Establishing a statewide training program on human trafficking laws for criminal justice personnel. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2107 Prime Sponsor, Representative Kretz: Requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2015

HB 2109 Prime Sponsor, Representative Springer: Creating the Washington small business retirement marketplace. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Fagan.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports and first supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1345, and the bill was referred to the Committee on Rules.

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

HOUSE BILL NO. 1002
HOUSE BILL NO. 1047
HOUSE BILL NO. 1052
HOUSE BILL NO. 1065
HOUSE BILL NO. 1068
HOUSE BILL NO. 1078
HOUSE BILL NO. 1090
HOUSE BILL NO. 1149
HOUSE BILL NO. 1168
HOUSE BILL NO. 1170
HOUSE BILL NO. 1172
HOUSE BILL NO. 1186
HOUSE BILL NO. 1195
HOUSE BILL NO. 1230
HOUSE BILL NO. 1236
HOUSE BILL NO. 1240
HOUSE BILL NO. 1252
HOUSE BILL NO. 1257
HOUSE BILL NO. 1268
HOUSE BILL NO. 1279
HOUSE BILL NO. 1308
HOUSE BILL NO. 1309
HOUSE BILL NO. 1342
HOUSE BILL NO. 1354
HOUSE BILL NO. 1355
HOUSE BILL NO. 1356
HOUSE BILL NO. 1369
HOUSE BILL NO. 1380
HOUSE BILL NO. 1392
HOUSE BILL NO. 1397
HOUSE BILL NO. 1408
HOUSE BILL NO. 1410
HOUSE BILL NO. 1424
HOUSE BILL NO. 1428
HOUSE BILL NO. 1440
HOUSE BILL NO. 1495
HOUSE BILL NO. 1511
HOUSE BILL NO. 1516
HOUSE BILL NO. 1527
HOUSE BILL NO. 1550
HOUSE BILL NO. 1554
HOUSE BILL NO. 1562
HOUSE BILL NO. 1570
HOUSE BILL NO. 1590
HOUSE BILL NO. 1595
HOUSE BILL NO. 1601
HOUSE BILL NO. 1603
HOUSE BILL NO. 1604
HOUSE BILL NO. 1619
HOUSE BILL NO. 1622
HOUSE BILL NO. 1625
HOUSE BILL NO. 1626
HOUSE BILL NO. 1632
HOUSE BILL NO. 1633
HOUSE BILL NO. 1636
HOUSE BILL NO. 1637
HOUSE BILL NO. 1639
HOUSE BILL NO. 1646
HOUSE BILL NO. 1671
HOUSE BILL NO. 1672
HOUSE BILL NO. 1702
HOUSE BILL NO. 1706
HOUSE BILL NO. 1709
HOUSE BILL NO. 1721
HOUSE BILL NO. 1738
HOUSE BILL NO. 1745
HOUSE BILL NO. 1779
HOUSE BILL NO. 1817
HOUSE BILL NO. 1820
HOUSE BILL NO. 1845
HOUSE BILL NO. 1851
HOUSE BILL NO. 1855
HOUSE BILL NO. 1858
HOUSE BILL NO. 1868
HOUSE BILL NO. 1871
HOUSE BILL NO. 1884
HOUSE BILL NO. 1896
HOUSE BILL NO. 1898
HOUSE BILL NO. 1951
HOUSE BILL NO. 1961
HOUSE BILL NO. 1980
HOUSE BILL NO. 1987
HOUSE BILL NO. 1989
HOUSE BILL NO. 2009
HOUSE BILL NO. 2033
HOUSE BILL NO. 2042
HOUSE BILL NO. 2046
HOUSE BILL NO. 2051
HOUSE BILL NO. 2061
HOUSE BILL NO. 2086
HOUSE BILL NO. 2131
HOUSE BILL NO. 2160

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

There being no objection, the House adjourned until 10:00 a.m., March 2, 2015, the 50th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTIETH DAY

House Chamber, Olympia, Monday, March 2, 2015

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jacob Rowland and Josephine Akinlosotu. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Bob McCaslin, 4th District, Washington.

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

The Speaker assumed the chair.

MESSAGE FROM THE SENATE

February 27, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5296
SUBSTITUTE SENATE BILL NO. 5381
ENGROSSED SUBSTITUTE SENATE BILL NO. 5470
SUBSTITUTE SENATE BILL NO. 5501
ENGROSSED SUBSTITUTE SENATE BILL NO. 5990
ENGROSSED SUBSTITUTE SENATE BILL NO. 5991
ENGROSSED SUBSTITUTE SENATE BILL NO. 5992
ENGROSSED SENATE BILL NO. 5993
ENGROSSED SUBSTITUTE SENATE BILL NO. 5994
ENGROSSED SENATE BILL NO. 5995
ENGROSSED SUBSTITUTE SENATE BILL NO. 5996
ENGROSSED SUBSTITUTE SENATE BILL NO. 5997

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

SSB 5296 by Senate Committee on Commerce & Labor (originally sponsored by Senators Conway, King, McAuliffe, Hasegawa and Chase)

AN ACT Relating to locksmith services; and adding a new chapter to Title 19 RCW.

Referred to Committee on Business & Financial Services.

SSB 5381 by Senate Committee on Law & Justice (originally sponsored by Senators Billig, Frockt, Pedersen, Kohl-Welles, Rolfes, Liias, Nelson, Fraser, Cleveland, McCoy and McAuliffe)

AN ACT Relating to creating a protocol for the return of firearms in the possession of law enforcement agencies; adding a new section to chapter 9.41 RCW; adding a new section to chapter 36.28A RCW; and creating a new section.

Referred to Committee on Judiciary.

ESSB 5470 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Warnick and Liias)

AN ACT Relating to municipal procurement of water services; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

SSB 5501

HOUSE BILL NO. 1139, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1068, by Representatives Orwall, Kagi, Appleton, Gregerson, Reykdal, Carlyle, Stanford, Sawyer, Fitzgibbon, Jinkins, Cody, Hudgins, Senn, Clibborn, Moeller, Riccelli, Moscoso, Farrell and Fey

Concerning sexual assault examination kits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1068 was substituted for House Bill No. 1068 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1068 was read the second time.

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

Representatives Orwall and Klippert spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1068.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1068, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Holy, Kretz, McCaslin, Parker, Schmick, Scott, Shea, Short, Taylor, Van Werven, Wilson and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1068, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Orwall to preside.

HOUSE BILL NO. 1316, by Representatives Stambaugh, Jinkins, Nealey, Hurst, Kilduff, Reykdal, Wilson and Sawyer

Allowing for an arrest without a warrant when a police officer has probable cause to believe a person has violated certain temporary protection orders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1316 was substituted for House Bill No. 1316 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1316 was read the second time.

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

Representatives Stambaugh, Jinkins, Goodman, Zeiger, Hunter and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1316.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1316, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1316, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Shea congratulated Representative Stambaugh on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1674, by Representatives Pettigrew, Walsh, Goodman, Walkinshaw, Kagi, Appleton, Reykdal, Moscoso, Ormsby, McBride and Jinkins

Allowing youthful offenders who complete their confinement terms prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services.

The bill was read the second time.

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

Representatives Pettigrew and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1674.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1674, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1674, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1779, by Representatives Van De Wege, Johnson, Harris, Jinkins and Tharinger

Requiring specialized training for persons conducting victim interviews as part of the disciplinary process for a health professional alleged to have committed sexual misconduct.

The bill was read the second time.

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

Representatives Van De Wege and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1779.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1779, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Shea, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Klippert, Kretz, Schmick, Short and Taylor.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1779, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1898, by Representatives Ortiz-Self, Johnson, Walkinshaw, Muri, Robinson, Pettigrew, Lytton and Kilduff

Concerning awareness of the possibility of children testifying remotely in certain cases.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1898 was substituted for House Bill No. 1898 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1898 was read the second time.

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

Representatives Ortiz-Self, Rodne and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1898.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1898, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1898, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2160, by Representatives Wylie, Orwall, Klippert and Buys

Concerning the distribution of intimate images.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2160 was substituted for House Bill No. 2160 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2160 was read the second time.

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

Representatives Wylie, Rodne, Buys and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2160.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2160, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 2160, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1302, by Representatives Haler, Tarleton and Jinkins

Clarifying the applicability of child abduction statutes to residential provisions ordered by a court.

The bill was read the second time.

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

Representatives Jinkins and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1302.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1302, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1302, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1672, by Representatives Kagi, Walsh, Wylie and Moscoso

Modifying provisions governing the maintenance and disclosure of information related to reports of child abuse and neglect.

The bill was read the second time.

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

Representative Kagi spoke in favor of the passage of the bill.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1672.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1672, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1672, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1031, by Representatives Johnson, Santos, Haler, Appleton, Sells, S. Hunt, Gregerson, Reykdal, Bergquist, Van De Wege, Hargrove, Ormsby, Fey and Walkinshaw

Expanding participation in college in the high school programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1031 was substituted for House Bill No. 1031 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1031 was read the second time.

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

Representatives Johnson and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1031.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1031, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1031, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1109, by Representatives Reykdal, Wilcox and Bergquist

Authorizing membership in the teachers' retirement system for certificated employees of the superintendent of public instruction.

The 1109-s was read the second time.

There being no objection, Substitute House Bill No. 1109 was substituted for House Bill No. 1109 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1109 was read the second time.

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

Representatives Reykdal and Wilcox spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1109.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Dent, G. Hunt, Hargrove, Harris, Hayes, Holy, Klippert, Magendanz, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Wilson and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1109, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1121, by Representatives Parker, Santos, Riccelli, Bergquist, Gregerson, Magendanz, Ortiz-Self, Muri, Tarleton and Pollet

Regarding the financial education public-private partnership.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1121 was substituted for House Bill No. 1121 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1121 was read the second time.

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

Representatives Parker, Santos and Parker (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1121.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1121, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea and Taylor.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1121, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1138, by Representatives Orwall, Haler, Blake, Carlyle, Kochmar, Reykdal, Appleton, S. Hunt, Pollet, Tarleton, Ortiz-Self, Gregerson, Bergquist, Ormsby, Senn, Riccelli, Ryu, Tharinger, Walkinshaw and Fey

Creating a task force on mental health and suicide prevention in higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1138 was substituted for House Bill No. 1138 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1138 was read the second time.

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

Representatives Orwall and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1138.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1138, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1138, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1052, by Representatives Hayes, Fey, Klippert, Orwall, Appleton, Muri, MacEwen, Gregerson, Haler, Bergquist, Moeller, Riccelli and Magendanz

Requiring institutions of higher education to make an early registration process available to spouses and domestic partners of active members of the military.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1052 was substituted for House Bill No. 1052 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1052 was read the second time.

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

Representatives Hayes and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1052.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1052, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1052, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1149, by Representatives Muri, Lytton, Appleton, Klippert, Hawkins, Kilduff, Gregerson, Magendanz and Fey

Providing for educational data on students from military families.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1149 was substituted for House Bill No. 1149 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1149 was read the second time.

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

Representatives Muri and Santos spoke in favor of the passage of the bill.

Representatives Magendanz, Hayes and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1149.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, G. Hunt, Griffey, Harmsworth, Harris, Hayes, Holy, Kretz, MacEwen, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van De Wege, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1149, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1240, by Representatives Pollet, Santos, S. Hunt, Orwall, Senn, Lytton, Robinson, Walsh, Griffey, Goodman, Buys and Tarleton

Concerning restraint or isolation of students, including students with disabilities, in public schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1240 was substituted for House Bill No. 1240 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1240 was read the second time.

Representative Klippert moved the adoption of amendment (041):

On page 2, line 23, after "interventions," insert "use of evidence-based aversion therapy when positive behavior interventions have failed,"

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

Representative Santos spoke against the adoption of the amendment.

Amendment (041) was not adopted.

Representative Klippert moved the adoption of amendment (042):

On page 4, beginning on line 6, after "control" strike "spontaneous behavior that poses an imminent likelihood of serious harm, as defined in RCW 70.96B.010" and insert "behavior that poses risk to the safety of persons or property"

On page 4, line 12, after "students" strike "and" and insert ","

On page 4, line 12, after "staff" insert ", and property"

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

Representative Santos spoke against the adoption of the amendment.

Amendment (042) was not adopted.

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

Representatives Pollet, Magendanz, DeBolt, Johnson and Santos spoke in favor of the passage of the bill.

Representatives Klippert and Smith spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1240.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1240, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, MacEwen, Magendanz, Manweller,

McBride, Moeller, Morris, Moscoso, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, G. Hunt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, McCabe, McCaslin, Muri, Nealey, Pike, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1240, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1240.

Representative Van Werven, 42nd District

SECOND READING

HOUSE BILL NO. 1408, by Representatives Ortiz-Self, Magendanz, Sawyer, Santos, Senn, Robinson, Orwall, Tarleton, Bergquist and Gregerson

Concerning the development of a definition and model for "family engagement coordinator" and other terms used interchangeably with it.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1408 was substituted for House Bill No. 1408 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1408 was read the second time.

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

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1408.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1408, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, McCaslin, Parker, Scott, Shea, Taylor and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1408, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1570, by Representatives Gregory, Bergquist, S. Hunt, Reykdal, Kilduff, Ortiz-Self and Pollet

Creating flexibility for the educator retooling conditional scholarship program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1570 was substituted for House Bill No. 1570 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1570 was read the second time.

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

Representatives Gregory, Magendanz, Santos, Johnson, Wylie and Ortiz-Self spoke in favor of the passage of the bill.

Representative Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Haler, Holy, Klippert, Kretz, Manweller, McCabe, McCaslin, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Santos congratulated Representative Gregory on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1706, by Representatives Stanford, Zeiger, Reykdal, Haler, Tarleton, Hayes, Sells, Stambaugh, Klippert, Smith and Gregerson

Authorizing waivers of building fees and services and activities fees for certain military service members.

The bill was read the second time.

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

Representatives Lytton and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1706.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1706, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1706, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1820, by Representatives Reykdal, Zeiger, Senn, Haler, Riccelli, Bergquist, Kagi, Wilcox, Pollet, Walkinshaw, McBride, Stambaugh, Muri, Harmsworth, Springer, Stanford, Tharinger and Goodman

Requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education.

The bill was read the second time.

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

Representatives Reykdal and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1820.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1820, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Hargrove, Harris, Hayes, Holy, Klippert, Kretz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1820, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1855, by Representatives Caldier, Santos, Parker, Reykdal, Magendanz, Hayes, Young, Pollet and Tharinger

Waiving local graduation requirements for certain students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1855 was substituted for House Bill No. 1855 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1855 was read the second time.

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

Representatives Caldier, Santos, McCaslin, Magendanz, Senn, Wilcox and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1855.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1855, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey,

Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1855, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative Caldier on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1961, by Representatives Zeiger, Reykdal and Sells

Decodifying, expiring, and making nonsubstantive changes to community and technical college provisions.

The bill was read the second time.

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

Representatives Zeiger and Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1961.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1961, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1961, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1087, by Representatives Takko and Gregerson

Concerning automated traffic safety cameras in school speed zones.

The bill was read the second time.

Representative Takko moved the adoption of amendment (034):

On page 3, beginning on line 29, strike all of subsection (i) and insert the following:

"(i) A flashing yellow beacon must be located in school speed zones where automated traffic safety cameras are installed. A beacon required under this subsection (1)(i) must flash only when an automated traffic safety camera is being used and not at any other time. Signage must be placed in school speed zones where automatic traffic safety cameras are installed and must comply with the standards contained in the manual on uniform traffic control devices. Jurisdictions may consult with the Washington traffic safety commission about signage recommendations for school speed zones."

On page 5, after line 18, insert the following:

"NEW SECTION. **Sec. 2.** This act takes effect September 1, 2015."

Correct the title.

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

Amendment (034) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1087.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1087, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

ENGROSSED HOUSE BILL NO. 1087, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1222, by Representatives McBride, Griffey, Clibborn, Orcutt, Van De Wege, Fey, Takko, Young, Sawyer and Bergquist

Modifying certain firefighting apparatus length and weight limits.

The bill was read the second time.

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

Representatives McBride, Griffey, Wylie, Riccelli and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1222.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1222, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1222, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Springer congratulated Representative McBride on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1313, by Representatives Zeiger, Fey, Stambaugh, Takko, Van De Wege, Stokesbary, Griffey and Reykdal

Granting fire protection districts and regional fire protection service authorities biennial budget authority.

The bill was read the second time.

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

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

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

Representatives Zeiger and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1313.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1313, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1313, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1382, by Representatives Griffey, Blake, Lytton and G. Hunt

Addressing the delivery of basic firefighter training and testing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1382 was substituted for House Bill No. 1382 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1382 was read the second time.

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

Representatives Griffey, Takko, Klippert, Dent and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1382.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1382, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1382, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Shea congratulated Representative Griffey on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1470, by Representatives Hudgins, Smith, Stanford, S. Hunt, Ormsby, McBride and Tarleton

Establishing a blue-ribbon panel on cybersecurity.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1470 was substituted for House Bill No. 1470 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1470 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1470.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1470, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1470, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1047, by Representatives Goodman, Haler, Moscoso, Appleton, Klippert, Muri, Hurst, S. Hunt, Hayes, Orwall, Johnson, MacEwen and Gregerson

Concerning state agencies continuity of operations planning requirements.

The bill was read the second time.

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

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1047.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1047, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, G. Hunt, Harmsworth, Holy, Kretz, McCaslin, Orcutt, Schmick, Scott, Shea, Short, Taylor, Vick and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1047, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1604, by Representatives Reykdal, Hayes, Sawyer, Van De Wege, Holy, Griffey, Riccelli, Fitzgibbon, Ormsby and Pollet

Studying an occupational disease exposure reporting requirement for firefighters. Revised for 1st Substitute: Creating a work group on occupational disease exposure for firefighters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1604 was substituted for House Bill No. 1604 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1604 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1604.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1604, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1604, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1625, by Representatives Schmick and Wylie

Concerning provision of drugs to ambulance or aid services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1625 was substituted for House Bill No. 1625 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1625 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1625.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1625, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1625, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1721, by Representatives Robinson, Schmick, Cody, Harris, Riccelli and Van De Wege

Concerning the transport of patients by ambulance to facilities other than hospitals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1721 was substituted for House Bill No. 1721 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1721 was read the second time.

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

Representatives Robinson and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1721.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1721, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Taylor and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1721, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1721.

Representative Scott, 39th District

SECOND READING

HOUSE BILL NO. 1987, by Representatives Kochmar and Sells

Adding certain commissioned court marshals of county sheriff's offices to the definition of uniformed personnel for the purposes of public employees' collective bargaining.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1987.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1987, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Condotta, Dent, G. Hunt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, MacEwen, Magendanz, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1987, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1014, by Representative Appleton

Concerning antifreeze products.

The bill was read the second time.

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

Representatives Appleton and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1014.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1014, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1014, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1285, by Representatives Riccelli, G. Hunt, Van De Wege, Harris, Cody, Holy, Jinkins, Clibborn, Robinson, Walkinshaw, Peterson, Fitzgibbon, Ormsby, Bergquist, Tarleton, Farrell, Moeller, S. Hunt, Tharinger, Stanford and Gregerson

Requiring critical congenital heart disease screening for newborns.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1285 was substituted for House Bill No. 1285 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1285 was read the second time.

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

Representatives Riccelli, Holy and Riccelli (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1285.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1285, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1285, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1553, by Representatives Walkinshaw, MacEwen, Ryu, Appleton, Moscoso, Holy, Gregerson, Zeiger, Peterson, Farrell, Walsh, Reykdal, Orwall, Pettigrew, Tharinger, Fitzgibbon and Kagi

Encouraging certificates of restoration of opportunity.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1553 was substituted for House Bill No. 1553 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1553 was read the second time.

Representative Griffey moved the adoption of amendment (028):

On page 3, beginning on line 19, after "(b)" strike all material through "period" on line 23 and insert "Is in compliance with or has completed all sentencing requirements imposed by a court including:

(i) Has paid in full all court ordered legal financial obligations;

(ii) Is fully compliant with a payment plan for court ordered legal financial obligations; or

(iii) Is out of compliance with a payment plan for court ordered legal financial obligations but has established good cause with the court for any noncompliance with the payment plan"

Representatives Griffey and Goodman spoke in favor of the adoption of the amendment.

Amendment (028) was adopted.

Representative Walkinshaw moved the adoption of amendment (055):

On page 5, line 37, after "43.43.838." insert "The department shall adopt rules to implement this subsection."

On page 6, after line 18, insert the following:

"(e) Department of health: The department of health must include a certificate of restoration of opportunity on its public website if:

(i) Its website includes an order, stipulation to informal disposition, or notice of decision related to the conviction identified in the certificate of restoration of opportunity; and

(ii) The credential holder has provided a certified copy of the certificate of restoration of opportunity to the department of health."

Representatives Walkinshaw and Klippert spoke in favor of the adoption of the amendment.

Amendment (055) was adopted.

The bill was ordered engrossed.

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

Representatives Walkinshaw and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1553.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1553, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1002, by Representative DeBolt

Prohibiting unfair and deceptive dental insurance practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1002 was substituted for House Bill No. 1002 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1002 was read the second time.

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

Representatives DeBolt and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1002.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1002, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1252, by Representatives Wylie, Harris, Moeller, Jinkins, Vick and S. Hunt

Prescribing penalties for allowing or permitting unlicensed practice of massage therapy or reflexology.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1252 was substituted for House Bill No. 1252 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1252 was read the second time.

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

Representatives Wylie and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1252.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1252, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1252, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1369, by Representatives Riccelli, Schmick, Robinson, Parker, Holy, Haler, Tharinger, Cody and Ormsby

Enabling student volunteers to provide health care services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1369 was substituted for House Bill No. 1369 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1369 was read the second time.

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

Representatives Riccelli, Schmick and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1369.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1369, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew,

Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1369, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1424, by Representatives Orwall, Kagi, Jinkins, Gregerson, Goodman, Santos, Fey and Sawyer

Concerning suicide prevention.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1424 was substituted for House Bill No. 1424 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1424 was read the second time.

Representative Orwall moved the adoption of amendment (030):

On page 3, line 14, after "RCW" insert ", other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035"

On page 3, line 19, after "RCW" insert ", other than a resident holding a limited license issued under RCW 18.71.095(3)"

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

Amendment (030) was adopted.

The bill was ordered engrossed.

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

Representatives Orwall and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1424.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1424, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Shea and Taylor.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1626, by Representative Schmick

Addressing health benefit plan grace periods.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1626.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1626, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Harris, Kretz, Nealey, Parker, Short, Taylor, Vick, Wilcox and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1626, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1637, by Representatives Stokesbary, Hurst, Gregory, Zeiger, Rodne, Stambaugh, Magendanz, Kretz, Kochmar, Santos, Appleton, Sells, Van De Wege, Robinson, Ormsby, Fey, Dent and Jinkins

Authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data.

The bill was read the second time.

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

Representatives Stokesbary and Appleton spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1637.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1637, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Harris, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Griffey, Harmsworth, Hayes, Holy, Klippert, Kretz, MacEwen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1637, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1671, by Representatives Walkinshaw, Griffey, Cody, Smith, Peterson, Magendanz, Riccelli, Stanford, Appleton, Robinson, Tharinger and Jinkins

Increasing access to opioid antagonists to prevent opioid-related overdose deaths. Revised for 1st Substitute: Concerning access to opioid overdose medications.

The bill was read the second time.

There being no objection, Engrossed Substitute House Bill No. 1671 was substituted for House Bill No. 1671 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1671 was read the second time.

Representative Walkinshaw moved the adoption of amendment (057):

On page 2, beginning on line 33, after "overdose." strike all material through "professional."" on line 36 and insert "At the time of dispensing an opioid overdose medication, a pharmacist shall provide written instructions on the proper response to an opioid-related overdose. The instructions must be affixed to the container in which the medication is dispensed and must inform the recipient to call 911 and seek medical attention immediately."

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

Amendment (057) was adopted.

The bill was ordered engrossed.

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

Representatives Walkinshaw and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1671.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1671, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1034, by Representatives Moeller, Appleton, Springer, Jinkins, Gregerson, Stanford, S. Hunt, Ormsby and Walkinshaw

Concerning surname changes after the solemnization of a marriage.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1034.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1034, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, G. Hunt, Haler, Hargrove, Holy, Klippert, Kretz, McCabe, McCaslin, Nealey, Orcutt, Parker, Schmick, Scott, Shea, Short, Taylor, Van Werven and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1034, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1036, by Representatives Moeller, Appleton, Jinkins, Gregerson, Bergquist, Ormsby and Riccelli

Addressing survivor benefits from the public employees' retirement system for survivors of members in registered domestic partnerships prior to December 2012.

The bill was read the second time.

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

Representative Moeller spoke in favor of the passage of the bill.

Representative Parker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1036.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1036, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, McCabe, McCaslin, Nealey, Orcutt, Parker, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1036, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1036.

Representative Johnson, 14th District

SECOND READING

HOUSE BILL NO. 1077, by Representatives Kirby, Ryu, McBride and Stanford

Regulating credit for reinsurance.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1077.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1077, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1077, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1113, by Representatives Appleton and Ormsby

Authorizing tribal court judges to solemnize marriages.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1113.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1113, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1113, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1422, by Representatives Scott, Griffey and Condotta

Concerning misrepresentation of a floral product business's geographic location. (REVISED FOR ENGROSSED: Concerning misrepresentation of a floral product business's geographic location and advertising requirements for floral product businesses.)

The bill was read the second time.

Representative Ryu moved the adoption of amendment (015):

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

"NEW SECTION. **Sec. 2.** A new section is added to chapter 19.160 RCW to read as follows:

A person engaged in the selling, delivery, or solicitation of cut flowers, flower arrangements, or floral products must conspicuously display on the business web site and all advertising:

(1) The number of the business license issued to it by the state or a local government; or

(2) The state unified business identifier account number."

Correct the title.

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

Representative Vick spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 51 - YEAS; 46 - NAYS.

Amendment (015) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1422.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1422, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Manweller, Morris and Wilcox.

Excused: Representative Kristiansen.

ENGROSSED HOUSE BILL NO. 1422, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1065, by Representatives Kirby, Blake, Ryu, McBride and Stanford

Amending the insurer holding company act.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1065.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1065, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey,

Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1065, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1172, by Representatives Stanford, Vick and Ryu

Creating the risk management and solvency assessment act.

The bill was read the second time.

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

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1172.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1172, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1172, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1308, by Representatives Vick, Kirby, Parker and Stanford

Addressing surplus lines of insurance.

The bill was read the second time.

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

Representative Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1308.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1308, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1308, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1871, by Representatives Ryu and Vick

Addressing credit unions' corporate governance and investments.

The bill was read the second time.

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

Representatives Ryu and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1871.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1871, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, G., Hunt, S., Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

Absent: Representative Kochmar
Excused: Representative Kristiansen

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1871 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1871, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1871 on reconsideration, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1871, on reconsideration, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1632, by Representatives Goodman, Klippert, Orwall, Hayes, Jinkins and Wylie

Concerning domestic violence.

The bill was read the second time.

Representative Goodman moved the adoption of amendment (048):

On page 7, beginning on line 36, after "violence" strike "as defined in RCW 9.94A.030"

On page 7, line 38, after "prior" insert "adult"

On page 7, line 38, after "convictions" insert "within ten years"

On page 8, beginning on line 1, after "for" strike "assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was plead and proven after August 1, 2011" and insert "any of the following offenses where domestic violence as defined in RCW 9.94A.030 was plead and proven after August 1, 2011:

(a) Assault in the fourth degree;

(b) Assault in the third degree;

(c) Assault in the second degree;

(d) Assault in the first degree; or

(e) An out-of-state comparable offense.

(4) For purposes of subsection (3) of this section, family or household members means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, and persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship"

Representatives Goodman and Klippert spoke in favor of the adoption of the amendment.

Amendment (048) was adopted.

The bill was ordered engrossed.

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

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1632.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1632, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

ENGROSSED HOUSE BILL NO. 1632, having received the necessary constitutional majority, was declared passed.

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

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

There being no objection, the House adjourned until 9:00 a.m., March 3, 2015, the 51st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY FIRST DAY

House Chamber, Olympia, Tuesday, March 3, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michael Britton and Christiaan Ramos. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Carolyn Moore, Abundant Life Community Church, Orting, Washington.

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

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

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

SECOND READING

HOUSE BILL NO. 1060, by Representatives Fitzgibbon, Short, Farrell, Pike, Gregerson, Jinkins and Fey

Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1060 was substituted for House Bill No. 1060 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1060 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (018):

On page 8, after line 34, insert the following:

"NEW SECTION. **Sec. 7.** A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to grants received by a nonprofit organization from the matching fund competitive grant program established in RCW 70.93.180(1)(b)(ii).

(2) This section is not subject to the requirements of RCW 82.32.805 and 82.32.808, and is not subject to an expiration date."

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

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

Amendment (018) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1060.

MOTION

On motion of Representative Harris, Representative Kristiansen was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1060, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1060, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1179, by Representatives Lytton, Buys, S. Hunt, Wilcox, Blake, Appleton, Morris, G. Hunt, Short, Walkinshaw, Tarleton, Fitzgibbon, Gregerson, Van Werven, Tharinger, Sells, Muri and MacEwen

Exempting cider makers from the wine commission assessment.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1179.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1179, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1179, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1641, by Representatives Blake, Lytton and Tharinger

Adding shellfish to the list of species types listed in RCW 77.15.260(1)(a).

The bill was read the second time.

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

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1641.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1641, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1641, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1268, by Representatives Buys, Lytton, Shea, Wilcox, Young, Holy and McCaslin

Regarding hemp as a component of commercial animal feed.

The bill was read the second time.

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

Representatives Buys, Blake and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1268.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1268, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1268, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1342, by Representatives Bergquist, Condotta, Takko, S. Hunt, Wylie, Magendanz and Moscoso

Permitting the sale of cider in microbrewery tasting rooms.

The bill was read the second time.

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

Representative Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1342.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1342, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Harris.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1342, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1392, by Representatives Stanford, Tharinger, Dunshee and McBride

Concerning the administrative rate the recreation and conservation funding board may retain to administer the grant programs established in chapter 79A.15 RCW.

The bill was read the second time.

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

Representative Stanford spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1392.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1392, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Dent, G. Hunt, Hargrove, Harmsworth, Harris, Holy, Klippert, Kretz, Manweller, McCaslin, Orcutt, Pike, Schmick, Scott, Shea, Short, Stokesbary, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1392, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1527, by Representatives Dent, Blake, Buys and Van De Wege

Requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1527 was substituted for House Bill No. 1527 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1527 was read the second time.

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

Representatives Dent, Blake, Klippert and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1527.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1527, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1527, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative Dent on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1550, by Representatives Carlyle, Nealey, Reykdal and Wylie

Simplifying the taxation of amusement, recreation, and physical fitness services.

The bill was read the second time.

Representative MacEwen moved the adoption of amendment (052):

On page 10, at the beginning of line 34, strike all material through "activities;" on line 35

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

On page 13, after line 9, insert the following:

"(i) Made for ballooning, hang gliding, indoor or outdoor sky diving, paragliding, parasailing, and similar activities;"

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

Representatives MacEwen and Griffey spoke in favor of the adoption of the amendment.

Representative Carlyle spoke against the adoption of the amendment.

Amendment (052) was not adopted.

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

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

Representative MacEwen spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1550.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1550, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Kretz, MacEwen, McCaslin, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Wilson and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1550, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1619, by Representatives S. Hunt, Nealey, Fitzgibbon and Pollet

Providing a business and occupation tax exemption for environmental handling charges.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1619 was substituted for House Bill No. 1619 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1619 was read the second time.

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

Representatives S. Hunt and Nealey spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1619.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1619, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Griffey, Harmsworth, Harris, Hawkins, Hayes, Kretz, Manweller, McCaslin, Parker, Rodne, Schmick, Scott, Shea, Short, Taylor and Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1619, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1622, by Representatives Young, Blake, Caldier, Scott, Shea and Takko

Expanding the products considered to be potentially nonhazardous as they apply to cottage food operations.

The bill was read the second time.

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

Representatives Young, Blake and Tarleton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1622.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1622, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1622, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Shea congratulated Representative Young on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1752, by Representatives Hawkins and Takko

Addressing the qualifications for chief examiners.

The bill was read the second time.

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

Representatives Hawkins and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1752.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1752, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, G. Hunt, Orcutt, Scott and Young.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1752, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1410, by Representatives Takko, Muri, Kilduff, Zeiger, Manweller, Pike, Stanford and Condotta

Modifying provisions governing the competitive bidding process of water-sewer districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1410 was substituted for House Bill No. 1410 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1410 was read the second time.

Representative Takko moved the adoption of amendment (075):

On page 1, line 7, after "((~~twenty~~))" strike "forty" and insert "fifty"

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

Amendment (075) was adopted.

The bill was ordered engrossed.

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

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1410.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1410, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1410, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1601, by Representative Rodne

Concerning venue of actions by or against counties.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1601.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1601, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1601, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1989, by Representatives Dent and Takko

Concerning water storage asset management services.

The bill was read the second time.

Representative Dent moved the adoption of amendment (056):

On page 1, line 6, after "municipality" strike "or water district"
On page 1, line 14, after "municipality" strike "or water district"
On page 1, line 18, after "municipality" strike "or water district"
On page 2, line 1, after "municipality" strike "or water district"

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

Amendment (056) was adopted.

The bill was ordered engrossed.

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

Representatives Dent, Takko and G. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1989.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1989, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

ENGROSSED HOUSE BILL NO. 1989, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1322, by Representative Reykdal

Addressing membership in state retirement plans prior to attaining the normal retirement age in another plan.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1322.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1322, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1322, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1447, by Representatives Holy, S. Hunt and Appleton

Granting the director of the department of enterprise services the authority to fine contractors as a penalty for certain behaviors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1447 was substituted for House Bill No. 1447 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1447 was read the second time.

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

Representatives Holy and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1447.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1447, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Orcutt.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1447, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1547, by Representatives S. Hunt, Holy and Condotta

Authorizing funding and expenditures for the hosting of the annual conference of the national association of state treasurers.

The bill was read the second time.

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

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1547.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1547, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1547, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1636, by Representatives MacEwen and Griffey

Requiring disability employment reporting by state agencies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1636 was substituted for House Bill No. 1636 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1636 was read the second time.

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

Representatives MacEwen, Walsh and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1636.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1636, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1636, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1806, by Representatives Van Werven, Bergquist, Holy, Appleton, Gregory and S. Hunt

Correcting references to elections statutes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1806 was substituted for House Bill No. 1806 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1806 was read the second time.

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

Representatives Van Werven, S. Hunt, Buys, Wilcox, Holy and S. Hunt (again) spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1806.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1806, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Young.

Excused: Representative Kristiansen.

SUBSTITUTE HOUSE BILL NO. 1806, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1806.
Representative Young, 26th District

POINT OF PERSONAL PRIVILEGE

Representative Manweller congratulated Representative Van Werven on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1858, by Representatives Shea, S. Hunt, Taylor, G. Hunt, Reykdal, Condotta, Tharinger and McCaslin

Prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for reelection.

The bill was read the second time.

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

Representatives Shea, S. Hunt and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1858.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1858, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman,

Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1858, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1495, by Representatives Reykdal, Magendanz, Springer, S. Hunt, Pollet and Stanford

Enacting the student user privacy in education rights act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1495 was substituted for House Bill No. 1495 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1495 was read the second time.

Representative Reykdal moved the adoption of amendment (071):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 8.** SHORT TITLE.This act may be known and cited as the student user privacy in education rights act or SUPER act.

NEW SECTION. **Sec. 9.** DEFINITIONS.The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "School service" means a web site, mobile application, or online service that: (a) Is designed and marketed primarily for use in a K-12 school; (b) is used at the direction of teachers or other employees of a K-12 school; and (c) collects, maintains, or uses student personal information. A "school service" does not include a web site, mobile application, or online service that is designed and marketed for use by individuals or entities generally, even if also marketed to a United States K-12 school.

(2) "School service provider" means an entity that operates a school service to the extent it is operating in that capacity.

(3) "Student personal information" means information collected through a school service that personally identifies an individual student or other information collected and maintained about an individual student that is linked to information that identifies an individual student.

(4) "Students" means students of K-12 schools in Washington state.

(5) "Targeted advertising" means sending advertisements to a student where the advertisement is selected based on information obtained or inferred from that student's online behavior, usage of applications, or student personal information. It does not include (a) advertising to a student at an online location based upon that student's current visit to that location without the collection and retention of a student's online activities over time or (b) adaptive learning, personalized learning, or customized education.

NEW SECTION. **Sec. 10.** OBLIGATIONS OF SCHOOL SERVICE PROVIDERS—TRANSPARENCY.(1) School service providers shall provide clear and easy to understand information about the types of student personal information they collect and about how they use and share the student personal information.

(2) School service providers shall provide prominent notice before making material changes to their privacy policies for school services.

(3) School service providers shall facilitate access to and correction of student personal information by students or their parent or guardian either directly or through the relevant educational institution or teacher.

(4) Where the school service is offered to an educational institution or teacher, information required by subsections (1) and (2) of this section may be provided to the educational institution or teacher.

(5) The provisions of this section do not apply to the education data center established under RCW 43.41.400, but do apply to any subcontractors of the education data center.

NEW SECTION. **Sec. 11.** OBLIGATIONS OF SCHOOL SERVICE PROVIDERS—CHOICE AND CONTROL.(1) School service providers may collect, use, and share student personal information only for purposes authorized by the relevant educational institution or teacher, or with the consent of the student or the student's parent or guardian.

(2) School service providers may not sell student personal information. This prohibition does not apply to the purchase, merger, or other type of acquisition of a school service provider, or any assets of a school service provider by another entity, as long as the successor entity continues to be subject to the provisions of this section with respect to previously acquired student personal information to the extent that the school service provider was regulated by this chapter with regard to its acquisition of student personal information.

(3) School service providers may not use or share any student personal information for purposes of targeted advertising to students.

(4) School service providers may not use student personal information to create a personal profile of a student other than for supporting purposes authorized by the relevant educational institution or teacher, or with the consent of the student or the student's parent or guardian.

(5) School service providers must obtain consent before using student personal information in a manner that is materially inconsistent with the school service provider's privacy policy or school contract for the applicable school service in effect at the time of collection.

(6) The provisions of subsections (1), (2), (4), and (5) of this section may not apply to the use or disclosure of personal information by a school service provider to:

(a) Protect the security or integrity of its web site, mobile application, or online service;

(b) Ensure legal or regulatory compliance or to take precautions against liability;

(c) Respond to or participate in judicial process;

(d) Protect the safety of users or others on the web site, mobile application, or online service;

(e) Investigate a matter related to public safety; or

(f) A subcontractor, if the school service provider: (i) Contractually prohibits the subcontractor from using any student personal information for any purpose other than providing the contracted service to, or on behalf of, the school service provider; (ii) prohibits the subcontractor from disclosing any student personal information provided by the school service provider to subsequent third parties unless the disclosure is expressly permitted by (a) through (e) of this subsection or by sections 6 and 7 of this act; and (iii) requires the subcontractor to comply with the requirements of this chapter.

NEW SECTION. **Sec. 12.** OBLIGATIONS OF SCHOOL SERVICE PROVIDERS—SAFEGUARDS.(1) School service providers must maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality, and integrity of student personal information. The information security program should make use of appropriate administrative, technological, and physical safeguards.

(2) School service providers must delete student personal information within a reasonable period of time if the relevant educational institution requests deletion of the data under the control of the educational institution unless:

(a) The school service provider has obtained student consent or the consent of the student's parent or guardian to retain information related to that student; or

(b) The student has transferred to another educational institution and that educational institution has requested that the school service provider retain information related to that student.

NEW SECTION. **Sec. 13.** ADAPTIVE LEARNING AND CUSTOMIZED EDUCATION.Notwithstanding sections 2 through 7 of this act, nothing in this chapter is intended to prohibit the use of student personal information for purposes of:

(1) Adaptive learning or personalized or customized education;

(2) Maintaining, developing, supporting, improving, or diagnosing the school service provider's web site, mobile application, online service, or application;

(3) Providing recommendations for school, educational, or employment purposes within a school service without the response being determined in whole or in part by payment or other consideration from a third party; or

(4) Responding to a student's request for information or for feedback without the information or response being determined in whole or in part by payment or other consideration from a third party.

NEW SECTION. **Sec. 14.** This chapter adopts and does not modify existing law regarding consent, including consent from minors and employees on behalf of educational institutions.

NEW SECTION. **Sec. 15.** This chapter shall not be construed to:

(1) Impose a duty upon a provider of an interactive computer service, as defined in 47 U.S.C. Sec. 230, to review or enforce compliance with this section by third-party content providers;

(2) Apply to general audience internet web sites, general audience mobile applications, or general audience online services even if login credentials created for a school service provider's web site, mobile application, or online service may be used to access those general audience web sites, mobile applications, or online services;

(3) Impede the ability of students to download, export, or otherwise save or maintain their own student data or documents;

(4) Limit internet service providers from providing internet connectivity to schools or students and their families;

(5) Prohibit a school service provider from marketing educational products directly to parents so long as the marketing did not result from use of student personal information obtained by the school service provider through the provision of its web site, mobile application, or online service; or

(6) Impose a duty on a school service provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this chapter on those applications or software.

NEW SECTION. **Sec. 16.** TRANSITIONAL PROVISIONS.If a school service provider entered into a signed, written contract with an educational institution or teacher before the effective date of this section, the school service provider is not liable for the requirements of sections 2 through 6 of this act with respect to that contract until the next renewal date of the contract.

NEW SECTION. **Sec. 17.** Sections 1 through 9 and 11 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. **Sec. 18.** EFFECTIVE DATE.This act takes effect July 1, 2016."

Correct the title.

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

Amendment (071) was adopted.

The bill was ordered engrossed.

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

Representative Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1495.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1495, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Orcutt, Scott, Shea, Taylor and Young.

Excused: Representative Kristiansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1443, by Representatives G. Hunt, S. Hunt, Condotta, Shea, Taylor, Scott, Riccelli and Jinkins

Concerning fees charged by commercial parking businesses and requiring notice to customers.

The bill was read the second time.

Representative G. Hunt moved the adoption of amendment (059):

On page 1, line 12, after "fee" insert ", excluding on-street parking"

On page 2, beginning on line 27, after "is" strike "conspicuously posted on" and insert "posted at the entrance to"

On page 2, line 28, after "indicates" insert "in letters and numbers at least two inches in height"

On page 4, line 22, after "stated" insert "in letters and numbers at least two inches in height"

On page 4, line 23, after "posted" strike "on the premises of" and insert "at the entrance to"

Representatives G. Hunt, Kirby and S. Hunt spoke in favor of the adoption of the amendment.

Amendment (059) was adopted.

The bill was ordered engrossed.

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

Representatives G. Hunt and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1443.

MOTION

On motion of Representative Harris, Representative Wilcox was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1443, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Kretz, Kristiansen, Manweller and Wilcox.

ENGROSSED HOUSE BILL NO. 1443, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2131, by Representative Kirby

Relating to insurance for providers of commercial transportation services. Revised for 1st Substitute: Regulating insurance for providers of commercial transportation services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2131 was substituted for House Bill No. 2131 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2131 was read the second time.

Representative Kirby moved the adoption of amendment (068):

On page 2, line 33, after "(b)" insert "(i)"

On page 2, line 38, after "ride" strike "." and insert ", as follows:"

On page 3, at the beginning of line 1, strike "(i)"

On page 4, line 25, after "(6)" insert "The insurance coverage requirements described in subsections (2) and (3) of this section do not apply to drivers and entities that have coverage pursuant to 46.72 RCW or 46.72A RCW.

(7)"

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

Representatives Kirby and G. Hunt spoke in favor of the adoption of the amendment.

Amendment (068) was adopted.

The bill was ordered engrossed.

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

Representatives Kirby, G. Hunt, Tarleton and G. Hunt (again) spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2131.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2131, and the bill passed the House by the following vote: Yeas, 77; Nays, 17; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris,

Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, Fagan, Griffey, Hayes, Johnson, McCaslin, Orcutt, Parker, Shea, Smith, Stambaugh, Taylor and Van Werven.

Excused: Representatives Kretz, Kristiansen, Manweller and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

HOUSE BILL NO. 1355, by Representatives Farrell, Jinkins, Ryu, S. Hunt, Riccelli, McBride, Stanford, Carlyle, Cody, Tharinger, Goodman, Ortiz-Self, Bergquist, Dunshee, Fitzgibbon, Peterson, Moscoso, Appleton, Sells, Pollet, Robinson, Reykdal, Walkinshaw, Wylie, Ormsby, Santos, Hudgins, Tarleton, Sawyer, Moeller, Fey, Lytton, Gregerson, Gregory, Van De Wege, Kirby, Hurst, Kilduff, Sullivan, Kagi and Springer

Increasing the minimum hourly wage to twelve dollars over four years.

The bill was read the second time.

Representative Magendanz moved the adoption of amendment (087):

On page 1, line 21, after "hour" insert ", except as provided in section 2 of this act"

On page 2, line 4, after "hour" insert ", except as provided in section 2 of this act"

On page 2, line 8, after "hour" insert ", except as provided in section 2 of this act"

On page 2, line 12, after "hour" insert ", except as provided in section 2 of this act"

On page 2, line 17, after "subsection" insert ", except as provided in section 2 of this act"

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 49.46 RCW to read as follows:

(1) Employers may pay employees who are at least eighteen years old but under the age of twenty-five a training wage as follows:

(a) A wage rate of eighty-five percent of the rate established in section 1 of this act if the trainee employee is working under a training curriculum developed by the employer that meets the minimum criteria established by the department; or

(b) If the employer does not have a curriculum meeting the criteria established by the department, a wage rate of ninety percent of the rate established in section 1 of this act if the employer, before hiring the trainee employee, provides the department with a job description listing the skills the trainee employee will be learning through his or her employment.

(2) An employer may not pay a trainee employee the training wage established in this section for more than a total of twelve months.

(3) An employer must employ the trainee employee for a minimum period of eighteen consecutive months. If the employer terminates the trainee employee prior to the expiration of the minimum eighteen month period, the employer must pay a civil penalty to the department in the amount of one-half the difference between the wages paid to the trainee employee and the wages that would have been paid to the trainee employee at the rate of the state minimum wage. The civil penalty under this subsection does not apply if the employer terminated the trainee employee for cause, including but not limited to theft or delinquency, or if the trainee employee voluntarily leaves employment before the expiration of the eighteen month period.

(4) A public employer that is subject to a collective bargaining agreement may not allow any dues, fees, assessments, or charges to be deducted under a union security provision from the pay of any trainee employee who is receiving the wage rate established under this section. The employee must receive the same representation and benefits under the collective bargaining agreement as other employees who are members of the employee organization.

(5) The director must establish minimum criteria for curricula for different industries. The director may consult with businesses, industry associations, community and technical colleges, and other entities in establishing minimum criteria for curricula.

NEW SECTION. **Sec. 3.** (1) The joint legislative audit and review committee must conduct a study to determine the effects, over a five year period, of the provisions created under section 2 of this act on the unemployment rate of youth between the ages of eighteen and twenty-five. The joint legislative audit and review committee must report back to the appropriate committees of the legislature by December 1, 2021.

(2) This section expires January 1, 2021."

Renumber the remaining section accordingly and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (087) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years, without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (087) creates a new exemption and is beyond the scope of the bill as defined by its title. Your point of order is well taken."

Representative Manweller moved the adoption of amendment (096).

On page 2, beginning on line 18, after "(b)" strike all material through "30th" on line 19 and insert "((~~On September 30, 2000, and on each following September 30th~~)) Subject to section 2 of this act"

On page 2, beginning on line 25, after "for the" strike all material through "labor" on line 26 and insert "((~~twelve months prior to each September 1st as calculated by the United States department of labor~~)) average rate of inflation for the previous number of years since the last adjustment, as provided under section 2 of this act"

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** This section is the minimum wage performance statement for the minimum wage increase created in section 1 of this act. This performance statement is only intended to be used for subsequent evaluation of the minimum wage increase. It is not intended to create a private right of action by any party or be used to determine eligibility for any wage and hour benefits.

(1) It is the legislature's specific public policy objective to increase minimum wages, but not to the detriment of the minority population of the state.

(2) Beginning September 2020, the joint legislative audit and review committee shall conduct a review on whether the minority unemployment rate has increased from the effective date of this

section. If the review finds that the minority unemployment rate has increased by more than two percent, then the department may not adjust the minimum wage rate for inflation, as provided for under section 1 of this act, unless the increase is due to some factor other than the minimum wage increase in section 1 of this act. The minimum wage rate shall not be adjusted until a review conducted by the joint legislative audit and review committee finds that the rate of minority unemployment has not increased by more than two percent.

(b) Beginning September 2025, and every five years thereafter, the joint legislative audit and review committee shall conduct a review on whether the rate of minority unemployment has increased or decreased from the previous review conducted by the joint legislative audit and review committee. The minimum wage rate may be adjusted for inflation as provided for under section 1 of this act only if the joint legislative audit and review committee finds in its review that minority unemployment has not increased from the last review by more than two percent, or if the percentage has increased by more than two percent, the increase is due to some factor other than the minimum wage increase in section 1 of this act. If the minimum wage rate is adjusted, it must be adjusted by the average rate of inflation for the previous number of years since the last time the minimum wage rate was adjusted for inflation.

(3) In order to obtain the data necessary to perform the review in subsection 2 of this section, the joint legislative audit and review committee shall refer to the most current information available from the United States census bureau."

Renumber the remaining section consecutively and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (096) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: ""The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (096) creates a new process for evaluating the minimum wage and bases annual adjustments on factors other than inflation. The amendment is beyond the scope and object of the bill. Your point of order is well taken."

Representative Manweller moved the adoption of amendment (097).

On page 2, beginning on line 18, after "(b)" strike all material through "30th" on line 19 and insert "((~~On September 30, 2000, and on each following September 30th~~)) Subject to section 2 of this act"

On page 2, beginning on line 25, after "for the" strike all material through "labor" on line 26 and insert "((~~twelve months prior to each September 1st as calculated by the United States department of labor~~)) average rate of inflation for the previous number of years since the last adjustment, as provided under section 2 of this act"

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** This section is the minimum wage performance statement for the minimum wage increase created in section 1 of this act. This performance statement is only intended to be used for subsequent evaluation of the minimum wage increase. It is not intended to create a private right of action by any party or be used to determine eligibility for any wage and hour benefits.

(1) It is the legislature's specific public policy objective to increase minimum wages for the purposes of reducing or maintaining the number of Washingtonians at or below the federal poverty level as measured by the United States census bureau.

(2) As of 2012, according to data from the United States census bureau, thirteen and a half percent of Washingtonians were at or below poverty, ranking Washington as nineteenth in the nation with the lowest poverty level.

(3)(a) Beginning September 2020, the joint legislative audit and review committee shall conduct a review on whether the percentage of Washingtonians at or below the federal poverty level has increased or decreased from the effective date of this section. If the review finds that the percentage of Washingtonians at or below the federal poverty level has increased, then the department may not adjust the minimum wage rate for inflation, as provided for under section 1 of this act, unless the increase is due to some factor other than the minimum wage increase in section 1 of this act. The minimum wage rate shall not be adjusted until a review conducted by the joint legislative audit and review committee finds that the percentage of Washingtonians at or below the federal poverty level has not increased.

(b) Beginning September 2025, and every five years thereafter, the joint legislative audit and review committee shall conduct a review on whether the percentage of Washingtonians at or below the federal poverty level has increased or decreased from the previous review conducted by the joint legislative audit and review committee. The minimum wage rate may be adjusted for inflation as provided for under section 1 of this act only if the joint legislative audit and review committee finds in its review that the percentage of Washingtonians at or below the federal poverty level has not increased from the last review, or if the percentage has increased, the increase is due to some factor other than the minimum wage increase in section 1 of this act. If the minimum wage rate is adjusted, it must be adjusted by the average rate of inflation for the previous number of years since the last time the minimum wage rate was adjusted for inflation.

(4) In order to obtain the data necessary to perform the review in subsection 3 of this section, the joint legislative audit and review committee shall refer to the most current information available from the United States census bureau."

Renumber the remaining section consecutively and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (097) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (097) creates a new process for evaluating minimum wage and bases annual adjustments on factors other than inflation. The amendment is beyond the scope and object of the bill. Your point of order is well taken."

Representative Manweller moved the adoption of amendment (098).

On page 2, beginning on line 18, after "(b)" strike all material through "30th" on line 19 and insert "((~~On September 30, 2000, and on each following September 30th~~)) Subject to section 2 of this act"

On page 2, beginning on line 25, after "for the" strike all material through "labor" on line 26 and insert "((~~twelve months prior to each September 1st as calculated by the United States department of labor~~))

average rate of inflation for the previous number of years since the last adjustment, as provided under section 2 of this act"

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** This section is the minimum wage performance statement for the minimum wage increase created in section 1 of this act. This performance statement is only intended to be used for subsequent evaluation of the minimum wage increase. It is not intended to create a private right of action by any party or be used to determine eligibility for any wage and hour benefits.

(1) It is the legislature's specific public policy objective to increase minimum wages but not negatively impact the youth in the state by increasing youth unemployment rates. Young people in the state, specifically those between the ages of sixteen and nineteen, rely upon minimum wage jobs to provide them the opportunity to enter into the workforce and gain necessary skills and work ethic.

(2)(a) Beginning September 2020, the joint legislative audit and review committee shall conduct a review on whether the percentage of youth unemployment has increased from the effective date of this section. If the review finds that the youth unemployment has increased by more than two percent, then the department may not adjust the minimum wage rate for inflation, as provided for under section 1 of this act, unless the increase is due to some factor other than the minimum wage increase in section 1 of this act. The minimum wage rate shall not be adjusted until a review conducted by the joint legislative audit and review committee finds that the percentage of youth unemployment has not increased by more than two percent.

(b) Beginning September 2025, and every five years thereafter, the joint legislative audit and review committee shall conduct a review on whether the percentage of youth unemployment has increased or decreased from the previous review conducted by the joint legislative audit and review committee. The minimum wage rate may be adjusted for inflation as provided for under section 1 of this act only if the joint legislative audit and review committee finds in its review that youth unemployment has not increased from the last review by more than two percent, or if the percentage has increased by more than two percent, the increase is due to some factor other than the minimum wage increase in section 1 of this act. If the minimum wage rate is adjusted, it must be adjusted by the average rate of inflation for the previous number of years since the last time the minimum wage rate was adjusted for inflation.

(3) In order to obtain the data necessary to perform the review in subsection 2 of this section, the joint legislative audit and review committee shall refer to the most current information available from the United States census bureau."

Renumber the remaining section consecutively and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (098) to House Bill 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning on January 1, 2020. Amendment (098) creates a new process for evaluating minimum wage and bases annual adjustments on factors other than inflation. The amendment is beyond the scope and object of the bill. Your point of order is well taken."

Representative Manweller moved the adoption of amendment (099).

On page 2, beginning on line 18, after "(b)" strike all material through "30th" on line 19 and insert "((~~On September 30, 2000, and on each following September 30th~~)) Subject to section 2 of this act"

On page 2, beginning on line 25, after "for the" strike all material through "labor" on line 26 and insert "((~~twelve months prior to each September 1st as calculated by the United States department of labor~~)) average rate of inflation for the previous number of years since the last adjustment, as provided under section 2 of this act"

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** This section is the minimum wage performance statement for the minimum wage increase created in section 1 of this act. This performance statement is only intended to be used for subsequent evaluation of the minimum wage increase. It is not intended to create a private right of action by any party or be used to determine eligibility for any wage and hour benefits.

(1) It is the legislature's specific public policy objective to increase minimum wages for the purposes of reducing income inequality in the state, as measured by the United States census bureau.

(2) Beginning September 2020, the joint legislative audit and review committee shall conduct a review on whether there has been a rise in income inequality in the state since the effective date of this section. If the review finds that there has been a rise in income inequality, then the department may not adjust the minimum wage rate for inflation, as provided for under section 1 of this act, unless the rise is due to some factor other than the increase in the minimum wage rate. The minimum wage rate shall not be adjusted until a review conducted by the joint legislative audit and review committee finds that income inequality in the state has not risen, or if it has risen, the rise is due to some factor other than the minimum wage rate.

(b) Beginning September 2025, and every five years thereafter, the joint legislative audit and review committee shall conduct a review on whether income inequality in this state has risen compared to the previous review conducted by the joint legislative audit and review committee. The minimum wage rate may be adjusted for inflation as provided for under section 1 of this act only if the joint legislative audit and review committee finds in its review that income inequality has not risen compared to the last review, or if it has risen, the rise is due to some factor other than the minimum wage increase in section 1 of this act. If the minimum wage rate is adjusted, it must be adjusted by the average rate of inflation for the previous number of years since the last time the minimum wage rate was adjusted for inflation.

(3) In order to obtain the data necessary to perform the review in subsection 2 of this section, the joint legislative audit and review committee shall refer to the most current information available from the United States census bureau's calculated gini coefficient."

Renumber the remaining section consecutively and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (099) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: ""The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (099) creates a new process for evaluation the minimum wage and bases annual adjustments on factors other than inflation. The amendment is beyond the scope and object of the bill. Your point of order is well taken."

Representative Klippert moved the adoption of amendment (088).

On page 2, line 22, after "by the" strike "rate of inflation" and insert "((~~rate of inflation~~)) average rate of inflation for the previous seven consecutive years"

On page 2, line 25, after "for the" strike "twelve months" and insert "((~~twelve months~~)) seven consecutive years"

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (088).

ROLL CALL

The Clerk called the roll on the adoption of amendment (088), and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (088) was not adopted.

Representative Orcutt moved the adoption of amendment (081):

On page 2, line 22, after "inflation" insert ", subject to subsection (c) of this section"

On page 2, after line 28, insert the following:

"(c) The minimum wage rate may not be adjusted if the statewide seasonally adjusted average unemployment rate for the previous twelve months is higher than the national seasonally adjusted average unemployment rate. In determining the unemployment rate, the department must use data from the twelve months prior to each September 1st as calculated by the United States department of labor. The department may resume adjusting the minimum wage rate under this section only when the statewide seasonally adjusted average unemployment rate is lower than the national seasonally adjusted average unemployment rate."

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (081) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions. The bill phases in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning on January 1, 2020. Amendment (081) bases annual adjustments on factors other than inflation and is beyond the scope and object of the bill. Your point of order is well taken."

Representative Manweller moved the adoption of amendment (084):

On page 2, line 22, after "inflation." insert "However, if the rate of inflation has decreased, the minimum wage rate may not be adjusted until the inflation rate has increased to more than the rate it was before the decrease."

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (084).

ROLL CALL

The Clerk called the roll on the adoption of amendment (084), and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (084) was not adopted.

Representative Haler moved the adoption of amendment (082):

On page 2, line 29, after "(3)" insert "An employer may meet the applicable hourly minimum wage requirement of this section through wages, tips, and money paid by the employer towards an individual employee's medical benefits plan. For the purposes of this section "tips" means a verifiable sum presented by a customer as a gift or gratuity in recognition of some service performed for the customer by the employee receiving the tip.

(4)"

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (082) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions. The bill phases in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning on January 1, 2020. Amendment (082) creates a new exemption and is beyond the scope of the bill as defined in its title. Your point of order is well taken."

Representative Dent moved the adoption of amendment (085):

On page 2, line 29, after "(3)" insert "(a) The minimum hourly wage rate applicable to individuals employed in agricultural labor shall be the minimum hourly wage rate that is in effect as of December 31, 2015, and must be adjusted as required by (b) of this subsection.

(b) On September 30, 2017, and on each following September 30th, the department of labor and industries shall calculate an adjusted minimum wage rate for individuals employed in agricultural labor, as required in (a) of this subsection. The adjusted minimum wage rate shall be calculated to the nearest cent using the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, for the twelve months prior to each September 1st as calculated by the United States department of labor. Each adjusted minimum wage rate calculated under this subsection takes effect on the following January 1st.

(c) For the purposes of this subsection, "agricultural labor" means services performed:

(i) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(ii) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity if such service is performed as an incident to ordinary farming operations.

(4)"

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (085) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (085) create a new exemption and is beyond the scope of the bill as defined by its title. Your point of order is well taken."

Representative Caldier moved the adoption of amendment (086):

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 49.46 RCW to read as follows:

(1) Employers may pay employees under the age of eighteen either the federal minimum hourly wage rate established in section 206, subsection (a)(1) of the federal fair labor standards act, or no less than the state minimum hourly wage rate established in section 1 of this act.

(2) A public employer that is subject to a collective bargaining agreement may not allow any dues, fees, assessments, or charges to be deducted under a union security provision from the pay of any employee who is receiving a wage rate equal to the federal minimum wage. The employee must receive the same representation and benefits under the collective bargaining agreement as other employees who are members of the employee organization.

NEW SECTION. **Sec. 3.** A new section is added to chapter 41.56 RCW to read as follows:

An employee organization may not deduct any dues, fees, assessments, or charges under a union security provision from the pay of an employee who is being paid a wage rate equal to the federal minimum wage. The employee must receive the same representation and benefits under the collective bargaining agreement as other employees who are members of the employee organization.

NEW SECTION. **Sec. 4.** A new section is added to chapter 41.80 RCW to read as follows:

An employee organization may not deduct any dues, fees, assessments, or charges under a union security provision from the pay of an employee who is being paid a wage rate equal to the federal minimum wage. The employee must receive the same representation and benefits under the collective bargaining agreement as other employees who are members of the employee organization."

Renumber the remaining section and correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (086) to House Bill No. 1355.

SPEAKER'S RULING

Mr. Speaker: "The title of House Bill 1355 is 'an act relating to increasing the minimum hourly wage to twelve dollars over four years without creating new exemptions.' The bill phases-in an increase in state minimum wage for employees over the age of eighteen followed by annual adjustments based on inflation beginning January 1, 2020. Amendment (086) relates to the minimum wage for employees under the age of eighteen and also regulates the scope of representation of employees subject to collective bargaining agreements, whether or not those employees or agreements are impacted by the bill. These provisions go far beyond the bill's purpose in setting the minimum wage for employees over the age of eighteen and are beyond the scope and object of the bill. Your point of order is well taken.

Representative Vick moved the adoption of amendment (089).

On page 2, after line 30, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 49.46 RCW to read as follows:

(1) The state of Washington hereby occupies and preempts the entire field regarding the minimum hourly wage rate within the boundaries of the state. A city, town, county, or port district may not require, enforce, or otherwise regulate by means of charter, ordinance, regulation, rule, resolution, or contract, including purchase agreement, the minimum hourly wage rate for private employers. Any such provisions or terms shall not be adopted or agreed to and are preempted and unenforceable. The state preemption created in this section does not apply to any charter, ordinance, regulation, rule, or resolution

regulating, or any contract, including purchase agreement, regarding the minimum hourly wage rate for private employers that was adopted by a city, town, county, or port district before the effective date of this section.

(2) This section does not impair any provision of a collective bargaining agreement in effect on the effective date of this section.

(3) The preemption created in this section shall be broadly construed.

Sec. 3. RCW 49.46.120 and 1961 ex.s. c 18 s 4 are each amended to read as follows:

This chapter establishes a minimum standard for wages and working conditions of all employees in this state, unless exempted herefrom, and is in addition to and supplementary to any other federal((,)) or state((, or local)) law ((or ordinance,)) or any rule or regulation issued thereunder. Any standards relating to wages, hours, or other working conditions established by any applicable federal((,)) or state ((, or local)) law ((or ordinance,)) or any rule or regulation issued thereunder, which are more favorable to employees than the minimum standards applicable under this chapter, or any rule or regulation issued hereunder, shall not be affected by this chapter and such other laws, or rules or regulations, shall be in full force and effect and may be enforced as provided by law.

NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21 RCW to read as follows:

Section 2 of this act governs the authority of a city or town to regulate and contract with private employers regarding the minimum hourly wage rate.

NEW SECTION. **Sec. 5.** A new section is added to chapter 35A.21 RCW to read as follows:

Section 2 of this act governs the authority of a code city to regulate and contract with private employers regarding the minimum hourly wage rate.

NEW SECTION. **Sec. 6.** A new section is added to chapter 36.01 RCW to read as follows:

Section 2 of this act governs the authority of a county to regulate and contract with private employers regarding the minimum hourly wage rate.

NEW SECTION. **Sec. 7.** A new section is added to chapter 53.08 RCW to read as follows:

Section 2 of this act governs the authority of a port district to regulate and contract with private employers regarding the minimum hourly wage rate."

Renumber the remaining section consecutively and correct the title.

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (089).

ROLL CALL

The Clerk called the roll on the adoption of amendment (089), and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (089) was not adopted.

With the consent of the house, amendment (092) was withdrawn.

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

Representatives Farrell, Gregerson, Sullivan, Hurst, Ormsby, Hunter, Reykdal and Springer spoke in favor of the passage of the bill.

Representatives Pike, Young, Walsh, Kochmar, McCabe, Schmick, Nealey, Magendanz, Caldier, G. Hunt, Holy, MacEwen, Smith and Manweller spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1355.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1355, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1355, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1356, by Representatives Jinkins, Riccelli, S. Hunt, Farrell, Stanford, McBride, Cody, Tharinger, Goodman, Ortiz-Self, Sullivan, Bergquist, Pettigrew, Dunshee, Fitzgibbon, Peterson, Moscoso, Ryu, Appleton, Sells, Pollet, Robinson, Reykdal, Walkinshaw, Senn, Wylie, Ormsby, Lytton, Moeller, Kagi, Hansen, Hudgins, Tarleton, Sawyer, Fey, Gregerson, Gregory, Van De Wege, Kilduff, Blake, Kirby, Orwall and Clibborn

Establishing minimum standards for sick and safe leave from employment.

The bill was read the second time.

Representative Wilson moved the adoption of amendment (050):

On page 2, beginning on line 21, after "(5)(a)" strike all material through "two" on line 25 and insert ""Employer" means any of the following that employs fifty or more full-time equivalents:

(i) Any person, firm, corporation, partnership, business trust, legal representative, or other business entity that engages in any business, industry, profession, or activity in this state;

(ii) Any state agency; or

(iii) Any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision.

(A) "Tier one"

On page 2, at the beginning of line 28, strike "(iii) "Tier three" and insert "(B) "Tier two"

On page 3, line 28, after "one" strike "or tier two"

On page 3, line 30, after "tier" strike "three" and insert "two"

On page 4, line 9, after "(a)" strike "Forty hours for a tier one employer;" and insert "Fifty-six hours for a tier one employer; or"

On page 4, beginning on line 10, after "(b)" strike all material through "(c)" on line 11

On page 4, line 12, after "tier" strike "three" and insert "two"

On page 4, line 13, after "one" strike "or tier two"

On page 4, beginning on line 23, after "specified" strike all material through "respectively," on line 24

On page 4, beginning on line 26, after "one" strike "or tier two"

On page 4, line 29, after "tier" strike "three" and insert "two"

On page 5, line 2, after "tier" strike "three" and insert "two"

On page 6, line 21, after "(a)" strike "Forty hours for a tier one employer;" and insert "Fifty-six hours for a tier one employer; or"

On page 6, beginning on line 22, after "(b)" strike all material through "(c)" on line 23

On page 6, line 24, after "tier" strike "three" and insert "two"

On page 9, beginning on line 2, after "section," strike "a tier one, tier two, and tier three" and insert "an"

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (050) to House Bill No. 1356.

SPEAKER'S RULING

Mr. Speaker: "The title of HB 1356 defines its scope as providing safe or sick leave benefits to all Washington workers, with very limited exceptions. The amendment provides a very broad exception removing benefits for hundreds of thousands of Washington workers. The Speaker finds the amendment is clearly outside the scope of the bill as defined by its title. The point of order is well taken."

Representative Vick moved the adoption of amendment (049):

On page 11, beginning on line 11, strike all of section 11

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

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (049).

ROLL CALL

The Clerk called the roll on the adoption of amendment (049), and the amendment was not adopted by the following vote: Yeas, 46; Nays, 51; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (049) was not adopted.

Representative Manweller moved the adoption of amendment (083):

On page 12, beginning on line 1, after "LAWS." strike all material through "employees" on line 6 and insert "(1) The state of Washington hereby occupies and preempts the entire field regarding paid sick and safe leave within the boundaries of the state. A city, town, county, or port district may not require, enforce, or otherwise regulate by means of charter, ordinance, regulation, rule, resolution, or contract, including purchase agreement, paid sick and safe leave by private employers. Any such provisions or terms shall not be adopted or agreed to and are preempted and unenforceable. The state preemption created in this section does not apply to any charter, ordinance, regulation, rule, or resolution regulating, or any contract, including purchase agreement, regarding paid sick and safe leave by private employers that was adopted or agreed to by a city, town, county, or port district before the effective date of this section.

(2) This section does not impair any provision of a collective bargaining agreement in effect on the effective date of this section.

(3) The preemption created in this section shall be broadly construed.

NEW SECTION. **Sec. 18.1.14.** A new section is added to chapter 35.21 RCW to read as follows:

Section 13 of this act governs the authority of a city or town to regulate and contract with private employers regarding paid sick and safe leave.

NEW SECTION. **Sec. 18.1.15.** A new section is added to chapter 35A.21 RCW to read as follows:

Section 13 of this act governs the authority of a code city to regulate and contract with private employers regarding paid sick and safe leave.

NEW SECTION. **Sec. 18.1.16.** A new section is added to chapter 36.01 RCW to read as follows:

Section 13 of this act governs the authority of a county to regulate and contract with private employers regarding paid sick and safe leave.

NEW SECTION. **Sec. 18.1.17.** A new section is added to chapter 53.08 RCW to read as follows:

Section 13 of this act governs the authority of a port district to regulate and contract with private employers regarding paid sick and safe leave."

Renumber the remaining sections consecutively and correct the title.

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (083).

ROLL CALL

The Clerk called the roll on the adoption of amendment (083), and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (083) was not adopted.

Representative Manweller moved the adoption of amendment (051).

On page 12, after line 17, insert the following:

"NEW SECTION. **Sec. 17.** TAX PREFERENCE PERFORMANCE STATEMENT.This section is the tax preference performance statement for the tax preferences contained in sections 18 and 19 of this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes these tax preferences as tax preferences intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(2) It is the legislature's specific public policy objective to provide tax relief to businesses for the cost of compliance with chapter 49.--- RCW (the new chapter created in section 16 of this act). It is the legislature's intent to allow a business and occupation tax credit and a public utility tax credit for cost of compliance in order to provide tax relief.

(3) If a review finds that the percentage increase in the real growth domestic product in the state since the effective date of this section is less than ten percent, then the legislature intends to extend the expiration date of the tax preference.

(4) In order to obtain the data necessary to perform the review in subsection (3) of this section, the joint legislative audit and review committee may refer to:

(a) Data reported by the bureau of economic analysis in the United States department of commerce;

(b) The amount of the business and occupation tax credit taken under section 18 of this act, as reported on the tax return form; and

(c) The amount of the public utility tax credit taken under section 19 of this act, as reported on the tax return form.

NEW SECTION. **Sec. 18.** A new section is added to chapter 82.04 RCW to read as follows:

BUSINESS AND OCCUPATION TAX CREDIT.

In computing the tax imposed under this chapter, a credit is allowed for the cost of compliance with chapter 49.--- RCW (the new chapter created in section 16 of this act). No application is necessary for the credit; however, a business taking a credit under this section must keep and preserve records for the period required by RCW 82.32.070 establishing that the business is eligible for the credit.

NEW SECTION. **Sec. 19.** A new section is added to chapter 82.16 RCW to read as follows:

PUBLIC UTILITY TAX CREDIT.

In computing the tax imposed under this chapter, a credit is allowed for the cost of compliance with chapter 49.--- RCW (the new chapter created in section 16 of this act). No application is necessary for the credit; however, a business taking a credit under this section must keep and preserve records for the period required by RCW 82.32.070 establishing that the business is eligible for the credit."

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

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

Representative Sells spoke against the adoption of the amendment.

A roll call vote was demanded and the demand was sustained.

The Speaker stated the question before the House to be the adoption of amendment (051).

ROLL CALL

The Clerk called the roll on the adoption of amendment (051), and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Kristiansen

Amendment (051) was not adopted.

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

Representatives Jinkins, Peterson and Senn spoke in favor of the passage of the bill.

Representatives DeBolt, DeBolt (again) and Manweller spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1356.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1356, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Kristiansen.

HOUSE BILL NO. 1356, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

March 2, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5072
SENATE BILL NO. 5121
SUBSTITUTE SENATE BILL NO. 5165
SENATE BILL NO. 5171
SENATE BILL NO. 5182
SUBSTITUTE SENATE BILL NO. 5202
SENATE BILL NO. 5210
SUBSTITUTE SENATE BILL NO. 5264
SUBSTITUTE SENATE BILL NO. 5275
SENATE BILL NO. 5288
SUBSTITUTE SENATE BILL NO. 5293
SUBSTITUTE SENATE BILL NO. 5322
SUBSTITUTE SENATE BILL NO. 5348
SENATE BILL NO. 5387
SUBSTITUTE SENATE BILL NO. 5438
SUBSTITUTE SENATE BILL NO. 5455
SENATE BILL NO. 5491
ENGROSSED SUBSTITUTE SENATE BILL NO. 5557
SUBSTITUTE SENATE BILL NO. 5887
SENATE BILL NO. 5903
SENATE BILL NO. 5974
ENGROSSED SUBSTITUTE SENATE BILL NO. 5987
ENGROSSED SUBSTITUTE SENATE BILL NO. 5988
SUBSTITUTE SENATE BILL NO. 6019
SENATE JOINT MEMORIAL NO. 8008

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

SSB 5072 by Senate Committee on Law & Justice (originally sponsored by Senator Honeyford)

AN ACT Relating to the crime of failing to summon assistance; amending RCW 9A.36.160; repealing RCW 9A.36.161; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5121 by Senators Kohl-Welles, Rivers, Bailey, Pedersen, Liias, McAuliffe, Frockt, Chase, Keiser and Hatfield

AN ACT Relating to establishing a marijuana research license; amending RCW 28B.20.502 and 43.350.030; adding a new section to chapter 69.50 RCW; and adding a new section to chapter 42.56 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5165 by Senate Committee on Health Care (originally sponsored by Senators Angel and Frockt)

AN ACT Relating to coverage of home health benefits for persons seeking palliative care treatments; amending RCW 48.21.220, 48.21A.090, and 48.44.320; and creating a new section.

Referred to Committee on Health Care & Wellness.

SB 5171 by Senators Bailey, Conway, Hobbs, Hewitt, Angel, Chase and Rolfes

AN ACT Relating to the definition of veteran for the purposes of the county veterans assistance fund; and amending RCW 73.08.005.

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

SB 5182 by Senators Dammeier and Liias

AN ACT Relating to granting fire protection districts and regional fire protection service authorities biennial budget authority; amending RCW 52.16.030; and adding a new section to chapter 52.26 RCW.

Referred to Committee on Local Government.

SSB 5202 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Mullet, Fain, Litzow, Billig, Frockt, Keiser and Habib)

AN ACT Relating to the financial education public-private partnership; amending RCW 28A.300.450, 28A.300.460, and 28A.655.070; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

SB 5210 by Senators Bailey, Conway, Hobbs, Schoesler, Angel, Keiser and Benton

AN ACT Relating to an optional life annuity benefit for members of the Washington state patrol retirement system; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Appropriations.

SSB 5264 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Parlette, Warnick, Keiser, Jayapal and Braun)

AN ACT Relating to creating a silver alert system; and adding a new chapter to Title 70 RCW.

Referred to Committee on Public Safety.

SSB 5275 by Senate Committee on Ways & Means (originally sponsored by Senators Schoesler, Hargrove, Hill, Sheldon and Hewitt)

AN ACT Relating to tax code improvements that do not affect state revenue collections; amending RCW 84.41.030, 84.41.041, 84.48.034, 46.71.090, 82.08.900, 82.04.627, 82.04.750, 82.08.9995, 82.12.9995, 82.08.0262, 82.12.0254, 82.24.550, 82.26.220, 82.32.020, 82.32.070, 82.32.080, 84.36.041, 84.38.030, 84.39.010, 84.64.060, 84.64.070, and 82.32.740; and repealing RCW 82.04.395, 82.04.397, 82.04.4333, 82.04.4485, 82.08.0265, 82.14.220, and 82.24.235.

Referred to Committee on Finance.

SB 5288 by Senators Braun and Conway

AN ACT Relating to real estate brokers and managing brokers; amending RCW 18.85.451, 18.85.461, and 18.85.471; and providing expiration dates.

Referred to Committee on Business & Financial Services.

SSB 5293 by Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Rivers, Conway, Dammeier, Hobbs, Angel, Frockt, Bailey, Ericksen, Mullet and Benton)

AN ACT Relating to preserving the use of hydrocodone products by licensed optometrists in Washington state; and amending RCW 18.53.010.

Referred to Committee on Health Care & Wellness.

SSB 5322 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield, Hobbs and Honeyford)

AN ACT Relating to conservation districts' rates and charges; and amending RCW 89.08.405.

Referred to Committee on Local Government.

SSB 5348 by Senate Committee on Government Operations & Security (originally sponsored by Senators Miloscia and Chase)

AN ACT Relating to contracts providing for the joint utilization of architectural or engineering services; and amending RCW 39.34.030.

Referred to Committee on State Government.

SB 5387 by Senators Pedersen and O'Ban

AN ACT Relating to uniformity in common provisions governing business organizations and other entities; amending RCW 23B.01.200, 23B.01.220, 23B.01.230, 23B.01.240, 23B.01.250, 23B.01.280, 23B.01.290, 23B.01.410, 23B.01.520, 23B.01.540, 23B.01.570, 23B.02.020, 23B.02.050, 23B.04.010, 23B.04.020, 23B.04.030, 23B.05.010, 23B.05.020, 23B.05.030, 23B.05.040, 23B.09.040, 23B.09.050, 23B.09.060, 23B.11.070, 23B.11.110, 23B.14.040, 23B.14.200, 23B.14.220, 23B.14.390, 23B.15.010, 23B.15.020, 23B.15.030, 23B.15.040, 23B.15.050, 23B.15.060, 23B.15.070, 23B.15.080, 23B.15.090, 23B.15.100, 23B.15.200, 23B.15.300, 23B.16.010, 23B.16.220, 23B.18.020, 23B.18.030, 23B.18.040, 23B.19.020, 23B.01.400, 23B.07.200, 23B.08.090, 23B.13.300, 23B.14.030, 23B.14.065, 23B.16.040, 24.03.005, 24.03.017, 24.03.045, 24.03.046, 24.03.047, 24.03.048, 24.03.050, 24.03.055, 24.03.060, 24.03.1031, 24.03.135, 24.03.145, 24.03.175, 24.03.180, 24.03.183, 24.03.200, 24.03.205, 24.03.207, 24.03.245, 24.03.271, 24.03.300, 24.03.302, 24.03.305, 24.03.310, 24.03.315, 24.03.325, 24.03.335, 24.03.340, 24.03.345, 24.03.350, 24.03.365, 24.03.370, 24.03.380, 24.03.390, 24.03.395, 24.03.405, 24.03.425, 24.03.445, 24.06.005, 24.06.032, 24.06.045, 24.06.046, 24.06.047, 24.06.048, 24.06.050, 24.06.055, 24.06.060, 24.06.160, 24.06.200, 24.06.205, 24.06.207, 24.06.225, 24.06.233, 24.06.280, 24.06.290, 24.06.300, 24.06.340, 24.06.345, 24.06.350, 24.06.360, 24.06.370, 24.06.375, 24.06.380, 24.06.385, 24.06.390, 24.06.395, 24.06.410, 24.06.415, 24.06.425, 24.06.435, 24.06.440, 24.06.450, 24.06.470, 24.06.490, 25.05.005, 25.05.025, 25.05.110, 25.05.115, 25.05.355, 25.05.370, 25.05.390, 25.05.500, 25.05.505, 25.05.530, 25.05.533, 25.05.536, 25.05.550, 25.05.555, 25.05.560, 25.05.565, 25.05.580, 25.05.583, 25.05.586, 25.05.589, 25.05.902, 25.10.011, 25.10.061, 25.10.071, 25.10.121, 25.10.131, 25.10.141, 25.10.151, 25.10.201, 25.10.211, 25.10.231, 25.10.241, 25.10.251, 25.10.261, 25.10.271, 25.10.281, 25.10.291, 25.10.571, 25.10.611, 25.10.616, 25.10.641, 25.10.646, 25.10.651, 25.10.661,

25.10.666, 25.10.671, 25.10.766, 25.10.771, 25.10.786, 25.10.791, 25.10.916, 25.15.---, 43.07.120, 43.07.130, 23.78.020, 23.78.030, 23.86.030, 23.86.055, 23.86.070, 23.86.095, 23.86.210, 23.86.220, 23.86.310, 23.86.330, 23.86.370, 23.90.040, 24.12.045, 24.12.051, 24.20.010, 24.20.020, 24.24.010, 24.24.100, and 24.28.010; adding a new chapter to Title 23 RCW; repealing RCW 23B.01.210, 23B.01.260, 23B.01.270, 23B.01.500, 23B.01.510, 23B.01.530, 23B.01.550, 23B.01.560, 23B.01.580, 23B.14.203, 23B.14.210, 23B.15.015, 23B.15.310, 23B.18.050, 24.03.007, 24.03.008, 24.03.3025, 24.03.303, 24.03.307, 24.03.320, 24.03.330, 24.03.375, 24.03.385, 24.03.386, 24.03.388, 24.03.400, 24.03.410, 24.03.415, 24.03.450, 24.06.170, 24.06.293, 24.06.355, 24.06.365, 24.06.420, 24.06.430, 24.06.433, 24.06.445, 24.06.455, 24.06.460, 24.06.495, 24.06.915, 25.04.716, 25.05.570, 25.10.040, 25.10.171, 25.10.656, 25.10.676, 25.15.---, 25.15.---, 25.15.---, 25.15.---, 23.86.155, 23.86.300, 23.86.320, 23.86.335, 23.86.340, 24.12.060, 24.20.040, 24.20.050, 24.24.130, and 24.28.045; providing an effective date; and providing a contingent effective date.

Referred to Committee on Judiciary.

SSB 5438 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Dammeier, Rolfes, Hill, Rivers, Liias, Mullet, Billig and Pedersen)

AN ACT Relating to allowing bicycles and mopeds to stop and proceed through traffic control signals under certain conditions; and amending RCW 46.61.184.

Referred to Committee on Transportation.

SSB 5455 by Senate Committee on Government Operations & Security (originally sponsored by Senators Rivers, Parlette, Hatfield and Hobbs)

AN ACT Relating to delivery of basic firefighter training and testing; and amending RCW 43.43.934.

Referred to Committee on Local Government.

SB 5491 by Senators Parlette, Hatfield, King, Hargrove, Benton, Pearson, Braun, Rivers, Cleveland, Warnick, Honeyford and Bailey

AN ACT Relating to maintaining reservations of water for certain future uses; and adding a new section to chapter 90.54 RCW.

Referred to Committee on Agriculture & Natural Resources.

ESSB 5557 by Senate Committee on Health Care (originally sponsored by Senators Parlette, Conway, Rivers, Dammeier, Becker, Frockt, Schoesler, Keiser, Jayapal, Warnick and Honeyford)

AN ACT Relating to services provided by pharmacists; amending RCW 48.43.045; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5887 by Senate Committee on Government Operations & Security (originally sponsored by Senators Pearson and Ranker)

AN ACT Relating to lengthening the maximum terms of leases entered into by the director of enterprise services at the former Northern State Hospital site; and amending RCW 43.82.010.

Referred to Committee on Capital Budget.

SB 5903 by Senators Bailey, Braun and Warnick

AN ACT Relating to restricting certain methods of selling marijuana; adding new sections to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

SB 5974 by Senators Benton, Bailey, Hobbs, Chase, Cleveland, Angel, Hasegawa, Roach, Jayapal, Fraser, McCoy and Hewitt

AN ACT Relating to the insurance commissioner review of barriers to offering supplemental coverage options to disabled veterans and their dependents; and creating a new section.

Referred to Committee on Health Care & Wellness.

ESSB 5987 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

AN ACT Relating to transportation revenue; amending RCW 82.36.025, 82.38.030, 82.38.030, 46.68.090, 46.68.090, 46.09.520, 46.10.530, 79A.25.070, 46.17.355, 46.17.365, 46.17.323, 46.25.052, 46.25.060, 46.25.100, 46.20.202, 46.17.050, 46.17.060, 47.60.322, 46.12.650, 36.73.065, 82.80.140, 82.14.045, 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, 84.04.120, 81.104.180, 47.04.320, 47.04.325, and 81.77.170; amending 2013 c 225 s 650 (uncodified); reenacting and amending RCW 43.84.092, 43.84.092, 46.09.520, and 81.104.170; adding a new section to chapter 46.68 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW; adding a new section to chapter 47.29 RCW; creating new sections; repealing RCW 82.38.083; repealing 2013 c 225 s 305; prescribing penalties; providing effective dates; providing contingent effective dates; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

ESSB 5988 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

AN ACT Relating to additive transportation funding and appropriations; amending RCW 46.68.030, 46.68.280,

46.68.290, and 47.60.530; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Transportation.

SSB 6019 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Frockt and O'Ban)

AN ACT Relating to adjudicative proceedings involving a state agency; and amending RCW 34.05.461, 34.12.060, and 34.05.455.

Referred to Committee on Judiciary.

SJM 8008 by Senators Hobbs, Roach, Conway, Miloscia, Hatfield, King, Bailey, Keiser, Billig, Padden, Mullet, Ericksen, Frockt, Fraser and McAuliffe

Calling for a National Guard Stryker Brigade stationed on the west coast.

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

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

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

There being no objection, the House adjourned until 9:00 a.m., March 4, 2015, the 52nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY SECOND DAY

House Chamber, Olympia, Wednesday, March 4, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christiaan Ramos and Vincent Walsh-Smith. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Drew Hansen, 23rd District, Washington.

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

MESSAGES FROM THE SENATE

March 3, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5106
ENGROSSED SENATE BILL NO. 5111
SUBSTITUTE SENATE BILL NO. 5145
ENGROSSED SUBSTITUTE SENATE BILL NO. 5158
SUBSTITUTE SENATE BILL NO. 5166
ENGROSSED SUBSTITUTE SENATE BILL NO. 5441
ENGROSSED SUBSTITUTE SENATE BILL NO. 5460
SENATE BILL NO. 5466
SENATE BILL NO. 5468
SUBSTITUTE SENATE BILL NO. 5485
SENATE BILL NO. 5496
SENATE BILL NO. 5499
SENATE BILL NO. 5542
SUBSTITUTE SENATE BILL NO. 5596
SENATE BILL NO. 5603
SENATE BILL NO. 5606
SUBSTITUTE SENATE BILL NO. 5622
SUBSTITUTE SENATE BILL NO. 5633
ENGROSSED SUBSTITUTE SENATE BILL NO. 5803
ENGROSSED SENATE BILL NO. 5893
SENATE BILL NO. 5978

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 3, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5125
SENATE BILL NO. 5270
SUBSTITUTE SENATE BILL NO. 5292
SENATE BILL NO. 5314
SENATE BILL NO. 5318
SENATE BILL NO. 5396
SUBSTITUTE SENATE BILL NO. 5398
ENGROSSED SENATE BILL NO. 5424
SUBSTITUTE SENATE BILL NO. 5448
ENGROSSED SUBSTITUTE SENATE BILL NO. 5477
SECOND SUBSTITUTE SENATE BILL NO. 5486
SENATE BILL NO. 5511
SENATE BILL NO. 5532
SENATE BILL NO. 5634
SENATE BILL NO. 5689
SENATE BILL NO. 5725
SUBSTITUTE SENATE BILL NO. 5730
SENATE BILL NO. 5746
ENGROSSED SENATE BILL NO. 5923
SENATE BILL NO. 5958
SENATE JOINT MEMORIAL NO. 8006
SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007
SENATE JOINT MEMORIAL NO. 8012
SENATE JOINT MEMORIAL NO. 8013

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 2186 by Representatives Walkinshaw, Fitzgibbon, Farrell and Fey

AN ACT Relating to establishing a tax for the provision of nonresidential parking facilities; amending RCW 36.120.050 and 82.80.070; adding a new section to chapter 82.80 RCW; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

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

SECOND READING

HOUSE BILL NO. 1727, by Representatives Schmick, Cody and Short

Permitting nursing assistants to perform simple care tasks under indirect supervision. Revised for 1st Substitute: Modifying the definition of health care facility relating to nursing assistants' practice settings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1727 was substituted for House Bill No. 1727 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1727 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1727.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1727, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1727, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1132, by Representatives Tharinger, Harris, Wylie, Van De Wege, Johnson, Lytton, Fey, Riccelli, Jinkins, Buys, Cody, Appleton, Ortiz-Self, Hayes, Gregerson and Short

Concerning the regulation of adult family homes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1132 was substituted for House Bill No. 1132 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1132 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1132.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1132, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1132, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1667, by Representatives Cody, Jinkins, Robinson and Tharinger

Establishing the bleeding disorder collaborative for care.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1667 was substituted for House Bill No. 1667 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1667 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Schmick and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1667.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1667, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege,

Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, G. Hunt, McCaslin, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1667, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2007, by Representatives Zeiger, Sullivan, Stambaugh, Van De Wege, Riccelli and Ormsby

Concerning reimbursement to eligible providers for medicaid ground emergency medical transportation services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger and Ormsby spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2007.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2007, and the bill passed the House by the following vote: Yeas, 88; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Klippert, Kretz, McCaslin, Scott, Shea, Short, Taylor and Young.

HOUSE BILL NO. 2007, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2021, by Representatives Riccelli, Parker, Cody, Holy, Ormsby and Muri

Concerning the prescription drug assistance foundation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2021 was substituted for House Bill No. 2021 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2021 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2021.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2021, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2021, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1236, by Representatives Ortiz-Self, Johnson, Santos, Lytton, Moscoso, Pettigrew, Walkinshaw, Kilduff, Sawyer, Reykdal, Bergquist, Fey, Tarleton and Hudgins

Eliminating the parent or guardian approval requirement for the college bound scholarship pledge. Revised for 1st Substitute: Allowing certain school personnel to witness a student's college bound scholarship pledge if the student's parent or guardian is unavailable. (REVISED FOR ENGROSSED: Concerning witnessing a student's college bound scholarship pledge when efforts to obtain a parent's or guardian's signature are unsuccessful.)

The bill was read the second time.

There being no objection, Substitute House Bill No. 1236 was substituted for House Bill No. 1236 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1236 was read the second time.

Representative Ortiz-Self moved the adoption of amendment (102):

) On page 2, beginning on line 11, after "form." strike all material through "instead." on line 14.

On page 2, line 15, after "(b)" insert "(i) Beginning in the 2015-16 academic year, the office of student financial assistance shall make multiple attempts to secure the signature of the student's parent or guardian for the purpose of witnessing the pledge.

(ii) If the signature of the student's parent or guardian is not obtained, the office of student financial assistance may partner with the school counselor or administrator to secure the parent's or guardian's signature to witness the pledge.

(iii) If a parent's or guardian's signature is still not obtained, the school counselor or administrator may witness the pledge and indicate to the office of student financial assistance the nature of the unsuccessful efforts to contact the student's parent or guardian.

(c)"

Representatives Ortiz-Self and Zeiger spoke in favor of the adoption of the amendment.

Amendment (102) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Zeiger, Johnson and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1236.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1236, and the bill passed the House by the following vote: Yeas, 74; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, G. Hunt, Hargrove, Harmsworth, Harris, Hayes, Holy, Kretz, Magendanz, McCaslin, Pike, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1236, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1295, by Representatives Hudgins, Magendanz, S. Hunt, Walsh, Walkinshaw, Lytton, Senn, Jinkins, Sawyer, Stokesbary, Reykdal, Robinson, McBride, Stanford, Tharinger, Bergquist, Clibborn, Pollet, Fey, Gregerson and Tarleton

Concerning breakfast after the bell programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1295 was substituted for House Bill No. 1295 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1295 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Magendanz, Johnson, Kilduff, Santos, Walsh, Bergquist, Caldier and Ortiz-Self spoke in favor of the passage of the bill.

Representatives Hargrove, Dent and Young spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1295.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1295, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1295, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1295.
Representative Parker, 6th District

SECOND READING

HOUSE BILL NO. 1532, by Representatives Smith, Stanford, DeBolt, Riccelli and Tarleton

Concerning budget submissions for capital design and construction at institutions of higher education.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1532.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1532, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1532, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1696, by Representative Haler

Modifying provisions related to tuition setting authority at public institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1696 was substituted for House Bill No. 1696 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1696 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1696.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1696, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1696, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1783, by Representatives Ortiz-Self, Walkinshaw, Bergquist, Moscoso, Hudgins, Pollet and Santos

Expanding dual language and bilingual instruction for early learners through secondary students.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1783 was substituted for House Bill No. 1783 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1783 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Magendanz and Santos spoke in favor of the passage of the bill.

Representatives Hargrove and Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1783.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1783, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1783, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1436, by Representatives Kagi, Zeiger, Robinson, Walsh, Walkinshaw, Pettigrew, Senn, Johnson, Orwall, Ortiz-Self, Reykdal, Carlyle, Gregerson, Appleton,

Fitzgibbon, Ormsby, Clibborn, Jinkins, Bergquist, Goodman, McBride, Pollet, Riccelli and Kilduff

Concerning homeless youth prevention and protection.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1436 was substituted for House Bill No. 1436 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1436 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Walsh, Robinson and Walkinshaw spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1436.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1436, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1436, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1309, by Representatives Vick and Kirby

Concerning the sale of floating homes or floating on-water residences by brokers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Vick and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1309.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1633, by Representatives Zeiger, Jinkins, Young, Fey, Appleton, Hargrove, Sawyer, Walsh, Stanford, Johnson, Riccelli, Kochmar, Muri, Pollet, Kagi and Wylie

Giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities or nonprofit housing providers to help children of low-income families succeed in school.

The bill was read the second time.

Representative Smith moved the adoption of amendment (033):

On page 3, line 23, after "school" insert ". To receive this preference, the local school district must provide an opportunity for community members to offer input on the proposed project at the first scheduled school board meeting following submission of the grant application to the department"

On page 5, line 23, after "school" insert ". To receive this preference, the local school district must provide an opportunity for community members to offer input on the proposed project at the first scheduled school board meeting following submission of the grant application to the department"

Representatives Smith and Stanford spoke in favor of the adoption of the amendment.

Amendment (033) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1633.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1633, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Schmick, Scott, Shea and Taylor.

ENGROSSED HOUSE BILL NO. 1633, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1431, by Representatives Bergquist, Holy and S. Hunt

Modifying exemptions relating to real estate appraisals.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Holy spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1431.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1431, and the bill passed the House by the following vote: Yeas, 78; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Fagan, G. Hunt, Hawkins, Johnson, McCaslin, Orcutt, Pike, Schmick, Scott, Shea, Smith, Taylor, Vick, Wilcox, Wilson, Young and Zeiger.

HOUSE BILL NO. 1431, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1078, by Representatives Hudgins, Morris, Robinson, Kirby, Gregerson, Stanford, Ryu, Magendanz and Pollet

Enhancing the protection of consumer financial information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1078 was substituted for House Bill No. 1078 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1078 was read the second time.

With the consent of the house, amendment (125) was withdrawn.

Representative Hudgins moved the adoption of amendment (079):

) Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 20.** The legislature recognizes that data breaches of personal information can compromise financial security and be costly to consumers. The legislature intends to strengthen the data breach notification requirements to better safeguard personal information, prevent identity theft, and ensure that the attorney general receives notification when breaches occur so that appropriate action may be taken to protect consumers. The legislature also intends to provide consumers whose personal information has been jeopardized due to a data breach with the information needed to secure financial accounts and make the necessary reports in a timely manner to minimize harm from identity theft.

Sec. 21. RCW 19.255.010 and 2005 c 368 s 2 are each amended to read as follows:

(1) Any person or business that conducts business in this state and that owns or licenses ((~~computerized~~)) data that includes personal information shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the data to any resident of this state whose ((~~unencrypted~~)) personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the personal information was not secured. ((~~The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subsection (3) of this section, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.~~)) Notice is not required if the breach of the security of the system is not reasonably likely to subject consumers to a risk of harm. The breach of secured personal information must be disclosed if the information acquired and accessed is not secured during a security breach or if the confidential process, encryption key, or other means to decipher the secured information was acquired by an unauthorized person.

(2) Any person or business that maintains ((~~computerized~~)) data that includes personal information that the person or business does not own shall notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person.

(3) The notification required by this section may be delayed if the data owner or licensee contacts a law enforcement agency after discovery of a breach of the security of the system and a law enforcement agency determines that the notification will impede a criminal investigation. The notification required by this section shall be made after the law enforcement agency determines that it will not compromise the investigation.

(4) For purposes of this section, "breach of the security of the system" means unauthorized acquisition of ((~~computerized~~)) data that compromises the security, confidentiality, or integrity of personal information maintained by the person or business. Good faith acquisition of personal information by an employee or agent of the person or business for the purposes of the person or business is not a breach of the security of the system when the personal information is not used or subject to further unauthorized disclosure.

(5) For purposes of this section, "personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements((~~, when either the name or the data elements are not encrypted~~)):

(a) Social security number;

(b) Driver's license number or Washington identification card number; or

(c) Full account number ((~~or~~)), credit or debit card number, ((~~in combination with~~)) or any required security code, access code, or password that would permit access to an individual's financial account.

(6) For purposes of this section, "personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

(7) For purposes of this section, "secured" means encrypted in a manner that meets or exceeds the national institute of standards and technology (NIST) standard or is otherwise modified so that the personal information is rendered unreadable, unusable, or undecipherable by an unauthorized person.

(8) For purposes of this section and except under subsections (((~~(8)~~))) (9) and (10) of this section, "notice" may be provided by one of the following methods:

(a) Written notice;

(b) Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 U.S.C. Sec. 7001; or

(c) Substitute notice, if the person or business demonstrates that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or the person or business does not have sufficient contact information. Substitute notice shall consist of all of the following:

(i) E-mail notice when the person or business has an e-mail address for the subject persons;

(ii) Conspicuous posting of the notice on the web site page of the person or business, if the person or business maintains one; and

(iii) Notification to major statewide media.

(((~~(8)~~))) (9) A person or business that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of this section is in compliance with the notification requirements of this section if the person or business notifies subject persons in accordance with its policies in the event of a breach of security of the system.

(((~~(9)~~))) (10) A covered entity under the federal health insurance portability and accountability act of 1996, 42 U.S.C. Sec. 1320d et seq., is deemed to have complied with the requirements of this section with respect to protected health information if it has complied with section 13402 of the federal health information technology for economic and clinical health act, Public Law 111-5 as it existed on the effective date of this section. Covered entities shall notify the attorney general pursuant to subsection (15) of this section in compliance with the timeliness of notification requirements of section 13402 of the federal health information technology for economic and clinical health act, Public Law 111-5 as it existed on the effective date of this section, notwithstanding the notification requirement in subsection (16) of this section.

(11) A financial institution under the authority of the office of the comptroller of the currency, the federal deposit insurance corporation, the national credit union administration, or the federal reserve system is deemed to have complied with the requirements of this section with respect to "sensitive customer information" as defined in the interagency guidelines establishing information security standards, 12 C.F.R. Part 30, Appendix B, 12 C.F.R. Part 208, Appendix D-2, 12 C.F.R. Part 225, Appendix F, and 12 C.F.R. Part 364, Appendix B, and 12 C.F.R. Part 748, Appendices A and B, as they existed on the effective date of this section, if the financial institution provides notice to affected consumers pursuant to the interagency guidelines and the notice complies with the customer notice provisions of the interagency guidelines establishing information security standards and the interagency guidance on response programs for unauthorized access to customer information and customer notice under 12 C.F.R. Part 364 as it existed on the effective date of this section. The entity shall notify the attorney general pursuant to subsection (15) of this section in addition to providing notice to its primary federal regulator.

(12) Any waiver of the provisions of this section is contrary to public policy, and is void and unenforceable.

(((~~(10)~~))) (13)(a) Any ((~~customer~~)) consumer injured by a violation of this section may institute a civil action to recover damages.

(b) Any person or business that violates, proposes to violate, or has violated this section may be enjoined.

(c) The rights and remedies available under this section are cumulative to each other and to any other rights and remedies available under law.

(((~~(d) A person or business under this section shall not be required to disclose a technical breach of the security system that does not seem reasonably likely to subject customers to a risk of criminal activity.~~)))

(14) Any person or business that is required to issue notification pursuant to this section shall meet all of the following requirements:

(a) The notification must be written in plain language; and

(b) The notification must include, at a minimum, the following information:

(i) The name and contact information of the reporting person or business subject to this section;

(ii) A list of the types of personal information that were or are reasonably believed to have been the subject of a breach; and

(iii) The toll-free telephone numbers and addresses of the major credit reporting agencies if the breach exposed personal information.

(15) Any person or business that is required to issue a notification pursuant to this section to more than five hundred Washington residents as a result of a single breach shall, by the

time notice is provided to affected consumers, electronically submit a single sample copy of that security breach notification, excluding any personally identifiable information, to the attorney general. The person or business shall also provide to the attorney general the number of Washington consumers affected by the breach, or an estimate if the exact number is not known.

(16) Notification to affected consumers and to the attorney general under this section must be made in the most expedient time possible and without unreasonable delay, no more than forty-five calendar days after the breach was discovered, unless at the request of law enforcement as provided in subsection (3) of this section, or due to any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

(17) The attorney general may bring an action in the name of the state, or as parens patriae on behalf of persons residing in the state, to enforce this section. For actions brought by the attorney general to enforce this section, the legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. For actions brought by the attorney general to enforce this section, a violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for purposes of applying the consumer protection act, chapter 19.86 RCW. An action to enforce this section may not be brought under RCW 19.86.090.

Sec. 22. RCW 42.56.590 and 2007 c 197 s 9 are each amended to read as follows:

(1)(a) Any agency that owns or licenses ((~~computerized~~)) data that includes personal information shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the data to any resident of this state whose ((~~unencrypted~~)) personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the personal information was not secured. ((~~The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subsection (3) of this section, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.~~)) Notice is not required if the breach of the security of the system is not reasonably likely to subject consumers to a risk of harm. The breach of secured personal information must be disclosed if the information acquired and accessed is not secured during a security breach or if the confidential process, encryption key, or other means to decipher the secured information was acquired by an unauthorized person.

(b) For purposes of this section, "agency" means the same as in RCW 42.56.010.

(2) Any agency that maintains ((~~computerized~~)) data that includes personal information that the agency does not own shall notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person.

(3) The notification required by this section may be delayed if the data owner or licensee contacts a law enforcement agency after discovery of a breach of the security of the system and a law enforcement agency determines that the notification will impede a criminal investigation. The notification required by this section shall be made after the law enforcement agency determines that it will not compromise the investigation.

(4) For purposes of this section, "breach of the security of the system" means unauthorized acquisition of ((~~computerized~~)) data that compromises the security, confidentiality, or integrity of personal information maintained by the agency. Good faith acquisition of personal information by an employee or agent of the agency for the purposes of the agency is not a breach of the security of the system when the personal information is not used or subject to further unauthorized disclosure.

(5) For purposes of this section, "personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements((~~, when either the name or the data elements are not encrypted~~)):

(a) Social security number;

(b) Driver's license number or Washington identification card number; or

(c) Full account number ((~~or~~)), credit or debit card number, ((~~in combination with~~)) or any required security code, access code, or password that would permit access to an individual's financial account.

(6) For purposes of this section, "personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

(7) For purposes of this section, "secured" means encrypted in a manner that meets or exceeds the national institute of standards and technology (NIST) standard or is otherwise modified so that the personal information is rendered unreadable, unusable, or undecipherable by an unauthorized person.

(8) For purposes of this section and except under subsections ((~~(8)~~)) (9) and (10) of this section, notice may be provided by one of the following methods:

(a) Written notice;

(b) Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 U.S.C. Sec. 7001; or

(c) Substitute notice, if the agency demonstrates that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or the agency does not have sufficient contact information. Substitute notice shall consist of all of the following:

(i) E-mail notice when the agency has an e-mail address for the subject persons;

(ii) Conspicuous posting of the notice on the agency's web site page, if the agency maintains one; and

(iii) Notification to major statewide media.

((~~(8)~~)) (9) An agency that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of this section is in compliance with the notification requirements of this section if it notifies subject persons in accordance with its policies in the event of a breach of security of the system.

((~~(9)~~)) (10) A covered entity under the federal health insurance portability and accountability act of 1996, 42 U.S.C. Sec. 1320d et seq., is deemed to have complied with the requirements of this section with respect to protected health information if it has complied with section 13402 of the federal health information technology for economic and clinical health act, Public Law 111-5 as it existed on the effective date of this section. Covered entities shall notify the attorney general pursuant to subsection (14) of this section in compliance with the timeliness of notification requirements of section 13402 of the federal health information technology for economic and clinical health act, Public Law 111-5 as it existed on the effective date of this section, notwithstanding the notification requirement in subsection (15) of this section.

(11) Any waiver of the provisions of this section is contrary to public policy, and is void and unenforceable.

(((~~(10)~~)) (12)(a) Any ((~~customer~~)) individual injured by a violation of this section may institute a civil action to recover damages.

(b) Any ((~~business~~)) agency that violates, proposes to violate, or has violated this section may be enjoined.

(c) The rights and remedies available under this section are cumulative to each other and to any other rights and remedies available under law.

(((~~(d) An agency shall not be required to disclose a technical breach of the security system that does not seem reasonably likely to subject customers to a risk of criminal activity.~~))

(13) Any agency that is required to issue notification pursuant to this section shall meet all of the following requirements:

(a) The notification must be written in plain language; and

(b) The notification must include, at a minimum, the following information:

(i) The name and contact information of the reporting agency subject to this section;

(ii) A list of the types of personal information that were or are reasonably believed to have been the subject of a breach;

(iii) The toll-free telephone numbers and addresses of the major credit reporting agencies if the breach exposed personal information.

(14) Any agency that is required to issue a notification pursuant to this section to more than five hundred Washington residents as a result of a single breach shall, by the time notice is provided to affected individuals, electronically submit a single sample copy of that security breach notification, excluding any personally identifiable information, to the attorney general. The agency shall also provide to the attorney general the number of Washington residents affected by the breach, or an estimate if the exact number is not known.

(15) Notification to affected individuals and to the attorney general must be made in the most expedient time possible and without unreasonable delay, no more than forty-five calendar days after the breach was discovered, unless at the request of law enforcement as provided in subsection (3) of this section, or due to any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system."

Representative Hudgins moved the adoption of amendment (126) to the striking amendment (079):

) On page 3, beginning on line 3 of the striking amendment, after "(c)" strike all material through "account." on line 6 and insert "Account number or credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account."

Representative Hudgins spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (126) to the striking amendment (079) was adopted.

Representatives Hudgins and Harmsworth spoke in favor of the adoption of the striking amendment as amended.

Amendment (079), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Harmsworth and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1078.

MOTION

On motion of Representative Harris, Representative Wilcox was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1078, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1078, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1090, by Representatives Kirby, Jinkins and Rodne

Concerning the financial fraud and identity theft crimes investigation and prosecution program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1090.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1090, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove,

Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Wilcox.

HOUSE BILL NO. 1090, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1093, by Representatives Morris and Moeller

Concerning unmanned aircraft.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1093 was substituted for House Bill No. 1093 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1093 was read the second time.

With the consent of the house, amendment (009) was withdrawn.

Representative Morris moved the adoption of amendment (008):

) Beginning on page 3, after line 11, strike all of sections 3 and 4 and insert the following:

"NEW SECTION. **Sec. 3.** (1) No person may operate an unmanned aircraft in Washington state airspace that is equipped with an active sensing device unless:

(a) The federal government has provided specific authorization for the operation; or

(b) The operation complies with each of the conditions established in section 4 of this act.

(2) For purposes of subsection (1) of this section and section 4 of this act, "specific authorization" by the federal government includes authorization issued pursuant to the federal aviation administration modernization and reform act of 2012 (49 U.S.C. 40101) or other federal authority establishing that the operation is lawful and permitted under federal law, except that "specific authorization" does not include operation of an unmanned aircraft pursuant to the exemption from regulation for recreational uses established in the special rule for model aircraft of the federal aviation administration modernization and reform act of 2012 (49 U.S.C. 40101 Sec. 336).

(3) Nothing in this chapter may be construed as authorizing the use of, prohibiting the use of, or regulating in any manner the use of an unmanned aircraft by a public agency.

NEW SECTION. **Sec. 4.** An unmanned aircraft may not be operated in Washington state airspace unless the following conditions are met:

(1) The unmanned aircraft has specific authorization from the federal government, as defined in section 3 of this act; or

(2) The unmanned aircraft is clearly and conspicuously labeled with the name and contact information of the aircraft's owner and operator and does not have an active sensing device onboard that collects personal information about any individual without the individual's consent."

Representatives Morris and Taylor spoke in favor of the adoption of the amendment.

Amendment (008) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1093.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1093, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Cody and Hurst.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1093, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1094, by Representative Morris

Concerning biometric identifiers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1094 was substituted for House Bill No. 1094 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1094 was read the second time.

With the consent of the house, amendments (16) and (38) were withdrawn.

Representative Morris moved the adoption of amendment (116):

) On page 1, line 18, after "disclosure" strike "of" and insert "to"
On page 2, line 7, after "made" strike "by or"
On page 2, line 16, after "permissible" strike "as required"

On page 2, line 18, after "authority," strike "particularly"

On page 2, beginning on line 32, strike all of subsection (4) and insert the following:

"(4) For purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Biometric identifier" means a characteristic, whether biological, behavioral, or both, that uniquely identifies and enables automated recognition of an individual, including but not limited to fingerprints, DNA, hand geometry, palm print, and iris scan. "Biometric identifier" also includes less sensitive identifiers including, but not limited to, facial imaging, voice, and gait, only when used for automated identification purposes. Video surveillance and photographs derived from biometric identifiers are not considered biometric identifiers.

(b) “Consent” means an authorization by an individual, given after the individual has received clear and conspicuous notice in writing of the purposes for which the biometric identifier may be disclosed."

On page 3, after line 8, insert the following:

"(6) Nothing in this act shall be construed to expand or limit the authority of a Washington state law enforcement officer acting within the scope of his or her authority, including, but not limited to, executing lawful searches and seizures."

Renumber the remaining subsection(s) consecutively and correct any
internal references accordingly.

Representative Harmsworth moved the adoption of amendment (117) to amendment (116).

) On page 1, line 25 of the amendment, after "disclosed" insert ". When an individual consents to disclose his or her biometric identifier to law enforcement without a warrant, consent must be made separate from any other consent provided"

Representatives Harmsworth and Morris spoke in favor of the adoption of the amendment to the amendment.

Amendment (117) to amendment (116) was adopted.

Representative Morris spoke in favor of the adoption of the amendment (116) as amended.

Amendment (116), as amended, was adopted.

Representative Appleton moved the adoption of amendment (017):

) On page 2, line 32, after "(4)" insert "If a biometric identifier was initially captured for any purpose other than a commercial purpose, it is a violation of this act to use the biometric identifier at a later time for a commercial purpose without an individual’s consent.

(5) For the purpose of subsection (4) of this section, consent means that an individual must actively opt-in to the use of the biometric identifier. An active opt-in by an individual provides consent for the use of the biometric identifier for no longer than 24 hours.

(6)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Harmsworth and Morris spoke in favor of the adoption of the amendment.

Amendment (017) was adopted.

Representative Harmsworth moved the adoption of amendment (067):

) On page 3, beginning on line 9, strike all of section 2

Correct the title.

Representatives Harmsworth and Morris spoke in favor of the adoption of the amendment.

Amendment (067) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, Harmsworth, Smith, Klippert and Shea spoke in favor of the passage of the bill.

Representative Magendanz spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1094.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1094, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Harris, MacEwen, Magendanz, Manweller and Senn.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1440, by Representatives Taylor, Goodman, Pollet, Scott, Condotta, Shea, G. Hunt, Young, Moscoso, Smith, Ryu, Jinkins, Magendanz, Farrell and McCaslin

Prohibiting the use of a cell site simulator device without a warrant.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1440 was substituted for House Bill No. 1440 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1440 was read the second time.

Representative Ryu moved the adoption of amendment (039):

) On page 2, beginning on line 39, after "device;" strike "or (v) denying," and insert "(v) denying a communications device access to other communications devices, communications protocols, or services; or (vi)"

On page 2, line 40, after "spoofing" strike ","

On page 2, beginning on line 40, after "device" strike "access to other communications devices or services" and insert ", cell tower, cell site, or service,"

On page 3, line 6, after "content" insert ", or a passive interception device or digital analyzer that does not send signals to a communications device under surveillance"

Representatives Ryu and Taylor spoke in favor of the adoption of the amendment.

Amendment (039) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1440.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1440, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1639, by Representatives Taylor, Goodman, Morris, Shea, Walkinshaw, Smith, Ryu, Appleton, Condotta, Moscoso, Kagi, Muri, Young, Scott, Schmick, G. Hunt and Farrell

Concerning technology-enhanced government surveillance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1639 was substituted for House Bill No. 1639 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1639 was read the second time.

Representative Goodman moved the adoption of amendment (135):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 23.** The legislature finds that Washington is a leader in responsible, effective, innovative government and the industries that help make this possible. The legislature finds that advances in technology have created valuable opportunities for government agencies to carry out their missions more efficiently, cost-effectively, precisely, and comprehensively. However, these technological advances have provided new, unique equipment that may be utilized for surveillance purposes. These technological advances often outpace statutory protections and can lead to inconsistent or contradictory interpretations between jurisdictions. The legislature finds that regardless of application or size, the use of these extraordinary surveillance technologies, without public debate or clear legal authority, creates uncertainty for citizens and agencies throughout Washington state. The legislature finds that extraordinary surveillance technologies do present a substantial privacy risk potentially contrary to the strong privacy protections enshrined in Article I, section 7 of the Washington state Constitution that reads "No person shall be disturbed in his private affairs, or his home invaded, without authority of law." The legislature further finds that the lack of clear statutory authority for the use of extraordinary surveillance technologies may increase liability to state and local jurisdictions. It is the intent of the legislature to allow for the performance of legitimate state and local agency functions in accordance with clear standards for the lawful use of extraordinary sensing devices. Nothing in this act is intended to affect the leasehold rights of the residents of Washington state.

NEW SECTION. **Sec. 24.** The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Agency" means the state of Washington, its state and local agencies, political subdivisions, and their respective employees and agents, except the Washington national guard in Title 32 U.S.C. status.

(2) "Court of competent jurisdiction" means any district court of the United States, or a court of general jurisdiction authorized by the state of Washington to issue search warrants.

(3) "Extraordinary sensing device" means a sensing device attached to or used in conjunction with an aircraft that is operated without the possibility of human intervention from within or on such aircraft, together with its associated elements.

(4) "Governing body" means the council, commission, board, or other controlling body of an agency in which legislative powers are vested, except that for a state agency for which there is no governing body other than the state legislature, "governing body" means the chief executive officer responsible for the governance of the agency.

(5) "Personal information" means any information relating to a particular identified or identifiable individual including, but not limited to: (a) An individual's location; (b) the categories of information identified in RCW 19.255.010(5); (c) the categories of information identified in RCW 42.56.230; and (d) information obtained from a particular vehicle or particular residence, including the curtilage thereof, relating to that individual. Personal information does not include information that an agency does not associate with a particular individual. The information may be in the form of, but is not limited to:

(a) Images obtained from any part of the electromagnetic spectrum including, but not limited to, visible, ultraviolet, and infrared light; X-rays and other radiation; and radio waves;

(b) Sounds of any frequency, including infrasonic, audible, and ultrasonic frequencies; or

(c) Scents of any type, whether or not detectable by the human nose.

(6)(a) "Sensing device" means a device capable of remotely acquiring personal information from its surroundings.

(b) "Sensing device" does not include equipment whose sole function is to provide information directly necessary for safe air navigation or operation of a vehicle.

NEW SECTION. **Sec. 25.** (1) No state agency including, but not limited to, the Washington state patrol and the department of natural resources, shall procure an extraordinary sensing device unless moneys are expressly appropriated by the legislature for this specific purpose.

(2) No local agency shall procure an extraordinary sensing device without the explicit approval of the governing body of such locality, given for that specific extraordinary sensing device to be used for a specific purpose.

NEW SECTION. **Sec. 26.** (1) The governing body for each local agency and elected or appointed official in charge for each state agency must develop and make publicly available, including on the agency web site, written policies and procedures for the use of any extraordinary sensing device procured, and provide notice and opportunity for public comment prior to adoption of the written policies and procedures. Such written policies and procedures must: (a) Describe the purposes for using an extraordinary sensing device and, if applicable, any agency program or study pursuant to which it intends to use the extraordinary sensing device; (b) describe categories of personal information, if applicable, that the agency intends to collect during the operation of such extraordinary sensing device, how the collection of such information furthers the agency's purposes stated pursuant to (a) of this subsection, and how the agency plans to use such information; (c) establish policies and procedures for minimizing the collection of information not specified in (b) of this subsection; (d) establish policies and procedures to prevent unauthorized access to personal information, which may be collected through the agency's use of extraordinary sensing devices, and which policies and procedures may include technical measures such as encryption, hashing, anonymization, and/or deidentification of collected information; (e) identify the unique registration number the agency has affixed, or has previously been affixed, including by another agency, to the extraordinary sensing device it is intending to use; and (f) identify a point of contact for citizen complaints and concerns regarding the agency's use and operation of an extraordinary sensing device.

(2) Within one hundred eighty days of the effective date of this section, the office of the chief information officer shall construct a web site publicly listing every agency's written policies and procedures mandated by this section. The web site shall be easily accessible by the public and a hyperlink to this web site shall appear on http://access.wa.gov, or other similar web site, if this web site is altered or ceases to exist.

(3) The operation of an extraordinary sensing device by an agency is prohibited unless the agency has affixed a unique identifier registration number assigned by the agency.

NEW SECTION. **Sec. 27.** Except as otherwise specifically authorized in this subchapter, it is unlawful for an agency to operate an extraordinary sensing device or use or disclose personal information about any person acquired through the operation of an extraordinary sensing device.

NEW SECTION. **Sec. 28.** All operations of an extraordinary sensing device, by an agency, or disclosure of personal information about any person acquired through the operation of an extraordinary sensing device, by an agency, must be conducted in such a way as to minimize the collection and disclosure of personal information not authorized under this subchapter. If an agency complies with section 4 of this act and adheres to the minimization policies and procedures it adopts pursuant to section 4 of this act, there is a rebuttable presumption that the agency has complied with the minimization requirement under this section. This presumption can be overcome by clear and convincing evidence to the contrary.

NEW SECTION. **Sec. 29.** (1) It is lawful under this section for an agency to operate an extraordinary sensing device without obtaining a warrant if the agency reasonably determines that the operation does not intend to collect personal information. Allowable purposes under this subsection include, but are not limited to:

(a) Monitoring to discover, locate, observe, and prevent forest fires;

(b) Monitoring an environmental or weather-related catastrophe or damage from such an event;

(c) Surveying for wildlife management, habitat preservation, or environmental damage; and

(d) Surveying for the assessment and evaluation of environmental or weather-related damage, erosion, flood, or contamination.

(2) No agency may make any effort to identify an individual from the information collected by the operation or to associate any information collected by the operation with a particular individual, nor shall the information be disclosed to a third party unless that party agrees to be bound by the same restrictions. These restrictions shall not apply if there is probable cause that the information is evidence of criminal activity.

NEW SECTION. **Sec. 30.** (1) It is lawful under this section for any agency to operate an extraordinary sensing device and disclose personal information from the operation without obtaining a warrant if:

(a) The agency reasonably determines that:

(i) An emergency situation exists that involves criminal activity and presents immediate danger of death or serious physical injury to any person, including risk of terrorist activity;

(ii) The emergency situation requires operation of an extraordinary sensing device before a warrant authorizing the use can, with due diligence, be obtained; and

(iii) There are grounds upon which a warrant could be entered to authorize such operation;

(b) The agency reasonably determines that an emergency situation exists that:

(i) Does not involve criminal activity;

(ii) Presents immediate danger of death or serious physical injury to any person; and

(iii) Has characteristics such that operation of an extraordinary sensing device may reasonably reduce the danger of death or serious physical injury;

(c) The agency determines that operation is reasonably necessary to locate a missing person;

(d) The operation is limited to use for traffic crash scene photography;

(e) The operation is part of a training exercise conducted on a military base and the extraordinary sensing device does not collect personal information on persons located outside the military base;

(f) The operation is for training, testing, or research purposes by an agency and is not intended to collect personal information without the specific written consent of any individual whose personal information is collected; or

(g) The operation is part of the response to an emergency or disaster for which the governor has proclaimed a state of emergency under RCW 43.06.010(12).

(2) Upon completion of the operation of an extraordinary sensing device pursuant to subsection (1)(b) through (g) of this section, any personal information obtained must be treated as information collected on an individual other than a target of a warrant for purposes of section 10 of this act.

NEW SECTION. **Sec. 31.** (1) An extraordinary sensing device may be operated by an agency and personal information from the operation disclosed, if the operation and collection of personal information is pursuant to a search warrant issued by a court of competent jurisdiction, and the operation, collection, and disclosure are compliant with the provisions of this chapter.

(2) Warrants may not be issued for a period greater than ten days. Extensions may be granted, but no longer than the authorizing judicial officer deems necessary to achieve the purposes for which it was granted and in no event for longer than thirty days.

(3) Within ten days of the execution of a search warrant, the officer executing the warrant must serve a copy of the warrant upon the target of the warrant, except if notice is delayed pursuant to this section.

(4) An agency acting under this section may, when a warrant is sought, include in the petition a request, which the court shall grant, for an order delaying the notification for a period not to exceed ninety days if the court determines that there is reason to believe that notification of the existence of the warrant may have an adverse result.

(5) An adverse result for the purposes of this section is:

(a) Placing the life or physical safety of an individual in danger;

(b) Causing a person to flee from prosecution;

(c) Causing the destruction of or tampering with evidence;

(d) Causing the intimidation of potential witnesses; or

(e) Jeopardizing an investigation or unduly delaying a trial.

(6) The agency shall maintain a copy of the warrant.

(7) Extension of the delay of notification of up to ninety days each may be granted by the court upon certification by the agency that there is reason to believe that notification of the extension of the warrant may have an adverse result.

(8) Upon expiration of the period of delay of notification under subsection (4) or (7) of this section, the agency shall serve a copy of the warrant upon, or deliver it by registered or first-class mail to the target of the warrant, together with notice that:

(a) States with reasonable specificity the nature of the law enforcement inquiry; and

(b) Informs the target of the warrant: (i) That notification was delayed; (ii) what agency or court made the certification or determination pursuant to which that delay was made; and (iii) the provision of this section allowing the delay.

NEW SECTION. **Sec. 32.** (1) Personal information collected during the operation of an extraordinary sensing device authorized under sections 7 through 9 of this act may not be used, copied, or disclosed for any purpose after conclusion of the operation for which the extraordinary sensing device was authorized, unless there is probable cause that the personal information is evidence of criminal activity.

(2) Personal information must be deleted, within thirty days if the personal information was collected on a target of a warrant authorizing the operation of the extraordinary sensing device and within ten days for other personal information, after there is no longer probable cause that the personal information is evidence of criminal activity that may be prosecuted. The foregoing shall only apply to the extent the personal information can be destroyed without destroying other evidence relevant to a pending criminal investigation or case. There is a presumption that personal information is not evidence of criminal activity if that personal information is not used in a criminal prosecution within one year of collection.

NEW SECTION. **Sec. 33.** Whenever any personal information from an extraordinary sensing device has been acquired, no part of such personal information and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state or a political subdivision thereof if the collection or disclosure of that personal information would be in violation of this subchapter.

NEW SECTION. **Sec. 34.** Any person who knowingly violates this subchapter is subject to legal action for damages, to be brought by any other person claiming that a violation of this subchapter has injured his or her business, his or her person, or his or her reputation. In addition, the individual is entitled to reasonable attorneys' fees and other costs of litigation.

NEW SECTION. **Sec. 35.** Any use of an extraordinary sensing device must fully comply with all federal aviation administration requirements and guidelines. Compliance with the terms of this subchapter is mandatory and supplemental to compliance with federal aviation administration requirements and guidelines.

NEW SECTION. **Sec. 36.** (1) An agency must maintain records identifying each use of an extraordinary sensing device. The records must include:

(a) Operator name;

(b) Identity of the agency;

(c) Date and time of the flight;

(d) Categories of information collected for each use;

(e) The purpose of using the extraordinary sensing device; and

(f) Whether a warrant was obtained prior to use.

(2) Each state agency having jurisdiction over criminal law or regulatory violation enforcement, for any calendar year in which the agency has used an extraordinary sensing device, must prepare an annual report including, at a minimum in each case, the following:

(a) The number of uses of an extraordinary sensing device organized by types of incidents and types of justification for use;

(b) The number of criminal or regulatory investigations aided by the use and how the use was helpful to the investigation;

(c) The number of uses of an extraordinary sensing device for reasons other than criminal or regulatory investigations and how the use was helpful;

(d) The frequency and type of data collected for individuals or areas other than targets;

(e) The total cost of the extraordinary sensing device;

(f) The dates when personal information and other data was deleted or destroyed in compliance with the act;

(g) The number of warrants requested, issued, and extended; and

(h) Additional information and analysis the governing body deems useful.

(3) Each state agency other than that in subsection (2) of this section, for any calendar year in which the agency has used an extraordinary sensing device, must prepare an annual report including, at a minimum in each case, the following:

(a) The types of extraordinary sensing devices used, the purposes for which each type of extraordinary sensing device was used, the circumstances under which use was authorized, and the name of the officer or official who authorized the use;

(b) Whether deployment of the device was imperceptible to the public;

(c) The specific kinds of personal information that the extraordinary sensing device collected about individuals;

(d) The length of time for which any personal information collected by the extraordinary sensing device was retained;

(e) The specific steps taken to mitigate the impact on an individual's privacy, including protections against unauthorized use and disclosure and a data minimization protocol; and

(f) An individual point of contact for citizen complaints and concerns.

(4) The annual reports required pursuant to this section must be filed electronically to the office of financial management, who must compile the results and submit them electronically to the relevant committees of the legislature by September 1st of each year, beginning in 2016.

NEW SECTION. **Sec. 37.** Any use of an extraordinary sensing device by an agency must fully comply with all applicable federal aviation administration regulations.

NEW SECTION. **Sec. 38.** Nothing in this act abridges, reduces, restricts, or prohibits an officer, employee, or agent of the United States armed forces, or the agent of the United States armed forces to include the national guard in Title 32 U.S.C. from operating an unmanned aerial vehicle.

NEW SECTION. **Sec. 39.** Sections 2 through 16 of this act are each added to chapter 9.73 RCW and codified with the subchapter heading of "extraordinary sensing devices."

NEW SECTION. **Sec. 40.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Goodman and Taylor spoke in favor of the adoption of the amendment.

Amendment (135) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor, Goodman, Shea, Morris and Smith spoke in favor of the passage of the bill.

Representatives Hansen and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1639.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1639, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Blake, Buys, Caldier, Chandler, Clibborn, Condotta, DeBolt, Dent, Fagan, Farrell, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Johnson, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pike, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Takko, Taylor, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Carlyle, Cody, Dunshee, Fey, Fitzgibbon, Hansen, Hunter, Hurst, Jinkins, Kagi, Klippert, Lytton, McBride, Pettigrew, Pollet, Reykdal, Riccelli, S. Hunt, Senn, Stokesbary, Sullivan, Tarleton and Tharinger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1639, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1428, by Representatives Fitzgibbon, S. Hunt, Jinkins, Tarleton, Bergquist, Gregerson, Goodman and Pollet

Concerning voter registration.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1428 was substituted for House Bill No. 1428 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1428 was read the second time.

Representative Young moved the adoption of amendment (103):

On page 1, line 14, after "RCW" strike "29A.08.123, 29A.08.330(4)," and insert "29A.08.330(4)"

Representative Young spoke in favor of the adoption of the amendment.

Representative S. Hunt spoke against the adoption of the amendment.

Amendment (103) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1428.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1428, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1428, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1004, by Representatives Springer, Manweller, Moeller, Walsh, Blake, Buys, Reykdal, Wilcox, Condotta, Fey, Gregerson and Sawyer

Clarifying provisions that allow for the tasting of alcohol by students under twenty-one years of age.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1004.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1004, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent, Harris, Stanford and Van De Wege.

HOUSE BILL NO. 1004, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1004.
Representative Tharinger, 24th District

SECOND READING

HOUSE BILL NO. 1194, by Representatives Kirby, Holy, Van De Wege, Hayes, Stokesbary, Fitzgibbon and Bergquist

Addressing the death benefits of a surviving spouse of a member of the law enforcement officers' and firefighters' retirement system or the state patrol retirement system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1194 was substituted for House Bill No. 1194 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1194 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby, Manweller, Kochmar, Smith and Hayes spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1194.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, DeBolt, Dent, Hargrove, Klippert, MacEwen, Orcutt, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1194, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1512, by Representatives Sells, Hayes, Moscoso and Ormsby

Encouraging fairness in disciplinary actions of peace officers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1512.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1512, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1512, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1168, by Representatives Ormsby, Chandler, Sullivan and Tarleton

Correcting restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by a different state retirement system.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1168.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1168, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1168, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2060, by Representatives Jinkins and Ormsby

Concerning timeliness of competency evaluation and restoration services. Revised for 2nd Substitute: Concerning competency evaluation and restoration services.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2060 was substituted for House Bill No. 2060 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2060 was read the second time.

With the consent of the house, amendment (120) was withdrawn.

Representative Shea moved the adoption of amendment (150):

) On page 3, line 28, after "The" strike "department" and insert "jail"

Representatives Shea and Jinkins spoke in favor of the adoption of the amendment.

Amendment (150) was adopted.

Representative Jinkins moved the adoption of amendment (127):

) On page 6, beginning on line 1, strike all of sections 3 through 5 and insert the following:

"NEW SECTION. **Sec. 3.** (1) The legislature finds that there are currently no alternatives to competency restoration provided in the state hospitals and there is insufficient capacity within the state hospitals to meet the projected service needs of the state. Subject to the availability of amounts appropriated for this specific purpose, the legislature encourages the department of social and health services to develop, on a phased-in basis, alternative locations and increased access to competency restoration services under chapter 10.77 RCW for individuals who do not require inpatient psychiatric hospitalization level services.

(2) The department shall work with counties and the courts to develop a screening process to determine which individuals are safe to receive competency restoration treatment outside the state hospitals. The department also must develop a plan to sufficiently increase capacity to meet the projected ten-year need for both forensic and civil mental health bed demand.

Sec. 4. RCW 10.77.086 and 2013 c 289 s 2 are each amended to read as follows:

(1)(a) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, ((~~or has been determined unlikely to regain competency pursuant to RCW 10.77.084(1)(b),~~)) but in any event for a period of no longer than ninety days, the court:

(i) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person. The facilities may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail, must interact only with treatment staff and not jail staff, except for incidental interaction with jail staff for custodial service, food service, or similar services, and must be provided as much as possible with a therapeutic environment. Competency restoration services provided in a city or county jail must be performed by staff and professionals who have the skills and qualifications necessary to provide competency restoration services comparable to those provided at a state hospital.

The ninety-day period for evaluation and treatment under this subsection (1) includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of commitment for competency restoration is forty-five days. The forty-five day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(c) If the court determines that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (4) of this section.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension. The ninety-day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period, or at the end of the first restoration period((~~,~~)) in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, or if the court or jury at any stage finds that the defendant is incompetent and the court determines that the defendant is unlikely to regain competency, the charges shall be dismissed without prejudice, and the court shall order the defendant be committed to a state hospital as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months. The six-month period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

Sec. 5. RCW 10.77.088 and 2007 c 375 s 5 are each amended to read as follows:

(1)(a) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court ((~~shall order the secretary to place the defendant~~)):

(i) ((~~At a secure mental health facility in the custody of the department or an agency designated by the department for mental~~

~~health treatment and restoration of competency.~~)) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment;

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person. The facilities may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail, must interact only with treatment staff and not jail staff, except for incidental interaction with jail staff for custodial service, food service, or similar services, and must be provided as much as possible with a therapeutic environment. Competency restoration services provided in a city or county jail must be performed by staff and professionals who have the skills and qualifications necessary to provide competency restoration services comparable to those provided at a state hospital.

The placement under (a)(i) and (ii) of this subsection shall not exceed fourteen days in addition to any unused time of the evaluation under RCW 10.77.060. The court shall compute this total period and include its computation in the order. The fourteen-day period plus any unused time of the evaluation under RCW 10.77.060 shall be considered to include only the time the defendant is actually at the facility and shall be in addition to reasonable time for transport to or from the facility;

(((~~(ii)~~))) (iii) May alternatively order that the defendant be placed on conditional release for up to ninety days for mental health treatment and restoration of competency; or

(((~~(iii)~~))) (iv) May order any combination of this subsection.

(b) If the court has determined that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in (c) of this subsection.

(c)(i) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated mental health professional within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(ii) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to seventy-two hours, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The seventy-two-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two-hour period.

(2) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092:
The court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated mental health professional to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least twenty-four hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings."

Representatives Jinkins and Rodne spoke in favor of the adoption of the amendment.

Amendment (127) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2060.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2060, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, G. Hunt, Kretz, MacEwen, Magendanz, Manweller, Scott, Shea, Short, Taylor, Van Werven, Vick and Wilcox.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2060, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1610, by Representatives McCaslin, Riccelli, Rodne, Orwall, Holy, Stokesbary, G. Hunt, Taylor and Shea

Changing jury service provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1610 was substituted for House Bill No. 1610 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1610 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCaslin, Bergquist, Caldier, Jinkins, G. Hunt, Orcutt and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1610.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1610, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1610, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Shea congratulated Representative McCaslin on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1282, by Representatives Zeiger, Goodman, Klippert, Orwall, Appleton, Sawyer and Gregerson

Addressing the crime of driving while license suspended where the suspension is based on noncompliance with a child support order.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1282.

MOTION

On motion of Representative Harris, Representative Wilcox was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives MacEwen, Scott and Taylor.

Excused: Representative Wilcox.

HOUSE BILL NO. 1282, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1126, by Representatives Kagi, MacEwen, Tarleton, Walsh, Goodman, Senn, Gregerson and Ryu

Concerning department of early learning fatality reviews.

The bill was read the second time.

There being no objection, Engrossed Substitute House Bill No. 1126 was substituted for House Bill No. 1126 and the substitute bill was placed on the second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126 was read the second time.

With the consent of the house, amendments (145), (146), (147), and (148) were withdrawn.

Representative Scott moved the adoption of amendment (044):

On page 1, line 19, after "standards" insert ", a law enforcement officer with investigative experience, a representative from a county or state health department, and a child advocate with expertise in child fatalities. The department shall invite one parent or guardian for membership on the child fatality review committee who has had a child die in a child care setting"

Representatives Scott and Kagi spoke in favor of the adoption of the amendment.

Amendment (044) was adopted.

Representative Scott moved the adoption of amendment (149):

) On page 2, line 8, after "children." insert "An additional purpose of the fatality review is to ensure the department is held accountable for child safety violations."

Representatives Scott and McCaslin spoke in favor of the adoption of the amendment.

Representatives Kagi and Walsh spoke against the adoption of the amendment.

Amendment (149) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Walsh and Walsh (again) spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1126.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1126, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Klippert, McCaslin, Schmick, Scott, Shea, Taylor and Van Werven.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1126.

Representative Parker, 6th District

SECOND READING

HOUSE BILL NO. 1281, by Representatives Sawyer, Orwall, Hurst, Blake, Stokesbary, Tarleton, Walsh, Kirby, Appleton, G. Hunt, Pettigrew, Jinkins, Carlyle, Fey, Ortiz-Self, Senn, Walkinshaw, Moeller, Kilduff, Robinson, Van De Wege, Stanford, Ryu, Lytton, Sells, Riccelli, Kagi, Bergquist, Clibborn, Santos, Buys and Gregerson

Concerning the sexual exploitation of minors.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1281 was substituted for House Bill No. 1281 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1281 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1281.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1281, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Wilcox.

SECOND SUBSTITUTE HOUSE BILL NO. 1281, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1875, by Representatives Walsh, Kagi, Johnson, Sawyer, Pettigrew, Moscoso, Zeiger, Ormsby, Appleton and Young

Concerning the definition of work activity for the purposes of the WorkFirst program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1875 was substituted for House Bill No. 1875 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1875 was read the second time.

Representative Klippert moved the adoption of amendment (124):

On page 4, after line 9, insert the following:

"NEW SECTION. **Sec. 3.** The definition of "work activity" related to the length of vocational educational training a WorkFirst participant may receive as established under section 1 of this act shall be terminated on August 1, 2019, as provided in section 4 of this act.

NEW SECTION. **Sec. 4.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective August 1, 2020:

Section 1, chapter ..., Laws of 2015 (section 1 of this act)."

Correct the title.

Representatives Klippert, Walsh and Kagi spoke in favor of the adoption of the amendment.

Representatives Hunter and Sawyer spoke against the adoption of the amendment.

Amendment (124) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh and Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1875.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1875, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, McCaslin, Scott, Shea, Taylor and Van Werven.

Excused: Representatives DeBolt and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1562, by Representatives Sullivan, Tarleton and Orwall

Requiring posting of allergen information in public schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1562 was substituted for House Bill No. 1562 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1562 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1562.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1562, and the bill passed the House by the following vote: Yeas, 70; Nays, 26; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, Dent, G. Hunt, Hargrove, Hayes, Holy, Klippert, Kretz, MacEwen, McCaslin, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representatives DeBolt and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1562, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1865, by Representatives Magendanz, Ortiz-Self, McCaslin, Hayes and Pollet

Concerning visual screening in schools.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Magendanz and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1865.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1865, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent,

Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott, Taylor and Vick.

Excused: Representatives DeBolt and Wilcox.

HOUSE BILL NO. 1865, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2033, by Representatives Goodman, Rodne, Orwall, Jinkins, Griffey, Fey, Pollet and Ormsby

Concerning sexual assault protection orders.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (061):

) On page 2, line 25, after "~~renewal.~~))" strike all material through "expires" on line 29 and insert "The court shall grant the motion for renewal if the petitioner proves by a preponderance of the evidence that the respondent will engage in or attempt to engage in physical or nonphysical contact with the petitioner when the order expires"

Representatives Rodne, Shea and Goodman spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (061) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2033.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2033, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hargrove, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Kretz, Kristiansen, MacEwen, Manweller, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick and Wilson.

Excused: Representatives DeBolt and Wilcox.

HOUSE BILL NO. 2033, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1189, by Representatives S. Hunt, Holy, Bergquist, Johnson, Appleton and Buys

Regarding hours of availability of cities, towns, and special purpose districts for inspection and copying of public records.

The bill was read the second time.

With the consent of the house, amendment (076) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1189.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1189, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Pollet.

Excused: Representatives DeBolt and Wilcox.

HOUSE BILL NO. 1189, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1511, by Representatives Ortiz-Self, Hurst, Appleton, Stokesbary, Goodman, Reykdal, Moscoso, Rodne, Pollet, Magendanz, Zeiger, Johnson, Tharinger, Tarleton, Fitzgibbon, Van De Wege, Santos, Wylie, Ormsby, Walkinshaw, Gregerson and Farrell

Requiring Washington's tribal history, culture, and government to be taught in the common schools.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1511 was substituted for House Bill No. 1511 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1511 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self, Santos, Appleton and Johnson spoke in favor of the passage of the bill.

Representatives Manweller and McCaslin spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1511.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1511, and the bill passed the House by the following vote: Yeas, 62; Nays, 34; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Chandler, Condotta, Dent, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, Manweller, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representatives DeBolt and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1511, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1868, by Representatives Lytton and Morris

Expanding county road fund purposes for certain counties.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 40, February 20, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1868.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1868, as amended by the House, and the bill passed the House by the following vote: Yeas, 75; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Hargrove, Harris, Hawkins, Holy, Klippert, McCaslin, Orcutt, Parker, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Vick, Wilson and Zeiger.

Excused: Representatives DeBolt and Wilcox.

ENGROSSED HOUSE BILL NO. 1868, having received the necessary constitutional majority, was declared passed.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) thanked the Washington State Legislative Interns for volunteering to work as pages late into the evening.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Health Care & Wellness was relieved of SENATE BILL NO. 5121, and the bill was referred to the Committee on Commerce & Gaming.

There being no objection, the following bills were referred to the Committee on Rules:

HOUSE BILL NO. 1005
HOUSE BILL NO. 1061
HOUSE BILL NO. 1079
HOUSE BILL NO. 1112
HOUSE BILL NO. 1150
HOUSE BILL NO. 1182
HOUSE BILL NO. 1195
HOUSE BILL NO. 1196
HOUSE BILL NO. 1213
HOUSE BILL NO. 1217
HOUSE BILL NO. 1283
HOUSE BILL NO. 1341
HOUSE BILL NO. 1380

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1585
HOUSE BILL NO. 2125

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., March 5, 2015, the 53rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY THIRD DAY

House Chamber, Olympia, Thursday, March 5, 2015

as not found

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joy Ellis and Zachary Whitson. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Kevin McCuen, Christ Church, Kirkland, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1770 and the bill was placed on the second reading calendar:

The Speaker assumed the chair.

MESSAGES FROM THE SENATE

March 4, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5120
SENATE BILL NO. 5122
SENATE BILL NO. 5137
SENATE BILL NO. 5203
SENATE BILL NO. 5227
SENATE BILL NO. 5307
SECOND SUBSTITUTE SENATE BILL NO. 5311
ENGROSSED SENATE BILL NO. 5416
SUBSTITUTE SENATE BILL NO. 5529
SENATE BILL NO. 5587
SUBSTITUTE SENATE BILL NO. 5600
SUBSTITUTE SENATE BILL NO. 5645
SENATE BILL NO. 5647
SENATE BILL NO. 5650
SENATE BILL NO. 5654
SENATE BILL NO. 5658
SENATE BILL NO. 5692
SENATE BILL NO. 5693
SUBSTITUTE SENATE BILL NO. 5705
SENATE BILL NO. 5717
SENATE BILL NO. 5783
SUBSTITUTE SENATE BILL NO. 5799
SENATE BILL NO. 5819
SUBSTITUTE SENATE BILL NO. 5824
SUBSTITUTE SENATE BILL NO. 5877
SENATE BILL NO. 5881
SUBSTITUTE SENATE BILL NO. 5960

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 4, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5023
SUBSTITUTE SENATE BILL NO. 5027
SENATE BILL NO. 5104
SUBSTITUTE SENATE BILL NO. 5154
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177
SECOND SUBSTITUTE SENATE BILL NO. 5215
SUBSTITUTE SENATE BILL NO. 5221
SENATE BILL NO. 5247
ENGROSSED SENATE BILL NO. 5262
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269
SENATE BILL NO. 5290
SUBSTITUTE SENATE BILL NO. 5298
SUBSTITUTE SENATE BILL NO. 5324
SUBSTITUTE SENATE BILL NO. 5355
SUBSTITUTE SENATE BILL NO. 5362
SENATE BILL NO. 5394
SENATE BILL NO. 5458
SUBSTITUTE SENATE BILL NO. 5463
ENGROSSED SENATE BILL NO. 5504
SUBSTITUTE SENATE BILL NO. 5518
ENGROSSED SENATE BILL NO. 5523
ENGROSSED SENATE BILL NO. 5524
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649
ENGROSSED SENATE BILL NO. 5673
SENATE BILL NO. 5712
SUBSTITUTE SENATE BILL NO. 5719
SENATE BILL NO. 5757
SENATE BILL NO. 5760
SUBSTITUTE SENATE BILL NO. 5763
SUBSTITUTE SENATE BILL NO. 5795
SENATE BILL NO. 5805
SUBSTITUTE SENATE BILL NO. 5820
SUBSTITUTE SENATE BILL NO. 5889
SENATE BILL NO. 5919
SENATE BILL NO. 5941
SENATE BILL NO. 5977

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 4, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243

ENGROSSED SUBSTITUTE SENATE BILL NO. 5316

ENGROSSED SUBSTITUTE SENATE BILL NO. 5498

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1745, by Representatives Moscoso, Bergquist, S. Hunt, Haler, Orwall, Sawyer, Stanford, Walkinshaw, Appleton, Reykdal, Fitzgibbon, Tharinger, Fey, Jinkins, Wylie, Goodman, Ormsby, Farrell, Riccelli, Sells, Hudgins, Lytton, McBride and Santos

Enacting the Washington voting rights act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1745 was substituted for House Bill No. 1745 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1745 was read the second time.

Representative Moscoso moved the adoption of amendment (155):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 5.** This act may be known and cited as the Washington voting rights act of 2015.

NEW SECTION. **Sec. 6.** It is the intent of the legislature to create and encourage the use of a flexible and collaborative process between political subdivisions and individuals concerned with electoral fairness, in order to remedy potential electoral issues defined in this act without resorting to expensive litigation. The legislature intends that in order to avoid litigation: (1) Political subdivisions review their electoral systems and consider voluntarily changing them to address electoral issues; (2) political subdivisions voluntarily adopt electoral changes proposed by individuals concerned with electoral fairness to address electoral issues; or (3) political subdivisions and individuals concerned with electoral fairness collaborate to define and agree upon electoral changes to address electoral issues that are then voluntarily adopted by political subdivisions. The legislature intends that political subdivisions and individuals concerned with electoral fairness consider all of the foregoing courses of action prior to any litigation being filed, and that any political subdivision adopting any one of the foregoing courses of action in accordance with the provisions of this act, receive four years of safe harbor from litigation.

NEW SECTION. **Sec. 7.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise. In applying these definitions and other terms in this chapter, courts may rely on relevant federal case law for guidance.

(1) "At-large method of election" means any of the following methods of electing members of the governing body of a political subdivision:

(a) One in which the voters of the entire jurisdiction elect the members to the governing body;

(b) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body; or

(c) One that combines the criteria in (a) and (b) of this subsection.

(2) "District-based elections" means a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district.

(3) "Polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.

(4) "Political subdivision" means any county, city, town, school district, fire protection district, port district, or public utility district, but does not include the state.

(5) "Protected class" means a class of voters who are members of a race, color, or language minority group.

NEW SECTION. **Sec. 8.** (1) A political subdivision is in violation of this section when it is shown that:

(a) Elections in the political subdivision exhibit polarized voting; and

(b) Members of a protected class do not have an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election.

(2) The fact that members of a protected class are not geographically compact or concentrated to constitute a majority in a proposed or existing district-based election district shall not preclude a finding of a violation under this section.

(3) In determining whether there is polarized voting under this section, the court shall analyze elections of the governing body of the political subdivision, ballot measure elections, elections in which at least one candidate is a member of a protected class, and other electoral choices that affect the rights and privileges of members of a protected class. Only elections conducted prior to the filing of an action pursuant to this chapter shall be used to establish or rebut the existence of polarized voting.

(4) The election of candidates who are members of a protected class and who were elected prior to the filing of an action pursuant to this chapter shall not preclude a finding of polarized voting that results in an unequal opportunity for a protected class to elect candidates of their choice or influence the outcome of an election.

NEW SECTION. **Sec. 9.** (1) Members of different protected classes may file an action jointly pursuant to this chapter if they demonstrate that their combined voting preferences as a group are different from the rest of the electorate and demonstrate that there is polarized voting that results in an unequal opportunity for these protected classes to elect candidates of their choice or influence the outcome of an election.

(2) In an action filed pursuant to this section, the trial court shall set a trial to be held no later than one year after the filing of a

complaint, and shall set a discovery and motions calendar accordingly.

(3) Proof of intent on the part of the voters or elected officials to discriminate against a protected class is not required for a cause of action to be sustained.

(4) For purposes of any applicable statute of limitations, a cause of action under this section arises every time there is an election pursuant to an at-large method of election or a district-based election.

(5) The plaintiff's constitutional right to the secrecy of the plaintiff's vote is preserved and is not waived by the filing of an action pursuant to this section, and is not subject to discovery or disclosure.

(6) In seeking a temporary restraining order or a preliminary injunction, a plaintiff shall not be required to post a bond or any other security in order to secure such equitable relief.

(7) No action may be filed pursuant to this act before January 15, 2016.

NEW SECTION. **Sec. 10.** (1) A political subdivision that conducts an election pursuant to state, county, or local law, is authorized to change its electoral system including, but not limited to, implementing a district-based election system to remedy a potential violation of section 4 of this act. If a political subdivision invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with section 7 of this act.

(2) If a political subdivision implements a district-based election system, the plan shall be consistent with the following criteria:

(a) Each district shall be as reasonably equal in population as possible to each and every other such district comprising the political subdivision.

(b) Each district shall be reasonably compact.

(c) Each district shall consist of geographically contiguous area.

(d) To the extent feasible, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(e) District boundaries may not be drawn or maintained in a manner that denies a protected class an equal opportunity to elect candidates of its choice or an equal opportunity to influence the outcome of an election.

(3) During the adoption of its plan, the political subdivision shall ensure that full and reasonable public notice of its actions is provided. The political subdivision shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(4)(a) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the political subdivision shall order new elections to occur at the next succeeding general election.

(b) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the political subdivision shall order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) All of the positions that were elected pursuant to the previous electoral system and have at least two years remaining in their terms of office from the date the plan was adopted shall be subject to new elections, pursuant to the adopted plan, in order to continue their term of office.

(5) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each political subdivision that has invoked its authority under this section to implement a district-based election system, or that is charged with redistricting under section 7 of this act.

(6) No later than eight months after its receipt of federal decennial census data, the governing body of the political subdivision that had previously invoked its authority under this section to implement a district-based election system, or that was previously charged with redistricting under section 7 of this act, shall prepare a plan for redistricting its districts, pursuant to RCW 29A.76.010, and in a manner consistent with this act.

NEW SECTION. **Sec. 11.** (1) Upon a finding of a violation of section 4 of this act, the court shall order appropriate remedies that are tailored to remedy the violation. The remedies may include, but are not limited to, the imposition of a district-based election system. The court may order the affected jurisdiction to draw or redraw district boundaries or appoint an individual or panel to draw or redraw district lines. The proposed districts must be approved by the court prior to their implementation.

(2) Implementation of a district-based remedy is not precluded by the fact that members of a protected class do not constitute a numerical majority within a proposed district-based election district. If, in tailoring a remedy, the court orders the implementation of a district-based election district where the members of the protected class are not a numerical majority, the court shall do so in a manner that provides the protected class an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election.

(3) In tailoring a remedy after a finding of a violation of section 4 of this act:

(a) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the court shall order new elections, conducted pursuant to the remedy, to occur at the next succeeding general election. If a special filing period is required, filings for that office shall be reopened for a period of three business days, such three-day period to be fixed by the filing officer.

(b) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the court shall order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) All of the positions that were elected pursuant to the at-large or district-based election system that was the subject of the action filed pursuant to this chapter and have at least two years remaining in their terms of office from the date the plan was adopted, including those elected pursuant to (b) of this subsection, shall be subject to new elections, pursuant to the remedy implemented under subsection (1) of this section.

NEW SECTION. **Sec. 12.** (1) In any action to enforce this chapter, the court may allow the prevailing plaintiff or plaintiffs, other than the state or political subdivision thereof, reasonable

attorneys' fees, all nonattorney fee costs as defined by RCW 4.84.010, and all reasonable expert witness fees. No fees or costs may be awarded if no action is filed.

(2) Prevailing defendants may recover an award of fees or costs pursuant to RCW 4.84.185.

NEW SECTION. **Sec. 13.** Any voter who is a member of a protected class and who resides in a political subdivision where a violation of section 4 of this act is alleged may file an action in the superior court of the county in which the political subdivision is located. If the action is against a county, the action may be filed in the superior court of such county, or in the superior court of either of the two nearest judicial districts as determined pursuant to RCW 36.01.050(2). An action filed pursuant to this chapter does not need to be filed as a class action.

NEW SECTION. **Sec. 14.** (1) Prior to filing an action pursuant to this act, a person shall first notify the political subdivision that he or she intends to challenge the political subdivision's electoral system under this act. If the political subdivision does not invoke its authority under section 6 of this act to implement the person's proposed remedy within one hundred eighty days after receiving notice, any person may file an action under this act.

(2) The notice provided shall identify the person or persons who intend to file an action, and the protected class or classes whose members do not have an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election. The notice shall also include a reasonable analysis of the person's data concerning the alleged vote dilution and polarized voting, and a proposed remedy or remedies, based on that data, which would address the alleged violation of section 4 of this act.

(3) If, within one hundred eighty days after receiving a person's notice, a political subdivision receives another notice containing a materially different proposed remedy than the first notice, the political subdivision shall have an additional ninety days from the date of this subsequent notice before an action may be filed under this act.

(4) The political subdivision shall work in good faith with the person providing the notice to implement a remedy that provides the protected class or classes identified in the notice an equal opportunity to elect candidates of their choice or influence the outcome of an election.

(5) If, after considering the person's notice, the political subdivision adopts the proposed remedy offered by the person in the notice, an action under this act by any person may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act. In agreeing to adopt the person's proposed remedy, the political subdivision may do so by stipulation, which shall become a public document.

(6) Should the political subdivision adopt a different remedy that takes the notice into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 4 of this act. The person who submitted the notice may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 4 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

(7) If a political subdivision has received two or more notices containing materially different proposed remedies, the political subdivision shall work in good faith with the persons to implement a remedy that provides the protected class or classes identified in the notices an equal opportunity to elect candidates of their choice or influence the outcome of an election. Should the political subdivision adopt one of the remedies offered, or a different remedy that takes multiple notices into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 4 of this act. The persons who submitted notices may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 4 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

NEW SECTION. **Sec. 15.** If, after an action is filed, the political subdivision adopts the person's proposed remedy, or a court-ordered remedy, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

NEW SECTION. **Sec. 16.** The provisions of this act are not applicable to cities and towns with populations under one thousand or to school districts with K-12 full-time equivalent enrollments of less than two hundred fifty.

NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.343 RCW to read as follows:

The school board of directors may authorize a change to a district-based election as defined in section 3(2) of this act, such districts to be drawn in a manner consistent with sections 6 and 7 of this act. The school board of directors shall order new elections to be scheduled pursuant to section 6(4) of this act. The staggering of directors' terms shall be accomplished as provided in RCW 28A.343.030 and 28A.343.620 through 28A.343.650.

Sec. 18. RCW 36.32.020 and 1982 c 226 s 4 are each amended to read as follows:

The board of county commissioners of each county shall divide their county into three commissioner districts so that each district shall comprise as nearly as possible one-third of the population of the county: PROVIDED, That the territory comprised in any voting precincts of such districts shall remain compact, and shall not be divided by the lines of said districts.

However, the commissioners of any county composed entirely of islands and with a population of less than thirty-five thousand may divide their county into three commissioner districts without regard to population, except that if any single island is included in more than one district, the districts on such island shall comprise, as nearly as possible, equal populations.

Except where necessary to comply with a court order issued pursuant to sections 4 and 7 of this act, the lines of the districts shall not be changed ((~~oftener~~)) more often than once in four years and only when a full board of commissioners is present.

The districts shall be designated as districts numbered one, two and three.

NEW SECTION. **Sec. 19.** A new section is added to to read as follows:

The legislative authority of a city or town may authorize a change to its electoral system, including the implementation of a district-based election system as defined in section 3(2) of this act, to remedy a potential violation of section 4 of this act. If the legislative authority of a city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with sections 6 and 7 of this act. The legislative authority of a city or town shall order new elections to be scheduled pursuant to section 6(4) of this act. All of the positions that were elected pursuant to the previous method of election and have at least two years remaining in their terms of office shall be subject to new elections in order to continue their terms of office.

NEW SECTION. **Sec. 20.** A new section is added to to read as follows:

The legislative authority of a code city or town may authorize a change to its electoral system, including the implementation of a district-based election system as defined in section 3(2) of this act, to remedy a potential violation of section 4 of this act. If the legislative authority of a code city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with sections 6 and 7 of this act. The legislative authority of a code city or town shall order new elections to be scheduled pursuant to section 6(4) of this act. All of the positions that were elected pursuant to the previous method of election and have at least two years remaining in their terms of office shall be subject to new elections in order to continue their terms of office.

NEW SECTION. **Sec. 21.** A new section is added to to read as follows:

Where the board of fire commissioners of a fire protection district exercises its authority pursuant to RCW 52.14.013 to create commissioner districts, such districts shall be drawn in a manner consistent with section 6 of this act.

Sec. 22. RCW 54.12.010 and 2004 c 113 s 1 are each amended to read as follows:

A public utility district that is created as provided in RCW 54.08.010 shall be a municipal corporation of the state of Washington, and the name of such public utility district shall be Public Utility District No. . . . . of . . . . . County.

The powers of the public utility district shall be exercised through a commission consisting of three members in three commissioner districts, and five members in five commissioner districts.

(1) If the public utility district is countywide and the county has three county legislative authority districts, then, at the first election of commissioners and until any change is made in the boundaries of public utility district commissioner districts, one public utility district commissioner shall be chosen from each of the three county legislative authority districts.

(2) If the public utility district comprises only a portion of the county, with boundaries established in accordance with chapter 54.08 RCW, or if the public utility district is countywide and the county does not have three county legislative authority districts, three public utility district commissioner districts, numbered consecutively, each with approximately equal population and following precinct lines, as far as practicable, shall be described in the petition for the formation of the public utility district, subject to appropriate change by the county legislative authority if and when it changes the boundaries of the proposed public utility district. One commissioner shall be elected as a commissioner of each of the public utility district commissioner districts.

(3) Only a registered voter who resides in a commissioner district may be a candidate for, or hold office as, a commissioner of the commissioner district. Only voters of a commissioner district may vote at a primary to nominate candidates for a commissioner of the commissioner district. Voters of the entire public utility district may vote at a general election to elect a person as a commissioner of the commissioner district.

(4) The term of office of each public utility district commissioner other than the commissioners at large shall be six years, and the term of each commissioner at large shall be four years. Each term shall be computed in accordance with RCW ((~~29A.20.040~~)) 29A.60.280 following the commissioner's election. All public utility district commissioners shall hold office until their successors shall have been elected and have qualified and assume office in accordance with RCW ((~~29A.20.040~~)) 29A.60.280.

(5) A vacancy in the office of public utility district commissioner shall occur as provided in chapter 42.12 RCW or by nonattendance at meetings of the public utility district commission for a period of sixty days unless excused by the public utility district commission. Vacancies on a board of public utility district commissioners shall be filled as provided in chapter 42.12 RCW.

(6) The boundaries of the public utility district commissioner districts may be changed only by the public utility district commission or by a court order issued pursuant to section 7 of this act, and shall be examined every ten years to determine substantial equality of population in accordance with chapter 29A.76 RCW. Except as provided in this section, section 7 of this act, or RCW 54.04.039, the boundaries shall not be changed ((~~oftener~~)) more often than once in four years. Boundaries may only be changed when all members of the commission are present. Whenever territory is added to a public utility district under RCW 54.04.035, or added or withdrawn under RCW 54.04.039, the boundaries of the public utility commissioner districts shall be changed to include the additional or exclude the withdrawn territory. Unless the boundaries are changed pursuant to RCW 54.04.039, the proposed change of the boundaries of the public utility district commissioner district must be made by resolution and after public hearing. Notice of the time of the public hearing shall be published for two weeks before the hearing. Upon a referendum petition signed by ten percent of the qualified voters of the public utility district being filed with the county auditor, the county legislative authority shall submit the proposed change of boundaries to the voters of the public utility district for their approval or rejection. The petition must be filed within ninety days after the adoption of resolution of the proposed action. The validity of the petition is governed by the provisions of chapter 54.08 RCW.

Sec. 23. RCW 29A.76.010 and 2011 c 349 s 26 are each amended to read as follows:

(1) It is the responsibility of each county, municipal corporation, and special purpose district with a governing body comprised of internal director, council, or commissioner districts not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each municipal corporation, county, and district charged with redistricting under this section.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation, county, or district shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

(a) Each internal director, council, or commissioner district shall be as nearly equal in population as possible to each and every other such district comprising the municipal corporation, county, or special purpose district.

(b) Each district shall be as compact as possible.

(c) Each district shall consist of geographically contiguous area.

(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party, except to the extent necessary to ensure compliance with this act.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation, county, or district shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation, county, or district shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)(a) Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within fifteen days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation, county, or district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in subsection (4) of this section.

(b) If the superior court finds the plan to be consistent with the requirements of this section, the plan shall take effect immediately.

(c) If the superior court determines the plan does not meet the requirements of this section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period.

(d) If the superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation, county, or district.

NEW SECTION. **Sec. 24.** This act supersedes other state laws and local ordinances to the extent that those state laws or ordinances would otherwise restrict a jurisdiction's ability to implement a remedy pursuant to this act.

NEW SECTION. **Sec. 25.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 26.** Sections 1 through 12 and 20 of this act constitute a new chapter in ."

Correct the title.

Representative Holy moved the adoption of amendment (160) to the striking amendment (155):

Beginning on page 4, line 39 of the amendment, after "system" strike all material through "continue" on page 5, line 2 and insert "may complete"

On page 6, beginning on line 13 of the amendment, after "All" strike all material through "section" on line 19 and insert "positions that were elected pursuant to the previous electoral system may complete their term of office"

Representative Holy spoke in favor of the adoption of the amendment to the striking amendment.

Representative S. Hunt spoke against the adoption of the amendment to the striking amendment.

Amendment (160) to the striking amendment (155) was not adopted.

Representative McCabe moved the adoption of amendment (163) to the striking amendment (155).

Beginning on page 1, line 3, strike all material through "RCW" on page 14, line 12 and insert the following:

"NEW SECTION. **Sec. 27.** The legislature finds that our representative form of government requires equal and unimpeded access for all citizens to participate in our electoral system and that it is imperative that the right to vote is not denied or infringed upon based on race, creed, color, or gender. The legislature further finds that the state has made important strides to increase access for voter participation. The state voting system by mail has encouraged and empowered the electorate in all stages and places in life to let their voices be heard. Also, technological advancements in voting methods have provided access for military members serving overseas to participate in state elections.

NEW SECTION. **Sec. 28.** The definition in this section applies throughout this chapter unless the context clearly requires otherwise.

"Political subdivision" means any county, city, town, or school district, but does not include the state.

NEW SECTION. **Sec. 29.** (1) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any political subdivision in a manner that results in a denial or abridgement of the right of any citizen of the state to vote on account of race, color, or language, as provided in subsection (2) of this section.

(2) A violation of subsection (1) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the political subdivision are not equally open to participation by members of a class of citizens protected by subsection (1) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the

political subdivision is one circumstance that may be considered: Provided, that nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

(3) Any voter who is a member of a class of citizens protected under subsection (1) of this section and who resides in a political subdivision where a violation of subsection (2) of this section is alleged may file an action in the superior court of the county in which the political subdivision is located. Upon finding a violation, the court may order an appropriate remedy, in consideration of relevant federal case law.

NEW SECTION. **Sec. 30.** (1) A political subdivision may attempt to increase voter turnout by increasing the number of ballot drop boxes available or increasing the availability of voter registration cards, the cost of which shall be borne by the state.

(2) If a political subdivision has increased the number of drop boxes in its jurisdiction by at least twenty-five percent, then no complaint may be filed, pursuant to section 3 of this act, before at least one primary and one general election has been held after the installment of the additional drop boxes.

NEW SECTION. **Sec. 31.** Sections 1 through 4 of this act constitute a new chapter in ."

Correct the title.

Representative McCabe spoke in favor of the adoption of the amendment to the striking amendment.

Representative S. Hunt spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

The Speaker stated the question before the House to be the adoption of amendment (163) to the striking amendment (155) to Substitute House Bill No. 1745.

ROLL CALL

The Clerk called the roll on the adoption of amendment (163) to the striking amendment (155) to Substiture House Bill No. 1745, and the amendment was not adopted by the following vote: Yeas, 46; Nays, 51; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Rodne

Amendment (163) to the striking amendment (155) was not adopted.

Representative Manweller moved the adoption of amendment (166) to the striking amendment (155).

One page 1 of the striking amendment, strike all material after line 2 and insert the following:

"NEW SECTION. **Sec. 32.** This act may be known and cited as the Washington voting rights act of 2015.

NEW SECTION. **Sec. 33.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise. In applying these definitions and other terms in this chapter, courts may rely on relevant federal case law for guidance.

(1) "At-large method of election" means any of the following methods of electing members of the governing body of a political subdivision:

(a) One in which the voters of the entire jurisdiction elect the members to the governing body;

(b) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body; or

(c) One that combines the criteria in (a) and (b) of this subsection.

(2) "District-based elections" means a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district.

(3) "Polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.

(4) "Political subdivision" means any county, city, town, or school district, but does not include the state.

(5) "Protected class" means a class of voters who are members of a race, color, or language minority group.

NEW SECTION. **Sec. 34.** (1) A political subdivision is in violation of this section when it is shown that:

(a) Based on a totality of the circumstance, elections in the political subdivision exhibit polarized voting; and

(b) Members of a protected class do not have an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election.

(2) In determining whether there is polarized voting under this section, the court shall analyze elections of the governing body of the political subdivision and elections in which at least five candidates are members of a protected class. Only elections conducted prior to the filing of an action pursuant to this chapter shall be used to establish or rebut the existence of polarized voting.

(3) A political subdivision has an absolute defense from liability, and a finding of polarized voting is precluded, if the proportion of elected officials serving on the political subdivision's legislative body who are members of the protected class is statistically equivalent to, or greater than, the proportion of the voting age population who are members of the protected class.

(4) No voting qualification or prerequisite to voting, or standard, practice, or procedure, may be imposed or applied by any political subdivision to deny or abridge the right to vote because they are a member of a race, color, or language minority group.

NEW SECTION. **Sec. 35.** (1) In an action filed pursuant to this section, the trial court shall set a trial to be held no later than one year after the filing of a complaint, and shall set a discovery and motions calendar accordingly.

(2) Proof of intent on the part of the voters or elected officials to discriminate against a protected class is not required for a cause of action to be sustained.

(3) For purposes of any applicable statute of limitations, a cause of action under this section arises every time there is an election pursuant to an at-large method of election.

(4) The plaintiff's constitutional right to the secrecy of the plaintiff's vote is preserved and is not waived by the filing of an action pursuant to this section, and is not subject to discovery or disclosure.

(5) In seeking a temporary restraining order or a preliminary injunction, a plaintiff shall not be required to post a bond or any other security in order to secure such equitable relief.

(6) No action may be filed pursuant to this act before January 15, 2016. No action may be filed against a political subdivision within four years of an action filed against that subdivision under the federal voting rights act.

NEW SECTION. **Sec. 36.** (1) A political subdivision that conducts an election pursuant to state, county, or local law, is authorized to change its electoral system including, but not limited to, implementing a district-based election system to remedy a potential violation of section 3 of this act. If a political subdivision invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with section 6 of this act.

(2) If a political subdivision implements a district-based election system, the plan shall be consistent with the following criteria:

(a) Each district shall be as reasonably equal in population as possible to each and every other such district comprising the political subdivision.

(b) Each district shall be reasonably compact.

(c) Each district shall consist of geographically contiguous area.

(d) To the extent feasible, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(e) District boundaries may not be drawn or maintained in a manner that denies any person an equal opportunity to elect candidates of his or her choice or an equal opportunity to influence the outcome of an election.

(3) During the adoption of its plan, the political subdivision shall ensure that full and reasonable public notice of its actions is provided. The political subdivision shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(4)(a) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the political subdivision shall order new elections to occur at the next succeeding general election.

(b) If the political subdivision invokes its authority under this section and the plan is adopted during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the political subdivision shall order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) All of the positions that were elected pursuant to the previous electoral system may continue their term of office.

(5) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each political subdivision that has invoked its authority under this section to implement a district-based election system, or that is charged with redistricting under section 6 of this act.

(6) No later than eight months after its receipt of federal decennial census data, the governing body of the political subdivision that had previously invoked its authority under this section to implement a district-based election system, or that was previously charged with redistricting under section 4 of this act, shall prepare a plan for redistricting its districts, pursuant to RCW 29A.76.010, and in a manner consistent with this act.

NEW SECTION. **Sec. 37.** (1) Upon a finding of a violation of section 3 of this act, the court shall order appropriate remedies that are tailored to remedy the violation. The remedies may include, but are not limited to, the imposition of a district-based election system. The court may order the affected jurisdiction to draw or redraw district boundaries or appoint an individual or panel to draw or redraw district lines. The proposed districts must be approved by the court prior to their implementation.

(2) Implementation of a district-based remedy, pursuant to section 4 of this act, is not precluded by the fact that members of a protected class do not constitute a numerical majority within a proposed district-based election district. If, in tailoring a remedy, the court orders the implementation of a district-based election district where the members of the protected class are not a numerical majority, the court shall do so in a manner that provides the protected class an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election.

NEW SECTION. **Sec. 38.** (1) In any action to enforce this chapter, the court may allow the prevailing plaintiff or plaintiffs, other than the state or political subdivision thereof, reasonable attorneys' fees, all nonattorney fee costs as defined by RCW 4.84.010, and all reasonable expert witness fees. However, the court may elect not to allow the award of attorneys' fees, costs, or expert witness fees under this section or may elect to reduce the amount of fees and costs awarded when, in the court's determination:

(a) The award would create undue hardship to the political subdivision; and

(b) The award would directly impact the ability of the political subdivision to provide services to low-income protected class members within the political subdivision.

(2) Prevailing defendants may recover an award of fees or costs pursuant to RCW 4.84.185.

(3) No fees or costs may be awarded if no action is filed.

NEW SECTION. **Sec. 39.** Any voter who is a member of a protected class and who resides in a political subdivision where a violation of section 3 of this act is alleged may file an action in the superior court of the county in which the political subdivision is located. If the action is against a county, the action may be filed in the superior court of such county, or in the superior court of either of the two nearest judicial districts as determined pursuant to RCW

36.01.050(2). An action filed pursuant to this chapter does not need to be filed as a class action.

NEW SECTION. **Sec. 40.** (1) Prior to filing an action pursuant to this act, a person shall first notify the political subdivision that he or she intends to challenge the political subdivision's electoral system under this act. If the political subdivision does not show any intent to invoke its authority under section 5 of this act to implement the person's proposed remedy within one hundred eighty days after receiving notice, any person may file an action under this act.

(2) The notice provided shall identify the person or persons who intend to file an action, and the protected class or classes whose members do not have an equal opportunity to elect candidates of their choice or an equal opportunity to influence the outcome of an election. The notice shall also include a reasonable analysis of the person's data concerning the alleged vote dilution and polarized voting, and a proposed remedy or remedies, based on that data, which would address the alleged violation of section 3 of this act.

(3) If, within one hundred eighty days after receiving a person's notice, a political subdivision receives another notice containing a materially different proposed remedy than the first notice, the political subdivision shall have an additional ninety days from the date of this subsequent notice before an action may be filed under this act.

(4) The political subdivision shall work in good faith with the person providing the notice to implement a remedy that provides the protected class or classes identified in the notice an equal opportunity to elect candidates of their choice or influence the outcome of an election.

(5) Should the political subdivision adopt the proposed remedy set forth in the notice, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

(6) Should the political subdivision adopt a different remedy that takes the notice into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 3 of this act. The person who submitted the notice may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 3 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

(7) If a political subdivision has received two or more notices containing materially different proposed remedies, the political subdivision shall work in good faith with the persons to implement a remedy that provides the protected class or classes identified in the notices an equal opportunity to elect candidates of their choice or influence the outcome of an election. Should the political subdivision adopt one of the remedies offered, or a different remedy that takes multiple notices into account, the political subdivision may seek a court order acknowledging that the political subdivision's remedy complies with section 3 of this act. The persons who submitted notices may support or oppose such an order. If the court concludes that the political subdivision's remedy complies with section 3 of this act, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

NEW SECTION. **Sec. 41.** (1) If, after considering the person's notice, the political subdivision adopts a remedy, an action under this act by any person may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act. In agreeing to adopt the person's proposed remedy, the political subdivision may do so by stipulation, which shall become a public document.

(2) If, after an action is filed, the political subdivision adopts the person's proposed remedy or a court-ordered remedy, or another remedy that would satisfy the court, an action under this act by any party may not be brought against that political subdivision for four years; provided, however, that the political subdivision does not enact a change to or deviation from the remedy during this four-year period that would otherwise give rise to an action under this act.

NEW SECTION. **Sec. 42.** The provisions of this act are not applicable to cities and towns with populations under two thousand or to school districts with K-12 full-time equivalent enrollments of less than five hundred.

NEW SECTION. **Sec. 43.** A new section is added to chapter 28A.343 RCW to read as follows:

The school board of directors may authorize a change to a district-based election as defined in section 2(2) of this act, such districts to be drawn in a manner consistent with sections 5 and 6 of this act. The school board of directors shall order new elections to be scheduled pursuant to section 5(4) of this act. The staggering of directors' terms shall be accomplished as provided in RCW 28A.343.030 and 28A.343.620 through 28A.343.650.

Sec. 44. RCW 36.32.020 and 1982 c 226 s 4 are each amended to read as follows:

The board of county commissioners of each county shall divide their county into three commissioner districts so that each district shall comprise as nearly as possible one-third of the population of the county: PROVIDED, That the territory comprised in any voting precincts of such districts shall remain compact, and shall not be divided by the lines of said districts.

However, the commissioners of any county composed entirely of islands and with a population of less than thirty-five thousand may divide their county into three commissioner districts without regard to population, except that if any single island is included in more than one district, the districts on such island shall comprise, as nearly as possible, equal populations.

Except where necessary to comply with a court order issued pursuant to sections 3 and 6 of this act, the lines of the districts shall not be changed ((~~oftener~~)) more often than once in four years and only when a full board of commissioners is present. The districts shall be designated as districts numbered one, two and three.

NEW SECTION. **Sec. 45.** A new section is added to chapter 35.21 RCW to read as follows:

The legislative authority of a city or town may authorize a change to its electoral system, including the implementation of a

district-based election system as defined in section 2(2) of this act, to remedy a potential violation of section 3 of this act. If the legislative authority of a city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with section 5 of this act.

NEW SECTION. **Sec. 46.** A new section is added to 35A.21 RCW to read as follows:

The legislative authority of a code city or town may authorize a change to its electoral system, including the implementation of a district-based election system as defined in section 2(2) of this act, to remedy a potential violation of section 3 of this act. If the legislative authority of a code city or town invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with section 5 of this act.

Sec. 47. RCW 29A.76.010 and 2011 c 349 s 26 are each amended to read as follows:

(1) It is the responsibility of each county, municipal corporation, and special purpose district with a governing body comprised of internal director, council, or commissioner districts not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW 44.05.030 shall forward the census information to each municipal corporation, county, and district charged with redistricting under this section.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation, county, or district shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

(a) Each internal director, council, or commissioner district shall be as nearly equal in population as possible to each and every other such district comprising the municipal corporation, county, or special purpose district.

(b) Each district shall be as compact as possible.

(c) Each district shall consist of geographically contiguous area.

(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party, except to the extent necessary to ensure compliance with this act.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation, county, or district shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation, county, or district shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)(a) Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within fifteen days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation, county, or district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in subsection (4) of this section.

(b) If the superior court finds the plan to be consistent with the requirements of this section, the plan shall take effect immediately.

(c) If the superior court determines the plan does not meet the requirements of this section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period.

(d) If the superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation, county, or district.

NEW SECTION. **Sec. 48.** This act supersedes other state laws and local ordinances to the extent that those state laws or ordinances would otherwise restrict a jurisdiction's ability to implement a remedy pursuant to this act.

NEW SECTION. **Sec. 49.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 50.** Sections 1 through 11 this act constitute a new chapter in Title 29A RCW.

Correct the title."

Representative Manweller spoke in favor of the adoption of the amendment to the striking amendment.

Representative S. Hunt spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

The Speaker stated the question before the House to be the adoption of amendment (166) to the striking amendment (155) to Substitute House Bill No. 1745.

ROLL CALL

The Clerk called the roll on the adoption of amendment (166) to the striking amendment (155) to Substiture House Bill No. 1745, and the amendment was not adopted by the following vote: Yeas, 46; Nays, 51; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells,

Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie
Excused: Representative Rodne

Amendment (166) to the striking amendment (155) was not adopted.

Representative Moscoso spoke in favor of the adoption of the striking amendment (155).

Amendment (155) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso, S. Hunt and Ortiz-Self spoke in favor of the passage of the bill.

Representatives Holy and Manweller spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1745.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1745, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1745, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Moeller to preside.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

SB 5106 by Senators O'Ban, Padden, Fain and Roach

AN ACT Relating to creating a civil action for webcam unauthorized remote access; adding a new section to chapter 4.24 RCW; and creating a new section.

Referred to Committee on Judiciary.

ESB 5111 by Senator Brown

AN ACT Relating to projects of statewide significance for economic development and transportation; amending RCW 43.157.005, 43.157.020, and 43.157.030; and reenacting and amending RCW 43.157.010.

Referred to Committee on Technology & Economic Development.

SB 5125 by Senators Padden, Darneille, Roach and Hatfield

AN ACT Relating to district court civil jurisdiction; and amending RCW 3.66.020.

Referred to Committee on Judiciary.

SSB 5145 by Senate Committee on Health Care (originally sponsored by Senators Dammeier, Frockt, Becker, Bailey, Rivers and Brown)

AN ACT Relating to the membership of the health technology clinical committee; and amending RCW 70.14.090.

Referred to Committee on Health Care & Wellness.

ESSB 5158 by Senate Committee on Law & Justice (originally sponsored by Senators McCoy and Fraser)

AN ACT Relating to requiring call location information to be provided to law enforcement responding to an emergency; adding a new section to chapter 80.36 RCW; and creating a new section.

Referred to Committee on Public Safety.

SSB 5166 by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Ranker and Hasegawa)

AN ACT Relating to the management of forage fish resources; and creating new sections.

Referred to Committee on Agriculture & Natural Resources.

SB 5270 by Senators Roach, Liias and Benton

AN ACT Relating to sunsetting a nonoperating advisory board reporting to the state patrol; amending RCW 13.60.110; creating a new section; and repealing RCW 13.60.120.

Referred to Committee on Public Safety.

SSB 5292 by Senate Committee on Law & Justice (originally sponsored by Senators Roach, Billig, Hasegawa and Benton)

AN ACT Relating to protecting children and youth from powdered alcohol; amending RCW 66.04.010; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

SB 5314 by Senators Benton, Cleveland and King

AN ACT Relating to the use of local storm water charges paid by the department of transportation; amending RCW

90.03.525; providing an effective date; and declaring an emergency.

Referred to Committee on Environment.

SB 5318 by Senators Parlette, Bailey and Kohl-Welles

AN ACT Relating to creating the wildlife college student loan program; adding a new chapter to Title 28B RCW; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5396 by Senators Roach, Liias, Benton, McCoy, Dammeier and Chase

AN ACT Relating to exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs; and amending RCW 42.56.230.

Referred to Committee on State Government.

SSB 5398 by Senate Committee on Commerce & Labor (originally sponsored by Senators Rivers and Hasegawa)

AN ACT Relating to opening a package of or consuming marijuana, useable marijuana, or marijuana-infused products in public; amending RCW 69.50.445; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

ESB 5424 by Senators King, McCoy, Ericksen and Hobbs

AN ACT Relating to allowing public utility districts to produce and distribute renewable natural gas; and amending RCW 54.04.190.

Referred to Committee on Technology & Economic Development.

ESSB 5441 by Senate Committee on Health Care (originally sponsored by Senators Rivers, Frockt, Parlette, Bailey, Conway, Keiser and Benton)

AN ACT Relating to patient medication coordination; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5448 by Senate Committee on Health Care (originally sponsored by Senator Hatfield)

AN ACT Relating to the treatment of Lyme disease; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESSB 5460 by Senate Committee on Health Care (originally sponsored by Senators Parlette, Cleveland, Rivers, Keiser, Angel, Chase and Bailey)

AN ACT Relating to access to prepackaged emergency medications in hospital emergency departments when community or hospital pharmacy services are not available; adding a new section to chapter 70.41 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SB 5466 by Senators Becker, Keiser and Conway

AN ACT Relating to clarifying employee eligibility for benefits from the public employees' benefits board and conforming the eligibility provisions with federal law; amending RCW 41.05.009, 41.05.011, 41.05.065, 41.05.066, 41.05.095, and 41.05.195; and reenacting and amending RCW 41.05.080.

Referred to Committee on Appropriations.

SB 5468 by Senators King, Keiser, Kohl-Welles and Conway

AN ACT Relating to authorizing the use of nonappropriated funds on certain administrative costs and expenses of the stay-at-work and self-insured employer programs; and adding new sections to chapter 51.44 RCW.

Referred to Committee on Appropriations.

ESSB 5477 by Senate Committee on Health Care (originally sponsored by Senators Dammeier, Becker, Warnick, Kohl-Welles and Darneille)

AN ACT Relating to requiring substances intended for use in a vapor product to satisfy child-resistant effectiveness standards, adopting warning standards, and prohibiting the use of vapor products in schools; amending RCW 70.155.010, 26.28.080, 28A.210.310, and 70.155.020; adding new sections to chapter 70.155 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

SSB 5485 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Hobbs and Benton)

AN ACT Relating to debt adjusters; amending RCW 18.28.080 and 18.28.120; and reenacting and amending RCW 18.28.010.

Referred to Committee on Business & Financial Services.

2SSB 5486 by Senate Committee on Ways & Means (originally sponsored by Senators Frockt, O'Ban, Darneille, Fraser, Miloscia, Rolfes, Hargrove, Billig, Ranker, Hewitt, Kohl-Welles and McAuliffe)

AN ACT Relating to creating the parents for parents program; adding new sections to chapter 2.70 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SB 5496 by Senators Litzow, McAuliffe, Dammeier, Rolfes and Chase

AN ACT Relating to changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes; amending RCW 28A.660.020 and 28A.660.035; and repealing RCW 28A.660.040.

Referred to Committee on Education.

SB 5499 by Senators Roach, Hasegawa, Rivers, Rolfes, Warnick, Dansel, Padden, Angel and Chase

AN ACT Relating to a special allegation of a nefarious drone enterprise; amending RCW 9.94A.533; adding a new section to chapter 9.94A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5511 by Senators Braun, Baumgartner, Rivers, Angel, Bailey and Honeyford

AN ACT Relating to reducing the frequency of local sales and use tax changes; and amending RCW 82.14.055.

Referred to Committee on Finance.

SB 5532 by Senators Rolfes, Bailey and Kohl-Welles

AN ACT Relating to Washington's gift of life award; amending RCW 1.50.010, 1.50.030, and 1.50.040; and adding a new section to chapter 1.50 RCW.

Referred to Committee on State Government.

SB 5542 by Senator Hill

AN ACT Relating to providing reasonable tools for the effective administration of the public utility district privilege tax; amending RCW 54.28.030, 54.28.040, 54.28.050, 54.28.055, 82.32.050, 82.32.060, 82.32.070, 82.32.100, 82.32.105, 82.32.160, and 82.32.350; and adding a new section to chapter 54.28 RCW.

Referred to Committee on Finance.

SSB 5596 by Senate Committee on Commerce & Labor (originally sponsored by Senators King, Hewitt, Kohl-Welles and McAuliffe)

AN ACT Relating to creating a special permit by a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production; and amending RCW 66.20.010.

Referred to Committee on Commerce & Gaming.

SB 5603 by Senators Warnick and Rolfes

AN ACT Relating to cottage food operations; and amending RCW 69.22.050.

Referred to Committee on Agriculture & Natural Resources.

SB 5606 by Senators Jayapal, Rivers, Frockt, King, Keiser and Kohl-Welles

AN ACT Relating to regulating dental professionals by permitting dental hygienists and dental assistants to take impressions under certain circumstances and by authorizing the issuance of a limited license to dental hygienists who actively practice or are licensed in Canada; and amending RCW 18.29.050, 18.29.190, and 18.260.040.

Referred to Committee on Health Care & Wellness.

SSB 5622 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Sheldon, Miloscia, Angel, Becker, Warnick and Pearson)

AN ACT Relating to the use of empirical science to support agency actions affecting land use; and amending RCW 34.05.271 and 34.05.272.

Referred to Committee on Environment.

SSB 5633 by Senate Committee on Ways & Means (originally sponsored by Senators Conway, O'Ban, Hobbs, Chase, Kohl-Welles, Liias, McCoy and Hatfield)

AN ACT Relating to creating a coordinator for the helmets to hardhats program in the department of veterans affairs; and adding a new section to chapter 43.60A RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5634 by Senators Conway, Rolfes, O'Ban, Hobbs, Dammeier, McCoy, Hatfield and Chase

AN ACT Relating to exempting a widow or widower with gold star license plates from vehicle licensing fees for one motor vehicle; and amending RCW 46.18.245.

Referred to Committee on Transportation.

SB 5689 by Senators Becker, Keiser, Dammeier, Frockt, Jayapal and McAuliffe

AN ACT Relating to containing the scope and costs of the diabetes epidemic in Washington; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care & Wellness.

SB 5725 by Senator Benton

AN ACT Relating to surplus lines; and amending RCW 48.15.050 and 48.15.120.

Referred to Committee on Business & Financial Services.

SSB 5730 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Pearson, Chase, Roach, Hewitt, Sheldon and Warnick)

AN ACT Relating to access roads utilized by the department of natural resources; amending RCW 79.38.010, 79.38.020, 79.38.050, 79.38.060, and 79.38.070; and adding a new section to chapter 79.38 RCW.

Referred to Committee on Agriculture & Natural Resources.

SB 5746 by Senators Bailey, Hobbs, Liias, Baumgartner, Kohl-Welles, Chase and McAuliffe

AN ACT Relating to including Everett Community College as an aerospace training or educational program; and amending RCW 28B.122.010.

Referred to Committee on Higher Education.

ESSB 5803 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Dammeier, McAuliffe and Keiser)

AN ACT Relating to the notification of parents when their children are below basic on the third grade statewide English language arts assessment; amending RCW 28A.655.230; and declaring an emergency.

Referred to Committee on Education.

ESB 5893 by Senators Fain, Mullet, Litzow, Liias and Hargrove

AN ACT Relating to the nonemployee status of athletes in amateur sports; amending RCW 49.12.005 and 49.17.020; and reenacting and amending RCW 49.46.010.

Referred to Committee on Labor.

ESB 5923 by Senators Brown, Liias, Roach, Dansel, Hobbs, Warnick and Chase

AN ACT Relating to promoting economic recovery in the construction industry; amending RCW 82.02.050 and 36.70A.070; adding a new section to chapter 82.02 RCW; creating a new section; and providing an effective date.

Referred to Committee on Technology & Economic Development.

SB 5958 by Senators Roach, Liias, Benton, McCoy, Angel and Chase

AN ACT Relating to providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee; and amending RCW 43.60A.080.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5978 by Senators Roach, Liias and Fain

AN ACT Relating to the presidential primary; and amending RCW 29A.56.010, 29A.56.020, 29A.56.030, and 29A.56.050.

Referred to Committee on State Government.

SJM 8006 by Senators Kohl-Welles, Litzow, McAuliffe, Rolfes, Dammeier, Keiser, Darneille and Frockt

Requesting Congress, the President, and the Departments of Education, Health and Human Services, and Justice to take action to implement the recommendations of the Government Accountability Office concerning efforts to prevent and respond to child sexual abuse by school personnel and sexual abuse between peers.

Referred to Committee on Public Safety.

SSJM 8007 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Pearson, Hatfield, Hewitt, Chase, McAuliffe, Dansel and Warnick)

Requesting Congress to provide the National Oceanic and Atmospheric Administration fisheries with sufficient resources to expedite review of Puget Sound hatchery and genetic management plans and that the National Oceanic and Atmospheric Administration fisheries prioritize and conduct immediate review and approval of these plans. Revised for 1st Substitute: Requesting Congress to provide the National Oceanic and Atmospheric Administration Fisheries with sufficient resources to expedite its endangered species act and national environmental policy act review of Puget Sound hatchery and genetic management plans and that the National Oceanic and Atmospheric Administration Fisheries prioritize and conduct immediate review and approval of Puget Sound hatchery and genetic management plans.

Referred to Committee on Agriculture & Natural Resources.

SJM 8012 by Senators Hargrove, King, Hobbs, Hill, Conway and Hatfield

Requesting the designation of U.S. Highway 101 to honor recipients of the Medal of Honor.

Referred to Committee on Transportation.

SJM 8013 by Senators Honeyford and Ranker

Concerning aquatic invasive species.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 4, 2015

HB 1769 Prime Sponsor, Representative Pettigrew: Reinstating tax preferences for high-technology research and development. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Hudgins; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Harmsworth.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's committee report under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1142, by Representatives Wilcox, Reykdal, G. Hunt, Gregerson and Magendanz

Modifying school district authority with respect to student parking.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wilcox and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1142.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1142, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Holy, Scott, Shea, Smith, Taylor and Young.

HOUSE BILL NO. 1142, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1238, by Representatives Pollet, Haler, Bergquist, Hargrove, Sells, Fitzgibbon, Fey and Tarleton

Concerning affordable tuition planning.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1238 was substituted for House Bill No. 1238 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1238 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1238.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1238, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Harmsworth, Harris, Hawkins, Hayes, Klippert, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1238, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1345, by Representatives Lytton, Magendanz and Bergquist

Adopting a definition and standards of professional learning.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1345 was substituted for House Bill No. 1345 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1345 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Magendanz spoke in favor of the passage of the bill.

There being no objection, the House deferred action on. SUBSTITUTE HOUSE BILL NO. 1345, and the bill held its place on the third reading calendar.

HOUSE BILL NO. 1439, by Representatives Sawyer, Zeiger, Reykdal, Gregerson, Manweller and Tarleton

Establishing an online alternative credit model at Central Washington University.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1439 was substituted for House Bill No. 1439 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1439 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1439.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1439, and the bill passed the House by the following vote: Yeas, 79; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, G. Hunt, Harris, Holy, Klippert, Parker, Pike, Schmick, Scott, Shea, Stanford, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1439, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1644, by Representatives Gregory, Zeiger, Pollet, Kilduff, Tharinger, Goodman, Riccelli and Jinkins

Concerning veteran survivor tuition waiver eligibility.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1644 was substituted for House Bill No. 1644 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1644 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregory and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1644.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1644, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1644, having received the

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

SUBSTITUTE HOUSE BILL NO. 1879, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1999, by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman and Jinkins

Coordinating services and programs for foster youth in order to improve educational outcomes.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1999 was substituted for House Bill No. 1999 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1999 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Walsh, Dent and Scott spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1999.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1999, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Shea, Taylor and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1999, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1541, by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson

Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1541 was substituted for House Bill No. 1541 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1541 was read the second time.

Representative Taylor moved the adoption of amendment (091):

On page 3, at the beginning of line 3, strike all material through "records." on page 14, line 4

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Taylor and Magendanz spoke in favor of the adoption of the amendment.

Representatives Santos and Ortiz-Self spoke against the adoption of the amendment.

Amendment (091) was not adopted.

Representative Santos moved the adoption of amendment (133):

On page 8, line 21, after "and" insert "have"

On page 32, after line 2, insert the following:

"**PART VIII**

INTEGRATED STUDENT SERVICES AND FAMILY ENGAGEMENT

NEW SECTION. **Sec. 801.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The Washington integrated student supports protocol is established. The protocol shall be developed by the center for the improvement of student learning, established in RCW 28A.300.130, based on the framework described in this section. The purposes of the protocol include:

(a) Supporting a school-based approach to promoting the success of all students by coordinating academic and nonacademic supports to reduce barriers to academic achievement and educational attainment;

(b) Fulfilling a vision of public education where educators focus on education, students focus on learning, and auxiliary supports enable teaching and learning to occur unimpeded;

(c) Encouraging the creation, expansion, and quality improvement of community-based supports that can be integrated into the academic environment of schools and school districts;

(d) Increasing public awareness of the evidence showing that academic outcomes are a result of both academic and nonacademic factors; and

(e) Supporting statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development, and advocacy to implement high-quality, evidence-based, student-centered, coordinated approaches throughout the state.

(2)(a) The Washington integrated student supports protocol must be sufficiently flexible to adapt to the unique needs of schools and districts across the state, yet sufficiently structured to provide all students with the individual support they need for academic success.

(b) The essential framework of the Washington integrated student supports protocol includes:

(i) Needs assessments: A needs assessment must be conducted for all at-risk students in order to develop or identify the needed academic and nonacademic supports within the students' school and community. These supports must be coordinated to provide students with a package of mutually reinforcing supports designed to meet the individual needs of each student.

(ii) Integration and coordination: The school and district leadership and staff must develop close relationships with providers of academic and nonacademic supports to enhance the effectiveness of the protocol.

(iii) Community partnerships: Community partners must be engaged to provide nonacademic supports to reduce barriers to students' academic success, including supports to students' families.

(iv) Data driven: Students' needs and outcomes must be tracked over time to determine student progress and evolving needs.

(c) The framework must facilitate the ability of any academic or nonacademic provider to support the needs of at-risk students, including, but not limited to: out-of-school providers, social workers, mental health counselors, physicians, dentists, speech therapists, and audiologists.

NEW SECTION. **Sec. 802.** (1) The legislature intends to integrate the delivery of various academic and non-academic programs and services through a single protocol. This coordination and consolidation of assorted services, such as expanded learning opportunities, mental health, medical screening, and access to food and housing, is intended to reduce barriers to academic achievement and educational attainment by weaving together existing public and private resources needed to support student success in school.

(2) The office of the superintendent of public instruction shall create a work group to determine how to best implement the framework described in section 801 of this act throughout the state.

(3) The work group must be composed of the following members, who must reflect the geographic diversity across the state:

(a) The superintendent of public instruction or the superintendent's designee;

(b) Three principals and three superintendents representing districts with diverse characteristics, selected by state associations of principals and superintendents, respectively;

(c) A representative from a statewide organization specializing in out-of-school learning;

(d) A representative from an organization with expertise in the needs of homeless students;

(e) A school counselor from an elementary school, a middle school, and a high school, selected by a state association of school counselors;

(f) A representative of an organization that is an expert on a multitiered system of supports; and

(g) A representative from a career and technical student organization.

(4) The superintendent of public instruction shall consult and may contract for services with a national nonpartisan, nonprofit research center that has provided data and analyses to improve policies and programs serving children and youth for over thirty-five years.

(5) The work group must submit to the appropriate committees of the legislature a report recommending policies that need to be adopted or revised to implement the framework described in section 801 of this act throughout the state by October 1, 2016. The work group must submit a preliminary report by October 1, 2015, and a final report by October 1, 2016.

(6) This section expires August 1, 2017.

Sec. 803. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each amended to read as follows:

(1) ((~~Beginning in the 2015-16 school year, expenditure of funds from the learning assistance program must be consistent with the provisions of RCW 28A.655.235.~~

~~(2)~~)) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or RCW 28A.655.235, the following are services and activities that may be supported by the learning assistance program:

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

(c) The integrated student supports protocol and services under section 801 of this act;

(d) Professional development for certificated and classified staff that focuses on:

(i) The needs of a diverse student population;

(ii) Specific literacy and mathematics content and instructional strategies; and

(iii) The use of student work to guide effective instruction and appropriate assistance;

((~~(d)~~)) (e) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

((~~(e)~~)) (f) Tutoring support for participating students;

((~~(f)~~)) (g) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

((~~(g)~~)) (h) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The ((~~office of the superintendent of public instruction~~)) school board must approve in an open meeting any community-based organization or local agency before learning assistance funds may be expended.

((~~(3)~~)) (2) In addition to the state menu developed under RCW 28A.655.235, the office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics ((~~and reduce disruptive behaviors in the classroom~~)). The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

((~~(4)~~)) (3)(a) Beginning in the 2016-17 school year, except as provided in (b) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection ((~~(3)~~))(2) of this section or RCW 28A.655.235.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection (((~~(3)~~))(2) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) Beginning in the 2016-17 school year, school districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and RCW 28A.655.235.

(((~~(5)~~))) (4) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and RCW 28A.655.235 before the use is required.

Sec. 804. RCW 28A.165.055 and 2013 2nd sp.s. c 18 s 205 are each amended to read as follows:

The funds for the learning assistance program shall be appropriated in accordance with RCW 28A.150.260 and the omnibus appropriations act. The distribution formula is for school district allocation purposes only, but funds appropriated for the learning assistance program must be expended for the purposes of RCW 28A.165.005 through 28A.165.065 and 28A.655.235. The funds may also be appropriated for the integrated student supports protocol and services under section 801 of this act.

Sec. 805. RCW 28A.300.130 and 2009 c 578 s 6 are each amended to read as follows:

(1) To facilitate access to information and materials on educational improvement and research, the superintendent of public instruction((~~, to the extent funds are appropriated,~~)) shall establish the center for the improvement of student learning. The center shall work in conjunction with parents, educational service districts, institutions of higher education, and education, parent, community, and business organizations.

(2) The center,((~~to the extent funds are appropriated for this purpose, and~~)) in conjunction with other staff in the office of the superintendent of public instruction, shall:

(a) Serve as a clearinghouse for information regarding successful educational improvement and parental involvement programs in schools and districts, and information about efforts within institutions of higher education in the state to support educational improvement initiatives in Washington schools and districts;

(b) Provide best practices research that can be used to help schools develop and implement: Programs and practices to improve instruction; systems to analyze student assessment data, with an emphasis on systems that will combine the use of state and local data to monitor the academic progress of each and every student in the school district; comprehensive, school-wide improvement plans; school-based shared decision-making models; programs to promote lifelong learning and community involvement in education; school-to-work transition programs; programs to meet the needs of highly capable students; programs and practices to meet the needs of students with disabilities; programs and practices to meet the diverse needs of students based on gender, racial, ethnic, economic, and special needs status; research, information, and technology systems; and other programs and practices that will assist educators in helping students learn the essential academic learning requirements;

(c) Develop and maintain an internet web site to increase the availability of information, research, and other materials;

(d) Work with appropriate organizations to inform teachers, district and school administrators, and school directors about the waivers available and the broadened school board powers under RCW 28A.320.015;

(e) Provide training and consultation services, including conducting regional summer institutes;

(f) Identify strategies for improving the success rates of ethnic and racial student groups and students with disabilities, with disproportionate academic achievement;

(g) Work with parents, teachers, and school districts in establishing a model absentee notification procedure that will properly notify parents when their student has not attended a class or has missed a school day. The office of the superintendent of public instruction shall consider various types of communication with parents including, but not limited to, electronic mail, phone, and postal mail; and

(h) Perform other functions consistent with the purpose of the center as prescribed in subsection (1) of this section.

(3) The superintendent of public instruction shall select and employ a director for the center.

(4) The superintendent may enter into contracts with individuals or organizations including but not limited to: School districts; educational service districts; educational organizations; teachers; higher education faculty; institutions of higher education; state agencies; business or community-based organizations; and other individuals and organizations to accomplish the duties and responsibilities of the center. In carrying out the duties and responsibilities of the center, the superintendent, whenever possible, shall use practitioners to assist agency staff as well as assist educators and others in schools and districts.

(5) The office of the superintendent of public instruction shall report to the legislature by September 1, 2007, and thereafter biennially, regarding the effectiveness of the center for the improvement of student learning, how the services provided by the center for the improvement of student learning have been used and by whom, and recommendations to improve the accessibility and application of knowledge and information that leads to improved student learning and greater family and community involvement in the public education system."

Correct the title.

Representatives Santos and Magendanz spoke in favor of the adoption of the amendment.

Amendment (133) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Reykdal, Walsh and Ortiz-Self spoke in favor of the passage of the bill.

Representative Magendanz spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1541.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1541, and the bill passed the

House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1345 was returned to second reading.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1345, by House Committee on Education (originally sponsored by Representatives Lytton, Magendanz and Bergquist)

Adopting a definition and standards of professional learning.

RECONSIDERATION

There being no objection, the House reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1345 was substituted for HOUSE BILL NO. 1345. There being no objection, the substitute was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1345.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1345, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Klippert, Scott, Taylor and Wilcox.

HOUSE BILL NO. 1345, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1170, by Representatives Clibborn, Zeiger, Tarleton, Wilcox, Springer, Jinkins, Fey, Kilduff, Fitzgibbon, Gregerson and Tharinger

Granting port districts certain administrative powers.

The bill was read the second time.

There being no objection, Engrossed Substitute House Bill No. 1170 was substituted for House Bill No. 1170 and the substitute bill was placed on the second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170 was read the second time.

Representative Clibborn moved the adoption of amendment (063):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 806.** The legislature finds that the shipping and port industries must contend with an increasingly competitive global market. Historically, port districts competed against other local port districts. Today, port districts compete on a global scale, and the current landscape is rapidly changing with the expansion of facilities in Canada and the impending widening of the Panama Canal. The ports of Seattle and Tacoma are the third largest container trade centers in the United States, but they are in a race to hold onto this position. The legislature finds that Washington's ports need to be able to work cooperatively to protect the maritime base of the state.

The legislature intends to enable certain port districts to create port public development authorities for the management of their maritime activities and to act cooperatively under the interlocal cooperation act, chapter 39.34 RCW. The legislature intends for the port districts to be able to partner as a single management team and use financial resources strategically, while remaining separate entities and complying with federal regulations. The legislature finds that enacting this authority will help Washington remain competitive globally, protect the state's long-term economic and societal interests in port district jobs and growth, and provide a tool to allow ports to work together on behalf of the state.

NEW SECTION. **Sec. 807.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Port commission" means a port commission governed by chapter 53.12 RCW of a port district that either singly or jointly creates a port development authority under the provisions of this chapter.

(2) "Port district" or "port districts" means a port district or port districts that are located in a county with a population of more than eight hundred thousand on the effective date of this section.

(3) "Port public development authority" or "port development authority" means a port public development authority created by a single port district or jointly created by two port districts in accordance with section 3 of this act.

NEW SECTION. **Sec. 808.** (1) A port district or two port districts that act jointly in accordance with subsection (3) of this section may by resolution:

(a) Create a port development authority solely to manage maritime activities of the port district or districts; and

(b) Transfer to any port development authority created under this section, with or without consideration, any funds, real or personal property, property interests, or services.

(2) Port development authorities created under subsection (1) of this section may:

(a) Administer and execute federal grants or programs;

(b) Receive and administer private funds, goods, or services for any lawful public purpose related to maritime activities of the port district or districts; and

(c) Perform any lawful public purpose or public function related to maritime activities of the port district or districts, including exercise any powers of the port district or districts that created the port development authority, subject to limitations provided in this chapter.

(3) Two port districts, each located in a county with a population of more than eight hundred thousand on the effective date of this section, may jointly exercise the authority provided in this section under an agreement for joint or cooperative action executed in accordance with the interlocal cooperation act, chapter 39.34 RCW.

(4) Any resolution to create a port development authority that is adopted by a port district under this section must limit the liability of the port development authority to the assets and property of the port development authority.

NEW SECTION. **Sec. 809.** (1) The affairs, operations, and funds of a port development authority must be governed by the port district or districts that created the port development authority. Each port district governing the port development authority must oversee the affairs, operations, and funds of the port development authority exclusively through the elected port commission of the port district. If the port development authority is jointly created by more than one port district under section 3 of this act, then the port development authority must be managed by each port district as a member of the port development authority, in accordance with the terms of this section and the charter for the port development authority. Each port district member shall act in such capacity through its own elected commissioners.

(2) Any port district that creates a port development authority under section 3 of this act must provide for the organization and operation of the port development authority, oversee the affairs, operations, and funds of the port development authority in order to correct any deficiency, and ensure that the purposes of each program undertaken are reasonably accomplished.

(3) A port development authority, in managing maritime activities of a port district or districts under this chapter, may:

(a) Own and sell real and personal property;

(b) Contract with individuals, associations, corporations, the state, and the United States;

(c) Sue and be sued;

(d) Loan and borrow funds;

(e) Issue bonds, notes, and other evidences of indebtedness;

(f) Transfer funds, real or personal property, property interests, or services; and

(g) Perform community services related to maritime activities managed by the port development authority.

(4) Port development authorities do not have the power of eminent domain or the power to levy taxes or special assessments.

NEW SECTION. **Sec. 810.** (1) For the management of maritime activities, port districts and port development authorities are authorized to enter into an agreement with the federal government, any federal agency or department, and any state agency or political subdivision of the state, and pursuant to the agreement:

(a) Receive and expend, or cause to be received and expended by a trustee or custodian, federal or private funds for any lawful public purpose related to management of maritime activities of the port district or port development authority;

(b) Issue bonds, notes, or other evidences of indebtedness that are guaranteed or otherwise secured by funds or other instruments provided by or through the federal government; and

(c) Agree to repay and reimburse for any liability of a guarantor of bonds, notes, or other evidences of indebtedness issued by the port district or port development authority.

(2) A port district or port development authority may pledge as security for any bond, note, or other evidence of indebtedness, or for any obligation to repay or reimburse the guarantor of a bond, note, or evidence of indebtedness, its right, title, and interest to or in the following:

(a) Any federal grant or payment received by the port district or port development authority, or that may be received in the future;

(b) Property and revenues that may be obtained directly or indirectly from the use of any federal or private funds received by the port district or port development authority under subsection (1) of this section;

(c) Payments received or owing from any person as a result of the lending of any federal or private funds received by the port district or port development authority under subsection (1) of this section;

(d) Any proceeds under (a), (b), or (c) of this subsection (2), and any securities or investments in which (a), (b), or (c) of this subsection (2) and any associated proceeds are invested; and

(e) Any interest or other earnings on (a), (b), (c), or (d) of this subsection (2).

(3)(a) A port district or port development authority may establish one or more special funds relating to any or all of the sources listed in subsection (2)(a) through (e) of this section. The port district or port development authority may use funds from a special fund to pay:

(i) The principal, interest, premium, if any, and other amounts payable on any bond, note, or other evidence of indebtedness authorized under this section; and

(ii) Any amounts owing on obligations for repayment or reimbursement of guarantors of bonds, notes, or other evidences of indebtedness as authorized under this section.

(b) A port district or port development authority may contract with a financial institution to act as trustee or custodian to: (i) Receive, administer, and expend any federal or private funds; (ii) collect, administer, and make payments from any special fund authorized under this subsection (3); or (iii) perform the functions authorized under both (b)(i) and (ii) of this subsection (3). The trustee or custodian may also perform other duties and functions in connection with authorized transactions.

(c) If any bond, note, other evidence of indebtedness, or related agreement complies with subsection (4) of this section, then any of the funds held by a trustee or custodian, or by a port development authority, do not constitute public moneys or funds of a port district, and must be kept segregated and set apart from other funds at all times.

(4)(a) If a port development authority loans or grants federal or private funds to a private party, or uses federal or private funds to guarantee any obligations of a private party, then any bond, note, or other evidence of indebtedness issued or entered into for the purpose of receiving the federal or private funds, or any agreement to repay or reimburse guarantors, are not obligations of a port district. These obligations may be paid only from:

(i) A special fund established in accordance with subsection (3) of this section;

(ii) Any security pledged in accordance with this section; or

(iii) Both (a)(i) and (ii) of this subsection (4).

(b) Any bond, note, or other evidence of indebtedness to which this subsection (4) applies must contain a recital establishing that the bond, note, or evidence of indebtedness is not an obligation of the port district or the state, and that neither the faith and credit, nor the taxing power of the state, any subdivision or agency of the state, or any port district is pledged to pay the principal, interest, or premium, if any, on the bond, note, or evidence of indebtedness.

(c) Any bond, note, other evidence of indebtedness, or other obligation to which this subsection (4) applies may not be included in any computation for purposes of limitations on indebtedness.

(5) For the purposes of this section, "lawful public purpose" includes any use of funds related to management of the maritime activities of a port district or port development authority, including loans of funds to public or private parties authorized by an agreement with the United States or any federal department or agency through which federal or private funds are obtained or authorized under the federal laws and regulations pertinent to the agreement.

NEW SECTION. **Sec. 811.** Powers, authorities, or rights expressly or impliedly granted to any port district or agents of the port district under the provisions of this chapter are not operable, applicable, or effective beyond the boundaries of the port district, unless so provided by contract between the port district and a county, a city, or another port district in accordance with an agreement for joint or cooperative action under the interlocal cooperation act, chapter 39.34 RCW.

NEW SECTION. **Sec. 812.** A port development authority created under this chapter must comply with applicable laws including, but not limited to, the following:

(1) Requirements concerning local government audits by the state auditor and applicable accounting requirements set forth in chapter 43.09 RCW;

(2) The public records act, chapter 42.56 RCW;

(3) Prohibitions on using facilities for campaign purposes under RCW 42.17A.555;

(4) The open public meetings act, chapter 42.30 RCW;

(5) The code of ethics for municipal officers under chapter 42.23 RCW; and

(6) Local government whistleblower protection laws set forth in chapter 42.41 RCW.

NEW SECTION. **Sec. 813.** (1) In transferring real property to a port development authority under section 3 of this act, the port district or districts creating the port development authority must impose appropriate deed restrictions necessary to ensure the continued use of the property for the public purpose for which the property is transferred.

(2) A port development authority must provide written notice at least thirty days prior to any proposed sale or encumbrance of real property that was transferred by a port district to the port development authority under section 3(1) of this act. The port development authority must, at a minimum, provide notice to:

(a) The port commission of the port district that transferred the real property;

(b) Each local newspaper of general circulation within the boundaries of the port district; and

(c) Each local radio station, television station, or other news medium that has submitted to the port development authority a written request to receive notification.

(3)(a) A port development authority may sell or encumber property transferred by a port district under section 3(1) of this act only after approval of the sale or encumbrance by the port development authority at a public meeting. Notice of the public meeting must be: (i) Provided in accordance with RCW 42.30.080; and (ii) published at least twice in a local newspaper of general circulation no fewer than seven days and no more than two weeks before the public meeting.

(b) Nothing in this section may be construed to prevent the port development authority from holding an executive session during a regular or special meeting in accordance with RCW 42.30.110(1)(c).

NEW SECTION. **Sec. 814.** (1) If a port development authority is insolvent or dissolved, the superior court of a county in which the port development authority operates has jurisdiction and authority to appoint trustees or receivers of the assets and property of the port development authority and to supervise the trusteeship or receivership.

(2) All liabilities incurred by a port development authority must be satisfied exclusively from the assets and properties of the port development authority. No creditor or other person has any right of action against the port district or districts creating the port development authority on account of any debts, obligations, or liabilities of the port development authority.

NEW SECTION. **Sec. 815.** Sections 2 through 9 of this act constitute a new chapter in ."

Correct the title.

Representatives Clibborn and Taylor spoke in favor of the adoption of the amendment.

Amendment (063) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Taylor, Zeiger, Tarleton, Wilcox and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1170.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Taylor and Van De Wege.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2023, by Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos

Changing the deadline for notices of nonrenewal of contracts for certificated school employees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger, Santos and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2023.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2023, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, S. Hunt and Sells.

HOUSE BILL NO. 2023, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1123, by Representatives Blake and Buys

Regulating the minimum dimensions of habitable spaces in single-family residential areas.

The bill was read the second time.

Representative Blake moved the adoption of amendment (154):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 816.** The legislature finds that there is a growing need for ecologically sustainable and affordable housing, and small home construction is a way to meet this need. The legislature also finds that regulations mandating a minimum gross floor area for single-family dwellings, such as minimum floor or room area requirements, that do not further fire, life safety, or environmental purposes, objectives, or standards prevent construction of small homes. It is the intent of the legislature that counties, cities with a population of less than one hundred twenty-five thousand, and towns may not adopt regulations mandating a minimum gross floor area for single-family dwellings, unless such regulations are necessary to ensure that buildings meet fire, life safety, or environmental standards.

Sec. 817. RCW 19.27.031 and 2003 c 291 s 2 are each amended to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1)(a) The International Building Code, published by the International Code Council((~~\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay053\.doc\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay053\.doc was not found~~)), Inc.;

(b) The International Residential Code, published by the International Code Council, Inc., except that any provision of the code establishing a minimum gross floor area for single-family detached dwellings is not adopted;

(2) The International Mechanical Code, published by the International Code Council((~~\\sanjuan\ATLASMACROS\DATA\2015~~

~~JOURNAL\Journal2015\LegDay053\,.doc\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay053\,.doc was not found~~)), Inc., except that the standards for liquified petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquified Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council((~~\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay053\,.doc\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay053\,.doc was not found~~)), Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted; and

(5) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by ((~~the physically disabled~~)) persons with physical disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

Sec. 818. RCW 19.27.060 and 2002 c 135 s 1 are each amended to read as follows:

(1) The governing bodies of counties and cities may amend the codes enumerated in RCW 19.27.031 as amended and adopted by the state building code council as they apply within their respective jurisdictions, but the amendments shall not result in a code that is less than the minimum performance standards and objectives contained in the state building code.

(a) No amendment to a code enumerated in RCW 19.27.031 as amended and adopted by the state building code council that affects single-family or multifamily residential buildings shall be effective unless the amendment is approved by the building code council under RCW 19.27.074(1)(b).

(b) Any county or city amendment to a code enumerated in RCW 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to be effective after any action is taken under RCW 19.27.074(1)(a) without necessity of reapproval under RCW 19.27.074(1)(b) unless the amendment is declared null and void by the council at the time any action is taken under RCW 19.27.074(1)(a) because such action in any way altered the impact of the amendment.

(2)(a) The legislative body of a county or city, in exercising the authority provided under subsection (1) of this section to amend the code enumerated in RCW 19.27.031(1)(b), may not adopt amendments that regulate or restrict the minimum gross floor area for single-family detached dwellings.

(b) (a) of this subsection does not apply to cities with a population of one hundred twenty-five thousand or more.

(3) Except as permitted or provided otherwise under this section, the state building code shall be applicable to all buildings and structures including those owned by the state or by any governmental subdivision or unit of local government.

(((~~(3)~~))) (4) The governing body of each county or city may limit the application of any portion of the state building code to exclude specified classes or types of buildings or structures according to use other than single-family or multifamily residential buildings. However, in no event shall fruits or vegetables of the tree or vine stored in buildings or warehouses constitute combustible stock for the purposes of application of the uniform fire code. A governing body of a county or city may inspect facilities used for temporary storage and processing of agricultural commodities.

(((~~(4)~~))) (5) The provisions of this chapter shall not apply to any building four or more stories high with a B occupancy as defined by the uniform building code, 1982 edition, and with a city fire insurance rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.

(((~~(5)~~))) (6) No provision of the uniform fire code concerning roadways shall be part of the state building code: PROVIDED, That this subsection shall not limit the authority of a county or city to adopt street, road, or access standards.

(((~~(6)~~))) (7) The provisions of the state building code may be preempted by any city or county to the extent that the code provisions relating to the installation or use of sprinklers in jail cells conflict with the secure and humane operation of jails.

(((~~(7)~~))) (8)(a) Effective one year after July 23, 1989, the governing bodies of counties and cities may adopt an ordinance or resolution to exempt from permit requirements certain construction or alteration of either group R, division 3, or group M, division 1 occupancies, or both, as defined in the uniform building code, 1988 edition, for which the total cost of fair market value of the construction or alteration does not exceed fifteen hundred dollars. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the state building code council under RCW 19.27.070.

(b) Prior to July 23, 1989, the state building code council shall adopt by rule, guidelines exempting from permit requirements certain construction and alteration activities under (a) of this subsection.

Sec. 819. RCW 35.63.080 and 1979 ex.s. c 170 s 4 are each amended to read as follows:

(1) The council or board may provide for the preparation by its commission and the adoption and enforcement of coordinated plans for the physical development of the municipality. For this purpose the council or board, in such measure as is deemed reasonably necessary or requisite in the interest of health, safety, morals, and the general welfare, upon recommendation by its commission, by general ordinances of the city or general resolution of the board, may:

(a) Regulate and restrict:

(i) The location and the use of buildings, structures, and land for residence, trade, industrial, and other purposes;

(ii) Except as provided in subsection (2) of this section, the height, number of stories, size, construction, and design of buildings and other structures;

(iii) The size of yards, courts, and other open spaces on the lot or tract;

(iv) The density of population;

(v) The set-back of buildings along highways, parks, or public water frontages; and

(vi) The subdivision and development of land; and ((~~may~~))

(b) Encourage and protect access to direct sunlight for solar energy systems.

((~~A~~)) (2) The council of a city with a population of less than one hundred twenty-five thousand or a board may not regulate or restrict the minimum gross floor area for single-family detached dwellings.

(3) The council of a city where ((~~such~~)) ordinances adopted in accordance with this section are in effect((~~,~~)) may, on the recommendation of its commission, provide for the appointment of a board of adjustment((~~,~~)) to make, in appropriate cases and subject to appropriate conditions and safeguards established by ordinance, special exceptions in harmony with the general purposes and intent and in accordance with general or specific rules therein contained.

Sec. 820. RCW 35A.63.100 and 1979 ex.s. c 170 s 8 are each amended to read as follows:

After approval of the comprehensive plan((~~, as set forth above~~)) in accordance with provisions of this chapter, the legislative body, in developing the municipality and in regulating the use of land, may implement or give effect to the comprehensive plan or parts thereof by ordinance or other action to such extent as the legislative body deems necessary or appropriate. Such ordinances or other action may provide for:

(1) Adoption of an official map and regulations relating thereto designating locations and requirements for one or more of the following: Streets, parks, public buildings, and other public facilities, and protecting such sites against encroachment by buildings and other physical structures.

(2)(a) Dividing the municipality, or portions thereof, into appropriate zones within which specific standards, requirements, and conditions may be provided for regulating: The use of public and private land, buildings, and structures((~~, and~~)); except as provided in (b) of this subsection, the location, height, bulk, number of stories, and size of buildings and structures((~~,~~)); size of yards, courts, and open spaces((~~,~~)); density of population((~~,~~)); ratio of land area to the area of buildings and structures((~~,~~)); setbacks((~~,~~)); area required for off-street parking((~~,~~)); protection of access to direct sunlight for solar energy systems((~~,~~)); and such other standards, requirements, regulations, and procedures as are appropriately related thereto.

(b) The legislative body of a city with a population of less than one hundred twenty-five thousand may not regulate or restrict the minimum gross floor area for single-family detached dwellings.

(c) The ordinance encompassing the matters of this subsection (2) is hereinafter called the "zoning ordinance." No zoning ordinance, or amendment thereto, shall be enacted by the legislative body without at least one public hearing, notice of which shall be given as set forth in RCW 35A.63.070. Such hearing may be held before the planning agency or the board of adjustment or such other body as the legislative body shall designate.

(3) Adoption of design standards, requirements, regulations, and procedures for the subdivision of land into two or more parcels, including, but not limited to, the approval of plats, dedications, acquisitions, improvements, and reservation of sites for public use.

(4) Scheduling public improvements on the basis of recommended priorities over a period of years, subject to periodic review.

(5) Such other matters as may be otherwise authorized by law or as the legislative body deems necessary or appropriate to effectuate the goals and objectives of the comprehensive plan or parts thereof and the purposes of this chapter.

Sec. 821. RCW 36.43.010 and 1963 c 4 s 36.43.010 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the boards of county commissioners may adopt standard building codes and standard fire regulations to be applied within their respective jurisdictions.

(2) The boards of county commissioners may not adopt regulations that restrict the minimum gross floor area for single-family detached dwellings.

Sec. 822. RCW 36.70.750 and 1963 c 4 s 36.70.750 are each amended to read as follows:

Any board, by ordinance, may establish classifications, within each of which, specific controls are identified, and which will regulate:

(1) ((~~Regulate~~)) The use of buildings, structures, and land as between agriculture, industry, business, residence, and other purposes;

(2) ((~~Regulate~~)) Except for the minimum gross floor area for single-family detached dwellings, the location, height, bulk, number of stories, and size of buildings and structures; the size of yards, courts, and other open spaces; the density of population; the percentage of a lot which may be occupied by buildings and structures; and the area required to provide off-street facilities for the parking of motor vehicles."

Correct the title.

Representative Appleton moved the adoption of amendment (153) to amendment (154):

On page 3, line 11 of the amendment, after "more" insert ", as determined by the last federal census"

On page 4, line 36 of the amendment, after "thousand" insert ", as determined by the last federal census,"

On page 5, line 35 of the amendment, after "thousand" insert ", as determined by the last federal census,"

Representatives Appleton and Buys spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (153) to amendment (154) was adopted.

Representatives Blake and Buys spoke in favor of the adoption of the amendment as amended.

Amendment (154), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1123.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1123, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, McCaslin, Rodne, Scott, Shea and Taylor.

ENGROSSED HOUSE BILL NO. 1123, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1257, by Representatives Walkinshaw, Senn, Robinson, Stanford, Farrell, Ormsby, Riccelli, Gregerson, Jinkins, Fitzgibbon, Peterson, Bergquist, Santos and Pollet

Concerning tenant screening.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1257 was substituted for House Bill No. 1257 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1257 was read the second time.

With the consent of the house, amendments (110) and (113) were withdrawn.

Representative Rodne moved the adoption of amendment (112):

On page 5, beginning on line 12, strike all of subsection (24)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Rodne spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (112) was not adopted.

Representative Rodne moved the adoption of amendment (108):

On page 6, line 19, after "unless a" insert "landlord chooses to accept a"

On page 6, beginning on line 24, after "report" strike "but may not charge the prospective tenant for the subsequent report"

Representative Rodne spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (108) was not adopted.

Representative Rodne moved the adoption of amendment (109):

On page 6, beginning on line 25, after "report." strike all material through "report." on line 29

Representative Rodne spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (109) was not adopted.

Representative Rodne moved the adoption of amendment (111):

Strike everything after the enacting clause and insert the following:

"**Sec. 823.** RCW 59.18.257 and 2012 c 41 s 3 are each amended to read as follows:

(1)(a) Prior to obtaining any information about a prospective tenant, the prospective landlord shall first notify the prospective tenant in writing, or by posting, of the following:

(i) What types of information will be accessed to conduct the tenant screening;

(ii) What criteria may result in denial of the application; and

(iii) If a consumer report is used, the name and address of the consumer reporting agency and the prospective tenant's rights to obtain a free copy of the consumer report in the event of a denial or other adverse action, and to dispute the accuracy of information appearing in the consumer report.

(b)(i) The landlord may charge a prospective tenant for costs incurred in obtaining a tenant screening report only if the prospective landlord provides the information as required in (a) of this subsection.

(ii) If a prospective landlord conducts his or her own screening of tenants, the prospective landlord may charge his or her actual costs in obtaining the background information only if the prospective landlord provides the information as required in (a) of this subsection. The amount charged may not exceed the customary costs charged by a screening service in the general area. The prospective landlord's actual costs include costs incurred for long distance phone calls and for time spent calling landlords, employers, and financial institutions.

(c) If a prospective landlord takes an adverse action, the prospective landlord shall provide a written notice of the adverse action to the prospective tenant that states the reasons for the adverse action. The adverse action notice must contain the following information in a substantially similar format, including additional information as may be required under chapter 19.182 RCW:

"ADVERSE ACTION NOTICE
Name
Address
City/State/Zip Code

This notice is to inform you that your application has been:
..... Rejected
..... Approved with conditions:
..... Residency requires an increased deposit
..... Residency requires a qualified guarantor
..... Residency requires last month's rent

..... Residency requires an increased monthly rent of $.....
..... Other:

Adverse action on your application was based on the following:
..... Information contained in a consumer report (The prospective landlord must include the name, address, and phone number of the consumer reporting agency that furnished the consumer report that contributed to the adverse action.)
..... The consumer credit report did not contain sufficient information
..... Information received from previous rental history or reference
..... Information received in a criminal record
..... Information received in a civil record
..... Information received from an employment verification

Dated this ..... day of ....., 20....

Agent/Owner Signature"

(2) Any landlord or prospective landlord who violates this section may be liable to the prospective tenant for an amount not to exceed one hundred dollars. The prevailing party may also recover court costs and reasonable attorneys' fees.

(3) A stakeholder work group comprised of landlords, tenant advocates, and representatives of consumer reporting and tenant screening companies shall convene for the purposes of addressing the issues of tenant screening including, but not limited to: A tenant's cost of obtaining a tenant screening report; the portability of tenant screening reports; the benefits of portable screening reports; criteria used to evaluate a prospective tenant's background, including which court records may or may not be considered; and the regulation of tenant screening services. Specific recommendations on these issues are due to the legislature by December 1, ((~~2012~~)) 2016.

(4) This section does not limit a prospective tenant's rights or the duties of a screening service as otherwise provided in chapter 19.182 RCW."

Correct the title.

Representative Rodne spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (111) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walkinshaw, Kirby and Robinson spoke in favor of the passage of the bill.

Representatives Rodne, Haler, Orcutt, Griffey and Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1257.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1257, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1257, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1575, by Representatives Buys, Dunshee, DeBolt and Stanford

Regulating retainage bonds on public contracts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1575 was substituted for House Bill No. 1575 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1575 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Buys and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1575.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1575, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1575, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1576, by Representatives Fitzgibbon, Cody and Pollet

Concerning sales and use tax for cities to offset municipal service costs to newly annexed areas.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1576 was substituted for House Bill No. 1576 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1576 was read the second time.

SUBSTITUTE HOUSE BILL NO. 1793 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Lytton spoke in favor of the passage of the bill.

Representative Smith spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1793.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1793, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1793, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1793.

Representative Dent, 13th District

SECOND READING

HOUSE BILL NO. 1836, by Representatives Stanford, Blake, Lytton, Walkinshaw, Gregerson and Tarleton

Concerning state drought preparedness.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1836 was substituted for House Bill No. 1836 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1836 was read the second time.

Representative Stanford moved the adoption of amendment (180):

On page 11, after line 6, insert the following:

"NEW SECTION. **Sec. 15.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Stanford and Buys spoke in favor of the adoption of the amendment.

Amendment (180) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1836.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1836, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1836, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1845, by Representatives DeBolt, Fitzgibbon, Orcutt, Short, Smith and Jinkins

Concerning pharmaceutical waste.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1845 was substituted for House Bill No. 1845 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1845 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (106):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 16.** (1) The legislature finds that health care workers operate in a complex regulatory environment that can affect their core mission of treating illness and saving lives.

(2) It is the legislature's intent that the department of ecology, with input from the regulated community, develop a consistent, statewide approach for regulating pharmaceutical waste that most effectively helps health care establishments, and pharmaceutical and medical waste handling businesses implement and comply with the regulation of pharmaceutical wastes under chapter 70.105 RCW.

(3) It is the intent of the legislature that the department of ecology implement consistent regulatory oversight of pharmaceutical waste management facilities in the state in order to support a level playing field.

NEW SECTION. **Sec. 17.** (1) By September 1, 2015, the department shall convene a work group to identify the problems of properly managing pharmaceutical wastes and recommend solutions to improve management of these wastes at the site of generation through treatment or disposal by commercial waste management facilities. The work group may develop recommendations including, but not limited to, new or revised policies to be issued by the department, recommendations for ensuring consistent interpretation and implementation of existing rules, recommendations for amendments to chapter 70.105 RCW or rules adopted pursuant to chapter 70.105 RCW, and recommendations on how the department will implement consistent regulatory oversight of pharmaceutical waste management facilities that receive waste from sources statewide. The work group must provide recommendations to the appropriate fiscal and policy committees of the legislature by December 31, 2015.

(2) The members of the work group must include representatives of state agencies, including the department, the department of health, and the department of labor and industries, the state's qualified pharmaceutical waste handling facilities, a statewide association representing medical doctors, hospitals and other health care providers, and other parties with expertise in the field of pharmaceutical waste management. To facilitate the work group, the department must hire a consultant that is on the state list of qualified contractors with expertise in the federal resource conservation and recovery act.

(3) In order to promote an open dialogue on the challenges of managing pharmaceutical wastes at the site of generation and by commercial waste management companies, the department may not use information shared by pharmaceutical waste generators or pharmaceutical waste handling facilities during work group meetings for enforcement purposes unless the department determines that an activity being performed at a facility or conditions at a facility: (a) Pose an imminent threat of placing a person in danger of death or bodily harm; or (b) have a probability of causing environmental harm.

(4) The legislature encourages the department to exercise its enforcement discretion with regard to pharmaceutical waste during the pendency of the work group process described in subsection (1) of this section.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Department" means the department of ecology.

(b) "Pharmaceutical waste generators" includes hospitals, clinics, and other health care facilities that administer pharmaceuticals.

(c) "Qualified pharmaceutical waste handling facilities" includes facilities that handle state-only pharmaceutical waste destined for disposal at a facility eligible to accept such waste, process medical waste to eliminate biohazards, operate a wastewater treatment plant pursuant to a valid state waste discharge permit issued under chapter 90.48 RCW, and offer appropriate training to pharmaceutical waste generators on sorting and disposal of pharmaceutical waste.

(d) "State-only pharmaceutical waste" includes any schedule I through V controlled substances as defined in chapter 69.50 RCW, legend drugs as defined in chapter 69.41 RCW, and over-the-counter medications as defined in chapter 69.60 RCW that are designated as dangerous waste under rules adopted under chapter 70.105 RCW and that are not a hazardous waste under the federal resource conservation and recovery act, 42 U.S.C. Sec. 6901 et seq."

Correct the title.

Representatives Fitzgibbon and DeBolt spoke in favor of the adoption of the amendment.

Amendment (106) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives DeBolt and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1845.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1845, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1845, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1085, by Representatives Moeller, Gregerson, S. Hunt, Cody, Hudgins and Pollet

Requiring lobbying reports to be filed electronically.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1085 was substituted for House Bill No. 1085 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1085 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moeller and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1085.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1085, and the bill passed the House by the following vote: Yeas, 85; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Dent, G. Hunt, Hargrove, Klippert, Kretz, McCaslin, Schmick, Scott, Shea, Short, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1085, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1998, by Representatives Johnson, Morris, Short, Wylie, Smith, McCabe, Nealey, Tarleton, Tharinger and Van De Wege

Allowing public utility districts to produce and sell renewable natural gas.

The bill was read the second time.

Representative Johnson moved the adoption of amendment (121):

Strike everything after the enacting clause and insert the following:

"**Sec. 18.** RCW 54.04.190 and 2007 c 348 s 210 are each amended to read as follows:

(1) In addition to any other authority provided by law, public utility districts are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.

(2) In addition to any other authority provided by law:

(a) Public utility districts are authorized to produce renewable natural gas and utilize the renewable natural gas they produce for internal operations.

(b) Public utility districts may sell renewable natural gas that is delivered into a gas transmission pipeline located in the state of Washington or delivered in pressurized containers:

(i) At wholesale; or

(ii) To an end-use customer if delivered in a pressurized container, or if the end-use customer takes delivery of the renewable natural gas through a pipeline, and the end-use customer is an eligible purchaser of natural gas from sellers other than the gas company from which that end-use customer takes transportation service and:

(A) When the sale is made to an end-use customer in the state of Washington, the sale is made pursuant to a transportation tariff approved by the Washington utilities and transportation commission; or

(B) When the sale to an end-use customer is made outside of the state of Washington, the sale is made pursuant to a transportation tariff approved by the state agency which regulates retail sales of natural gas.

(c) Public utility districts may sell renewable natural gas at wholesale or to an end-use customer through a pipeline directly from renewable natural gas production facilities to facilities that compress, liquefy, or dispense compressed natural gas or liquefied natural gas fuel for end use as a transportation fuel.

(3) Except as provided in subsection (2)(b)(ii) of this section

Representatives Johnson and Morris spoke in favor of the adoption of the amendment.

Amendment (121) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Johnson, Morris, Johnson (again) and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1998.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1998, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1998, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1896, by Representatives Smith, Hudgins, Tarleton and Young

Providing a statewide minimum privacy policy for disclosure of customer energy use information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1896 was substituted for House Bill No. 1896 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1896 was read the second time.

With the consent of the house, amendment (065) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith, Morris and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1896.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1896, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1896, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1095, by Representatives Morris and Hudgins

Promoting thermal energy efficiency.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1095 was substituted for House Bill No. 1095 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1095 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, DeBolt, and Morris (again) spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1095.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1095, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1095, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2000, by Representatives Hurst, Condotta and Tarleton

Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2000.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2000, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Dent, G. Hunt, Haler, Harmsworth, Klippert, Kretz, McCaslin, Parker, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor and Van Werven.

HOUSE BILL NO. 2000, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1449, by Representatives Farrell, Carlyle, Fitzgibbon, Ortiz-Self, Peterson, Walkinshaw, Gregerson, Senn, McBride, Robinson, Tarleton, Pollet, Cody, Ormsby, Riccelli, Kagi, Blake, Fey, Hudgins, Lytton, Bergquist, Sells, Takko, Tharinger, Jinkins, Wylie, S. Hunt, Stanford, Reykdal, Sawyer, Appleton, Van De Wege, Clibborn, Ryu, Goodman and Kilduff

Concerning oil transportation safety.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1449 was substituted for House Bill No. 1449 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1449 was read the second time.

Representative Farrell moved the adoption of amendment (162):

Strike everything after the enacting clause and insert the following:

"**Sec. 19.** RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that

does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 20. RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have

shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ((~~and~~))

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 21. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting

predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 22. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(((~~(4)~~))) (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(((~~(5)~~))) (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(((~~(6)~~))) (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(7)~~))) (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(((~~(8)~~))) (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 23. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ((~~office~~)) department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to

(((~~(7)~~))) (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(((~~(8)~~))) (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(((~~(9)~~))) (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(10)~~))) (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 24. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) The account shall be used exclusively to pay for:

(a) The costs associated with the response to spills ((~~of crude oil or petroleum products into the navigable~~)) or threats of spills of oil or hazardous substances to the waters of the state; and

(b) The costs associated with the department's use of ((~~the~~)) an emergency response towing vessel ((~~as described in RCW 88.46.135~~)).

(3) Payment of response costs under subsection (2)(a) of this section shall be limited to spills which the director has determined are likely to exceed ((~~fifty~~)) one thousand dollars.

(4) Before expending moneys from the account, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills ((~~of crude oil or petroleum products~~)) shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 25. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

(a) Routine responses not covered under RCW 90.56.500;

(b) Management and staff development activities;

(c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the tax provided for in chapter 82.23B RCW; and

(g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. **Sec. 26.** A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) The department must be provided prior notice before a crude oil transfer, that is regulated under this chapter and that may impact waters of the state, occurs between:

(i) A railroad facility and another facility; or

(ii) A railroad facility and a covered vessel.

(b) The notice required in (a) of this subsection is in addition to the requirements found in RCW 88.46.165 and must rely on the "advanced notice of transfer" system used by the department. The notice must include the time, location, volume, and type of oil transfer. The department shall adopt rules under this section.

(2) Twice per year, pipelines must report to the department the volume of oil and type of oil, including types of diluting agents in the oil, transported through the state. Reporting must occur each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(3) The department shall publish data collected under subsections (1) and (2) of this section on a quarterly basis on the department web site. Data reported with respect to oil transportation must be aggregated by county and include county of transfer, volume transferred, type of oil transferred, place of origin, mode of transportation, route taken to the point of transfer, number of rail cars transferring oil, and volume and number of oil spills en route to or during transfer that are reported to the department.

(4) Consistent with RCW 42.56.270, the department, as well as other entities that receive shared information from the department under this section, may not disclose individual, nonaggregated

notices of transfers involving a railroad facility submitted to the department under subsection (1)(a) of this section or information submitted to the department under subsection (2) of this section regarding the diluting agents contained in oil transported by pipeline. However, the department may share unaggregated information collected pursuant to subsections (1) and (2) of this section:

(a) For use by a local emergency planning committee for the purposes of RCW 38.52.040; and

(b) For use by state or local police departments, fire departments, paramedics, and other state or local government personnel with an official emergency management or emergency response duty.

NEW SECTION. **Sec. 27.** A new section is added to chapter 90.56 RCW to read as follows:

The department shall periodically evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

Sec. 28. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of 7(s)9.3(on w)22state.

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(1) Any barge that transports hazardous substances in bulk as cargo, using any port or place in the state of Washington or the navigable waters of the state shall establish evidence of financial responsibility in the amount of the greater of five million dollars, or three hundred dollars per gross ton of such vessel.

(2)(a) Except as provided in (b) or (c) of this subsection, a tank vessel that carries oil as cargo in bulk shall demonstrate financial responsibility to pay at least five hundred million dollars. The amount of financial responsibility required under this subsection is one billion dollars after January 1, 2004.

(b) The director by rule may establish a lesser standard of financial responsibility for tank vessels of three hundred gross tons or less. The standard shall set the level of financial responsibility based on the quantity of cargo the tank vessel is capable of carrying. The director shall not set the standard for tank vessels of three hundred gross tons or less below that required under federal law.

(c) The owner or operator of a tank vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a tank vessel to prove membership in such an organization.

(3)(a) A cargo vessel or passenger vessel that carries oil as fuel shall demonstrate financial responsibility to pay at least three hundred million dollars. However, a passenger vessel that transports passengers and vehicles between Washington state and a foreign country shall demonstrate financial responsibility to pay the greater of at least six hundred dollars per gross ton or five hundred thousand dollars.

(b) The owner or operator of a cargo vessel or passenger vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the

(4) If a person holds a certificate for more than one covered vessel or facility and a spill or spills occurs from one or more of those vessels or facilities for which the owner or operator may be liable for damages in an amount exceeding five percent of the financial resources reflected by the certificate, as determined by the director, the certificate is immediately considered inapplicable to any vessel or facility not associated with the spill. In that event, the owner or operator shall demonstrate to the satisfaction of the director the amount of financial ability required pursuant to this chapter, as well as the financial ability to pay all damages that arise or have arisen from the spill or spills that have occurred.

Sec. 33. RCW 88.16.170 and 1991 c 200 s 601 are each amended to read as follows:

Because of the danger of spills, the legislature finds that the transportation of crude oil and refined petroleum products by tankers on the Columbia river, Grays Harbor, and on Puget Sound and adjacent waters creates a great potential hazard to important natural resources of the state and to jobs and incomes dependent on these resources.

The legislature recognizes that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill. The legislature also recognizes Grays Harbor and Puget Sound and adjacent waters are ((~~a~~)) relatively confined salt water environments with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill.

The legislature further recognizes that certain areas of the Columbia river, Grays Harbor, and Puget Sound and adjacent waters have limited space for maneuvering a large oil tanker and that these waters contain many natural navigational obstacles as well as a high density of commercial and pleasure boat traffic.

For these reasons, it is important that large oil tankers be piloted by highly skilled persons who are familiar with local waters and that such ((~~tankers~~)) vessels have sufficient capability for rapid maneuvering responses.

It is therefore the intent and purpose of RCW 88.16.180 and 88.16.190 to decrease the likelihood of oil spills on the Columbia river, Grays Harbor, and on Puget Sound and its shorelines by ((~~requiring all oil tankers above a certain size to employ licensed pilots and to be escorted by a tug or tugs while navigating on certain areas of Puget Sound and adjacent waters~~)) establishing safety requirements that comprehensively address spill risks, which may include the establishment of tug escorts and other measures to mitigate safety risks in certain state waters.

Sec. 34. RCW 88.16.190 and 1994 c 52 s 1 are each amended to read as follows:

(1) ((~~Any oil tanker, whether enrolled or registered, of greater than one hundred and twenty-five thousand deadweight tons shall be prohibited from proceeding beyond a point east of a line extending from Discovery Island light south to New Dungeness light.~~

~~(2) An oil tanker, whether enrolled or registered, of forty to one hundred and twenty-five thousand deadweight tons may proceed beyond the points enumerated in subsection (1) if such tanker possesses all of the following standard safety features:~~

~~(a) Shaft horsepower in the ratio of one horsepower to each two and one-half deadweight tons; and~~

~~(b) Twin screws; and~~

~~(c) Double bottoms, underneath all oil and liquid cargo compartments; and~~

~~(d) Two radars in working order and operating, one of which must be collision avoidance radar; and~~

~~(e) Such other navigational position location systems as may be prescribed from time to time by the board of pilotage commissioners:~~

~~PROVIDED, That, if such forty to one hundred and twenty-five thousand deadweight ton tanker is in ballast or is under escort of a tug or tugs with an aggregate shaft horsepower equivalent to five percent of the deadweight tons of that tanker, subsection (2) of this section shall not apply: PROVIDED FURTHER, That additional tug shaft horsepower equivalencies may be required under certain conditions as established by rule and regulation of the Washington utilities and transportation commission pursuant to chapter 34.05 RCW: PROVIDED FURTHER, That~~)) Except as provided in subsection (3) of this section, an oil tanker of greater than forty thousand deadweight tons may operate in the waters described in (a) of this subsection, to the extent that these waters are within the territorial boundaries of Washington, only if the oil tanker is under the escort of a tug or tugs in compliance with the requirements of subsection (5) of this section.

(a) Those waters east of a line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area.

(b) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, may write rules to implement this subsection (1)(b), but only after an event described in subsection (2) of this section takes place and only for the waters directly affected by the facility event. These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges that may apply in the following areas consistent with subsections (3)(a) and (5) of this section:

(i) Within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050;

(ii) Any inland portion of the Columbia river or within three miles of Cape Disappointment at the mouth of the Columbia river; or

(iii) The waters identified in (a) of this subsection.

(c) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, shall adopt rules by June 30, 2017, to implement this subsection (1)(c). These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges and apply in the following areas consistent with subsections (3)(a) and (5) of this section: The waters described in (a) of this subsection, including all narrow channels of the San Juan Islands archipelago, Rosario Strait, Haro Strait, Boundary Pass, and connected waterways.

(2) The state board of pilotage commissioners may adopt rules under subsection (1)(b) of this section only after:

(a) The governor approves, after January 1, 2015, a recommendation of the energy facility site evaluation council pursuant to RCW 80.50.100 to certify a facility meeting the criteria listed in RCW 80.50.020(12) (d) or (f);

(b) A state agency or a local jurisdiction makes a final determination or issues a final permit after January 1, 2015, to site a new facility required to have a contingency plan pursuant to chapter 90.56 RCW or to provide authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility required to have a contingency plan pursuant to chapter 90.56 RCW, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility; or

(c) The state of Oregon or any local jurisdiction in Oregon makes a final determination or issues a final permit to site a new facility in the watershed of the Columbia river that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, or to provide

authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility.

(3)(a) If an oil tanker, articulated tug barge, or other towed waterborne vessel or barge is in ballast, the tug requirements of subsection (1) of this section do not apply.

(b) If an oil tanker is a single-hulled oil tanker of greater than five thousand gross tons, the requirements of subsection (1)(a) of this section do not apply and the oil tanker must instead comply with 33 C.F.R. Part 168, as of the effective date of this section.

(4)(a) Prior to proceeding with rule making as authorized under subsection (1)(b) and (c) of this section, the state board of pilotage commissioners shall consult with the United States coast guard, the Oregon board of maritime pilots, the Puget Sound, Grays Harbor, and Columbia river harbor safety committees, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities. In adopting rules, the state board of pilotage commissioners must take into account any tug escort or other maritime safety measures for a water body that were or are required as mitigation or as a condition of a facility siting decision by a state agency or local jurisdiction.

(b) The department may not adopt any rules under this subsection or under subsection (1)(b) and (c) of this section until a vessel traffic risk assessment has been completed for the waters subject to the rule making. In order to adopt a rule under this section or subsection (1)(b) and (c) of this section, the board of pilotage commissioners must determine that the results of a vessel traffic risk assessment provides evidence that the rules are necessary in order to achieve best achievable protection as defined in RCW 88.46.010. In order for the state board of pilotage commissioners to rely on a vessel traffic risk assessment that is conducted after January 1, 2015, the vessel traffic risk assessment must involve a simulation analysis of vessel traffic. A simulation analysis is not required of a vessel traffic risk assessment relied upon by the state board of pilotage commissioners that was conducted before January 1, 2015.

(5) Oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges must ensure that any escort tugs they use have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge. The state board of pilotage commissioners may adopt rules to ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort. Rules adopted on this subject must be designed to achieve best achievable protection as defined under RCW 88.46.010.

(6) A tanker assigned a deadweight of equal to or less than forty thousand deadweight tons at the time of construction or reconstruction as reported in Lloyd's Register of Ships is not subject to the provisions of RCW 88.16.170 through 88.16.190.

(7) The provisions of this section do not apply to pilotage for enrolled tankers.

(8) For the purposes of this section:

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 35. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ((~~travelling~~)) traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car or pipeline.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 36. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; or (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; and (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a

tank car, pipeline, or waterborne vessel or barge at the rate of ((~~four~~)) ten cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ((~~shall~~)) must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ((~~imposition of the~~)) taxes imposed, or having collected the taxes, fails to pay them to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ((~~shall~~)), nevertheless, ((~~be~~)) is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ((~~shall~~)) relieves the owner from further liability for the taxes.

(4) Taxes collected under this chapter ((~~shall~~)) must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ((~~shall be~~)) is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ((~~shall~~)) must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ((~~shall be~~)) are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ((~~shall~~)) constitutes a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter, ((~~shall be~~)) is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department. The department ((~~shall~~)) must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ((~~shall~~)) must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ((~~shall~~)) relieves the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ((~~shall~~)) must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ((~~shall~~)) must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ((~~shall~~)) may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ((~~shall~~)) must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 37. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ((~~shall~~)) only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 38. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ((~~shall~~)) must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

Sec. 39. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than seventeen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, and private industry. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials planning and response activities. ((~~The council or a subcommittee thereof shall periodically convene in special session and serve during those sessions as the state emergency response commission required by P.L. 99-499, the emergency planning and community right to know act. When sitting in session as the state emergency response commission, the council shall confine its deliberations to those items specified in federal statutes and state administrative rules governing the coordination of hazardous materials policy.~~)) The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The

state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 40. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee equal to ((~~one-and-one-half~~)) two-tenths of one percent of its combined intrastate gross operating revenue and the Washington state portion of its gross interstate operating revenue. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. **Sec. 41.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 42. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 43. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. **Sec. 44.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage;

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section; and

(c) Requirements governing the improvements to private crossings the railroad company must pay for and complete.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 45. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

(((~~(3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.~~)))

Sec. 46. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by

any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23)(a) Notices of a transfer of crude oil involving a railroad facility submitted to the department of ecology pursuant to section 8(1)(a) of this act and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8(4) of this act; and

(b) Information submitted to the department of ecology by pipelines pursuant to section 8(2) of this act that is related to diluting agents contained in transported oil and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the information pursuant to section 8(4) of this act.

NEW SECTION. **Sec. 47.** Sections 17 through 20 of this act take effect January 1, 2016.

NEW SECTION. **Sec. 48.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Farrell moved the adoption of amendment (192) to amendment (162):

On page 16, beginning on line 26 of the striking amendment, after "spills" strike "((~~of crude oil or petroleum products into the navigable~~)) or threats of spills of oil or hazardous substances to the" and insert "or threats of spills of crude oil or petroleum products into the ((~~navigable~~))"

On page 16, line 34 of the striking amendment, after "account" insert ", but without delaying response activities"

On page 17, line 2 after "spills" strike "((~~of crude oil or petroleum products~~))" and insert "of crude oil or petroleum products"

On page 18, line 17 of the striking amendment, after "section" insert ", but without delaying response activities"

On page 18, line 31 of the striking amendment, after "the" strike "time, location, volume, and type of oil transfer" and insert "volume of the oil to be transferred, location of transfer, vapor pressure of the oil to be transferred, gravity of the oil, as measured by the American petroleum institute, to be transferred, and the twenty-four hour range of time within which the oil transfer is anticipated to occur"

On page 18, line 34 of the striking amendment, after "volume of oil" strike "and type of oil, including" and insert ", gravity of the oil, as measured by the American petroleum institute, vapor pressure of the oil, and"

On page 19, line 2 of the striking amendment, after "aggregated" strike "by county and include county of transfer" and insert "on a statewide basis"

On page 29, line 32 of the striking amendment, after "commissioners" strike "shall consult" and insert "must collaborate"

On page 36, line 18 of the striking amendment, after "plans" insert ", with an initial focus on the highest risk communities through which trains that transport oil in bulk travel"

On page 44, beginning on line 29 of the striking amendment, after "oil" strike "involving a railroad facility"

Representatives Farrell and Shea spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (192) to amendment (162) was adopted.

Representative Shea moved the adoption of amendment (174) to amendment (162):

On page 32, line 3 of the striking amendment, after "car" strike "or pipeline"

On page 32, line 11 of the striking amendment, after "state;" insert "and"

On page 32, beginning on line 12 of the striking amendment, after "car" strike all material through "pipeline" on line 14

On page 32, line 17 of the striking amendment, after "car" strike ", pipeline,"

On page 32, line 24 of the striking amendment, after "state;" insert "and"

On page 32, line 26 of the striking amendment, after "car" strike all material through "pipeline" on line 27

On page 32, line 30 of the striking amendment, after "car" strike ", pipeline,"

On page 32, line 31 of the striking amendment, after "of" strike "((~~four~~)) ten" and insert "four"

Representative Shea spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

Amendment (174) to amendment (162) was not adopted.

Representative Farrell moved the adoption of amendment (193) to amendment (162):

On page 32, line 31 of the striking amendment, after "((~~four~~))" strike "ten" and insert "eight"

Representatives Farrell and Shea spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (193) to amendment (162) was adopted.

Representatives Farrell and Shea spoke in favor of the adoption of the striking amendment.

Amendment (162), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell, Riccelli, Wylie and Carlyle spoke in favor of the passage of the bill.

Representatives Shea and Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1449.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1449, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox and Wilson.

Representatives Peterson, Pollet and McCaslin spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1571.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1571, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, McBride, McCaslin, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, Manweller, McCabe, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Ortiz-Self congratulated Representative Peterson on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1174, by Representatives Van De Wege, Taylor, Fitzgibbon, Senn, Shea, Magendanz, Springer, Tarleton, Ortiz-Self, Gregerson, Ormsby, Hunter, Ryu, S. Hunt, Riccelli, Stanford, Tharinger, Jinkins, Walkinshaw, Fey, Clibborn, Farrell and Goodman

Concerning flame retardants.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1174 was substituted for House Bill No. 1174 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1174 was read the second time.

Representative Shea moved the adoption of amendment (170):

On page 2, line 18, after "department" insert ", as of January 1, 2015,"

On page 3, line 2, after "34.05.320." insert "If the department initiates a process before July 1 in a given year to adopt a rule that identifies a flame retardant as a high priority chemical of high concern for children, the report must be submitted to the legislature no later than December 31 of the same calendar year. If the department initiates a process after July 1 in a given year to adopt a rule that identifies a flame retardant as a high priority chemical of high concern for children, the report must be submitted to the legislature no later than December 31 of following calendar year."

On page 3, after line 23, strike all material through "distribution." on page 4, line 6, and insert "A manufacturer of residential upholstered furniture or children's products must continue to provide notice to the department consistent with RCW 70.240.040 for flame retardants restricted under this chapter. The department must use the information provided under RCW 70.240.040 to implement and enforce restrictions under this chapter on flame retardants in residential upholstered furniture and children's products."

Representative Shea spoke in favor of the adoption of the amendment.

Representative Fitzgibbon spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (170) to Second Substitute House Bill No. 1174.

ROLL CALL

The Clerk called the roll on the adoption of amendment (170) to Second Substitute House Bill No. 1174 and the amendment was not adopted by the following vote: Yeas, 47; Nays, 51; Absent, 0; Excused, 0.

Voting yea: Representatives Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Takko, Van Werven, Vick, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Walkinshaw, Walsh, and Wylie

Representative Taylor moved the adoption of amendment (185):

On page 2, line 34, after "(c)." insert "The adoption of a rule to identify a flame retardant as a high priority chemical of high concern for children after January 1, 2015, must be completed prior to December 1 of any year, and the restrictions under section 2 of this act shall take effect at the end of the regular legislative session in the following year."

Representatives Taylor and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (185) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege, Taylor, Shea, Fitzgibbon, Short and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1174.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Dent and Pike.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1853, by Representatives Magendanz, Bergquist, Morris, Muri, Tarleton, Fitzgibbon and Tharinger

Encouraging utility leadership in electric vehicle charging infrastructure build-out.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1853 was substituted for House Bill No. 1853 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1853 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Magendanz, Morris and Muri spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1853.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1853, and the bill passed the House by the following vote: Yeas, 71; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Harmsworth, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, G. Hunt, Griffey, Hargrove, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, McCabe, McCaslin, Nealey, Orcutt, Pike, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1853, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1279, by Representatives Kochmar and Gregory

Modifying the definition of legislative authority for purposes of local tourism promotion areas.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kochmar and Gregory spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1279.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Gregory, Griffey, Haler, Hansen, Hayes, Holy, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Buys, Condotta, G. Hunt, Goodman, Gregerson, Hargrove, Harmsworth, Harris, Hawkins, Hudgins, Klippert, Kretz, McCaslin, Orwall, Pike, Sawyer, Schmick, Scott, Shea, Short, Taylor, Van Werven, Wilson and Young.

HOUSE BILL NO. 1279, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1223, by Representatives Springer, Kochmar, Sullivan, Rodne, Pettigrew, Wilcox, Fitzgibbon,

McBride, Tarleton, Stokesbary, Sells, Lytton, Bergquist, Ormsby, Pollet, Fey, Santos and Walkinshaw

Allowing the use of lodging taxes for financing workforce housing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1223 was substituted for House Bill No. 1223 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1223 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Johnson spoke in favor of the passage of the bill.

Representative Hunter spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1223.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1223, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hunter, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1223, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1590, by Representatives Reykdal, Haler, Dunshee, Ryu, Van De Wege, Ormsby, Fitzgibbon, Riccelli, Blake, Tarleton, McBride, Wylie and Goodman

Requiring completion of an apprenticeship program to receive a journey level or residential specialty electrician certificate of competency.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1590.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1590, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

HOUSE BILL NO. 1590, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1763, by Representatives Van De Wege, Lytton, Riccelli and Tharinger

Regulating music licensing agencies.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1763 was substituted for House Bill No. 1763 and the second

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(c) Engage in any coercive conduct, act or practice that is substantially disruptive to a proprietor's business; or

(d) Use or attempt to use any unfair or deceptive act or practice in negotiating with a proprietor.

(3) A representative or agent of a music licensing agency must communicate with the proprietor of a business at least once in person before conducting an investigation to substantiate a claim for the use of copyrighted music by the proprietor.

NEW SECTION. **Sec. 6.** The legislature finds that the practices covered by section 5 of this act are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Van De Wege, MacEwen and Hudgins spoke in favor of the adoption of the amendment.

Amendment (194) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1763.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1763, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McBride, Morris, Pike, Sawyer, Springer and Takko.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2040, by Representatives McCabe, Caldier, Senn, Harris, McBride, Dent, Johnson, Sells, Kagi, Kilduff and Wilson

Initiating a campaign to increase veteran employment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2040 was substituted for House Bill No. 2040 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2040 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCabe, Appleton, Johnson, Caldier, Klippert, Parker, McCaslin and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2040.

MOTION

On motion of Representative Van De Wege, Representative Carlyle was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2040, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

SECOND SUBSTITUTE HOUSE BILL NO. 2040, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1516, by Representatives Pettigrew, Santos, Magendanz, Condotta, Fitzgibbon and Ormsby

Providing an exemption for certain lodging services from the convention and trade center tax.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1516 was substituted for House Bill No. 1516 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1516 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1516.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1516, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

SUBSTITUTE HOUSE BILL NO. 1516, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Local Government was relieved of ENGROSSED SENATE BILL NO. 5111, and the bill was referred to the Committee on Technology & Economic Development.

There being no objection, the Committee on Technology & Economic Development was relieved of ENGROSSED SENATE BILL NO. 5923, and the bill was referred to the Committee on Local Government.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1021
HOUSE BILL NO. 1067
HOUSE BILL NO. 1107
HOUSE BILL NO. 1127
HOUSE BILL NO. 1178
HOUSE BILL NO. 1232
HOUSE BILL NO. 1250
HOUSE BILL NO. 1283
HOUSE BILL NO. 1294
HOUSE BILL NO. 1349
HOUSE BILL NO. 1364
HOUSE BILL NO. 1417
HOUSE BILL NO. 1437
HOUSE BILL NO. 1472
HOUSE BILL NO. 1536
HOUSE BILL NO. 1634
HOUSE BILL NO. 1651
HOUSE BILL NO. 1652
HOUSE BILL NO. 1654
HOUSE BILL NO. 1685
HOUSE BILL NO. 1689
HOUSE BILL NO. 1718
HOUSE BILL NO. 1730
HOUSE BILL NO. 1740
HOUSE BILL NO. 1799
HOUSE BILL NO. 1839
HOUSE BILL NO. 1849
HOUSE BILL NO. 1893
HOUSE BILL NO. 1911
HOUSE BILL NO. 1917
HOUSE BILL NO. 1956
HOUSE BILL NO. 1957
HOUSE BILL NO. 1977

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., March 6, 2015, the 54th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY FOURTH DAY

House Chamber, Olympia, Friday, March 6, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amaya Fox and Zane Butler. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Ken Ford, Matlock Community Church and Chaplain, Central Mason Fire and EMS, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1819 and the bill was placed on the second reading calendar:

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) asked the body to join her in wishing Representative Wilson a happy birthday.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

March 5, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SENATE BILL NO. 5616
and the same is herewith transmitted.
Hunter G. Goodman, Secretary

March 5, 2015

MR. SPEAKER:

The Senate has passed:
SENATE BILL NO. 5020
SECOND SUBSTITUTE SENATE BILL NO. 5127
SENATE BILL NO. 5143
SUBSTITUTE SENATE BILL NO. 5147
SENATE BILL NO. 5442
SECOND SUBSTITUTE SENATE BILL NO. 5755
SENATE BILL NO. 5779
SUBSTITUTE SENATE BILL NO. 5999
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2187 by Representatives Dunshee and DeBolt

AN ACT Relating to state general obligation bonds and related accounts.

Referred to Committee on Capital Budget.

HB 2188 by Representatives Dunshee and DeBolt

AN ACT Relating to the capital budget.

Referred to Committee on Capital Budget.

HB 2189 by Representatives Dunshee and DeBolt

AN ACT Relating to the capital budget.

Referred to Committee on Capital Budget.

SSB 5023 by Senate Committee on Health Care (originally sponsored by Senators Parlette and Keiser)

AN ACT Relating to the filing of group health benefit plans other than small group plans, stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations; amending RCW 48.18.100 and 48.19.010; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5027 by Senate Committee on Health Care (originally sponsored by Senators Angel, Darneille, Dammeier, Keiser, Parlette, Cleveland, Bailey and Chase)

AN ACT Relating to providing access to the prescription drug monitoring database for clinical laboratories; amending RCW 70.225.040; and adding new sections to chapter 70.225 RCW.

Referred to Committee on Health Care & Wellness.

SB 5104 by Senator Padden

AN ACT Relating to possession or use of alcohol and controlled substances in sentencing provisions; amending RCW 9.94A.505 and 9.94A.607; and reenacting and amending RCW 9.94A.703.

Referred to Committee on Public Safety.

SB 5122 by Senators Kohl-Welles, Frockt, Liias, Bailey and McAuliffe

AN ACT Relating to precollege placement measures; amending RCW 28B.77.020; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

SB 5137 by Senators Hatfield, Pearson, Hobbs, Chase, Conway, Roach, McAuliffe, O'Ban and Mullet

AN ACT Relating to providing a complimentary discover pass to veterans with a one hundred percent service-connected disability; and amending RCW 79A.80.020.

Referred to Committee on Environment.

SSB 5154 by Senate Committee on Ways & Means (originally sponsored by Senator Hargrove)

AN ACT Relating to registered sex or kidnapping offenders; amending RCW 4.24.550, 9A.44.128, 9A.44.130, 9A.44.132, 9A.44.140, 9A.44.141, 9A.44.142, 9A.44.143, 43.43.754, 9.94A.030, 28A.300.147, and 72.09.345; reenacting and amending RCW 9.94A.515 and 42.56.240; adding a new section to chapter 9A.44 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

E2SSB 5177 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban and Darneille)

AN ACT Relating to improving timeliness of competency evaluation and restoration services, by clarifying alternative locations for the provision of competency restoration services and defining time periods of commitment; amending RCW 10.77.086, 10.77.088, and 10.77.220; adding a new section to chapter 10.77 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5203 by Senators Warnick, Hasegawa and Keiser

AN ACT Relating to job order contracting requirements; and amending RCW 39.10.440.

Referred to Committee on Capital Budget.

2SSB 5215 by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Pedersen, Kohl-Welles, Baumgartner, Padden, Darneille, Keiser, Benton and O'Ban)

AN ACT Relating to establishing the Washington internet crimes against children account; and adding new sections to chapter 43.101 RCW.

Referred to Committee on Appropriations.

SSB 5221 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton and Roach)

AN ACT Relating to the disposition of tenant property placed upon the nearest public property; and amending RCW 59.18.312.

Referred to Committee on Judiciary.

SB 5227 by Senators Baumgartner, O'Ban, Dammeier and Fain

AN ACT Relating to international commercial arbitration; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

E2SSB 5243 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, King, Keiser, Conway and Chase)

AN ACT Relating to services provided by residential habilitation centers; and amending RCW 71A.20.180.

Referred to Committee on Early Learning & Human Services.

SB 5247 by Senators O'Ban, Dammeier, Kohl-Welles and Chase

AN ACT Relating to driving while license suspended when the suspension is based on noncompliance with a child support order; amending RCW 46.20.342; and prescribing penalties.

Referred to Committee on Judiciary.

ESB 5262 by Senators O'Ban, Pedersen, Darneille, Dammeier and Honeyford

AN ACT Relating to access to juvenile case records for the Washington state office of civil legal aid; and reenacting and amending RCW 13.50.010.

Referred to Committee on Judiciary.

E2SSB 5269 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Rolfes, Dansel, Miloscia, Pearson, Bailey, Padden, Becker, Frockt, Habib and Pedersen)

AN ACT Relating to court review of detention decisions under the involuntary treatment act; amending RCW 71.05.130 and 71.05.160; adding new sections to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5290 by Senators Braun, Roach, Miloscia, Dammeier, Angel, Habib, Hatfield, Chase, Hobbs and McCoy

AN ACT Relating to authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data; and amending RCW 70.225.040.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5298 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Ericksen, Hatfield, Honeyford and Warnick)

AN ACT Relating to the diversion of certain municipal waters; and amending RCW 90.03.397.

Referred to Committee on Agriculture & Natural Resources.

SB 5307 by Senators O'Ban, Ranker and Dammeier

AN ACT Relating to deficit reimbursement agreements with counties owning and operating ferry systems; and amending RCW 47.56.725.

Referred to Committee on Transportation.

2SSB 5311 by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, O'Ban, Frockt, Darneille, Keiser, McCoy, Kohl-Welles, Hasegawa and Jayapal)

AN ACT Relating to requiring crisis intervention training for peace officers; adding a new section to chapter 43.101 RCW; and creating a new section.

Referred to Committee on Public Safety.

ESSB 5316 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Dammeier, Rolfes, Rivers, Hasegawa, Brown, Frockt, Dansel, Braun, Chase, Angel and Kohl-Welles)

AN ACT Relating to privacy and security of personally identifiable student information; amending RCW 28A.300.500, 28A.300.507, 28A.320.035, and 28A.605.030; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5324 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, Fain, King, Liias, Angel and Honeyford)

AN ACT Relating to the distribution and use of aircraft excise taxes; amending RCW 82.48.080 and 82.42.090; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5355 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Roach, Conway, Braun, Baumgartner, Rolfes, O'Ban, McAuliffe and Chase)

AN ACT Relating to modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014; amending RCW 28B.15.012; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SSB 5362 by Senate Committee on Transportation (originally sponsored by Senators King and Liias)

AN ACT Relating to the regulation of passenger charter and excursion carriers; amending RCW 81.70.020, 81.70.030, 81.70.220, 81.70.260, 81.70.320, 81.70.350, and 81.70.360; adding new sections to chapter 81.70 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SB 5394 by Senators Rivers, Darneille, Kohl-Welles, Cleveland, Brown and Keiser

AN ACT Relating to clarifying the applicability of child abduction statutes to residential provisions ordered by a court; amending RCW 9A.40.060 and 9A.40.070; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

ESB 5416 by Senators King and Benton

AN ACT Relating to service fees on vessel-related transactions; amending RCW 88.02.560 and 88.02.640; and creating a new section.

Referred to Committee on Transportation.

SB 5458 by Senators Angel, Rolfes and Hasegawa

AN ACT Relating to health district banking; and adding a new section to chapter 70.46 RCW.

Referred to Committee on Local Government.

SSB 5463 by Senate Committee on Ways & Means (originally sponsored by Senators Hill, Kohl-Welles, Fain, Fraser, Litzow, King, Angel, Nelson, Chase, Pedersen, Roach, Liias and McAuliffe)

26.21A.510, 26.21A.515, 26.21A.520, 26.21A.525, 26.21A.530, 26.21A.535, 26.21A.540, 26.21A.545, 26.21A.550, and 26.21A.570; adding new sections to chapter 26.21A RCW; repealing RCW 26.21A.105, 26.21A.145, and 26.21A.600; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

ESB 5504 by Senators Hewitt and Hasegawa

AN ACT Relating to allowing additional liquor distributor employees to stock liquor under certain circumstances; and amending RCW 66.44.318.

Referred to Committee on Commerce & Gaming.

SSB 5518 by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Litzow, Frockt, Darneille, McAuliffe, Liias, Dammeier, Fain, Keiser, Hasegawa and Habib)

AN ACT Relating to campus sexual violence; amending RCW 28B.110.030; adding a new chapter to Title 28B RCW; creating new sections; and providing expiration dates.

Referred to Committee on Higher Education.

ESB 5523 by Senators Sheldon, Rivers, Angel, Schoesler, Padden, Becker, Warnick, Honeyford and Roach

AN ACT Relating to process server registration; and amending RCW 36.22.210.

Referred to Committee on Judiciary.

ESB 5524 by Senators Sheldon, Rivers, Parlette, Angel, Bailey, Becker, Warnick, Honeyford, Brown, Dammeier and Conway

AN ACT Relating to enhancing the employment of persons with disabilities; adding a new section to chapter 43.41 RCW; and creating new sections.

Referred to Committee on State Government.

SSB 5529 by Senate Committee on Transportation (originally sponsored by Senators Warnick, Rivers, Schoesler, Honeyford, Parlette, Becker and King)

AN ACT Relating to the Royal Slope railroad; amending RCW 47.76.290; adding a new section to chapter 47.76 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 5587 by Senators Becker and Kohl-Welles

AN ACT Relating to funding and expenditures for official national association conferences; amending RCW 42.52.150; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government.

SSB 5600 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Dammeier, Keiser, Darneille and Kohl-Welles)

AN ACT Relating to modifying certain definitions concerning vulnerable adults, including the definitions of abuse and sexual abuse; and amending RCW 74.34.020.

Referred to Committee on Judiciary.

SSB 5645 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Parlette, Cleveland, O'Ban and Darneille)

AN ACT Relating to data reporting concerning the collection of data when a psychiatric patient meets detention criteria and no evaluation and treatment bed is available; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5647 by Senators Conway, Dansel and Fraser

AN ACT Relating to allowing counties to create guardianship courthouse facilitator programs; and adding a new section to chapter 11.88 RCW.

Referred to Committee on Judiciary.

E2SSB 5649 by Senate Committee on Ways & Means (originally sponsored by Senators Darneille, Miloscia, Fraser, Keiser, Parlette, Benton, McCoy and Dammeier)

AN ACT Relating to involuntary outpatient mental health treatment; amending RCW 71.05.150, 71.05.156, 71.05.212, 71.05.230, 71.05.240, 71.05.245, 71.05.280, and 71.05.320; reenacting and amending RCW 71.05.020 and 71.05.020; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

SB 5650 by Senators Padden, Darneille, Pearson and Kohl-Welles

AN ACT Relating to inmate funds subject to deductions; and amending RCW 72.09.480.

Referred to Committee on Public Safety.

SB 5654 by Senators Dansel and Benton

AN ACT Relating to partial payment of current and delinquent taxes to the county treasurer; amending RCW 84.56.020; and repealing 2014 c 13 s 3 (uncodified).

Referred to Committee on Finance.

SB 5658 by Senators Dansel and Kohl-Welles

AN ACT Relating to the role of parties in cases related to certain notices and records; amending RCW 9.41.047, 13.50.100, 28A.405.330, 46.29.270, 46.29.310, 53.48.030,

and 13.34.070; and reenacting and amending RCW 13.50.010.

Referred to Committee on Judiciary.

ESB 5673 by Senators Padden, Kohl-Welles, Roach, Miloscia, Pearson and Darneille

AN ACT Relating to the distribution of synthetic cannabinoids and bath salts; amending RCW 69.50.204 and 69.50.430; adding a new section to chapter 19.86 RCW; and prescribing penalties.

Referred to Committee on Commerce & Gaming.

SB 5692 by Senators Hargrove and Darneille

AN ACT Relating to permanency plans of care for dependent children; amending RCW 13.34.136; and reenacting and amending RCW 13.34.145.

Referred to Committee on Early Learning & Human Services.

SB 5693 by Senators Miloscia, Darneille, Fraser and O'Ban

AN ACT Relating to reducing the costs of state health care expenses for residents committed to the special commitment center operated by the department of social and health services; and amending RCW 71.09.085.

Referred to Committee on Appropriations.

SSB 5705 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Ericksen, Sheldon, Pearson, Becker, Bailey, Warnick and Padden)

AN ACT Relating to establishing a mineral prospecting and mining advisory committee; and adding a new section to chapter 77.55 RCW.

Referred to Committee on Agriculture & Natural Resources.

SB 5712 by Senator Pearson

AN ACT Relating to addressing certain damage caused by wildlife; amending RCW 77.36.100; and adding a new section to chapter 77.36 RCW.

Referred to Committee on Agriculture & Natural Resources.

SB 5717 by Senators Angel, Mullet and Keiser

AN ACT Relating to the insurer holding company act; amending RCW 48.31B.005, 48.31B.010, 48.31B.015, 48.31B.020, 48.31B.025, 48.31B.030, 48.31B.035, 48.31B.040, 48.31B.050, 48.31B.070, 42.56.400, 48.02.065, 48.13.061, 48.97.005, 48.125.140, 48.155.010, and 48.155.015; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.31B RCW; repealing RCW 48.31C.010, 48.31C.020, 48.31C.030, 48.31C.040, 48.31C.050, 48.31C.060, 48.31C.070, 48.31C.080, 48.31C.090, 48.31C.100, 48.31C.110, 48.31C.120, 48.31C.130, 48.31C.140, 48.31C.150, 48.31C.160, 48.31C.900, and 48.31C.901; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Business & Financial Services.

SSB 5719 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Baumgartner, Becker, Kohl-Welles, Parlette, Dammeier, Honeyford, Fain, Fraser, Darneille, McAuliffe, Pearson, Angel, Keiser, Chase, Sheldon, Hill, Jayapal and Frockt)

AN ACT Relating to creating a task force on campus sexual violence prevention; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5757 by Senators Benton and Mullet

AN ACT Relating to credit unions' corporate governance and investments; and amending RCW 31.12.255, 31.12.365, 31.12.418, and 31.12.436.

Referred to Committee on Business & Financial Services.

SB 5760 by Senators Brown, Sheldon, Keiser and Dansel

AN ACT Relating to contracts for materials or work required by joint operating agencies; and amending RCW 43.52.560.

Referred to Committee on Technology & Economic Development.

SSB 5763 by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Pearson and Hatfield)

AN ACT Relating to establishing a coalition of commissioned officers of the department of fish and wildlife for the purposes of collective bargaining; and amending RCW 41.80.010.

Referred to Committee on Labor.

SB 5783 by Senators Rivers, Dansel, Fain, Sheldon, Hatfield and Benton

AN ACT Relating to peace officers; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Public Safety.

SSB 5795 by Senate Committee on Government Operations & Security (originally sponsored by Senators Roach and Liias)

AN ACT Relating to authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities; and adding a new section to chapter 35.91 RCW.

Referred to Committee on Local Government.

SSB 5799 by Senate Committee on Ways & Means (originally sponsored by Senators Fain and Keiser)

AN ACT Relating to exempting levies imposed by qualifying flood control zone districts from certain limitations upon regular property tax levies; amending RCW 84.52.010 and 84.52.043; adding a new section to chapter 84.52 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

SB 5805 by Senators Rivers, Rolfes and Keiser

AN ACT Relating to conflict resolution programs in schools; and amending RCW 28A.300.280.

Referred to Committee on Education.

SB 5819 by Senator Miloscia

AN ACT Relating to local tourism promotion areas; and amending RCW 35.101.010.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5820 by Senate Committee on Transportation (originally sponsored by Senators King and Benton)

AN ACT Relating to department of transportation surplus property; and amending RCW 47.12.283, 43.17.400, and 47.12.063.

Referred to Committee on Transportation.

SSB 5824 by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Parlette)

AN ACT Relating to certain recreational guides; amending RCW 77.15.510, 77.65.010, 77.65.370, 77.65.440, 77.65.480, 77.65.500, and 77.65.560; and adding new sections to chapter 77.65 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5877 by Senate Committee on Health Care (originally sponsored by Senators O'Ban, Angel, Padden, Pearson, Rivers, Warnick and Darneille)

AN ACT Relating to adult family home due process; and amending RCW 70.128.160.

Referred to Committee on Health Care & Wellness.

SB 5881 by Senators Pearson, Chase and Hasegawa

AN ACT Relating to providing a group fishing permit for certain programs for at-risk youth; and amending RCW 77.32.550.

Referred to Committee on Agriculture & Natural Resources.

SSB 5889 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators O'Ban and Miloscia)

AN ACT Relating to timeliness of competency evaluation and restoration services; and amending RCW 10.77.068.

Referred to Committee on Judiciary.

SB 5919 by Senators Angel, Padden and Miloscia

AN ACT Relating to informed decision making for death with dignity decisions; and amending RCW 70.245.010, 70.245.040, and 70.245.220.

Referred to Committee on Health Care & Wellness.

SB 5941 by Senators Rivers, Rolfes, Litzow, Dammeier and Angel

AN ACT Relating to certification of adjunct faculty as common school substitute teachers; and amending RCW 28A.410.010.

Referred to Committee on Education.

SSB 5960 by Senate Committee on Ways & Means (originally sponsored by Senator Dansel)

AN ACT Relating to requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SB 5977 by Senators Bailey, Kohl-Welles and McAuliffe

AN ACT Relating to decodifying, expiring, and making nonsubstantive changes to community and technical college provisions; amending RCW 28B.15.546, 28B.50.1401, 28B.50.1402, 28B.50.1403, 28B.50.1404, 28B.50.1405, 28B.50.1406, 28B.50.256, 28B.50.285, 28B.50.327, 28B.50.482, 28B.50.534, 28B.10.025, 28B.10.280, 28B.10.570, 28B.10.571, 28B.10.650, 28B.10.679, 28B.15.012, 28B.15.014, 28B.15.025, 28B.15.041, 28B.15.067, 28B.15.069, 28B.15.100, 28B.15.385, 28B.15.395, 28B.15.520, 28B.15.522, 28B.15.543, 28B.15.545, 28B.15.558, 28B.15.621, 28B.15.740, 28B.15.910, 28B.15.915, 28B.50.030, 28B.50.455, 28B.50.850, 28B.50.851, and 28B.50.862; reenacting and amending RCW 28B.15.515; adding a new section to chapter 28B.04 RCW; adding a new section to chapter 28B.06 RCW; decodifying RCW 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 28B.50.301,

28B.50.302, 28B.50.914, 28B.50.915, and 28B.50.917; and providing expiration dates.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1595, by Representatives Senn, Clibborn, Walsh and Ormsby

Changing the definition of labor hours for the purposes of the apprenticeship utilization statute.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Senn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1595.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1595, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, (o)13.7(n J M(d)-10.636(e,)-7.4(68.4(cB)-3.C(r)-4..7(s)-1.l)-6(an)-1.7(,)-7.3(M)-8.3(50.7(n)-10(l)-6(er)-4.3(,)-7.3(M)-8.4(G)1

There being no objection, Substitute House Bill No. 1021 was substituted for House Bill No. 1021 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1021 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1021.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Klippert and Schmick.

SUBSTITUTE HOUSE BILL NO. 1021, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1685, by Representatives Gregerson, Hudgins, McBride, Peterson, Bergquist, Ortiz-Self, Tarleton, Orwall, Robinson, Farrell, Riccelli, Fitzgibbon, Walkinshaw, Senn, Lytton, Appleton, Ryu, Tharinger, Moscoso, Ormsby, Fey and Jinkins

Establishing a Washington food policy forum.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1685 was substituted for House Bill No. 1685 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1685 was read the second time.

Representative Tarleton moved the adoption of amendment (157):

On page 4, line 9, after "expertise;" strike "and"
On page 4, line 12, after "10-02" insert "; and

(f) Shall coordinate with the Washington State University center for sustaining agriculture and natural resources as provided in section 3 of this act"

On page 5, line 9, beginning with "(9)" strike all material through "2017."

On page 5, after line 9, insert the following:

"NEW SECTION. **Sec. 3.** (1) The food policy forum shall coordinate with the Washington State University center for sustaining agriculture and natural resources and review, consider, and discuss the study described in this section that must be performed by the Washington State University center for sustaining agriculture and natural resources.

(2) The study shall build on the work performed by the Washington state food system roundtable initiated by executive order No. 10-02 and identify a twenty-five year goal for expansion of the state's food production, processing, and distribution capacity by:

(a) Evaluating the geographic distances between local farm production and points of local food consumption within the local food supply chain in order to define what constitutes a local economic impact;

(b) Evaluating the state's capacity to produce a variety of food products given the state's environment and climate;

(c) Assessing a potential market demand for an increased local food supply, through surveys of processors, distributors, and buyers;

(d) Analyzing the Seattle restaurant online resource as a model and potential navigational tool for local food producers as a potential replacement of the Washington state department of agriculture handbook for small and direct marketing farms, to reduce regulatory barriers within the local food supply chain;

(e) Identifying infrastructure needs to support the local food industry, including processing capacity and transportation networks;

(f) Assessing the relative economic impact of retaining local food supply chain business within the state and local food producers exporting goods out of state;

(g) Assessing the institutional capacity of state agencies and organizations to foster economic growth in the food sector;

(h) Evaluating changes in state planning, permitting, environmental regulation, and financing to enhance food production, processing, and distribution;

(i) Evaluating the economic impact of urban community gardens, including P-patches that are part of the local food supply chain and provide healthy foods for schools and local communities; and

(j) Identifying legislative actions needed to implement food system improvements.

(3) The recommendations of the study must include short and long-term action plans for the legislature to support and sustain the local food sector in Washington. The recommendations of the study must also include strategies for effective education and awareness programs with school and community groups about the local food supply chain. The recommendations of the study may include specific legislative approaches, such as changes in state law, and nonlegislative approaches, such as action plans for state agencies and local governments.

(4) The members of the food policy forum appointed pursuant to section 2 of this act may provide technical information, advice, and assistance to the Washington State University center for sustaining agriculture and natural resources in completing the study.

(5) The study, with findings and recommendations, must be reported to the food policy forum by July 1, 2016.

NEW SECTION. **Sec. 4.** This act expires July 1, 2017."

Representative Tarleton spoke in favor of the adoption of the amendment.

Representative Buys spoke against the adoption of the amendment.

Amendment (157) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Gregerson spoke in favor of the passage of the bill.

Representatives MacEwen, Buys and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1685.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1685, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1685, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1654, by Representatives Peterson, Lytton, Fitzgibbon, Blake and Walkinshaw

Controlling noxious weeds while still supporting pollen-rich forage plant communities for honey bees.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1654 was substituted for House Bill No. 1654 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1654 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1654.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1654, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Fagan, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, McCaslin, Muri, Orcutt, Pike, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1654, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1059, by Representatives Fagan, Goodman, Hayes, Moscoso, Takko, Tarleton, Orwall, Nealey, Klippert, Pettigrew, Gregerson, Haler, Fitzgibbon, Stanford and Farrell

Concerning sexually violent predators.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fagan, Goodman, Hayes and Wilson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1059.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1276, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Scott, Shea and Taylor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1319, by Representatives Goodman and Moscoso

Making technical corrections to processes for persons sentenced for offenses committed prior to reaching eighteen years of age.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1319 was substituted for House Bill No. 1319 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1319 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1319.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1319, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1319, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1668, by Representatives Kilduff, Muri, Hurst, Fey, Stokesbary, Jinkins, Stambaugh, Kirby, Zeiger and Sawyer

Restricting conditional releases of sexually violent predators outside their county of origin.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1668 was substituted for House Bill No. 1668 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1668 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1668.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1668, and the bill passed the House by the following vote: Yeas, 76; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Haler, Harris, Hawkins, Holy, Kretz, Kristiansen, Magendanz, McCaslin, Nealey, Orcutt, Ormsby, Parker, Rodne, Schmick, Scott, Shea, Short, Van Werven, Vick and Wilson.

SUBSTITUTE HOUSE BILL NO. 1668, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1037, by Representatives Moeller, Ormsby and Kilduff

Implementing changes to child support based on the child support schedule work group report.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1037 was substituted for House Bill No. 1037 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1037 was read the second time.

Representative Shea moved the adoption of amendment (202):

On page 20, beginning on line 36, strike all of subsection (d) and insert the following:

"(((~~(d) **Residential schedule.** The court may deviate from the standard calculation if the child spends a significant amount of time with the parent who is obligated to make a support transfer payment. The court may not deviate on that basis if the deviation will result in insufficient funds in the household receiving the support to meet the basic needs of the child or if the child is receiving temporary assistance for needy families. When determining the amount of the deviation, the court shall consider evidence concerning the increased expenses to a parent making support transfer payments resulting from the significant amount of time spent with that parent and shall consider the decreased expenses, if any, to the party receiving the support resulting from the significant amount of time the child spends with the parent making the support transfer payment.~~))"

On page 23, after line 27, insert the following:

"NEW SECTION. **Sec. 7.** A new section is added to chapter 26.19 RCW to read as follows:

(1) The court shall make an adjustment to the standard calculation for a shared residential schedule subject to the provisions in this section.

(2) An adjustment to the standard calculation based on the residential schedule may be made if there is a court order or findings made by an administrative law judge regarding the number of overnights the child or children spend with the obligor parent, and the number of overnights allocated to the obligor is equivalent to at least fourteen percent of annual overnights. The number of overnights in the court order or administrative law judge's findings must be used to calculate the residential adjustment. The findings made by an administrative law judge may be based upon a written agreement between the parents or upon sworn testimony provided by a party at the administrative hearing for child support.

(3) The adjustment must be based on the table in section 8 of this act and the formula set forth in the worksheet for calculating residential credit.

(4) An adjustment may not be made to the standard calculation based on the shared residential schedule if:

(a) The adjustment would result in insufficient funds in the household receiving the support transfer payment to meet the basic needs of the child;

(b) The obligee's net income before receiving the support transfer payment is at or below one hundred twenty-five percent of the federal poverty level guidelines for one person; or

(c) The child is receiving temporary assistance for needy families.

(5) To help parties estimate residential credit, the division of child support shall, if feasible and within available resources, create a residential credit calculator available online.

NEW SECTION. **Sec. 8.** A new section is added to chapter 26.19 RCW to read as follows:

Residential time table. The TOTAL column represents the anticipated total out-of-pocket expenses expressed as a percentage of the basic child support obligation that will be incurred by the parent who will pay child support. The total expenses are the sum of transferred and duplicated expenses. The DUPLICATED column represents the duplicated expenses and reflects the assumption that when there is an equal sharing of residential time, fifty percent of the basic child support obligation will be duplicated. The number of annual overnights column will determine the particular fractions of TOTAL and DUPLICATED to be used in the residential time credit worksheet.

ANNUAL OVERNIGHTS

FROM	TO	TOTAL	DUPLICATED
1	51	0.000	0.000
52	55	0.062	0.011
56	60	0.070	0.014
61	65	0.080	0.020
66	70	0.093	0.028
71	75	0.108	0.038
76	80	0.127	0.052
81	85	0.150	0.070
86	90	0.178	0.093
91	95	0.211	0.122
96	100	0.250	0.156
101	105	0.294	0.195
106	110	0.341	0.237
111	115	0.388	0.280
116	120	0.434	0.321
121	125	0.476	0.358
126	130	0.513	0.390
131	135	0.544	0.417
136	140	0.570	0.438
141	145	0.591	0.454
146	150	0.609	0.467
151	155	0.623	0.476
156	160	0.634	0.483

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

SUBSTITUTE HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1718, by Representatives Ormsby, Kilduff, Sullivan, Hayes, Tharinger, MacEwen, Sawyer, Zeiger, Walsh, Rodne, Hudgins, Van De Wege, Appleton, Muri, Reykdal, Tarleton and Pollet

Authorizing membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1718 was substituted for House Bill No. 1718 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1718 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1718.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1718, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 1718, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1893, by Representatives Sells, Haler, Moscoso, Zeiger, Pollet, S. Hunt, Appleton, Riccelli, Tarleton, Ormsby and Bergquist

Increasing transparency in community and technical colleges by requiring certain budget detail to be available online.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1893 was substituted for House Bill No. 1893 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1893 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1893.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1893, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler and Taylor.

SUBSTITUTE HOUSE BILL NO. 1893, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1863, by Representatives Reykdal, Muri, Bergquist, S. Hunt, Fey, Gregory, Haler, Sells, Pollet, Tarleton, Springer, Moscoso, Wylie, Stanford, Ryu, Appleton, Walkinshaw, Fitzgibbon and Goodman

Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1863.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1863, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Hayes, Johnson, Klippert, Kretz, Kristiansen, Magendanz, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick and Wilson.

HOUSE BILL NO. 1863, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1127, by Representatives Chandler and Sells

Creating the agricultural labor skills and safety program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1127 was substituted for House Bill No. 1127 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1127 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler, Wilcox and Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1127.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1127, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, G. Hunt, Holy, Scott, Shea, Taylor, Van Werven and Young.

SUBSTITUTE HOUSE BILL NO. 1127, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2109, by Representatives Springer, Manweller, Pettigrew, Harris, Kilduff, S. Hunt, Bergquist, Lytton, Tharinger and Santos

Creating the Washington small business retirement marketplace.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2109 was substituted for House Bill No. 2109 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2109 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2109.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2109, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Fagan, G. Hunt, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Kristiansen, MacEwen, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

SUBSTITUTE HOUSE BILL NO. 2109, having received the necessary constitutional majority, was declared passed.

superintendent of public instruction for homeless students. (REVISED FOR ENGROSSED: Concerning homeless students.)

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1682 was substituted for House Bill No. 1682 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1682 was read the second time.

Representative Fey moved the adoption of amendment (207):

On page 3, after line 4, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300 RCW to read as follows: (1) The office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to pilot increased identification of homeless students and the capacity of the districts to provide support, which may include education liaisons, for homeless students. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the superintendent of public instruction and school districts. School districts may access both federal and state funding to identify and support homeless students.

(2) Award criteria for the state grants shall be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria shall also be based on the quality of the applications submitted.

(3) Homeless students are defined as students without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless education assistance act (P.L. 100–77; 101 Stat. 482).

(4) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for homeless student supports, which may include education liaisons.

NEW SECTION. **Sec. 3** A new section is added to chapter 43.185C RCW to read as follows:

(1) The department, in consultation with the office of the superintendent of public instruction, shall administer a grant program that links homeless students and their families, or unaccompanied homeless students, with stable housing located in the homeless student's school district. The goal of the program is to provide educational stability for homeless students by promoting housing stability.

(2) The department, working with the office of the superintendent of public instruction, shall develop a competitive grant process to make grant awards to school districts partnered with eligible organizations on implementation of the proposal. For the purposes of this subsection, "eligible organization" means any local government, local housing authority, regional support network established under chapter 71.24 RCW, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization. Applications for the grant program must include contractual agreements between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support homeless students. In determining which school districts will receive grants, preference must be given to districts with a demonstrated commitment of partnership and history with eligible organizations.

(3) Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for families with vehicles and bus passes;

(c) Emergency shelter; and

(d) Housing stability case management.

(4) All beneficiaries of funds from the grant program must be from very low-income households. For the purposes of this subsection, "very low-income household" means a family or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size, for the county where the grant recipient is located.

(5)(a) Grantee school districts, in partnership with eligible organizations, must compile information and report to the department and the office of the superintendent of public instruction the findings of the grantee, the housing stability of the homeless families, and the academic performance of the grantee population.

(b) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180.

(6) Any program review and monitoring under this section may be conducted concurrently with other program reviews and monitoring conducted by the department.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of sections 2 and 3 of this act, referencing sections 2 and 3 of this act by bill or chapter number and section number, is not provided by June 30, 2015, in the omnibus appropriations act, sections 2 and 3 of this act are null and void."

Correct the title.

Representative Fey spoke in favor of the adoption of the amendment.

Amendment (207) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey, Magendanz and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1682.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1682, and the bill passed the

House by the following vote: Yeas, 82; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Haler, Hawkins, Klippert, Kretz, McCaslin, Schmick, Scott, Shea, Short, Taylor, Van Werven and Vick.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1682, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1417, by Representatives Takko, Kochmar and Pike

Subjecting a resolution or ordinance adopted by the legislative body of a city or town to assume a water-sewer district to a referendum.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1417 was substituted for House Bill No. 1417 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1417 was read the second time.

Representative Takko moved the adoption of amendment (203):

On page 1, line 7, after "(1)" strike "A" and insert "Except as provided otherwise by subsection (4) of this section, a"

On page 2, beginning on line 1, after "has" strike all material through "before" on line 4 and insert "forty-five days in which to secure on petition forms the signatures of at least ten percent of the number of voters residing in the part of the water-sewer district subject to the assumption resolution or ordinance who voted in"

On page 2, line 11, after "in the" strike "water-sewer district" and insert "part of the water-sewer district subject to the assumption resolution or ordinance"

On page 2, after line 24, insert the following:

"(4) If a city legislative authority assumes jurisdiction of all or part of a water-sewer district through a contract with a water-sewer district, or through an interlocal agreement with a water-sewer district under chapter 36.93 RCW, the provisions of this section do not apply."

Representatives Takko and Taylor spoke in favor of the adoption of the amendment.

Amendment (203) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko, Taylor and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1417.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1417, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1417, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1272, by Representatives Buys, Orwall and Pollet

Creating the crime of wrongfully distributing intimate images. Revised for 2nd Substitute: Concerning the crime of disclosing intimate images.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1272 was substituted for House Bill No. 1272 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1272 was read the second time.

Representative Appleton moved the adoption of amendment (175):

On page 1, line 11, after "(2)" insert "A person who is under the age of eighteen is not guilty of the crime of disclosing intimate images unless the person:

(a) Intentionally and maliciously disclosed an intimate image of another person;

(b) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private; and

Representatives Manweller and Moscoso spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1586.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1586, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1586, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1159, by Representatives Pike, Wylie, Moeller, Zeiger, Kochmar, Harmsworth and Ryu

Concerning teen driving safety. Revised for 1st Substitute: Establishing a pilot program requiring certain drivers under eighteen years of age to display a decal on a vehicle being operated by the driver.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1159 was substituted for House Bill No. 1159 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1159 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pike and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1159.

MOTION

On motion of Representative Van De Wege, Representative Hunter was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1159, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hawkins, Hayes, Hurst, Johnson, Kilduff, Kochmar, Kristiansen, Lytton, MacEwen, McBride, McCaslin, Moeller, Moscoso, Muri, Orcutt, Ormsby, Orwall, Parker, Peterson, Pettigrew, Pike, Riccelli, Rodne, Ryu, Sells, Senn, Smith, Springer, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Caldier, Chandler, Condotta, Dent, Fagan, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Holy, Hudgins, Jinkins, Kagi, Kirby, Klippert, Kretz, Magendanz, Manweller, McCabe, Morris, Nealey, Ortiz-Self, Pollet, Reykdal, Robinson, S. Hunt, Santos, Sawyer, Schmick, Scott, Shea, Short, Stambaugh, Stanford, Taylor, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson and Young.

Excused: Representative Hunter.

SUBSTITUTE HOUSE BILL NO. 1159, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Judiciary was relieved of SUBSTITUTE SENATE BILL NO. 5889 and the bill was placed on the second reading calendar:

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1009
HOUSE BILL NO. 1135
HOUSE BILL NO. 1391
HOUSE BILL NO. 1471
HOUSE BILL NO. 1496
HOUSE BILL NO. 1503
HOUSE BILL NO. 1514
HOUSE BILL NO. 1561
HOUSE BILL NO. 1564
HOUSE BILL NO. 1715
HOUSE BILL NO. 1761
HOUSE BILL NO. 1762
HOUSE BILL NO. 1771
HOUSE BILL NO. 1808
HOUSE BILL NO. 1844
HOUSE BILL NO. 1859
HOUSE BILL NO. 1874
HOUSE BILL NO. 1890
HOUSE BILL NO. 1919
HOUSE BILL NO. 1943
HOUSE BILL NO. 2085
HOUSE BILL NO. 2010
HOUSE BILL NO. 2041
HOUSE BILL NO. 2133

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., March 9, 2015, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 9, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Bergquist presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kaylee Jackson and Sean Doster. The Speaker Bergquist led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Eric Lundberg, Abundant Life Community Church, Orting, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, HOUSE BILL NO. 1514 was referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1546 and the bill was placed on the second reading calendar:

The Speaker (Representative Bergquist presiding) called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

March 6, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5014
SUBSTITUTE SENATE BILL NO. 5022
SECOND SUBSTITUTE SENATE BILL NO. 5093
SENATE BILL NO. 5094
SUBSTITUTE SENATE BILL NO. 5113
SENATE BILL NO. 5295
ENGROSSED SUBSTITUTE SENATE BILL NO. 5343
ENGROSSED SUBSTITUTE SENATE BILL NO. 5347
ENGROSSED SENATE BILL NO. 5471
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564
SENATE BILL NO. 5620
SUBSTITUTE SENATE BILL NO. 5640
SENATE BILL NO. 5662
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5688
ENGROSSED SUBSTITUTE SENATE BILL NO. 5804
ENGROSSED SENATE BILL NO. 5873
SUBSTITUTE SENATE BILL NO. 5897
SENATE BILL NO. 5914

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2190 by Representatives Harmsworth, Moscoso, Orcutt, Clibborn, Wilson, Condotta, Kretz, Rodne, Dunshee and Pike

AN ACT Relating to vessel reports of sale; and amending RCW 88.02.370.

Referred to Committee on Transportation.

HB 2191 by Representatives Sawyer, Walkinshaw, Peterson and Robinson

AN ACT Relating to a homeless student housing and educational stability program as part of basic education; amending RCW 28A.150.260 and 28A.150.260; adding a new chapter to Title 28A RCW; and providing effective dates.

Referred to Committee on Education.

SB 5001 by Senators Hewitt, Kohl-Welles, Conway, Schoesler, Keiser, Hatfield and Warnick

AN ACT Relating to alcohol tasting by students under twenty-one years of age; and amending RCW 66.20.010 and 66.44.270.

Referred to Committee on Commerce & Gaming.

SSB 5004 by Senate Committee on Law & Justice (originally sponsored by Senators Angel and Rolfes)

AN ACT Relating to establishing the position and authority of warrant officers; amending RCW 35.20.270; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Judiciary.

SSB 5018 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Honeyford and Ericksen)

AN ACT Relating to underground artificial storage and recovery projects; and amending RCW 90.03.370.

Referred to Committee on Agriculture & Natural Resources.

SB 5020 by Senators Bailey, McCoy, Hobbs, Pedersen, Conway, Schoesler, Rolfes and Chase

AN ACT Relating to the state agencies continuity of operations planning requirements; and amending RCW 38.52.010, 38.52.020, and 38.52.030.

Referred to Committee on Public Safety.

SB 5120 by Senator Parlette

AN ACT Relating to school district dissolutions; amending RCW 28A.315.225; and providing an effective date.

Referred to Committee on Education.

2SSB 5127 by Senate Committee on Ways & Means (originally sponsored by Senators Angel, Roach and O'Ban)

AN ACT Relating to revising a property tax exemption for veterans with total disability ratings and their surviving spouses or domestic partners; amending RCW 84.36.381; and creating new sections.

Referred to Committee on Finance.

ESSB 5133 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Baumgartner, Kohl-Welles and Frockt)

AN ACT Relating to a study of higher education cost drivers; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

SSB 5138 by Senate Committee on Government Operations & Security (originally sponsored by Senators Roach, Liias and Keiser)

AN ACT Relating to notice and review processes for annexations, deannexations, incorporations, disincorporations, consolidations, and boundary line adjustments under Titles 35 and 35A RCW; amending RCW 35.02.030, 35.02.037, 35.02.070, 35.02.100, 35.02.130, 35.07.020, 35.07.040, 35.07.230, 35A.15.010, 35A.15.040, 35.10.265, 35.10.400, 35.10.410, 35.10.420, 35.13.010, 35.13.020, 35.13.100, 35.13.130, 35.13.150, 35.13.180, 35.13.182, 35.13.1822, 35.13.185, 35.13.190, 35.13.238, 35.13.260, 35.13.300, 35.13.420, 35.13.440, 35.13.480, 35.13.490, 35.16.010, 35.16.040, 35A.14.010, 35A.14.020, 35A.14.090, 35A.14.130, 35A.14.140, 35A.14.295, 35A.14.297, 35A.14.300, 35A.14.310, 35A.14.430, 35A.14.440, 35A.14.460, 35A.14.470, 35A.14.480, 35A.14.490, 35A.14.700, 35A.16.010, and 35A.16.040; and adding a new section to chapter 43.41 RCW.

Referred to Committee on Local Government.

2SSB 5142 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Bailey, Rivers, Brown and Keiser)

AN ACT Relating to the health benefit exchange aggregation of funds and collection of data; amending RCW 43.71.030; adding a new section to chapter 43.71 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SB 5143 by Senators Becker, Bailey, Dammeier, Rivers, Frockt, Brown and Parlette

AN ACT Relating to providing information regarding childhood immunizations to expecting parents; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5147 by Senate Committee on Health Care (originally sponsored by Senators Becker, Bailey, Brown and Rivers)

AN ACT Relating to establishing a medicaid baseline health assessment and monitoring the medicaid population's health; and amending RCW 70.320.030, 70.320.040, and 70.320.050.

Referred to Committee on Health Care & Wellness.

SB 5180 by Senators Benton, Mullet, Angel, Hobbs, Hargrove, Keiser and Darneille

AN ACT Relating to modernizing life insurance reserve requirements; amending RCW 48.74.010, 48.74.020, 48.74.025, 48.74.030, 48.74.050, 48.74.060, 48.74.070, 48.74.090, 48.76.010, 48.76.050, and 42.56.400; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.74 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Business & Financial Services.

SB 5205 by Senators Becker, Parlette and Warnick

AN ACT Relating to allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass; and amending RCW 79A.80.020.

Referred to Committee on Environment.

SB 5233 by Senators Sheldon, Dansel, Dammeier, Becker, Schoesler and Honeyford

AN ACT Relating to notice against trespass; and reenacting and amending RCW 9A.52.010.

Referred to Committee on Judiciary.

ESB 5251 by Senators Honeyford and Keiser

AN ACT Relating to transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health; and amending RCW 70.119A.170.

Referred to Committee on General Government & Information Technology.

SSB 5276 by Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Roach and Keiser)

AN ACT Relating to refunds of property taxes paid as a result of manifest errors in descriptions of property; and amending RCW 84.69.030, 84.48.065, and 84.68.150.

Referred to Committee on Finance.

services; amending RCW 74.13.640; adding a new section to chapter 26.44 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SSB 5933 by Senate Committee on Law & Justice (originally sponsored by Senators O'Ban, Kohl-Welles, Miloscia, Fraser, Fain, Padden, Hasegawa, Litzow, Dammeier, Chase and Conway)

AN ACT Relating to establishing a statewide training program on human trafficking laws for criminal justice personnel; adding a new section to chapter 43.280 RCW; and creating a new section.

Referred to Committee on Public Safety.

ESB 5944 by Senators Hill, Rivers, Litzow, Bailey, Braun, Brown, Parlette, Hewitt and Benton

AN ACT Relating to periodic review of state spending programs; and adding a new chapter to Title 43 RCW.

Referred to Committee on Appropriations.

ESB 5959 by Senator Hatfield

AN ACT Relating to agreements with the federal government, such as those available under the endangered species act, affecting the state's management of its natural resources; reenacting and amending RCW 43.30.411; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SSB 5999 by Senate Committee on Ways & Means (originally sponsored by Senator Darneille)

AN ACT Relating to the caseload forecast council; amending RCW 43.88C.010, 43.88C.050, 43.215.456, and 43.185C.220; and creating a new section.

Referred to Committee on Appropriations.

ESB 6044 by Senators Ericksen and Hobbs

AN ACT Relating to the construction of transportation facilities adjacent to or across a waterway; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1448, by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins, Walkinshaw, Gregerson, Appleton, Ryu, McBride and Shea

Providing procedures for responding to reports of threatened or attempted suicide.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1448 was substituted for House Bill No. 1448 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1448 was read the second time.

Representative Klippert moved the adoption of amendment (213):

On page 1, line 8, after "situations," strike all material through "able" on line 9 and insert "officers are encouraged"

On page 1, line 14, after "health" strike "emergencies" and insert "incidents"

On page 1, line 20, after "in" strike "the" and insert "an"

On page 2, line 3, after "person" strike all material through "of" and insert "may need"

On page 2, line 7, after "report" insert ", excluding Saturdays, Sundays, and holidays"

Representatives Klippert and Jinkins spoke in favor of the adoption of the amendment.

Amendment (213) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1448.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1448, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, G. Hunt, Scott, Taylor and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1599, by Representatives Rodne, Jinkins and Wylie

Concerning secure facilities for the criminally insane.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1599.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1599, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

HOUSE BILL NO. 1599, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1536, by Representatives Klippert, Cody, Goodman, Muri, Stokesbary, Haler, Hayes, Tharinger and Wylie

Addressing the timing of emergency detentions and assessments under the involuntary treatment act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1536 was substituted for House Bill No. 1536 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1536 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klippert and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1536.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1536, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick,

Voting nay: Representatives Condotta, DeBolt, Fagan, G. Hunt, Griffey, Hawkins, Kretz, McCaslin, Parker, Schmick, Scott, Shea, Short and Taylor.

SUBSTITUTE SENATE BILL NO. 5889, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1825, by Representatives Kilduff, Muri, Gregory, Haler, Riccelli, Walkinshaw, Zeiger and McBride

Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read tThns(t)-6(h)-14]TJ 00sh

HOUSE BILL NO. 1183, by Representatives Harris and Cody

Concerning radiology benefit managers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1183 was substituted for House Bill No. 1183 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1183 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 88; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent, G. Hunt, Klippert, Magendanz, McCaslin, Scott, Shea, Taylor, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1183, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1531, by Representatives Tharinger, Harris, Jinkins, Cody, Caldier, Kagi, Wylie and Senn

Removing expiration dates for training and certification exemptions for certain long-term care workers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1531.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1531, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hayes, McCaslin, Scott, Shea, Taylor and Young.

HOUSE BILL NO. 1531, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1967, by Representatives Cody, Schmick and Jinkins

Directing the health care authority to apply for federal waivers concerning health care coverage.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1967 was substituted for House Bill No. 1967 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1967 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1967.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1967, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1967, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1652, by Representatives Cody and Harris

Concerning medicaid managed health care system payments for health care services provided by nonparticipating providers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1652.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1652, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1135, by Representatives Cody, Harris, Jinkins and Gregerson

Concerning remediation plans for licensed health and health-related professions to resolve eligible complaints of unprofessional conduct.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1135 was substituted for House Bill No. 1135 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1135 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1135.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1135, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1135, having O11Tw 10.733 0 Te

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a)(i) "Noncovered vision materials or services" means vision materials or vision services that are:

(A) Excluded from coverage under the terms and conditions of the health benefit plan; or

(B) Ineligible for reimbursement under the health benefit plan.

(ii) Vision materials or vision services are not noncovered vision materials or vision services solely because they are not wholly or partially reimbursable due to the operation of plan or contract limitations, such as benefit maximums, deductibles, coinsurance, waiting periods, or frequency limitations.

(b) "Vision care provider" means:

(i) An optometrist licensed under chapter 18.53 RCW;

(ii) A physician licensed under chapter 18.71 RCW or osteopathic physician and surgeon licensed under chapter 18.57 RCW, who has completed a residency in ophthalmology; or

(iii) A dispensing optician licensed under chapter 18.34 RCW.

(c) "Vision materials" means ophthalmic devices including, but not limited to, devices containing lenses, artificial intraocular lenses, ophthalmic frames and other lens mounting apparatuses, prisms, lens treatments and coatings, contact lenses, or prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or its adnexa.

(d) "Vision services" means professional work performed by a vision care provider within the scope of his or her practice.

(2) A health care services contractor, or any contract or participating provider agreement between the health care services contractor and a vision care provider, may not:

(a) Prohibit directly or indirectly an enrollee from freely contracting at any time to obtain noncovered vision materials or services outside the health benefit plan on any terms or conditions the enrollee and vision care provider may agree to. Nothing in this subsection may be construed to bind a health care services contractor or vision care provider for any noncovered vision materials or services. Nothing in this subsection prohibits a vision care provider from choosing to contractually opt in to a materials discount program sponsored by a health care services contractor or vision care plan;

(b) Require a vision care provider to participate with, or be credentialed by, another health care services contractor, health carrier, or health benefit plan as a condition to join one of the health care services contractor's provider panels; or

(c) Require a vision care provider to purchase vision services or vision materials from suppliers, including optical labs, in which the health care services contractor has a financial interest.

(3) A health care services contractor must provide no less than sixty days' notice to the vision care provider of any proposed changes to a vision care provider's contract with the health care services contractor, which the vision care provider may accept or reject at any time within the notice period. A vision care provider's rejection of the amendment does not affect the terms of the vision care provider's existing contract with the health care services contractor. If the notice of proposed amendment is delivered in writing to the vision care provider via certified mail, the amendment may be considered accepted in the absence of written notice of rejection by the vision care provider within the sixty-day notice period.

(4) A health care services contractor may require a vision care provider to notify the health care services contractor of any changes to his or her provider practice status including, but not limited to, tax identification, address, phone number, hours of operations, and providers on staff.

(5) The commissioner shall respond to all complaints alleging violations of this section using the same standards, timelines, and procedures, regardless of the identity of the person or entity making the complaint.

NEW SECTION. **Sec. 8.** A new section is added to chapter 48.46 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a)(i) "Noncovered vision materials or services" means vision materials or vision services that are:

(A) Excluded from coverage under the terms and conditions of the health benefit plan; or

(B) Ineligible for reimbursement under the health benefit plan.

(ii) Vision materials or vision services are not noncovered vision materials or vision services solely because they are not wholly or partially reimbursable due to the operation of plan or contract limitations, such as benefit maximums, deductibles, coinsurance, waiting periods, or frequency limitations.

(b) "Vision care provider" means:

(i) An optometrist licensed under chapter 18.53 RCW;

(ii) A physician licensed under chapter 18.71 RCW or osteopathic physician and surgeon licensed under chapter 18.57 RCW, who has completed a residency in ophthalmology; or

(iii) A dispensing optician licensed under chapter 18.34 RCW.

(c) "Vision materials" means ophthalmic devices including, but not limited to, devices containing lenses, artificial intraocular lenses, ophthalmic frames and other lens mounting apparatuses, prisms, lens treatments and coatings, contact lenses, or prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or its adnexa.

(d) "Vision services" means professional work performed by a vision care provider within the scope of his or her practice.

(2) A health maintenance organization, or any contract or participating provider agreement between the health maintenance organization and a vision care provider, may not:

(a) Prohibit directly or indirectly an enrollee from freely contracting at any time to obtain noncovered vision materials or services outside the health benefit plan on any terms or conditions the enrollee and vision care provider may agree to. Nothing in this subsection may be construed to bind a health maintenance organization or vision care provider for any noncovered vision materials or services. Nothing in this subsection prohibits a vision care provider from choosing to contractually opt in to a materials discount program sponsored by a health maintenance organization or vision care plan;

(b) Require a vision care provider to participate with, or be credentialed by, another health maintenance organization, health carrier, or health benefit plan as a condition to join one of the health maintenance organization's provider panels; or

(c) Require a vision care provider to purchase vision services or vision materials from suppliers, including optical labs, in which the health maintenance organization has a financial interest.

(3) A health maintenance organization must provide no less than sixty days' notice to the vision care provider of any proposed changes to a vision care provider's contract with the health maintenance organization, which the vision care provider may accept or reject at any time within the notice period. A vision care provider's rejection of the changes does not affect the terms of the vision care provider's existing contract with the health maintenance organization. If the notice of proposed changes is delivered in writing to the vision care provider via certified mail,

the changes may be considered accepted in the absence of written notice of rejection by the vision care provider within the sixty-day notice period.

(4) A health maintenance organization may require a vision care provider to notify the health maintenance organization of any changes to his or her provider practice status including, but not limited to, tax identification, address, phone number, hours of operations, and providers on staff.

(5) The commissioner shall respond to all complaints alleging violations of this section using the same standards, timelines, and procedures, regardless of the identity of the person or entity making the complaint.

(6) This section does not apply to vision materials or vision services provided directly by a health maintenance organization.

NEW SECTION. **Sec. 9.** This act takes effect January 1, 2016."

Correct the title.

Representative Riccelli spoke in favor of the adoption of the amendment.

Amendment (209) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1762.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1762, and the bill passed the House by the following vote: Yeas, 82; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Griffey, Harmsworth, Harris, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Short, Smith, Taylor, Van Werven and Vick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1762, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1874, by Representatives Tharinger, Cody and Riccelli

Regarding the requirements of allopathic physician licensure.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1874 was substituted for House Bill No. 1874 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1874 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1874.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1874, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1874, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1450, by Representatives Jinkins, Rodne, Walkinshaw, Harris, Cody, Goodman, Senn, Walsh, Riccelli, Robinson, Orwall, Moeller, Gregerson, Van De Wege, Ormsby, Clibborn, McBride, Tharinger, Kagi and Stanford

Concerning involuntary outpatient mental health treatment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1450 was substituted for House Bill No. 1450 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1450 was read the second time.

Representative Jinkins moved the adoption of amendment (216):

Strike everything after the enacting clause and insert the following:

"**Sec. 10.** RCW 71.05.020 and 2011 c 148 s 1 and 2011 c 89 s 14 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(30) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(31) "Professional person" means a mental health professional and shall also mean a physician, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(32) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(34) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(36) "Registration records" include all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(37) "Release" means legal termination of the commitment under the provisions of this chapter;

(38) "Resource management services" has the meaning given in chapter 71.24 RCW;

(39) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(40) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(41) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(42) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(43) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(44) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others;

(45) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

(46) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires outpatient treatment that would be provided under a less restrictive alternative treatment order to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in

confinement as a result of a criminal conviction is excluded from the thirty-six month calculation.

(47) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting that includes the services described in section 15 of this act.

Sec. 11. RCW 71.05.020 and 2014 c 225 s 79 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the behavioral health organization to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020((~~(4)~~)) (5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(22) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(23) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(24) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(25) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agen vsdopttea ava(i)-6(s Td [(adc[(p)-i)(ih10. Tc(vn)10.753.6(

confinement as a result of a criminal conviction is excluded from the thirty-six month calculation.

(47) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in section 15 of this act.

Sec. 12. RCW 71.05.150 and 2011 c 148 s 5 are each amended to read as follows:

(1)(a) When a designated mental health professional receives information alleging that a person, as a result of a mental disorder: (i) Presents a likelihood of serious harm; ((~~or~~)) (ii) is gravely disabled; or (iii) is in need of assisted outpatient mental health treatment; the designated mental health professional may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or outpatient evaluation, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention or outpatient evaluation. If the petition is filed solely on the grounds that the person is in need of assisted outpatient mental health treatment, the petition may only be for an outpatient evaluation. If the petition is for an outpatient evaluation and the person is being held in a hospital emergency department, the person may be released once the hospital has satisfied federal and state legal requirements for appropriate screening and stabilization of patients.

(b) Before filing the petition, the designated mental health professional must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, or triage facility.

(2)(a) An order to detain to a designated evaluation and treatment facility for not more than a seventy-two-hour evaluation and treatment period, or an order for an outpatient evaluation, may be issued by a judge of the superior court upon request of a designated mental health professional, whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention or outpatient evaluation, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(3) The designated mental health professional shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention or outpatient evaluation. After service on such person the designated mental health professional shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility and the designated attorney. The designated mental health professional shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated mental health professional may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 13. RCW 71.05.156 and 2013 c 334 s 2 are each amended to read as follows:

A designated mental health professional who conducts an evaluation for imminent likelihood of serious harm or imminent danger because of being gravely disabled under RCW 71.05.153 must also evaluate the person under RCW 71.05.150 for likelihood of serious harm or grave disability that does not meet the imminent standard for emergency detention, and to determine whether the person is in need of assisted outpatient mental health treatment.

Sec. 14. RCW 71.05.212 and 2010 c 280 s 2 are each amended to read as follows:

(1) Whenever a designated mental health professional or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated mental health professional relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated mental health professional or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient mental health treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated mental health professional or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

Sec. 15. RCW 71.05.230 and 2011 c 343 s 9 are each amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment may be ((~~detained~~)) committed for not more than fourteen additional days of involuntary intensive

treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder and ((~~either~~)) results in a likelihood of serious harm, ((~~or~~)) results in the ((~~detained~~)) person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The facility providing intensive treatment is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated mental health professional has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative ((~~with the court~~)). The petition must be signed either by:

(a) Two physicians;

(b) One physician and a mental health professional;

(c) Two psychiatric advanced registered nurse practitioners;

(d) One psychiatric advanced registered nurse practitioner and a mental health professional; or

(e) A physician and a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person. If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of mental disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of mental disorder, presents a likelihood of serious harm, ((~~or~~)) is gravely disabled, or is in need of assisted outpatient mental health treatment, and shall set forth a plan for the less restrictive alternative treatment proposed by the facility in accordance with section 15 of this act; and

(5) A copy of the petition has been served on the detained or committed person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated mental health professional may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide ((~~outpatient~~)) less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 16. RCW 71.05.240 and 2009 c 293 s 4 are each amended to read as follows:

(1) If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention or outpatient evaluation of such person as determined in RCW 71.05.180. If requested by the ((~~detained~~)) person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.

(2) The court at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) At the conclusion of the probable cause hearing((~~, if the court finds by a preponderance of the evidence that~~)):

(a) If the court finds by a preponderance of the evidence that such person, as the result of mental disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility certified to provide treatment by the department. If the court finds that such person, as the result of a mental disorder, presents a likelihood of serious harm, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for not to exceed ninety days;

(b) If the court finds by a preponderance of the evidence that such person, as the result of a mental disorder, is in need of assisted outpatient mental health treatment, and that the person does not present a likelihood of serious harm or grave disability, the court shall order an appropriate less restrictive alternative course of treatment not to exceed ninety days, and may not order inpatient treatment.

(c) An order for less restrictive alternative treatment must identify the services the person will receive, in accordance with section 15 of this act. If the petitioner did not set forth a proposed less restrictive alternative treatment plan, the court may postpone the issuance of the order for up to five judicial days and require the petitioner to submit a proposal for less restrictive alternative treatment services. The court may order additional evaluation of the person if necessary to identify appropriate services.

(4) The court shall specifically state to such person and give such person notice in writing that if involuntary treatment beyond the fourteen day period or beyond the ninety days of less restrictive treatment is to be sought, such person will have the right to a full hearing or jury trial as required by RCW 71.05.310. The court shall also state to the person and provide written notice that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 17. RCW 71.05.245 and 2010 c 280 s 3 are each amended to read as follows:

(1) In making a determination of whether a person is gravely disabled ((~~or~~)), presents a likelihood of serious harm, or is in need of assisted outpatient mental health treatment in a hearing conducted under RCW 71.05.240 or 71.05.320, the court must

designated mental health professional, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of mental disorder or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder or developmental disability a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty day period whenever the petition presents prima facie evidence that the person continues to suffer from a mental disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the mental disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient mental health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

(((~~(4) For a person committed under subsection (2) of this section who has been remanded to a period of less restrictive treatment, in addition to the grounds specified in subsection (3) of this section, the designated mental health professional may file a new petition for continued less restrictive treatment if:~~

~~(a) The person was previously committed by a court to detention for involuntary mental health treatment during the thirty-six months that preceded the person's initial detention date during the current involuntary commitment cycle, excluding any time spent in a mental health facility or in confinement as a result of a criminal conviction;~~

~~(b) In view of the person's treatment history or current behavior, the person is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment; and~~

~~(c) Outpatient treatment that would be provided under a less restrictive treatment order is necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.~~)) If less restrictive alternative treatment is sought, the petition shall set forth a proposed plan for less restrictive alternative services in accordance with section 15 of this act.

(5) A new petition for involuntary treatment filed under subsection (((~~(3) or~~)) (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must identify the services the person will receive, in accordance with section 15 of this act. If the petitioner did not set forth a proposed plan for less restrictive alternative services, the court may postpone the issuance of the order for up to five judicial days and require the petitioner to submit a proposal for less restrictive alternative services. The court may order additional evaluation of the person if necessary to identify appropriate services.

(b) At the end of the one hundred eighty day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for ((~~another~~)) an additional one hundred eighty day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment. However, a commitment solely on the grounds identified in subsection (4)(e) of this section is not permissible under this subsection (((~~(4) of this section~~)) if ((~~thirty-six months have passed since the last date of discharge from detention for inpatient treatment that preceded the current less restrictive alternative order, nor shall a commitment under subsection (4) of this section be permissible if~~)) the likelihood of serious harm ((~~in subsection (4)(c) of this section~~)) as described in RCW 71.05.020(46)(e) is based solely on harm to the property of others.

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 21. RCW 71.05.340 and 2009 c 322 s 1 are each amended to read as follows:

(1)(a) When, in the opinion of the superintendent or the professional person in charge of the hospital or facility providing involuntary treatment, the committed person can be appropriately served by outpatient treatment prior to or at the expiration of the period of commitment, then such outpatient care may be required as a term of conditional release for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment. If the hospital or facility designated to provide outpatient treatment is other than the facility providing involuntary treatment, the outpatient facility so designated must agree in writing to assume such responsibility. A copy of the terms of conditional release shall be given to the patient, the designated mental health professional in the county in which the patient is to receive outpatient treatment, and to the court of original commitment.

(b) Before a person committed under grounds set forth in RCW 71.05.280(3) or 71.05.320(((~~(3)~~))) (4)(c) is conditionally released under (a) of this subsection, the superintendent or

professional person in charge of the hospital or facility providing involuntary treatment shall in writing notify the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision to conditionally release the person. Notice and a copy of the terms of conditional release shall be provided at least thirty days before the person is released from inpatient care. Within twenty days after receiving notice, the prosecuting attorney may petition the court in the county that issued the commitment order to hold a hearing to determine whether the person may be conditionally released and the terms of the conditional release. The prosecuting attorney shall provide a copy of the petition to the superintendent or professional person in charge of the hospital or facility providing involuntary treatment, the attorney, if any, and guardian or conservator of the committed person, and the court of original commitment. If the county in which the committed person is to receive outpatient treatment is the same county in which the criminal charges against the committed person were dismissed, then the court shall, upon the motion of the prosecuting attorney, transfer the proceeding to the court in that county. The court shall conduct a hearing on the petition within ten days of the filing of the petition. The committed person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as set forth in this subsection and except that there shall be no right to jury trial. The issue to be determined at the hearing is whether or not the person may be conditionally released without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security. If the court disapproves of the conditional release, it may do so only on the basis of substantial evidence. Pursuant to the determination of the court upon the hearing, the conditional release of the person shall be approved by the court on the same or modified conditions or the person shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he or she was committed, or otherwise in accordance with the provisions of this chapter.

(2) The hospital or facility designated to provide outpatient care or the secretary may modify the conditions for continued release when such modification is in the best interest of the person. Notification of such changes shall be sent to all persons receiving a copy of the original conditions.

(3)(a) If the hospital or facility designated to provide outpatient care, the designated mental health professional, or the secretary determines that:

(i) A conditionally released person is failing to adhere to the terms and conditions of his or her release;

(ii) Substantial deterioration in a conditionally released person's functioning has occurred;

(iii) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or

(iv) The person poses a likelihood of serious harm.

Upon notification by the hospital or facility designated to provide outpatient care, or on his or her own motion, the designated mental health professional or the secretary may order that the conditionally released person be apprehended and taken into custody and temporarily detained in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment.

(b) The hospital or facility designated to provide outpatient treatment shall notify the secretary or designated mental health professional when a conditionally released person fails to adhere to terms and conditions of his or her conditional release or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm. The designated mental health professional or secretary shall order the person apprehended and temporarily detained in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment.

(c) A person detained under this subsection (3) shall be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been conditionally released. The designated mental health professional or the secretary may modify or rescind such order at any time prior to commencement of the court hearing.

(d) The court that originally ordered commitment shall be notified within two judicial days of a person's detention under the provisions of this section, and the designated mental health professional or the secretary shall file his or her petition and order of apprehension and detention with the court that originally ordered commitment or with the court in the county in which the person is detained and serve them upon the person detained. His or her attorney, if any, and his or her guardian or conservator, if any, shall receive a copy of such papers as soon as possible. Such person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as specifically set forth in this section and except that there shall be no right to jury trial. The venue for proceedings regarding a petition for modification or revocation of an order for conditional release shall be in the county in which the petition was filed. The issues to be determined shall be: (i) Whether the conditionally released person did or did not adhere to the terms and conditions of his or her conditional release; (ii) that substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the conditions listed in this subsection (3)(d) have occurred, whether the terms of conditional release should be modified or the person should be returned to the facility. <u>If any of the conditions listed in this subsection (3)(d) have occurred and the person is committed solely based on being in need of assisted outpatient mental health treatment, the court shall determine whether the terms of the order should be modified or if proceedings should be initiated under RCW 71.05.150.</u>

(e) <u>In determining whether or not to modify the terms of conditional release or return the person to the facility:</u>

<u>(i) The court must consider the symptoms and behavior of the person in light of all available evidence concerning the person's historical behavior, which may include information provided by credible witnesses as defined in RCW 71.05.212(2); and</u>

<u>(ii) If the petition is based on the person's failure to adhere to the terms or conditions of his or her release, the court must give great weight to information regarding symptoms or behavior that: (A) Are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts; (B) represent a marked and concerning change in the baseline behavior of the person; and (C) indicate that without modified terms or return of the person to the facility, continued deterioration is probable.</u>

<u>(f)</u> Pursuant to the determination of the court upon such hearing, the conditionally released person shall either continue to be conditionally released on the same or modified conditions or shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he or she was committed for involuntary treatment, or otherwise in accordance with the provisions of this chapter. Such hearing may be waived by the person and his or her counsel and his or her guardian or conservator, if any, but shall not be waivable unless all such persons agree to waive, and upon such waiver the person may be

returned for involuntary treatment or continued on conditional release on the same or modified conditions.

(4) The proceedings set forth in subsection (3) of this section may be initiated by the designated mental health professional or the secretary on the same basis set forth therein

(c) Substance abuse counseling; and

(d) Support for housing, benefits, education, and employment.

NEW SECTION. **Sec. 25.** A new section is added to chapter 71.05 RCW to read as follows:

A court order for less restrictive alternative treatment for a person found to be in need of assisted outpatient mental health treatment must be terminated prior to the expiration of the order when, in the opinion of the professional person in charge of the less restrictive alternative treatment provider, (1) the person is prepared to accept voluntary treatment, or (2) the outpatient treatment ordered is no longer necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.

Sec. 26. RCW 71.24.330 and 2013 c 320 s 9 are each amended to read as follows:

(1)(a) Contracts between a regional support network and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and reprocurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with regional support networks as provided in chapter 70.320 RCW.

(2) The regional support network procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery systems, and maximization of the use of available funds for services versus profits. However, a regional support network selected through the procurement process is not required to contract for services with any county-owned or operated facility. The regional support network procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the regional support network does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated mental health professionals;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require regional support networks to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; ((~~and~~))

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a regional support network. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to serve as a regional support network they shall provide ninety days' advance notice in writing to the other party; and

(h) Require regional support networks to provide services as identified in section 15 of this act to individuals committed for involuntary commitment under less restrictive alternative court orders when:

(i) The individual is enrolled in the medicaid program and meets regional support network access to care standards; or

(ii) The individual is not enrolled in medicaid, does not have other insurance which can pay for the services, and the regional support network has adequate available resources to provide the services.

Sec. 27. RCW 71.24.330 and 2014 c 225 s 51 are each amended to read as follows:

(1)(a) Contracts between a behavioral health organization and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and reprocurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with behavioral health organizations as provided in chapter 70.320 RCW.

(2) The behavioral health organization procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery systems, and maximization of the use of available funds for services versus profits. However, a behavioral health organization selected through the procurement process is not required to contract for services with any county-owned or operated facility. The behavioral health organization procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the behavioral health organization does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated mental health professionals;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require behavioral health organizations to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; ((~~and~~))

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a behavioral health organization. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract

to serve as a behavioral health organization they shall provide ninety days' advance notice in writing to the other party; and

(h) Require behavioral health organizations to provide services as identified in section 15 of this act to individuals committed for involuntary commitment under less restrictive alternative court orders when:

(i) The individual is enrolled in the medicaid program and meets behavioral health organization access to care standards; or

(ii) The individual is not enrolled in medicaid, does not have other insurance which can pay for the services, and the behavioral health organization has adequate available resources to provide the services.

NEW SECTION. **Sec. 28.** Sections 1, 13, and 17 of this act expire April 1, 2016.

NEW SECTION. **Sec. 29.** Sections 2, 14, and 18 of this act take effect April 1, 2016.

NEW SECTION. **Sec. 30.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Jinkins spoke in favor of the adoption of the amendment.

Amendment (216) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Rodne and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1450.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Holy, McCaslin, Scott, Shea, Taylor and Van Werven.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1713, by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet

Integrating the treatment systems for mental health and chemical dependency.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1713 was substituted for House Bill No. 1713 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1713 was read the second time.

With the consent of the house, the Appropriations committee amendment was not adopted. (For Committee amendment, see Journal, Day 47, February 27, 2015).

Representative Cody moved the adoption of amendment (217):

Strike everything after the enacting clause and insert the following:

"PART I
CHEMICAL DEPENDENCY INVOLUNTARY TREATMENT PROVISIONS

Sec. 101. RCW 70.96A.020 and 2001 c 13 s 1 are each amended to read as follows:

For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Alcoholic" means a person who suffers from the disease of alcoholism.

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(3) "Approved treatment program" means a discrete program of chemical dependency treatment provided by a treatment program certified by the department of social and health services as meeting standards adopted under this chapter.

(4) "Chemical dependency" means:

(a) Alcoholism; (b) drug addiction; or (c) dependence on alcohol and one or more other psychoactive chemicals, as the context requires.

(5) "Chemical dependency program" means expenditures and activities of the department designed and conducted to prevent or treat alcoholism and other drug addiction, including reasonable administration and overhead.

(6) "Department" means the department of social and health services.

(7) "Designated chemical dependency specialist" or "specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in RCW 70.96A.140 and qualified to do so by meeting standards adopted by the department.

(8) "Director" means the person administering the chemical dependency program within the department.

(9) "Drug addict" means a person who suffers from the disease of drug addiction.

(6) "Chemical dependency program" means expenditures and activities of the department designed and conducted to prevent or treat alcoholism and other drug addiction, including reasonable administration and overhead.

(7) "Department" means the department of social and health services.

(8) "Designated chemical dependency specialist" or "specialist" means a person designated by the behavioral health organization or by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in RCW 70.96A.140 and qualified to do so by meeting standards adopted by the department.

(9) "Director" means the person administering the substance use disorder program within the department.

(10) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(11) "Emergency service patrol" means a patrol established under RCW 70.96A.170.

(12) "Gravely disabled by alcohol or other psychoactive chemicals" or "gravely disabled" means that a person, as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by a repeated and escalating loss of cognition or volitional control over his or her actions and is not receiving care as essential for his or her health or safety.

(13) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, or a long-term alcoholism or drug treatment facility, or in confinement.

(14) "Incapacitated by alcohol or other psychoactive chemicals" means that a person, as a result of the use of alcohol or other psychoactive chemicals, is gravely disabled or presents a likelihood of serious harm to himself or herself, to any other person, or to property.

(15) "Incompetent person" means a person who has been adjudged incompetent by the superior court.

(16) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

(17) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(18) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on one's self; (ii) physical harm will be inflicted by an individual upon another, as evidenced by behavior that has caused the harm or that places another person or persons in reasonable fear of sustaining the harm; or (iii) physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

(b) The individual has threatened the physical safety of another and has a history of one or more violent acts.

(19) "Medical necessity" for inpatient care of a minor means a requested certified inpatient service that is reasonably calculated to: (a) Diagnose, arrest, or alleviate a chemical dependency; or (b) prevent the progression of substance use disorders that endanger life or cause suffering and pain, or result in illness or infirmity or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(20) "Minor" means a person less than eighteen years of age.

(21) "Parent" means the parent or parents who have the legal right to custody of the child. Parent includes custodian or guardian.

(22) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(23) "Person" means an individual, including a minor.

(24) "Professional person in charge" or "professional person" means a physician or chemical dependency counselor as defined in rule by the department, who is empowered by a certified treatment program with authority to make assessment, admission, continuing care, and discharge decisions on behalf of the certified program.

(25) "Secretary" means the secretary of the department of social and health services.

(26) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(27) "Treatment" means the broad range of emergency, withdrawal management, residential, and outpatient services and care, including diagnostic evaluation, chemical dependency education and counseling, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons.

(28) "Treatment program" means an organization, institution, or corporation, public or private, engaged in the care, treatment, or rehabilitation of persons with substance use ((~~disorder[s]~~)) disorders.

(29) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

(30) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting.

(31) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of chapter 71.05 RCW.

(32) "Physician assistant" means a person who is licensed as a physician assistant pursuant to chapter 18.57A or 18.71A RCW and is working with a licensed mental health physician as indicated by their delegation agreement.

(33) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing.

Sec. 103. RCW 70.96A.140 and 2001 c 13 s 3 are each amended to read as follows:

(1)(a) When a designated chemical dependency specialist receives information alleging that a person presents a likelihood of serious harm or is gravely disabled as a result of chemical

dependency, the designated chemical dependency specialist, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court, district court, or in another court permitted by court rule.

If a petition for commitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the designated chemical dependency specialist's report.

If the designated chemical dependency specialist finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to either a ((~~county~~)) designated mental health professional or an evaluation and treatment facility as defined in RCW 71.05.020 or 71.34.020.

(b) If placement in a chemical dependency program is available and deemed appropriate, the petition shall allege that: The person is chemically dependent and presents a likelihood of serious harm or is gravely disabled by alcohol or drug addiction, or that the person has twice before in the preceding twelve months been admitted for detoxification, sobering services, or chemical dependency treatment pursuant to RCW 70.96A.110 or 70.96A.120, and is in need of a more sustained treatment program, or that the person is chemically dependent and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment. ((~~The petition shall be accompanied by a certificate of a licensed physician who has examined the person within five days before submission of the petition, unless the person whose commitment is sought has refused to submit to a medical examination, in which case the fact of refusal shall be alleged in the petition. The certificate shall set forth the licensed physician's findings in support of the allegations of the petition. A physician employed by the petitioning program or the department is eligible to be the certifying physician.~~))

(c) If involuntary detention is sought, the petition must state facts that support a finding of the grounds identified in (b) of this subsection and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition must state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition must state facts that support a finding of the grounds for commitment identified in (b) of this subsection and set forth the proposed less restrictive alternative.

(d)(i) The petition must be signed by:

(A) Two licensed physicians;

(B) One licensed physician and a mental health professional;

(C) Two psychiatric advanced registered nurse practitioners;

(D) Two physician assistants;

(E) One mental health professional and either a psychiatric advanced registered nurse practitioner or a physician assistant; or

(F) One licensed physician and either a psychiatric advanced registered nurse practitioner or physician assistant.

(ii) The persons signing the petition must have examined the person.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained in a program, pursuant to RCW 70.96A.120, 71.05.210, or ((~~71.34.050~~)) 71.34.710, in which case the hearing shall be held within seventy-two hours of the filing of the petition: PROVIDED, HOWEVER, That the above specified seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays: PROVIDED FURTHER, That, the court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served by the designated chemical dependency specialist on the person whose commitment is sought, his or her next of kin, a parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony((~~,~~)) including, if possible, the testimony, which may be telephonic, of at least one licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or mental health professional who has examined the person whose commitment is sought. Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the detained person is chemically dependent shall be deleted from the records unless the person offering the opinions is available for cross-examination. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or mental health professional, he or she shall be given an opportunity to be examined by a court appointed licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, or other professional person qualified to provide such services. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4)(a) If after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by ((~~clear, cogent, and convincing proof~~)) a preponderance of the evidence and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interest of the person or others, it shall make an order of commitment to an approved treatment program. It shall not order commitment of a person unless it determines that an approved treatment program is available and able to provide adequate and appropriate treatment for him or her.

(b) If the court finds that the grounds for commitment have been established by a preponderance of the evidence, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment. The less restrictive order may impose treatment conditions and other conditions that are in the best interest of the respondent and others. A copy of the less restrictive order must be given to the respondent, the designated chemical dependency specialist, and any program designated to provide less restrictive treatment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. The court may not order commitment of a person to a less restrictive course of treatment unless it determines that an approved treatment program is available and able to provide adequate and appropriate treatment for him or her.

(5) A person committed to inpatient treatment under this section shall remain in the program for treatment for a period of ((~~sixty~~)) fourteen days unless sooner discharged. A person committed to a less restrictive course of treatment under this section shall remain in the program of treatment for a period of ninety days unless sooner discharged. At the end of the ((~~sixty~~)) fourteen-day period, or ninety-day period in the case of a less restrictive alternative to inpatient treatment, he or she shall be discharged automatically unless the program or the designated chemical dependency specialist, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days of inpatient treatment or ninety days of less restrictive alternative treatment unless sooner discharged. The petition for ninety-day inpatient or less restrictive alternative treatment must be filed with the clerk of the court at least three days before expiration of the fourteen-day period of intensive treatment.

If a petition for recommitment is not filed in the case of a minor, the parent, guardian, or custodian who has custody of the minor may seek review of that decision made by the designated chemical dependency specialist in superior or district court. The parent, guardian, or custodian shall file notice with the court and provide a copy of the treatment progress report.

If a person has been committed because he or she is chemically dependent and likely to inflict physical harm on another, the program or designated chemical dependency specialist shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) Upon the filing of a petition for recommitment under subsection (5) of this section, the court shall fix a date for hearing no less than two and no more than seven days after the date the petition was filed: PROVIDED, That, the court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment program on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At tnd nt s 0.1(n)13.67(e co)2.7(u)-10.7(r)-4.3(t)-0 -1. Tc -0.004 Tw 0.947147 TD [(s)9.3(how)2(l)5(l)18.3rros f

with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive program. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions. The grounds and procedures for revocation of less restrictive alternative treatment ordered by the court must be the same as those set forth in this section for less restrictive care arranged by an approved treatment program as a condition for early release.

Sec. 104. RCW 70.96A.145 and 1993 c 137 s 1 are each amended to read as follows:

The prosecuting attorney of the county in which such action is taken ((~~may, at the discretion of the prosecuting attorney,~~)) shall represent the designated chemical dependency specialist or treatment program in judicial proceedings under RCW 70.96A.140 for the involuntary commitment or recommitment of an individual, including any judicial proceeding where the individual sought to be committed or recommitted challenges the action.

PART II
INTEGRATED SYSTEM

NEW SECTION. **Sec. 201.** A new section is added to chapter 71.05 RCW to read as follows:

(1) By April 1, 2017, the department, by rule, must combine the functions of a designated mental health professional and designated chemical dependency specialist by establishing a designated crisis responder who is authorized to conduct investigations, detain persons up to seventy-two hours to the proper facility, and carry out the other functions identified in this chapter and chapter 71.34 RCW. The behavioral health organizations shall provide training to the designated crisis responders as required by the department.

(2)(a) To qualify as a designated crisis responder, a person must have received chemical dependency training as determined by the department and be a:

(i) Psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker;

(ii) Person with a master's degree or further advanced degree in counseling or one of the social sciences from an accredited college or university and who have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the direction of a mental health professional;

(iii) Person who meets the waiver criteria of RCW 71.24.260, which waiver was granted before 1986;

(iv) Person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the department before July 1, 2001; or

(v) Person who has been granted an exception of the minimum requirements of a mental health professional by the department consistent with rules adopted by the secretary.

(b) Training must include chemical dependency training specific to the duties of a designated crisis responder, including diagnosis of substance abuse and dependence and assessment of risk associated with substance use.

(3) The department must develop a transition process for any person who has been designated as a designated mental health professional or a designated chemical dependency specialist before April 1, 2017, to be converted to a designated crisis responder. The behavioral health organizations shall provide training, as required by the department, to persons converting to designated crisis responders, which must include both mental health and chemical dependency training applicable to the designated crisis responder role.

NEW SECTION. **Sec. 202.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The Washington state institute for public policy shall evaluate the effect of the integration of the involuntary treatment systems for substance use disorders and mental health and make preliminary reports to appropriate committees of the legislature by December 1, 2019, and June 30, 2020, and a final report by June 30, 2022.

(2) The evaluation must include an assessment of whether the integrated system:

(a) Has increased efficiency of evaluation and treatment of persons involuntarily detained for substance use disorders;

(b) Is cost-effective, including impacts on health care, housing, employment, and criminal justice costs;

(c) Results in better outcomes for persons involuntarily detained;

(d) Increases the effectiveness of the crisis response system statewide;

(e) Has an impact on commitments based upon mental disorders;

(f) Has been sufficiently resourced with enough involuntary treatment beds, less restrictive alternative treatment options, and state funds to provide timely and appropriate treatment for all individuals interacting with the integrated involuntary treatment system; and

(g) Has diverted from the mental health involuntary treatment system a significant number of individuals whose risk results from substance abuse, including an estimate of the net savings from serving these clients into the appropriate substance abuse treatment system.

(3) This section expires August 1, 2022.

Sec. 203. RCW 71.05.020 and 2014 c 225 s 79 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) ((~~"Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;~~

~~(10)~~)) "Designated crisis responder" means a mental health professional appointed by ((~~the county or~~)) the behavioral health organization to perform the duties specified in this chapter;

(((~~(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;~~

~~(12)~~)) (10) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(((~~(13)~~))) (11) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(((~~(14)~~))) (12) "Developmental disability" means that condition defined in RCW 71A.10.020(((~~(4)~~))) (5);

(((~~(15)~~))) (13) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(((~~(16)~~))) (14) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(((~~(17)~~))) (15) "Gravely disabled" means a condition in which a person, as a result of a mental disorder, or as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(((~~(18)~~))) (16) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(((~~(19)~~))) (17) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction;

(((~~(20)~~))) (18) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(((~~(21)~~))) (19) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(((~~(22)~~))) (20) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(((~~(23)~~))) (21) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(((~~(24)~~))) (22) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health and substance use disorder service providers under RCW 71.05.130;

(((~~(25)~~))) (23) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(((~~(26)~~))) (24) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(((~~(27)~~))) (25) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse

(51) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(52) "Physician assistant" means a person who is licensed as a physician assistant pursuant to chapter 18.57A or 18.71A RCW and is working with a licensed mental health physician as indicated by their delegation agreement;

(53) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated persons:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is certified as such by the department;

(54) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

Sec. 204. RCW 71.05.025 and 2014 c 225 s 80 are each amended to read as follows:

The legislature intends that the procedures and services authorized in this chapter be integrated with those in chapter 71.24 RCW to the maximum extent necessary to assure a continuum of care to persons with mental illness or who have mental disorders or substance use disorders, as defined in either or both this chapter and chapter 71.24 RCW. To this end, behavioral health organizations established in accordance with chapter 71.24 RCW shall institute procedures which require timely consultation with resource management services by designated ((~~mental health professionals and~~)) crisis responders, evaluation and treatment facilities, secure detoxification facilities, and approved substance use disorder treatment programs to assure that determinations to admit, detain, commit, treat, discharge, or release persons with mental disorders or substance use disorders under this chapter are made only after appropriate information regarding such person's treatment history and current treatment plan has been sought from resource management services.

Sec. 205. RCW 71.05.026 and 2014 c 225 s 81 are each amended to read as follows:

(1) Except for monetary damage claims which have been reduced to final judgment by a superior court, this section applies to all claims against the state, state agencies, state officials, or state employees that exist on or arise after March 29, 2006.

(2) Except as expressly provided in contracts entered into between the department and the behavioral health organizations after March 29, 2006, the entities identified in subsection (3) of this section shall have no claim for declaratory relief, injunctive relief, judicial review under chapter 34.05 RCW, or civil liability against the state or state agencies for actions or inactions performed pursuant to the administration of this chapter with regard to the following: (a) The allocation or payment of federal or state funds; (b) the use or allocation of state hospital beds; or (c) financial responsibility for the provision of inpatient mental health care or inpatient substance use disorder treatment.

(3) This section applies to counties, behavioral health organizations, and entities which contract to provide behavioral health organization services and their subcontractors, agents, or employees.

Sec. 206. RCW 71.05.050 and 2000 c 94 s 3 are each amended to read as follows:

Nothing in this chapter shall be construed to limit the right of any person to apply voluntarily to any public or private agency or practitioner for treatment of a mental disorder or substance use disorder, either by direct application or by referral. Any person voluntarily admitted for inpatient treatment to any public or private agency shall be released immediately upon his or her request. Any person voluntarily admitted for inpatient treatment to any public or private agency shall orally be advised of the right to immediate discharge, and further advised of such rights in writing as are secured to them pursuant to this chapter and their rights of access to attorneys, courts, and other legal redress. Their condition and status shall be reviewed at least once each one hundred eighty days for evaluation as to the need for further treatment or possible discharge, at which time they shall again be advised of their right to discharge upon request: PROVIDED HOWEVER, That if the professional staff of any public or private agency or hospital regards a person voluntarily admitted who requests discharge as presenting, as a result of a mental disorder or substance use disorder, an imminent likelihood of serious harm, or is gravely disabled, they may detain such person for sufficient time to notify the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder of such person's condition to enable the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder to authorize such person being further held in custody or transported to an evaluation and treatment center, secure detoxification facility, or approved substance use disorder treatment program pursuant to the provisions of this chapter, which shall in ordinary circumstances be no later than the next judicial day: PROVIDED FURTHER, That if a person is brought to the emergency room of a public or private agency or hospital for observation or treatment, the person refuses voluntary admission, and the professional staff of the public or private agency or hospital regard such person as presenting as a result of a mental disorder or substance use disorder an imminent likelihood of serious harm, or as presenting an imminent danger because of grave disability, they may detain such person for sufficient time to notify the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder of such person's condition to enable the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder to authorize such person being further held in custody or transported to an evaluation treatment center, secure detoxification facility, or approved substance use disorder treatment program pursuant to the conditions in this chapter, but which time shall be no more than six hours from the time the professional staff determine that an evaluation by the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder is necessary.

Sec. 207. RCW 71.05.120 and 2000 c 94 s 4 are each amended to read as follows:

(1) No officer of a public or private agency, nor the superintendent, professional person in charge, his or her professional designee, or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person pursuant to this chapter, nor any ((~~county~~))

designated ((~~mental health professional~~)) crisis responder, nor the state, a unit of local government, ((~~or~~)) an evaluation and treatment facility, a secure detoxification facility, or an approved substance use disorder treatment program shall be civilly or criminally liable for performing duties pursuant to this chapter with regard to the decision of whether to admit, discharge, release, administer antipsychotic medications, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) This section does not relieve a person from giving the required notices under RCW 71.05.330(2) or 71.05.340(1)(b), or the duty to warn or to take reasonable precautions to provide protection from violent behavior where the patient has communicated an actual threat of physical violence against a reasonably identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.

Sec. 208. RCW 71.05.132 and 2004 c 166 s 12 are each amended to read as follows:

When any court orders a person to receive treatment under this chapter, the order shall include a statement that if the person is, or becomes, subject to supervision by the department of corrections, the person must notify the treatment provider and the person's mental health treatment information and substance use disorder treatment information must be shared with the department of corrections for the duration of the offender's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of one or more violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this person's information.

Sec. 209. RCW 71.05.150 and 2011 c 148 s 5 are each amended to read as follows:

(1) When a designated ((~~mental health professional~~)) crisis responder receives information alleging that a person, as a result of a mental disorder, substance use disorder, or both: (i) Presents a likelihood of serious harm; or (ii) is gravely disabled; the designated ((~~mental health professional~~)) crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention. Before filing the petition, the designated ((~~mental health professional~~)) crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, ((~~or~~)) triage facility, or approved substance use disorder treatment program.

(2)(a) An order to detain ((~~to~~)) a person with a mental disorder to a designated evaluation and treatment facility, or to detain a person with a substance use disorder to a secure detoxification facility or approved substance use disorder treatment program, for not more than a seventy-two-hour evaluation and treatment period may be issued by a judge of the superior court upon request of a designated ((~~mental health professional~~)) crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure detoxification facility or approved substance use disorder treatment program unless there is available space at the facility or program.

(3) The designated ((~~mental health professional~~)) crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated ((~~mental health professional~~)) crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, and the designated attorney. The designated ((~~mental health professional~~)) crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated ((~~mental health professional~~)) crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation a11(27(d)-4.)-6(r)1.7(e)-i13.647D [(an.3(uc)11(he)1-18Tca-1.147-10.7(er1(d6l(s)47T

(2)(a) An order to detain to a ((~~person with a mental disorder to a~~)) designated evaluation and treatment facility, ((~~or to~~

(2) When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure detoxification facility or approved substance use disorder treatment program((~~, if space is available in the facility or program,~~)) for not more than seventy-two hours as described in RCW 71.05.180.

(3)(((~~(a) Subject to (b) of this subsection,~~)) A peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure detoxification facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

(((~~(i)~~))) (a) Pursuant to subsection (1) or (2) of this section; or

(((~~(ii)~~))) (b) When he or she has reasonable cause to believe that such person is suffering from a mental disorder or substance use disorder and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(((~~(b) A peace officer may not deliver a person to a secure detoxification facility or approved substance use disorder treatment program unless space is available at the facility or program.~~)))

(4) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure detoxification facility, or approved substance use disorder treatment program by peace officers pursuant to subsection (3) of this section may be held by the facility for a period of up to twelve hours.

(5) Within three hours of arrival, the person must be examined by a mental health professional. Within twelve hours of arrival, the designated crisis responder must determine whether the individual meets detention criteria. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the mental health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

Sec. 213. RCW 71.05.154 and 2013 c 334 s 1 are each amended to read as follows:

A designated ((~~mental health professional~~)) crisis responder conducting an evaluation of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated ((~~mental health professional~~)) crisis responder shall take serious consideration of observations and opinions by examining emergency room physicians in determining whether detention under this chapter is appropriate. The designated ((~~mental health professional~~)) crisis responder must document the consultation with an examining emergency room physician, including the physician's observations or opinions regarding whether detention of the person is appropriate.

Sec. 214. RCW 71.05.156 and 2013 c 334 s 2 are each amended to read as follows:

A designated ((~~mental health professional~~)) crisis responder who conducts an evaluation for imminent likelihood of serious harm or imminent danger because of being gravely disabled under RCW 71.05.153 must also evaluate the person under RCW 71.05.150 for likelihood of serious harm or grave disability that does not meet the imminent standard for emergency detention.

Sec. 215. RCW 71.05.157 and 2007 c 375 s 9 are each amended to read as follows:

(1) When a designated ((~~mental health professional~~)) crisis responder is notified by a jail that a defendant or offender who was subject to a discharge review under RCW 71.05.232 is to be released to the community, the designated ((~~mental health professional~~)) crisis responder shall evaluate the person within seventy-two hours of release.

(2) When an offender is under court-ordered treatment in the community and the supervision of the department of corrections, and the treatment provider becomes aware that the person is in violation of the terms of the court order, the treatment provider shall notify the designated ((~~mental health professional~~)) crisis responder and the department of corrections of the violation and request an evaluation for purposes of revocation of the less restrictive alternative.

(3) When a designated ((~~mental health professional~~)) crisis responder becomes aware that an offender who is under court-ordered treatment in the community and the supervision of the department of corrections is in violation of a treatment order or a condition of supervision that relates to public safety, or the designated ((~~mental health professional~~)) crisis responder detains a person under this chapter, the designated ((~~mental health professional~~)) crisis responder shall notify the person's treatment provider and the department of corrections.

(4) When an offender who is confined in a state correctional facility or is under supervision of the department of corrections in the community is subject to a petition for involuntary treatment under this chapter, the petitioner shall notify the department of corrections and the department of corrections shall provide documentation of its risk assessment or other concerns to the petitioner and the court if the department of corrections classified the offender as a high risk or high needs offender.

(5) Nothing in this section creates a duty on any treatment provider or designated ((~~mental health professional~~)) crisis responder to provide offender supervision.

(6) No jail or state correctional facility may be considered a less restrictive alternative to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program.

Sec. 216. RCW 71.05.160 and 2007 c 375 s 13 are each amended to read as follows:

Any facility receiving a person pursuant to RCW 71.05.150 or 71.05.153 shall require the designated ((~~mental health professional~~)) crisis responder to prepare a petition for initial detention stating the circumstances under which the person's condition was made known and stating that there is evidence, as a result of his or her personal observation or investigation, that the actions of the person for which application is made constitute a likelihood of serious harm, or that he or she is gravely disabled, and stating the specific facts known to him or her as a result of his or her personal observation or investigation, upon which he or she

bases the belief that such person should be detained for the purposes and under the authority of this chapter.

If a person is involuntarily placed in an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program pursuant to RCW 71.05.150 or 71.05.153, on the next judicial day following the initial detention, the designated ((~~mental health professional~~)) crisis responder shall file with the court and serve the designated attorney of the detained person the petition or supplemental petition for initial detention, proof of service of notice, and a copy of a notice of emergency detention.

Sec. 217. RCW 71.05.170 and 2000 c 94 s 5 are each amended to read as follows:

Whenever the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder petitions for detention of a person whose actions constitute a likelihood of serious harm, or who is gravely disabled, the facility providing seventy-two hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. The facility shall then evaluate the person's condition and admit, detain, transfer, or discharge such person in accordance with RCW 71.05.210. The facility shall notify in writing the court and the ((~~county~~)) designated ((~~mental health professional~~)) crisis responder of the date and time of the initial detention of each person involuntarily detained in order that a probable cause hearing shall be held no later than seventy-two hours after detention.

The duty of a state hospital to accept persons for evaluation and treatment under this section shall be limited by chapter 71.24 RCW.

Sec. 218. RCW 71.05.180 and 1997 c 112 s 12 are each amended to read as follows:

If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program admits the person, it may detain him or her for evaluation and treatment for a period not to exceed seventy-two hours from the time of acceptance as set forth in RCW 71.05.170. The computation of such seventy-two hour period shall exclude Saturdays, Sundays and holidays.

Sec. 219. RCW 71.05.190 and 2011 c 305 s 3 are each amended to read as follows:

If the person is not approved for admission by a facility providing seventy-two hour evaluation and treatment, and the individual has not been arrested, the facility shall furnish transportation, if not otherwise available, for the person to his or her place of residence or other appropriate place. If the individual has been arrested, the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program shall detain the individual for not more than eight hours at the request of the peace officer. The facility shall make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the person is not approved for admission in order to enable a peace officer to return to the facility and take the individual back into custody.

Sec. 220. RCW 71.05.195 and 2010 c 208 s 1 are each amended to read as follows:

(1) A civil commitment may be initiated under the procedures described in RCW 71.05.150 or 71.05.153 for a person who has been found not guilty by reason of insanity in a state other than Washington and who has fled from detention, commitment, or conditional release in that state, on the basis of a request by the state in which the person was found not guilty by reason of insanity for the person to be detained and transferred back to the custody or care of the requesting state. A finding of likelihood of serious harm or grave disability is not required for a commitment under this section. The detention may occur at either an evaluation and treatment facility or a state hospital. The petition for seventy-two hour detention filed by the designated ((~~mental health professional~~)) crisis responder must be accompanied by the following documents:

(a) A copy of an order for detention, commitment, or conditional release of the person in a state other than Washington on the basis of a judgment of not guilty by reason of insanity;

(b) A warrant issued by a magistrate in the state in which the person was found not guilty by reason of insanity indicating that the person has fled from detention, commitment, or conditional release in that state and authorizing the detention of the person within the state in which the person was found not guilty by reason of insanity;

(c) A statement from the executive authority of the state in which the person was found not guilty by reason of insanity requesting that the person be returned to the requesting state and agreeing to facilitate the transfer of the p]TJ -0.004 Tc 01(h t)5(he)11(p3(t)-60.6(

Sec. 224. RCW 71.05.214 and 1998 c 297 s 26 are each amended to read as follows:

The department shall develop statewide protocols to be utilized by professional persons and ((~~county~~)) designated ((~~mental health professionals~~)) crisis responders in administration of this chapter and chapter 10.77 RCW. The protocols shall be updated at least every three years. The protocols shall provide uniform development and application of criteria in evaluation and commitment recommendations, of persons who have, or are alleged to have, mental disorders or substance use disorders and are subject to this chapter.

The initial protocols shall be developed not later than September 1, 1999. The department shall develop and update the protocols in consultation with representatives of ((~~county~~)) designated ((~~mental health professionals~~)) crisis responders, local government, law enforcement, county and city prosecutors, public defenders, and groups concerned with mental illness and substance use disorders. The protocols shall be submitted to the governor and legislature upon adoption by the department.

Sec. 225. RCW 71.05.215 and 2008 c 156 s 2 are each amended to read as follows:

(1) A person found to be gravely disabled or presents a likelihood of serious harm as a result of a mental disorder or substance use disorder has a right to refuse antipsychotic medication unless it is determined that the failure to medicate may result in a likelihood of serious harm or substantial deterioration or substantially prolong the length of involuntary commitment and there is no less intrusive course of treatment than medication in the best interest of that person.

(2) The department shall adopt rules to carry out the purposes of this chapter. These rules shall include:

(a) An attempt to obtain the informed consent of the person prior to administration of antipsychotic medication.

(b) For short-term treatment up to thirty days, the right to refuse antipsychotic medications unless there is an additional concurring medical opinion approving medication by a psychiatrist, psychiatric advanced registered nurse practitioner, or physician in consultation with a mental health professional with prescriptive authority.

(c) For continued treatment beyond thirty days through the hearing on any petition filed under RCW 71.05.217, the right to periodic review of the decision to medicate by the medical director or designee.

(d) Administration of antipsychotic medication in an emergency and review of this decision within twenty-four hours. An emergency exists if the person presents an imminent likelihood of serious harm, and medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and in the opinion of the physician or psychiatric advanced registered nurse practitioner, the person's condition constitutes an emergency requiring the treatment be instituted prior to obtaining a second medical opinion.

(e) Documentation in the medical record of the attempt by the physician or psychiatric advanced registered nurse practitioner to obtain informed consent and the reasons why antipsychotic medication is being administered over the person's objection or lack of consent.

Sec. 226. RCW 71.05.220 and 1997 c 112 s 17 are each amended to read as follows:

At the time a person is involuntarily admitted to an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the professional person in charge or his or her designee shall take reasonable precautions to inventory and safeguard the personal property of the person detained. A copy of the inventory, signed by the staff member making it, shall be given to the person detained and shall, in addition, be open to inspection to any responsible relative, subject to limitations, if any, specifically imposed by the detained person. For purposes of this section, "responsible relative" includes the guardian, conservator, attorney, spouse, parent, adult child, or adult brother or sister of the person. The facility shall not disclose the contents of the inventory to any other person without the consent of the patient or order of the court.

Sec. 227. RCW 71.05.230 and 2011 c 343 s 9 are each amended to read as follows:

A person detained for seventy-two hour evaluation and treatment may be detained for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder or substance use disorder and either results in a likelihood of serious harm, or results in the detained person being gravely disabled and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The facility providing intensive treatment is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated ((~~mental health professional~~)) crisis responder has filed a petition for fourteen day involuntary detention or a ninety day less restrictive alternative with the court. The petition must be signed either by:

(a) Two physicians;

(b) One physician and a mental health professional;

(c) Two psychiatric advanced registered nurse practitioners;

(d) Two physician assistants;

(e) One mental health professional and either a psychiatric advanced registered nurse practitioner ((~~and a mental health professional~~)) or a physician assistant; or

(((~~(e) A~~)) (f) One physician and either a psychiatric advanced registered nurse practitioner or physician assistant. The persons signing the petition must have examined the person. If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a mental disorder or substance use disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of a mental disorder or as a result of a substance use disorder, presents a likelihood of serious harm, or is gravely disabled and shall set forth the less restrictive alternative proposed by the facility; and

(5) A copy of the petition has been served on the detained person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated ((~~mental health professional~~)) crisis responder may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide outpatient treatment is other than the facility providing involuntary treatment, the outpatient facility so designated has agreed to assume such responsibility.

Sec. 228. RCW 71.05.235 and 2008 c 213 s 5 are each amended to read as follows:

(1) If an individual is referred to a designated ((~~mental health professional~~)) crisis responder under RCW 10.77.088(1)(b)(i), the designated ((~~mental health professional~~)) crisis responder shall examine the individual within forty-eight hours. If the designated ((~~mental health professional~~)) crisis responder determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated ((~~mental health professional~~)) crisis responder not later than the next judicial day. At the hearing the superior court shall review the determination of the designated ((~~mental health professional~~)) crisis responder and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than seventy-two hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088(1)(b)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under chapter 71.05 RCW. Before expiration of the seventy-two hour evaluation period authorized under RCW 10.77.088(1)(b)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the prosecutor or professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

(a) Two examining physicians;

(b) One examining physician and an examining mental health professional;

(c) Two examining psychiatric advanced registered nurse practitioners;

(d) Two examining physician assistants;

(e) One examining mental health professional and either an examining psychiatric advanced registered nurse practitioner ((~~and a mental health professional~~)) or an examining physician assistant; or

(((~~(e) An~~)) (f) One examining physician and either an examining psychiatric advanced registered nurse practitioner or an examining physician assistant. The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated ((~~mental health professional~~)) crisis responder may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 233. RCW 71.05.300 and 2014 c 225 s 84 are each amended to read as follows:

(1) The petition for ninety day treatment shall be filed with the clerk of the superior court at least three days before expiration of the fourteen-day period of intensive treatment. At the time of filing such petition, the clerk shall set a time for the person to come before the court on the next judicial day after the day of filing unless such appearance is waived by the person's attorney, and the clerk shall notify the designated ((~~mental health professional~~)) crisis responder. The designated ((~~mental health professional~~)) crisis responder shall immediately notify the person detained, his or her attorney, if any, and his or her guardian or conservator, if any, the prosecuting attorney, and the behavioral health organization administrator, and provide a copy of the petition to such persons as soon as possible. The behavioral health organization administrator or designee may review the petition and may appear and testify at the full hearing on the petition.

(2) At the time set for appearance the detained person shall be brought before the court, unless such appearance has been waived and the court shall advise him or her of his or her right to be represented by an attorney, his or her right to a jury trial, and, if the petition is for commitment for mental health treatment or for treatment of a substance use disorder that is based on use of a controlled substance, his or her loss of firearm rights if involuntarily committed. If the detained person is not represented by an attorney, or is indigent or is unwilling to retain an attorney, the court shall immediately appoint an attorney to represent him or her. The court shall, if requested, appoint a reasonably available licensed physician, psychiatric advanced registered nurse practitioner, physician assistant, psychologist, or psychiatrist, designated by the detained person to examine and testify on behalf of the detained person.

(3) The court may, if requested, also appoint a professional person as defined in RCW 71.05.020 to seek less restrictive alternative courses of treatment and to testify on behalf of the detained person. In the case of a person with a developmental disability who has been determined to be incompetent pursuant to RCW 10.77.086(4), then the appointed professional person under this section shall be a developmental disabilities professional.

(4) The court shall also set a date for a full hearing on the petition as provided in RCW 71.05.310.

Sec. 234. RCW 71.05.320 and 2013 c 289 s 5 are each amended to read as follows:

(1)(a) Subject to (b) of this subsection, if the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment.

(b) If the order for inpatient treatment is based on substance use disorder, treatment must take place at an approved substance use disorder treatment program. The court may only order the person's commitment to an approved substance use disorder treatment program if there is space available at the program.

(c) If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment in a facility certified for one hundred eighty day treatment by the department.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. If the order for less restrictive treatment is based on substance use disorder, treatment must be provided by an approved substance use disorder treatment program. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment.

(3) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated ((~~mental health professional~~)) crisis responder, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of a mental disorder, substance use disorder, or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder, substance use disorder, or developmental disability a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b),

the commitment shall continue for up to an additional one hundred eighty day period whenever the petition presents prima facie evidence that the person continues to suffer from a mental disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the mental disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

(4) For a person committed under subsection (2) of this section who has been remanded to a period of less restrictive treatment, in addition to the grounds specified in subsection (3) of this section, the designated ((~~mental health professional~~)) crisis responder may file a new petition for continued less restrictive treatment if:

(a) The person was previously committed by a court to detention for involuntary mental health treatment or involuntary substance use disorder treatment during the thirty-six months that preceded the person's initial detention date during the current involuntary commitment cycle, excluding any time spent in a mental health facility, in long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction;

(b) In view of the person's treatment history or current behavior, the person is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment; and

(c) Outpatient treatment that would be provided under a less restrictive treatment order is necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.

(5) A new petition for involuntary treatment filed under subsection (3) or (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, subject to subsection (1)(b) of this section, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment. At the end of the one hundred eighty day period of commitment, ostmmitted person shall be released un5(s)9.3(s)9.4(s)9.3(a)11(pe)11(t)5(i)5(t)5(i)18.3(on f)20(or)6.7(a)11.1(n)13.6(ot)18.3(he)11(r)6.7( )]TJ 0 -1.

(b) If the ((~~annexing~~)) code city has a population of ten thousand or less, the ((~~annexed~~)) territory or consolidated area consists entirely of one or more partial federal census blocks, or 2010 federal decennial census data has not been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of an actual enumeration of the population.

(c) In any circumstance, the code city may choose to have the population determination of the entire ((~~annexed~~)) territory or consolidated area consist of an actual enumeration. However, if the code city does not use actual enumeration for determining population, the ((~~annexed~~)) territory or consolidated area includes or consists of one or more complete federal census blocks, and 2010 federal decennial census data has been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of:

(i) Relevant 2010 federal decennial census data pertaining to the complete block or blocks, as such data has been updated by the most recent official population estimate released by the office of financial management pursuant to RCW 43.62.030;

(ii) An actual enumeration of any population located within the ((~~annexed~~)) territory or consolidated area but outside the complete federal census block or blocks; and

(iii) If the office of financial management, at least two weeks prior to the date of ((~~annexation~~)) the action, confirms the existence of a known census error within a complete federal census block and identifies a structure or complex listed in (c)(iii)(A) through (E) of this subsection (2) as a likely source of the error, an actual enumeration of one or more of the block's identified:

(A) Group quarters;

(B) Mobile home parks;

(C) Apartment buildings that are composed of at least fifty units and are certified for occupancy between January 1, 2010, and April 1, 2011;

(D) Missing subdivisions; and

(E) Closures of any of the categories in (c)(iii)(A) through (D) of this subsection.

(d) Whenever an actual enumeration is used, it shall be made in accordance with the practices and policies of, and subject to the approval of, the office of financial management.

(e) The code city ((~~shall be~~)) is responsible for the full cost of the population determination.

(3) Upon approval of the ((~~annexation~~)) certificate, the office of financial management ((~~shall~~)) must forward to each state official or department responsible for making allocations or payments to cities or towns, a revised certificate reflecting the increase in population due to ((~~such annexation~~)) the action. Upon and after the date of the commencement of the next quarterly period, the population determination indicated in ((~~such~~)) the revised certificate ((~~shall~~)) must be used as the basis for the allocation and payment of state funds to such city or town.

For the purposes of this section, each quarterly period ((~~shall~~)) commences on the first day of the months of January, April, July, and October. Whenever a revised certificate is forwarded by the office of financial management thirty days or less prior to the commencement of the next quarterly period, the population of the ((~~annexed~~)) territory ((~~shall~~)) or consolidated area must not be considered until the commencement of the following quarterly period.

(4) Until ((~~an annexation~~)) a certificate is filed and approved ((~~as provided herein, such annexed~~)), the territory ((~~shall~~)) or consolidated area must not be considered by the office of financial management in determining the population of such code city.

Sec.436. RCW 35A.16.010 and 1967 ex.s. c 119 s 35A.16.010 are each amended to read as follows:

Upon the filing of a petition which is sufficient as determined by RCW 35A.01.040 praying for the exclusion from the boundaries of a code city of an area described by metes and bounds or by reference to a recorded plat or government survey, signed by qualified voters of the city in number equal to not less than ten percent of the number of votes cast at the last general municipal election, the legislative body of the code city shall cause the question to be submitted to the voters. As an alternate method, such a proposal for exclusion from the code city of a described area may be submitted to the voters by resolution of the legislative body. The question shall be submitted at the next general municipal election if one is to be held within one hundred and eighty days or at a special election called for that purpose not less than ninety days nor more than one hundred and eighty days after the certification of sufficiency of the petition or the passage of the resolution. The petition or resolution shall set out and describe the territory to be excluded from the code city, together with the boundaries of the code city as it will exist after such change is made. The legislative body of the code city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec.437. RCW 35A.16.040 and 1967 ex.s. c 119 s 35A.16.040 are each amended to read as follows:

Promptly after the filing of the abstract of votes with the secretary of state and subject to review of the proposed action by the office of financial management pursuant to section 1 of this act, the legislative body shall adopt an ordinance defining and fixing the corporate limits after excluding the area as determined by the election. The ordinance shall also describe the excluded territory by metes and bounds or by reference to a recorded plat or government survey and declare it no longer a part of the code city."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5164 Prime Sponsor, Senator Hobbs: Concerning transient lodging for military service members in armories. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5174 Prime Sponsor, Senator Bailey: Increasing the number of district court judges in Skagit county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

county in which the criminal charges against the committed person were dismissed, of the decision to conditionally release the person. Notice and a copy of the terms of conditional release shall be provided at least thirty days before the person is released from inpatient care. Within twenty days after receiving notice, the prosecuting attorney may petition the court in the county that issued the commitment order to hold a hearing to determine whether the person may be conditionally released and the terms of the conditional release. The prosecuting attorney shall provide a copy of the petition to the superintendent or professional person in charge of the hospital or facility providing involuntary treatment, the attorney, if any, and guardian or conservator of the committed person, and the court of original commitment. If the county in which the committed person is to receive outpatient treatment is the same county in which the criminal charges against the committed person were dismissed, then the court shall, upon the motion of the prosecuting attorney, transfer the proceeding to the court in that county. The court shall conduct a hearing on the petition within ten days of the filing of the petition. The committed person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as set forth in this subsection and except that there shall be no right to jury trial. The issue to be determined at the hearing is whether or not the person may be conditionally released without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security. If the court disapproves of the conditional release, it may do so only on the basis of substantial evidence. Pursuant to the determination of the court upon the hearing, the conditional release of the person shall be approved by the court on the same or modified conditions or the person shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he or she was committed, or otherwise in accordance with the provisions of this chapter.

(2) The hospital or facility designated to provide outpatient care or the secretary may modify the conditions for continued release when such modification is in the best interest of the person. Notification of such changes shall be sent to all persons receiving a copy of the original conditions.

(3)(a) If the hospital or facility designated to provide outpatient care, the designated ((~~mental health professional~~)) crisis responder, or the secretary determines that:

(i) A conditionally released person is failing to adhere to the terms and conditions of his or her release;

(ii) Substantial deterioration in a conditionally released person's functioning has occurred;

(iii) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or

(iv) The person poses a likelihood of serious harm((~~.~~));

Upon notification by the hospital or facility designated to provide outpatient care, or on his or her own motion, the designated ((~~mental health professional~~)) crisis responder or the secretary may order that the conditionally released person be apprehended and taken into custody and temporarily detained in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program with available space in or near the county in which he or she is receiving outpatient treatment. A person may not be detained to a secure detoxification facility or approved substance use disorder treatment program unless there is available space in the facility or program.

(b) The hospital or facility designated to provide outpatient treatment shall notify the secretary or designated ((~~mental health professional~~)) crisis responder when a conditionally released person fails to adhere to terms and conditions of his or her conditional release or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm. The designated ((~~mental health professional~~)) crisis responder or secretary shall order the person apprehended and temporarily detained in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a secure detoxification facility or approved substance use disorder treatment program with available space in or near the county in which he or she is receiving outpatient treatment. A person may not be detained to a secure detoxification facility or approved substance use disorder treatment program unless there is available space in the facility or program.

(c) A person detained under this subsection (3) shall be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been conditionally released. The designated ((~~mental health professional~~)) crisis responder or the secretary may modify or rescind such order at any time prior to commencement of the court hearing.

(d) The court that originally ordered commitment shall be notified within two judicial days of a person's detention under the provisions of this section, and the designated ((~~mental health professional~~)) crisis responder or the secretary shall file his or her petition and order of apprehension and detention with the court that originally ordered commitment or with the court in the county in which the person is detained and serve them upon the person detained. His or her attorney, if any, and his or her guardian or conservator, if any, shall receive a copy of such papers as soon as possible. Such person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as specifically set forth in this section and except that there shall be no right to jury trial. The venue for proceedings regarding a petition for modification or revocation of an order for conditional release shall be in the county in which the petition was filed. The issues to be determined shall be: (i) Whether the conditionally released person did or did not adhere to the terms and conditions of his or her conditional release; (ii) that substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the conditions listed in this subsection (3)(d) have occurred, whether the terms of conditional release should be modified or the person should be returned to the facility.

(e) Pursuant to the determination of the court upon such hearing, the conditionally released person shall either continue to be conditionally released on the same or modified conditions or shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he or she was committed for involuntary treatment, or otherwise in accordance with the provisions of this chapter. Such hearing may be waived by the person and his or her counsel and his or her guardian or conservator, if any, but shall not be waivable unless all such persons agree to waive, and upon such waiver the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions. A person must not be returned for involuntary treatment in a secure detoxification facility or approved substance use disorder treatment program

under this subsection unless there is available space in the facility or program.

(4) The proceedings set forth in subsection (3) of this section may be initiated by the designated ((~~mental health professional~~)) crisis responder or the secretary on the same basis set forth therein without requiring or ordering the apprehension and detention of the conditionally released person, in which case the court hearing shall take place in not less than five days from the date of service of the petition upon the conditionally released person. The petition may be filed in the court that originally ordered commitment or with the court in the county in which the person is present. The venue for the proceedings regarding the petition for modification or revocation of an order for conditional release shall be in the county in which the petition was filed.

Upon expiration of the period of commitment, or when the person is released from outpatient care, notice in writing to the court which committed the person for treatment shall be provided.

(5) The grounds and procedures for revocation of less restrictive alternative treatment shall be the same as those set forth in this section for conditional releases.

(6) In the event of a revocation of a conditional release, the subsequent treatment period may be for no longer than the actual period authorized in the original court order.

Sec. 238. RCW 71.05.340 and 2015 c ... s 237 (section 237 of this act) are each amended to read as follows:

(1)(a) When, in the opinion of the superintendent or the professional person in charge of the hospital or facility providing involuntary treatment, the committed person can be appropriately served by outpatient treatment prior to or at the expiration of the period of commitment, then such outpatient care may be required as a term of conditional release for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment. If the hospital or facility designated to provide outpatient treatment is other than the facility providing involuntary treatment, the outpatient facility so designated must agree in writing to assume such responsibility. A copy of the terms of conditional release shall be given to the patient, the designated crisis responder in the county in which the patient is to receive outpatient treatment, and to the court of original commitment.

(b) Before a person committed under grounds set forth in RCW 71.05.280(3) or 71.05.320(3)(c) is conditionally released under (a) of this subsection, the superintendent or professional person in charge of the hospital or facility providing involuntary treatment shall in writing notify the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision to conditionally release the person. Notice and a copy of the terms of conditional release shall be provided at least thirty days before the person is released from inpatient care. Within twenty days after receiving notice, the prosecuting attorney may petition the court in the county that

(e) The person has the right to refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) When proceedings are initiated under RCW 71.05.153, no later than twelve hours after such person is admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program the personnel of the ((~~evaluation and treatment~~)) facility or the designated ((~~mental health professional~~)) crisis responder shall serve on such person a copy of the petition for initial detention and the name, business address, and phone number of the designated attorney and shall forthwith commence service of a copy of the petition for initial detention on the designated attorney.

(7) The judicial hearing described in subsection (5) of this section is hereby authorized, and shall be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(8) At the probable cause hearing the detained person shall have the following rights in addition to the rights previously specified:

(a) To present evidence on his or her behalf;

(b) To cross-examine witnesses who testify against him or her;

(c) To be proceeded against by the rules of evidence;

(d) To remain silent;

(e) To view and copy all petitions and reports in the court file.

(9) Privileges between patients and physicians, psychologists, physician assistants, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges shall be waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(10) Insofar as danger to the person or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights:

(a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

(b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

(c) To have access to individual storage space for his or her private use;

(d) To have visitors at reasonable times;

(e) To have reasonable access to a telephone, both to make and receive confidential calls, consistent with an effective treatment program;

(f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

(g) To discuss treatment plans and decisions with professional persons;

(h) Not to consent to the administration of antipsychotic medications and not to thereafter be administered antipsychotic medications unless ordered by a court under RCW 71.05.217 or pursuant to an administrative hearing under RCW 71.05.215;

(i) Not to consent to the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court under RCW 71.05.217;

(j) Not to have psychosurgery performed on him or her under any circumstances;

(k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue.

(11) Every person involuntarily detained shall immediately be informed of his or her right to a hearing to review the legality of his or her detention and of his or her right to counsel, by the professional person in charge of the facility providing evaluation and treatment, or his or her designee, and, when appropriate, by the court. If the person so elects, the court shall immediately appoint an attorney to assist him or her.

(12) A person challenging his or her detention or his or her attorney shall have the right to designate and have the court appoint a reasonably available independent physician, psychiatric advanced registered nurse practitioner, physician assistant, or licensed mental health professional to examine the person detained, the results of which examination may be used in the proceeding. The person shall, if he or she is financially able, bear the cost of such expert examination, otherwise such expert examination shall be at public expense.

(13) Nothing contained in this chapter shall prohibit the patient from petitioning by writ of habeas corpus for release.

(14) Nothing in this chapter shall prohibit a person committed on or prior to January 1, 1974, from exercising a right available to him or her at or prior to January 1, 1974, for obtaining release from confinement.

(15) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

Sec. 240. RCW 71.05.380 and 1973 1st ex.s. c 142 s 43 are each amended to read as follows:

All persons voluntarily entering or remaining in any facility, institution, or hospital providing evaluation and treatment for mental disorders or substance use disorders shall have no less than all rights secured to involuntarily detained persons by RCW 71.05.360 and ((~~71.05.370~~)) 71.05.217.

Sec. 241. RCW 71.05.435 and 2010 c 280 s 4 are each amended to read as follows:

(1) Whenever a person who is the subject of an involuntary commitment order under this chapter is discharged from an evaluation and treatment facility ((~~or~~)), state hospital, ((~~the evaluation and treatment facility or state hospital shall provide notice of the person's discharge to the designated mental health professional~~)) secure detoxification facility, or approved substance use disorder treatment program providing involuntary treatment services, the entity discharging the person shall provide notice of the person's discharge to the designated crisis responder office responsible for the initial commitment and the designated ((~~mental~~

~~health professional~~)) crisis responder office that serves the county in which the person is expected to reside. The ((~~evaluation and treatment facility or state hospital~~)) entity discharging the person must also provide these offices with a copy of any less restrictive order or conditional release order entered in conjunction with the discharge of the person, unless the ((~~evaluation and treatment facility or state hospital~~)) entity discharging the person has entered into a memorandum of understanding obligating another entity to provide these documents.

(2) The notice and documents referred to in subsection (1) of this section shall be provided as soon as possible and no later than one business day following the discharge of the person. Notice is not required under this section if the discharge is for the purpose of transferring the person for continued detention and treatment under this chapter at another treatment facility.

(3) The department shall maintain and make available an updated list of contact information for designated ((~~mental health professional~~)) crisis responder offices around the state.

Sec. 242. RCW 71.05.530 and 1998 c 297 s 23 are each amended to read as follows:

Evaluation and treatment facilities and secure detoxification facilities authorized pursuant to this chapter may be part of the comprehensive community mental health services program conducted in counties pursuant to chapter 71.24 RCW, and may receive funding pursuant to the provisions thereof.

Sec. 243. RCW 71.05.560 and 1998 c 297 s 24 are each amended to read as follows:

The department shall adopt such rules as may be necessary to effectuate the intent and purposes of this chapter, which shall include but not be limited to evaluation of the quality of the program and facilities operating pursuant to this chapter, evaluation of the effectiveness and cost effectiveness of such programs and facilities, and procedures and standards for certification and other action relevant to evaluation and treatment facilities, secure detoxification facilities, and approved substance use disorder treatment programs.

Sec. 244. RCW 71.05.620 and 2013 c 200 s 23 are each amended to read as follows:

(1) The files and records of court proceedings under this chapter and chapter((~~s 70.96A,~~)) 71.34((~~, and 70.96B~~)) RCW shall be closed but shall be accessible to:

(a) The department;

(b) The state hospitals as defined in RCW 72.23.010;

(c) Any person who is the subject of a petition ((~~and to~~));

(d) The ((~~person's~~)) attorney((~~,~~)) or guardian ad litem((~~,~~)) of the person;

(e) Resource management services((~~, or~~)) for that person; and

(f) Service providers authorized to receive such information by resource management services.

(2) The department shall adopt rules to implement this section.

Sec. 245. RCW 71.05.700 and 2007 c 360 s 2 are each amended to read as follows:

No designated ((~~mental health professional~~)) crisis responder or crisis intervention worker shall be required to respond to a private home or other private location to stabilize or treat a person in crisis, or to evaluate a person for potential detention under the state's involuntary treatment act, unless a second trained individual, determined by the clinical team supervisor, on-call supervisor, or individual professional acting alone based on a risk assessment for potential violence, accompanies them. The second individual may be a law enforcement officer, a mental health professional, a mental health paraprofessional who has received training under RCW 71.05.715, or other first responder, such as fire or ambulance personnel. No retaliation may be taken against a worker who, following consultation with the clinical team, refuses to go on a home visit alone.

Sec. 246. RCW 71.05.705 and 2007 c 360 s 3 are each amended to read as follows:

Each provider of designated ((~~mental health professional~~))

(34) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, that is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders.

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved substance use disorder treatment program that is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

(36) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that:

(a) Provides for intoxicated minors:

(i) Evaluation and assessment, provided by certified chemical dependency professionals;

(ii) Acute or subacute detoxification services; and

(iii) Discharge assistance provided by certified chemical dependency professionals, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the minor;

(b) Includes security measures sufficient to protect the patients, staff, and community; and

(c) Is certified as such by the department.

(37) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

Sec. 248. RCW 71.34.305 and 1996 c 133 s 6 are each amended to read as follows:

School district personnel who contact a mental health or substance use disorder inpatient treatment program or provider for the purpose of referring a student to inpatient treatment shall provide the parents with notice of the contact within forty-eight hours.

Sec. 249. RCW 71.34.375 and 2011 c 302 s 1 are each amended to read as follows:

(1) If a parent or guardian, for the purpose of mental health treatment, substance use disorder treatment, or evaluation, brings his or her minor child to an evaluation and treatment facility, a hospital emergency room, an inpatient facility licensed under chapter 72.23 RCW, ((~~or~~)) an inpatient facility licensed under chapter 70.41 or 71.12 RCW operating inpatient psychiatric beds for minors, a secure detoxification facility, or an approved substance use disorder treatment program, the facility is required to promptly provide written and verbal notice of all statutorily available treatment options contained in this chapter. The notice need not be given more than once if written and verbal notice has already been provided and documented by the facility.

(2) The provision of notice must be documented by the facilities required to give notice under subsection (1) of this section and must be accompanied by a signed acknowledgment of receipt by the parent or guardian. The notice must contain the following information:

(a) All current statutorily available treatment options including but not limited to those provided in this chapter; and

(b) The procedures to be followed to utilize the treatment options described in this chapter.

(3) The department shall produce, and make available, the written notification that must include, at a minimum, the information contained in subsection (2) of this section. The department must revise the written notification as necessary to reflect changes in the law.

Sec. 250. RCW 71.34.385 and 1992 c 205 s 304 are each amended to read as follows:

The department shall ensure that the provisions of this chapter are applied by the counties in a consistent and uniform manner. The department shall also ensure that, to the extent possible within available funds, the ((~~county-designated mental health professionals~~)) designated crisis responders are specifically trained in adolescent mental health issues, the mental health and substance use disorder civil commitment laws, and the criteria for civil commitment.

Sec. 251. RCW 71.34.400 and 1998 c 296 s 11 are each amended to read as follows:

For purposes of eligibility for medical assistance under chapter 74.09 RCW, minors in inpatient mental health or inpatient substance use disorder treatment shall be considered to be part of their parent's or legal guardian's household, unless the minor has been assessed by the department or its designee as likely to require such treatment for at least ninety consecutive days, or is in out-of-home care in accordance with chapter 13.34 RCW, or the parents are found to not be exercising responsibility for care and control of the minor. Payment for such care by the department shall be made only in accordance with rules, guidelines, and clinical criteria applicable to inpatient treatment of minors established by the department.

Sec. 252. RCW 71.34.410 and 2005 c 371 s 5 are each amended to read as follows:

No public or private agency or governmental entity, nor officer of a public or private agency, nor the superintendent, or professional person in charge, his or her professional designee or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person under this chapter, nor any ((~~county~~)) designated ((~~mental health professional~~)) crisis responder, nor professional person, nor evaluation and treatment facility, nor secure detoxification facility, nor approved substance use disorder treatment program shall be civilly or criminally liable for performing actions authorized in this chapter with regard to the decision of whether to admit, release, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

Sec. 253. RCW 71.34.500 and 2006 c 93 s 3 are each amended to read as follows:

(1) A minor thirteen years or older may admit himself or herself to an evaluation and treatment facility for inpatient mental health treatment or an approved substance use disorder treatment program for inpatient ((~~mental~~)) substance use disorder treatment((~~,~~)) without parental consent. The admission shall occur only if the professional person in charge of the facility concurs

with the need for inpatient treatment. Parental authorization, or authorization from a person who may consent on behalf of the minor pursuant to RCW 7.70.065, is required for inpatient treatment of a minor under the age of thirteen.

(2) When, in the judgment of the professional person in charge of an evaluation and treatment facility or approved substance use disorder treatment program, there is reason to believe that a minor is in need of inpatient treatment because of a mental disorder or substance use disorder, and the facility provides the type of evaluation and treatment needed by the minor, and it is not feasible to treat the minor in any less restrictive setting or the minor's home, the minor may be admitted to ((~~an evaluation and treatment~~)) the facility.

(3) Written renewal of voluntary consent must be obtained from the applicant no less than once every twelve months. The minor's need for continued inpatient treatments shall be reviewed and documented no less than every one hundred eighty days.

Sec. 254. RCW 71.34.520 and 2003 c 106 s 1 are each amended to read as follows:

(1) Any minor thirteen years or older voluntarily admitted to an evaluation and treatment facility or approved substance use disorder treatment program under RCW 71.34.500 may give notice of intent to leave at any time. The notice need not follow any specific form so long as it is written and the intent of the minor can be discerned.

(2) The staff member receiving the notice shall date it immediately, record its existence in the minor's clinical record, and send copies of it to the minor's attorney, if any, the ((~~county-designated mental health professional~~)) designated crisis responders, and the parent.

(3) The professional person shall discharge the minor, thirteen years or older, from the facility by the second judicial day

Sec. 262. RCW 71.34.710 and 2015 c ... s 261 (section 261 of this act) are each amended to read as follows:

(1)(a)(i) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of a mental disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to an evaluation and treatment facility providing inpatient treatment.

(ii) When a designated crisis responder receives information that a minor, thirteen years or older, as a result of substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the minor, or cause the minor to be taken, into custody and transported to a secure detoxification facility or approved substance use disorder treatment program((~~, if space is available in the facility or program~~)).

(b) If the minor is not taken into custody for evaluation and treatment, the parent who has custody of the minor may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes.

(2) Within twelve hours of the minor's arrival at the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the minor a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the minor's parent and the minor's attorney as soon as possible following the initial detention.

(3) At the time of initial detention, the designated crisis responder shall advise the minor both orally and in writing that if admitted to the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within seventy-two hours of the minor's provisional acceptance to determine whether probable cause exists to commit the minor for further treatment.

The minor shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(4) ((~~Subject to subsection (5) of this section,~~)) Whenever the designated crisis responder petitions for detention of a minor under this chapter, an evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program providing seventy-two hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the minor's arrival, the facility must evaluate the minor's condition and either admit or release the minor in accordance with this chapter.

(5) ((~~A designated crisis responder may not petition for detention of a minor to a secure detoxification facility or approved substance use disorder treatment program unless there is space available in the facility or program.~~

~~(6)~~)) If a minor is not approved for admission by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

Sec. 263. RCW 71.34.720 and 2009 c 217 s 16 are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist, for minors admitted as a result of a mental disorder, or by a chemical dependency professional, for minors admitted as a result of a substance use disorder, as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a ((~~chemical dependency~~)) substance use disorder treatment facility or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to ((~~an approved treatment program defined under RCW 70.96A.020~~)) the more appropriate placement; however a minor may only be referred to a secure detoxification facility or approved substance use disorder treatment program if space is available in the facility or program.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial seventy-two hour treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. In no event may the minor be denied the opportunity to consult an attorney.

(5) If the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The computation of such seventy-two hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed seventy-two hours except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(6) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

Sec. 264. RCW 71.34.720 and 2015 c ... s 263 (section 263 of this act) are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist, for minors admitted as a result of a mental disorder, or by a chemical dependency professional, for minors admitted as a result of a substance use disorder, as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission.

Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment facility or, if detained to a secure detoxification facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement((~~; however a minor may only be referred to a secure detoxification facility or approved substance use disorder treatment program if space is available in the facility or program~~)).

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial seventy-two hour treatment period, the minor has a right to associate or receive communications from parents or othe

(10) For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a mental disorder or substance use disorder and presents a ((")) likelihood of serious harm((")) or is ((")) gravely disabled(("));

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor; ((~~and~~))

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment; and

(d) If commitment is to a secure detoxification facility or approved substance use disorder treatment program for inpatient treatment, there is available space at the facility or program.

(11) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

(12) Nothing in this section prohibits the professional person in charge of the ((~~evaluation and treatment~~)) facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

(13) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 267. RCW 71.34.740 and 2015 c ... s 266 (section 266 of this act) are each amended to read as follows:

(1) A commitment hearing shall be held within seventy-two hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is requested by the minor or the minor's attorney.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

(a) To be represented by an attorney;

(b) To present evidence on his or her own behalf;

(c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

(9) Rules of evidence shall not apply in fourteen-day commitment hearings.

(10) For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a mental disorder or substance use disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor; and

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment((~~; and~~

~~(d) If commitment is to a secure detoxification facility or approved substance use disorder treatment program for inpatient treatment, there is available space at the facility or program~~)).

(11) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

(12) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

(13) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 268. RCW 71.34.750 and 2009 c 217 s 18 are each amended to read as follows:

(1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners;

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;

(c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program responsible for the treatment of the minor;

(d) The date of the fourteen-day commitment order; and

(e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by (a) two examining physicians or physician assistants working under the license of an examining physician, one of whom shall be a child psychiatrist, or two psychiatric advanced registered nurse practitioners, one of whom shall be a child and adolescent or family psychiatric advanced registered nurse practitioner, (b) one children's mental health specialist and either: (i) An examining physician, (ii) a physician assistant, or (iii) a psychiatric advanced registered nurse practitioner, or (c) ((~~an~~)) one examining physician and either a psychiatric advanced registered nurse practitioner or physician assistant, one of which under this subsection (3)(c) needs to be a child psychiatrist or a child and adolescent psychiatric nurse practitioner. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment((~~,~~)):

(a) The court must find by clear, cogent, and convincing evidence that the minor:

(((~~(a)~~))) (i) Is suffering from a mental disorder;

(((~~(b)~~))) (ii) Presents a likelihood of serious harm or is gravely disabled; and

(((~~(c)~~))) (iii) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(b) If commitment is to an approved substance use disorder treatment program for inpatient treatment, the court must find that there is available space at the program.

(7) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not appropriate or available, the court shall order the minor committed to the custody of the secretary for further inpatient mental health treatment ((~~to the custody of the secretary~~)), to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for the inpatient mental health or substance use disorder treatment if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

(8) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

Sec. 269. RCW 71.34.750 and 2015 c ... s 268 (section 268 of this act) are each amended to read as follows:

(1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners;

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;

(c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility, secure detoxification facility, or approved substance use disorder treatment program responsible for the treatment of the minor;

(d) The date of the fourteen-day commitment order; and

(e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by (a) two examining physicians or physician assistants working under the license of an examining physician, one of whom shall be a child psychiatrist, or two psychiatric advanced registered nurse practitioners, one of whom shall be a child and adolescent or family psychiatric advanced registered nurse practitioner, (b) one children's mental health specialist and either: (i) An examining physician, (ii) a physician assistant, or (iii) a psychiatric advanced registered nurse practitioner, or (c) one examining physician and either a psychiatric advanced registered nurse practitioner or physician assistant, one of which under this subsection (3)(c) needs to be a child psychiatrist or a child and adolescent psychiatric nurse practitioner. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment((~~:~~
~~(a)~~)), the court must find by clear, cogent, and convincing evidence that the minor:

(((~~(i)~~))) (a) Is suffering from a mental disorder;

(((~~(ii)~~))) (b) Presents a likelihood of serious harm or is gravely disabled; and

(((~~(iii)~~))) (c) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

((~~(b) If commitment is to an approved substance use disorder treatment program for inpatient treatment, the court must find that there is available space at the program.~~))

(7) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not

appropriate or available, the court shall order the minor committed to the custody of the secretary for further inpatient mental health treatment, to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for the inpatient mental health or substance use disorder treatment if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

(8) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

Sec. 270. RCW 71.34.760 and 1985 c 354 s 10 are each amended to read as follows:

(1) If a minor is committed for one hundred eighty-day inpatient treatment and is to be placed in a state-supported program, the secretary shall accept immediately and place the minor in a state-funded long-term evaluation and treatment facility or state-funded approved substance use disorder treatment program.

(2) The secretary's placement authority shall be exercised through a designated placement committee appointed by the secretary and composed of children's mental health specialists and chemical dependency professionals, including at least one child psychiatrist who represents the state-funded, long-term, evaluation and treatment facility for minors and one chemical dependency professional who represents the state-funded approved substance use disorder treatment program. The responsibility of the placement committee will be to:

(a) Make the long-term placement of the minor in the most appropriate, available state-funded evaluation and treatment facility or approved substance use disorder treatment program, having carefully considered factors including the treatment needs of the minor, the most appropriate facility able to respond to the minor's identified treatment needs, the geographic proximity of the facility to the minor's family, the immediate availability of bed space, and the probable impact of the placement on other residents of the facility;

(b) Approve or deny requests from treatment facilities for transfer of a minor to another facility;

(c) Receive and monitor reports required under this section;

(d) Receive and monitor reports of all discharges.

(3) The secretary may authorize transfer of minors among treatment facilities if the transfer is in the best interests of the minor or due to treatment priorities.

(4) The responsible state-funded evaluation and treatment facility or approved substance use disorder treatment program shall submit a report to the department's designated placement committee within ninety days of admission and no less than every one hundred eighty days thereafter, setting forth such facts as the department requires, including the minor's individual treatment plan and progress, recommendations for future treatment, and possible less restrictive treatment.

Sec. 271. RCW 71.34.780 and 1985 c 354 s 11 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a ((~~county designated mental health professional~~)) designated crisis responder, or the secretary determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the ((~~county designated mental health professional~~)) designated crisis responder, or the secretary may order that the minor, if committed for mental health treatment, be taken into custody and transported to an inpatient evaluation and treatment facility or, if committed for substance use disorder treatment, be taken into custody and transported to a secure detoxification facility or approved substance use disorder treatment program if there is available space in the secure detoxification facility or approved substance use disorder treatment program.

(2) The ((~~county designated mental health professional~~)) designated crisis responder or the secretary shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The ((~~county designated mental health professional~~)) designated crisis responder or the secretary may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the ((~~county designated mental health professional~~)) designated crisis responder or the secretary with the court in the county ordering the less restrictive alternative treatment. The court shall conduct the hearing in that county. A petition for revocation of conditional release may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred. The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or, subject to subsection (4) of this section, whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the secretary's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(4) A court may not order the return of a minor to inpatient treatment in a secure detoxification facility or approved treatment program unless there is available space in the facility or program.

Sec. 272. RCW 71.34.780 and 2015 c ... s 271 (section 271 of this act) are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the secretary determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the

conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the secretary may order that the minor, if committed for mental health treatment, be taken into custody and transported to an inpatient evaluation and treatment facility or, if committed for substance use disorder treatment, be taken into custody and transported to a secure detoxification facility or approved substance use disorder treatment program ((~~if there is available space in the secure detoxification facility or approved substance use disorder treatment program~~)).

(2) The designated crisis responder or the secretary shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the secretary may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the secretary with the court in the county ordering the less restrictive alternative treatment. The court shall conduct the hearing in that county. A petition for revocation of conditional release may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred. The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or((~~, subject to subsection (4) of this section,~~)) whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the secretary's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(((~~(4) A court may not order the return of a minor to inpatient treatment in a secure detoxification facility or approved treatment program unless there is available space in the facility or program.~~)))

Sec. 273. RCW 9.41.010 and 2015 c 1 s 2 (Initiative Measure No. 594) are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(4) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(5) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(6) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(7) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(8) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(9) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder.

(10) "Gun" has the same meaning as firearm.

(11) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(12) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(13) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(14) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(15) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

(16) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

(17) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(18) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

(19) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(20) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(21) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age fourteen;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

(22) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(23) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

(24) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(25) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans.

(26) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

(27) "Controlled substance" has the same meaning as under the federal controlled substances act, 21 U.S.C. Sec. 802.

Sec. 274. RCW 9.41.040 and 2014 c 111 s 1 are each amended to read as follows:

(1)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree, if the person owns, has in his or her possession, or has in his or her control any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense as defined in this chapter.

(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(2)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, has in his or her possession, or has in his or her control any firearm:

(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040);

(ii) During any period of time that the person is subject to a court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99, 26.09, 26.10, 26.26, or 26.50 RCW that:

(A) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;

(B) Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would

place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)(I) Includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child; and

(II) By its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury;

(iii) After having previously been involuntarily committed for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(iv) If the person is under eighteen years of age, except as provided in RCW 9.41.042; and/or

(v) If the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense as defined in RCW 9.41.010.

(b) Unlawful possession of a firearm in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(3) Notwithstanding RCW 9.41.047 or any other provisions of law, as used in this chapter, a person has been "convicted", whether in an adult court or adjudicated in a juvenile court, at such time as a plea of guilty has been accepted, or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial or post-fact-finding motions, and appeals. Conviction includes a dismissal entered after a period of probation, suspension or deferral of sentence, and also includes equivalent dispositions by courts in jurisdictions other than Washington state. A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. Where no record of the court's disposition of the charges can be found, there shall be a rebuttable presumption that the person was not convicted of the charge.

(4)(a) Notwithstanding subsection (1) or (2) of this section, a person convicted or found not guilty by reason of insanity of an offense prohibiting the possession of a firearm under this section other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401 and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction or finding of not guilty by reason of insanity. Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least twenty years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)(A) If the conviction or finding of not guilty by reason of insanity was for a felony offense, after five or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525; or

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

(b) An individual may petition a court of record to have his or her right to possess a firearm restored under (a) of this subsection (4) only at:

(i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or

(ii) The superior court in the county in which the petitioner resides.

(5) In addition to any other penalty provided for by law, if a person under the age of eighteen years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) or (2) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the department of licensing within twenty-four hours and the person's privilege to drive shall be revoked under RCW 46.20.265.

(6) Nothing in chapter 129, Laws of 1995 shall ever be construed or interpreted as preventing an offender from being charged and subsequently convicted for the separate felony crimes of theft of a firearm or possession of a stolen firearm, or both, in addition to being charged and subsequently convicted under this section for unlawful possession of a firearm in the first or second degree. Notwithstanding any other law, if the offender is convicted under this section for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, then the offender shall serve consecutive sentences for each of the felony crimes of conviction listed in this subsection.

(7) Each firearm unlawfully possessed under this section shall be a separate offense.

(8) For purposes of this section, "intimate partner" includes: A spouse, a domestic partner, a former spouse, a former domestic partner, a person with whom the restrained person has a child in common, or a person with whom the restrained person has cohabitated or is cohabitating as part of a dating relationship.

Sec. 275. RCW 9.41.047 and 2011 c 193 s 2 are each amended to read as follows:

(1)(a) At the time a person is convicted or found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm, or at the time a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance, the convicting or committing court shall notify the person, orally and in writing, that the person must immediately surrender any concealed pistol license and that the person may not possess a firearm unless his or her right to do so is restored by a court of record. For purposes of this section a convicting court includes a court in which a person has been found not guilty by reason of insanity.

(b) The convicting or committing court shall forward within three judicial days after conviction or entry of the commitment order a copy of the person's driver's license or identicard, or comparable information, along with the date of

conviction or commitment, to the department of licensing. When a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for mental health treatment or for treatment of a substance use disorder that is based on use of a controlled substance, the committing court also shall forward, within three judicial days after entry of the commitment order, a copy of the person's driver's license, or comparable information, along with the date of commitment, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159).

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the convicted or committed person has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(3)(a) A person who is prohibited from possessing a firearm, by reason of having been involuntarily committed for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction may, upon discharge, petition the superior court to have his or her right to possess a firearm restored.

(b) The petition must be brought in the superior court that ordered the involuntary commitment or the superior court of the county in which the petitioner resides.

(c) Except as provided in (d) of this subsection, the court shall restore the petitioner's right to possess a firearm if the petitioner proves by a preponderance of the evidence that:

(i) The petitioner is no longer required to participate in court-ordered inpatient or outpatient treatment;

(ii) The petitioner has successfully managed the condition related to the commitment;

(iii) The petitioner no longer presents a substantial danger to himself or herself, or the public; and

(iv) The symptoms related to the commitment are not reasonably likely to recur.

(d) If a preponderance of the evidence in the record supports a finding that the person petitioning the court has engaged in violence and that it is more likely than not that the person will engage in violence after his or her right to possess a firearm is restored, the person shall bear the burden of proving by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

(e) When a person's right to possess a firearm has been restored under this subsection, the court shall forward, within three judicial days after entry of the restoration order, notification that the person's right to possess a firearm has been restored to the department of licensing, the department of social and health services, and the national instant criminal background check system index, denied persons file.

(4) No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.040(4).

Sec. 276. RCW 9.41.075 and 2005 c 453 s 4 are each amended to read as follows:

(1) The license shall be revoked by the license-issuing authority immediately upon:

(a) Discovery by the issuing authority that the person was ineligible under RCW 9.41.070 for a concealed pistol license when applying for the license or license renewal;

(b) Conviction of the licensee, or the licensee being found not guilty by reason of insanity, of an offense, or commitment of the licensee for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance, that makes a person ineligible under RCW 9.41.040 to possess a firearm;

(c) Conviction of the licensee for a third violation of this chapter within five calendar years; or

(d) An order that the licensee forfeit a firearm under RCW 9.41.098(1)(d).

(2)(a) Unless the person may lawfully possess a pistol without a concealed pistol license, an ineligible person to whom a concealed pistol license was issued shall, within fourteen days of license revocation, lawfully transfer ownership of any pistol acquired while the person was in possession of the license.

(b) Upon discovering a person issued a concealed pistol license was ineligible for the license, the issuing authority shall contact the department of licensing to determine whether the person purchased a pistol while in possession of the license. If the person did purchase a pistol while in possession of the concealed pistol license, if the person may not lawfully possess a pistol without a concealed pistol license, the issuing authority shall require the person to present satisfactory evidence of having lawfully transferred ownership of the pistol. The issuing authority shall require the person to produce the evidence within fifteen days of the revocation of the license.

(3) When a licensee is ordered to forfeit a firearm under RCW 9.41.098(1)(d), the issuing authority shall:

(a) On the first forfeiture, revoke the license for one year;

(b) On the second forfeiture, revoke the license for two years; or

(c) On the third or subsequent forfeiture, revoke the license for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1)(d) may not reapply for a new license until the end of the revocation period.

(4) The issuing authority shall notify, in writing, the department of licensing of the revocation of a license. The department of licensing shall record the revocation.

Sec. 277. RCW 9.41.097 and 2009 c 216 s 6 are each amended to read as follows:

(1) The department of social and health services, mental health institutions, and other health care facilities shall, upon request of a court or law enforcement agency, supply such relevant information as is necessary to determine the eligibility of a person to possess a pistol or to be issued a concealed pistol license under RCW 9.41.070 or to purchase a pistol under RCW 9.41.090.

(2) Mental health or substance use disorder information received by: (a) The department of licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law enforcement agency pursuant to subsection (1) of this section, shall not be disclosed except as provided in RCW 42.56.240(4).

Sec. 278. RCW 9.41.098 and 2003 c 39 s 5 are each amended to read as follows:

(1) The superior courts and the courts of limited jurisdiction of the state may order forfeiture of a firearm which is proven to be:

(a) Found concealed on a person not authorized by RCW 9.41.060 or 9.41.070 to carry a concealed pistol: PROVIDED, That it is an absolute defense to forfeiture if the person possessed a valid Washington concealed pistol license within the preceding two years and has not become ineligible for a concealed pistol license in the interim. Before the firearm may be returned, the person must pay the past due renewal fee and the current renewal fee;

(b) Commercially sold to any person without an application as required by RCW 9.41.090;

(c) In the possession of a person prohibited from possessing the firearm under RCW 9.41.040 or 9.41.045;

(d) In the possession or under the control of a person at the time the person committed or was arrested for committing a felony or committing a nonfelony crime in which a firearm was used or displayed;

(e) In the possession of a person who is in any place in which a concealed pistol license is required, and who is under the influence of any drug or under the influence of intoxicating liquor, as defined in chapter 46.61 RCW;

(f) In the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a felony or for a nonfelony crime in which a firearm was used or displayed, except that violations of Title 77 RCW shall not result in forfeiture under this section;

(g) In the possession of a person found to have been mentally incompetent while in possession of a firearm when apprehended or who is thereafter committed pursuant to chapter 10.77 RCW or committed for mental health treatment or treatment of a substance use disorder that is based on use of a controlled substance under chapter 71.05 RCW;

(h) Used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or

(i) Used in the commission of a felony or of a nonfelony crime in which a firearm was used or displayed.

(2) Upon order of forfeiture, the court in its discretion may order destruction of any forfeited firearm. A court may temporarily retain forfeited firearms needed for evidence.

(a) Except as provided in (b), (c), and (d) of this subsection, firearms that are: (i) Judicially forfeited and no longer needed for evidence; or (ii) forfeited due to a failure to make a claim under RCW 63.32.010 or 63.40.010; may be disposed of in any manner determined by the local legislative authority. Any proceeds of an auction or trade may be retained by the legislative authority. This subsection (2)(a) applies only to firearms that come into the possession of the law enforcement agency after June 30, 1993.

By midnight, June 30, 1993, every law enforcement agency shall prepare an inventory, under oath, of every firearm that has been judicially forfeited, has been seized and may be subject to judicial forfeiture, or that has been, or may be, forfeited due to a failure to make a claim under RCW 63.32.010 or 63.40.010.

(b) Except as provided in (c) of this subsection, of the inventoried firearms a law enforcement agency shall destroy illegal firearms, may retain a maximum of ten percent of legal forfeited firearms for agency use, and shall either:

(i) Comply with the provisions for the auction of firearms in RCW 9.41.098 that were in effect immediately preceding May 7, 1993; or

(ii) Trade, auction, or arrange for the auction of, rifles and shotguns. In addition, the law enforcement agency shall either trade, auction, or arrange for the auction of, short firearms, or shall pay a fee of twenty-five dollars to the state treasurer for every short firearm neither auctioned nor traded, to a maximum of fifty thousand dollars. The fees shall be accompanied by an inventory, under oath, of every short firearm listed in the inventory required by (a) of this subsection, that has been neither traded nor auctioned. The state treasurer shall credit the fees to the firearms range account established in RCW 79A.25.210. All trades or auctions of firearms under this subsection shall be to licensed dealers. Proceeds of any auction less costs, including actual costs of storage and sale, shall be forwarded to the firearms range account established in RCW 79A.25.210.

(c) Antique firearms and firearms recognized as curios, relics, and firearms of particular historical significance by the United States treasury department bureau of alcohol, tobacco, ((~~and~~)) firearms, and explosives are exempt from destruction and shall be disposed of by auction or trade to licensed dealers.

(d) Firearms in the possession of the Washington state patrol on or after May 7, 1993, that are judicially forfeited and no longer needed for evidence, or forfeited due to a failure to make a claim under RCW 63.35.020, must be disposed of as follows: (i) Firearms illegal for any person to possess must be destroyed; (ii) the Washington state patrol may retain a maximum of ten percent of legal firearms for agency use; and (iii) all other legal firearms must be auctioned or traded to licensed dealers. The Washington state patrol may retain any proceeds of an auction or trade.

(3) The court shall order the firearm returned to the owner upon a showing that there is no probable cause to believe a violation of subsection (1) of this section existed or the firearm was stolen from the owner or the owner neither had knowledge of nor consented to the act or omission involving the firearm which resulted in its forfeiture.

(4) A law enforcement officer of the state or of any county or municipality may confiscate a firearm found to be in the possession of a person under circumstances specified in subsection (1) of this section. After confiscation, the firearm shall not be surrendered except: (a) To the prosecuting attorney for use in subsequent legal proceedings; (b) for disposition according to an order of a court having jurisdiction as provided in subsection (1) of this section; or (c) to the owner if the proceedings are dismissed or as directed in subsection (3) of this section.

PART III
REPEALERS

NEW SECTION. **Sec. 301.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective April 1, 2017:

(1)RCW 70.96A.095 (Age of consent—Outpatient treatment of minors for chemical dependency) and 1998 c 296 s 23, 1996 c 133 s 34, 1995 c 312 s 47, 1991 c 364 s 9, & 1989 c 270 s 24;

(2)RCW 70.96A.096 (Notice to parents, school contacts for referring students to inpatient treatment) and 1996 c 133 s 5;

(3)RCW 70.96A.097 (Review of admission and inpatient treatment of minors—Determination of medical necessity—Department review—Minor declines necessary treatment—At-risk youth petition—Costs—Public funds) and 1998 c 296 s 28 & 1995 c 312 s 48;

(4)RCW 70.96A.110 (Voluntary treatment of individuals with a substance use disorder) and 2014 c 225 s 28, 1990 c 151 s 7, 1989 c 270 s 25, & 1972 ex.s. c 122 s 11;

(5)RCW 70.96A.120 (Treatment programs and facilities—Admissions—Peace officer duties—Protective custody) and 1991 c 290 s 6, 1990 c 151 s 8, 1989 c 271 s 306, 1987 c 439 s 13, 1977 ex.s. c 62 s 1, 1974 ex.s. c 175 s 1, & 1972 ex.s. c 122 s 12;

(6)RCW 70.96A.140 (Involuntary commitment) and 2015 c ... s 103 (section 103 of this act), 2014 c 225 s 29, 2001 c 13 s 3, 1995 c 312 s 49, 1993 c 362 s 1, 1991 c 364 s 10, 1990 c 151 s 3, 1989 c 271 s 307, 1987 c 439 s 14, 1977 ex.s. c 129 s 1, 1974 ex.s. c 175 s 2, & 1972 ex.s. c 122 s 14;

(7)RCW 70.96A.141 (Joinder of petitions for commitment) and 2005 c 504 s 304;

(8)RCW 70.96A.142 (Evaluation by designated chemical dependency specialist—When required—Required notifications) and 2004 c 166 s 15;

(9)RCW 70.96A.145 (Involuntary commitment proceedings—Prosecuting attorney may represent specialist or program) and 2015 c ... s 104 (section 104 of this act) & 1993 c 137 s 1;

(10)RCW 70.96A.148 (Detention, commitment duties—Designation of county designated mental health professional) and 2001 c 13 s 4;

(11)RCW 70.96A.155 (Court-ordered treatment—Required notifications) and 2004 c 166 s 13;

(12)RCW 70.96A.157 (Persons subject to court-ordered treatment or supervision—Documentation) and 2005 c 504 s 508;

(13)RCW 70.96A.160 (Visitation and communication with patients) and 1989 c 270 s 29 & 1972 ex.s. c 122 s 16;

(14)RCW 70.96A.180 (Payment for treatment—Financial ability of patients) and 2012 c 117 s 413, 1990 c 151 s 6, 1989 c 270 s 31, & 1972 ex.s. c 122 s 18;

(15)RCW 70.96A.230 (Minor—When outpatient treatment provider must give notice to parents) and 1998 c 296 s 24;

(16)RCW 70.96A.235 (Minor—Parental consent for inpatient treatment—Exception) and 1998 c 296 s 25;

(17)RCW 70.96A.240 (Minor—Parent not liable for payment unless consented to treatment—No right to public funds) and 1998 c 296 s 26;

(18)RCW 70.96A.245 (Minor—Parent may request determination whether minor has chemical dependency requiring inpatient treatment—Minor consent not required—Duties and obligations of professional person and facility) and 1998 c 296 s 27;

(19)RCW 70.96A.250 (Minor—Parent may request determination whether minor has chemical dependency requiring outpatient treatment—Consent of minor not required—Discharge of minor) and 1998 c 296 s 29;

(20)RCW 70.96A.255 (Minor—Petition to superior court for release from facility) and 1998 c 296 s 30;

(21)RCW 70.96A.260 (Minor—Not released by petition under RCW 70.96A.255—Release within thirty days—Professional may initiate proceedings to stop release) and 1998 c 296 s 31;

(22)RCW 70.96A.265 (Minor—Eligibility for medical assistance under chapter 74.09 RCW—Payment by department) and 1998 c 296 s 32;

(23)RCW 70.96B.010 (Definitions) and 2014 c 225 s 74, 2011 c 89 s 10, 2008 c 320 s 3, & 2005 c 504 s 202;

(24)RCW 70.96B.020 (Selection of areas for pilot programs—Pilot program requirements) and 2014 c 225 s 75 & 2005 c 504 s 203;

(25)RCW 70.96B.030 (Designated crisis responder—Qualifications) and 2014 c 225 s 76 & 2005 c 504 s 204;

(26)RCW 70.96B.040 (Powers of designated crisis responder) and 2005 c 504 s 205;

(27)RCW 70.96B.045 (Emergency custody—Procedure) and 2007 c 120 s 2;

(28)RCW 70.96B.050 (Petition for initial detention—Order to detain for evaluation and treatment period—Procedure) and 2008 c 320 s 5, 2007 c 120 s 1, & 2005 c 504 s 206;

(29)RCW 70.96B.060 (Exemption from liability) and 2005 c 504 s 207;

(30)RCW 70.96B.070 (Detention period for evaluation and treatment) and 2005 c 504 s 208;

(31)RCW 70.96B.080 (Detention for evaluation and treatment of mental disorder—Chapter 71.05 RCW applies) and 2005 c 504 s 209;

(32)RCW 70.96B.090 (Procedures for additional chemical dependency treatment) and 2005 c 504 s 210;

(33)RCW 70.96B.100 (Detention for involuntary chemical dependency treatment—Petition for less restrictive treatment—Appearance before court—Representation—Hearing—Less restrictive order—Failure to adhere to terms of less restrictive order) and 2008 c 320 s 6 & 2005 c 504 s 211;

(34)RCW 70.96B.110 (Involuntary chemical dependency treatment proceedings—Prosecuting attorney shall represent petitioner) and 2005 c 504 s 212;

(35)RCW 70.96B.120 (Rights of involuntarily detained persons) and 2005 c 504 s 213;

(36)RCW 70.96B.130 (Evaluation by designated crisis responder—When required—Required notifications) and 2005 c 504 s 214;

(37)RCW 70.96B.140 (Secretary may adopt rules) and 2005 c 504 s 215;

(38)RCW 70.96B.150 (Application of RCW 71.05.550) and 2005 c 504 s 216;

(39)RCW 70.96B.800 (Evaluation of pilot programs—Reports) and 2008 c 320 s 2 & 2005 c 504 s 217; and

(40)RCW 71.05.032 (Joinder of petitions for commitment) and 2005 c 504 s 115.

PART IV
CORRECTIONS TO REFERENCES

Sec. 401. RCW 4.24.558 and 2004 c 166 s 21 are each amended to read as follows:

Information shared and actions taken without gross negligence and in good faith compliance with RCW 71.05.445, 72.09.585, ((~~70.96A.142,~~)) 71.05.157, or 72.09.315 are not a basis for any private civil cause of action.

Sec. 402. RCW 5.60.060 and 2012 c 29 s 12 are each amended to read as follows:

(1) A spouse or domestic partner shall not be examined for or against his or her spouse or domestic partner, without the consent of the spouse or domestic partner; nor can either during marriage or during the domestic partnership or afterward, be without the consent of the other, examined as to any communication made by one to the other during the marriage or the domestic partnership. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to a criminal action or proceeding against a spouse or domestic partner if the marriage or the domestic partnership occurred subsequent to the filing of formal charges against the defendant, nor to a criminal action or proceeding for a crime committed by said spouse or domestic partner against any child of whom said spouse or domestic partner is the parent or guardian, nor to a proceeding under chapter ((~~70.96A, 70.96B,~~)) 71.05((~~,~~)) or 71.09 RCW: PROVIDED, That the spouse or the domestic partner of a person sought to be detained under chapter ((~~70.96A, 70.96B,~~)) 71.05((~~,~~)) or 71.09 RCW may not be compelled to testify and shall be so informed by the court prior to being called as a witness.

(2)(a) An attorney or counselor shall not, without the consent of his or her client, be examined as to any communication made by the client to him or her, or his or her advice given thereon in the course of professional employment.

(b) A parent or guardian of a minor child arrested on a criminal charge may not be examined as to a communication between the child and his or her attorney if the communication was made in the presence of the parent or guardian. This privilege does not extend to communications made prior to the arrest.

(3) A member of the clergy, a Christian Science practitioner listed in the Christian Science Journal, or a priest shall not, without the consent of a person making the confession or sacred confidence, be examined as to any confession or sacred confidence made to him or her in his or her professional character, in the course of discipline enjoined by the church to which he or she belongs.

(4) Subject to the limitations under RCW ((~~70.96A.140 or~~)) 71.05.360 (8) and (9), a physician or surgeon or osteopathic physician or surgeon or podiatric physician or surgeon shall not, without the consent of his or her patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him or her to prescribe or act for the patient, except as follows:

(a) In any judicial proceedings regarding a child's injury, neglect, or sexual abuse or the cause thereof; and

(b) Ninety days after filing an action for personal injuries or wrongful death, the claimant shall be deemed to waive the physician-patient privilege. Waiver of the physician-patient privilege for any one physician or condition constitutes a waiver of the privilege as to all physicians or conditions, subject to such limitations as a court may impose pursuant to court rules.

(5) A public officer shall not be examined as a witness as to communications made to him or her in official confidence, when the public interest would suffer by the disclosure.

(6)(a) A peer support group counselor shall not, without consent of the law enforcement officer or firefighter making the communication, be compelled to testify about any communication made to the counselor by the officer or firefighter while receiving counseling. The counselor must be designated as such by the sheriff, police chief, fire chief, or chief of the Washington state patrol, prior to the incident that results in counseling. The privilege only applies when the communication was made to the counselor while acting in his or her capacity as a peer support group counselor. The privilege does not apply if the counselor was an initial responding officer or firefighter, a witness, or a party to the incident which prompted the delivery of peer support group counseling services to the law enforcement officer or firefighter.

(b) For purposes of this section, "peer support group counselor" means a:

(i) Law enforcement officer, firefighter, civilian employee of a law enforcement agency, or civilian employee of a fire department, who has received training to provide emotional and moral support and counseling to an officer or firefighter who needs those services as a result of an incident in which the officer or firefighter was involved while acting in his or her official capacity; or

(ii) Nonemployee counselor who has been designated by the sheriff, police chief, fire chief, or chief of the Washington state patrol to provide emotional and moral support and counseling to an officer or firefighter who needs those services as a result of an incident in which the officer or firefighter was involved while acting in his or her official capacity.

(7) A sexual assault advocate may not, without the consent of the victim, be examined as to any communication made between the victim and the sexual assault advocate.

(a) For purposes of this section, "sexual assault advocate" means the employee or volunteer from a community sexual assault program or underserved populations provider, victim assistance unit, program, or association, that provides information, medical or legal advocacy, counseling, or support to victims of sexual assault, who is designated by the victim to accompany the victim to the hospital or other health care facility and to proceedings concerning the alleged assault, including police and prosecution interviews and court proceedings.

(b) A sexual assault advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. Any sexual assault advocate participating in good faith in the disclosing of records and communications under this section shall have immunity from any liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this section, the good faith of the sexual assault advocate who disclosed the confidential communication shall be presumed.

(8) A domestic violence advocate may not, without the consent of the victim, be examined as to any communication between the victim and the domestic violence advocate.

(a) For purposes of this section, "domestic violence advocate" means an employee or supervised volunteer from a community-based domestic violence program or human services program that provides information, advocacy, counseling, crisis intervention, emergency shelter, or support to victims of domestic violence and who is not employed by, or under the direct supervision of, a law enforcement agency, a prosecutor's office, or the child protective services section of the department of social and health services as defined in RCW 26.44.020.

(b) A domestic violence advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. This section does not relieve a domestic violence advocate from the requirement to report or cause to be reported an incident under RCW 26.44.030(1) or to disclose relevant records relating to a child as required by RCW 26.44.030(((~~12~~))) (14). Any domestic violence advocate participating in good faith in the disclosing of communications under this subsection is immune from liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this subsection, the good faith of the domestic violence advocate who disclosed the confidential communication shall be presumed.

(9) A mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW may not disclose, or be compelled to testify about, any information acquired from persons consulting the individual in a professional capacity when the information was necessary to enable the individual to render professional services to those persons except:

(a) With the written authorization of that person or, in the case of death or disability, the person's personal representative;

(b) If the person waives the privilege by bringing charges against the mental health counselor licensed under chapter 18.225 RCW;

(c) In response to a subpoena from the secretary of health. The secretary may subpoena only records related to a complaint or report under RCW 18.130.050;

(d) As required under chapter 26.44 or 74.34 RCW or RCW 71.05.360 (8) and (9); or

(e) To any individual if the mental health counselor, independent clinical social worker, or marriage and family therapist licensed under chapter 18.225 RCW reasonably believes that disclosure will avoid or minimize an imminent danger to the health or safety of the individual or any other individual; however, there is no obligation on the part of the provider to so disclose.

Sec. 403. RCW 9.41.280 and 2014 c 225 s 56 are each amended to read as follows:

(1) It is unlawful for a person to carry onto, or to possess on, public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools:

(a) Any firearm;

(b) Any other dangerous weapon as defined in RCW 9.41.250;

(c) Any device commonly known as "nun-chu-ka sticks," consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means;

(d) Any device, commonly known as "throwing stars," which are multipointed, metal objects designed to embed upon impact from any aspect;

(e) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas; or

(f)(i) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse; or

(ii) Any device, object, or instrument which is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.

(2) Any such person violating subsection (1) of this section is guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1)(a) of this section, the person shall have his or her concealed pistol license, if any revoked for a period of three years. Anyone convicted under this subsection is prohibited from applying for a concealed pistol license for a period of three years. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.

Any violation of subsection (1) of this section by elementary or secondary school students constitutes grounds for expulsion from the state's public schools in accordance with RCW 28A.600.010. An appropriate school authority shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation.

Upon the arrest of a person at least twelve years of age and not more than twenty-one years of age for violating subsection (1)(a) of this section, the person shall be detained or confined in a juvenile or adult facility for up to seventy-two hours. The person shall not be released within the seventy-two hours until after the person has been examined and evaluated by the designated ((~~mental health professional~~)) crisis responder unless the court in its discretion releases the person sooner after a determination regarding probable cause or on probation bond or bail.

Within twenty-four hours of the arrest, the arresting law enforcement agency shall refer the person to the designated ((~~mental health professional~~)) crisis responder for examination and evaluation under chapter 71.05 or 71.34 RCW and inform a parent or guardian of the person of the arrest, detention, and examination. The designated ((~~mental health professional~~)) crisis responder shall examine and evaluate the person subject to the provisions of chapter 71.05 or 71.34 RCW. The examination shall occur at the facility in which the person is detained or confined. If the person has been released on probation, bond, or bail, the examination shall occur wherever is appropriate.

((~~The designated mental health professional may determine whether to refer the person to the county-designated chemical dependency specialist for examination and evaluation in accordance with chapter 70.96A RCW. The county-designated chemical dependency specialist shall examine the person subject to the provisions of chapter 70.96A RCW. The examination shall occur at the facility in which the person is detained or confined. If the person has been released on probation, bond, or bail, the examination shall occur wherever is appropriate.~~))

Upon completion of any examination by the designated ((~~mental health professional or the county-designated chemical dependency specialist~~)) crisis responder, the results of the examination shall be sent to the court, and the court shall consider those results in making any determination about the person.

The designated ((~~mental health professional and county-designated chemical dependency specialist~~)) crisis responder shall, to the extent permitted by law, notify a parent or guardian of the person that an examination and evaluation has taken place and the results of the examination. Nothing in this subsection prohibits the delivery of additional, appropriate mental health examinations to the person while the person is detained or confined.

If the designated ((~~mental health professional~~)) crisis responder determines it is appropriate, the designated ((~~mental health professional~~)) crisis responder may refer the person to the local behavioral health organization for follow-up services or the department of social and health services or other community providers for other services to the family and individual.

(3) Subsection (1) of this section does not apply to:

(a) Any student or employee of a private military academy when on the property of the academy;

(b) Any person engaged in military, law enforcement, or school district security activities. However, a person who is not a commissioned law enforcement officer and who provides school security services under the direction of a school administrator may not possess a device listed in subsection (1)(f) of this section unless he or she has successfully completed training in the use of such devices that is equivalent to the training received by commissioned law enforcement officers;

(c) Any person who is involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;

(d) Any person while the person is participating in a firearms or air gun competition approved by the school or school district;

(e) Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;

(f) Any nonstudent at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;

(g) Any nonstudent at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; or

(h) Any law enforcement officer of the federal, state, or local government agency.

(4) Subsections (1)(c) and (d) of this section do not apply to any person who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes authorized to be conducted on the school premises.

(5) Subsection (1)(f)(i) of this section does not apply to any person who possesses a device listed in subsection (1)(f)(i) of this section, if the device is possessed and used solely for the purpose approved by a school for use in a school authorized event, lecture, or activity conducted on the school premises.

(6) Except as provided in subsection (3)(b), (c), (f), and (h) of this section, firearms are not permitted in a public or private school building.

(7) "GUN-FREE ZONE" signs shall be posted around school facilities giving warning of the prohibition of the possession of firearms on school grounds.

Sec. 404. RCW 9.95.143 and 2004 c 166 s 10 are each amended to read as follows:

When an offender receiving court-ordered mental health or chemical dependency treatment or treatment ordered by the department of corrections presents for treatment from a mental health or chemical dependency treatment provider, the offender must disclose to the mental health or chemical dependency treatment provider whether he or she is subject to supervision by the department of corrections. If an offender has received relief from disclosure pursuant to RCW 9.94A.562((~~, 70.96A.155,~~)) or 71.05.132, the offender must provide the mental health or chemical dependency treatment provider with a copy of the order granting the relief.

Sec. 405. RCW 10.77.010 and 2014 c 225 s 58 are each amended to read as follows:

As used in this chapter:

(1) "Admission" means acceptance based on medical necessity, of a person as a patient.

(2) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less-restrictive setting.

(3) "Conditional release" means modification of a court-ordered commitment, which may be revoked upon violation of any of its terms.

(4) A "criminally insane" person means any person who has been acquitted of a crime charged by reason of insanity, and thereupon found to be a substantial danger to other persons or to present a substantial likelihood of committing criminal acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions.

(5) "Department" means the state department of social and health services.

(6) "Designated ((~~mental health professional~~)) crisis responder" has the same meaning as provided in RCW 71.05.020.

(7) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter, pending evaluation.

(8) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist or psychologist, or a social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary.

(9) "Developmental disability" means the condition as defined in RCW 71A.10.020((~~(4)~~)) (5).

(10) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

(11) "Furlough" means an authorized leave of absence for a resident of a state institution operated by the department designated for the custody, care, and treatment of the criminally insane, consistent with an order of conditional release from the court under this chapter, without any requirement that the resident be accompanied by, or be in the custody of, any law enforcement or institutional staff, while on such unescorted leave.

(12) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct.

(13) "History of one or more violent acts" means violent acts committed during: (a) The ten-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the ten-year period in a mental health facility or in confinement as a result of a criminal conviction.

(14) "Immediate family member" means a spouse, child, stepchild, parent, stepparent, grandparent, sibling, or domestic partner.

(15) "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or her or to assist in his or her own defense as a result of mental disease or defect.

(16) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to the person or his or her family.

(17) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for an individual with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual release, and a projected possible date for release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

(18) "Professional person" means:

(a) A psychiatrist licensed as a physician and surgeon in this state who has, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology or the American osteopathic board of neurology and psychiatry;

(b) A psychologist licensed as a psychologist pursuant to chapter 18.83 RCW; or

(c) A social worker with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(19) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(20) "Release" means legal termination of the court-ordered commitment under the provisions of this chapter.

(21) "Secretary" means the secretary of the department of social and health services or his or her designee.

(22) "Treatment" means any currently standardized medical or mental health procedure including medication.

(23) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by

the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(24) "Violent act" means behavior that: (a)(i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person who had the intent and opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

Sec. 406. RCW 10.77.025 and 2000 c 94 s 13 are each amended to read as follows:

(1) Whenever any person has been: (a) Committed to a correctional facility or inpatient treatment under any provision of this chapter; or (b) ordered to undergo alternative treatment following his or her acquittal by reason of insanity of a crime charged, such commitment or treatment cannot exceed the maximum possible penal sentence for any offense charged for which the person was committed, or was acquitted by reason of insanity.

(2) Whenever any person committed under any provision of this chapter has not been released within seven days of the maximum possible penal sentence under subsection (1) of this section, and the professional person in charge of the facility believes that the person presents a likelihood of serious harm or is gravely disabled due to a mental disorder, the professional person shall, prior to the expiration of the maximum penal sentence, notify the appropriate ((~~county~~)) designated ((~~mental health professional~~)) crisis responder of the impending expiration and provide a copy of all relevant information regarding the person, including the likely release date and shall indicate why the person should not be released.

(3) A ((~~county~~)) designated ((~~mental health professional~~)) crisis responder who receives notice and records under subsection (2) of this section shall, prior to the date of the expiration of the maximum sentence, determine whether to initiate proceedings under chapter 71.05 RCW.

Sec. 407. RCW 10.77.027 and 2004 c 166 s 3 are each amended to read as follows:

When a ((~~county~~)) designated ((~~mental health professional~~)) crisis responder or a professional person has determined that a person has a mental disorder, and is otherwise committable, the cause of the person's mental disorder shall not make the person ineligible for commitment under chapter 71.05 RCW.

Sec. 408. RCW 10.77.060 and 2012 c 256 s 3 are each amended to read as follows:

(1)(a) Whenever a defendant has pleaded not guilty by reason of insanity, or there is reason to doubt his or her competency, the court on its own motion or on the motion of any party shall either appoint or request the secretary to designate a qualified expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant.

(b) The signed order of the court shall serve as authority for the evaluator to be given access to all records held by any mental health, medical, educational, or correctional facility that relate to the present or past mental, emotional, or physical condition of the defendant. If the court is advised by any party that the defendant may have a developmental disability, the evaluation must be performed by a developmental disabilities professional.

(c) The evaluator shall assess the defendant in a jail, detention facility, in the community, or in court to determine whether a period of inpatient commitment will be necessary to complete an accurate evaluation. If inpatient commitment is needed, the signed order of the court shall serve as authority for the evaluator to request the jail or detention facility to transport the defendant to a hospital or secure mental health facility for a period of commitment not to exceed fifteen days from the time of admission to the facility. Otherwise, the evaluator shall complete the evaluation.

(d) The court may commit the defendant for evaluation to a hospital or secure mental health facility without an assessment if: (i) The defendant is charged with murder in the first or second degree; (ii) the court finds that it is more likely than not that an evaluation in the jail will be inadequate to complete an accurate evaluation; or (iii) the court finds that an evaluation outside the jail setting is necessary for the health, safety, or welfare of the defendant. The court shall not order an initial inpatient evaluation for any purpose other than a competency evaluation.

(e) The order shall indicate whether, in the event the defendant is committed to a hospital or secure mental health facility for evaluation, all parties agree to waive the presence of the defendant or to the defendant's remote participation at a subsequent competency hearing or presentation of an agreed order if the recommendation of the evaluator is for continuation of the stay of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to the expiration of the authorized commitment period.

(f) When a defendant is ordered to be committed for inpatient evaluation under this subsection (1), the court may delay granting bail until the defendant has been evaluated for competency or sanity and appears before the court. Following the evaluation, in determining bail the court shall consider: (i) Recommendations of the evaluator regarding the defendant's competency, sanity, or diminished capacity; (ii) whether the defendant has a recent history of one or more violent acts; (iii) whether the defendant has previously been acquitted by reason of insanity or found incompetent; (iv) whether it is reasonably likely the defendant will fail to appear for a future court hearing; and (v) whether the defendant is a threat to public safety.

(2) The court may direct that a qualified expert or professional person retained by or appointed for the defendant be permitted to witness the evaluation authorized by subsection (1) of this section, and that the defendant shall have access to all information obtained by the court appointed experts or professional persons. The defendant's expert or professional person shall have the right to file his or her own report following the guidelines of subsection (3) of this section. If the defendant is indigent, the court shall upon the request of the defendant assist him or her in obtaining an expert or professional person.

(3) The report of the evaluation shall include the following:

(a) A description of the nature of the evaluation;

(b) A diagnosis or description of the current mental status of the defendant;

(c) If the defendant suffers from a mental disease or defect, or has a developmental disability, an opinion as to competency;

(d) If the defendant has indicated his or her intention to rely on the defense of insanity pursuant to RCW 10.77.030, and an evaluation and report by an expert or professional person has been provided concluding that the defendant was criminally insane at the time of the alleged offense, an opinion as to the defendant's sanity at the time of the act, and an opinion as to whether the defendant presents a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, provided that no opinion shall be rendered under this subsection (3)(d) unless the evaluator or court determines that the defendant is competent to stand trial;

(e) When directed by the court, if an evaluation and report by an expert or professional person has been provided concluding that the defendant lacked the capacity at the time of the offense to form the mental state necessary to commit the charged offense, an opinion as to the capacity of the defendant to have a particular state of mind which is an element of the offense charged;

(f) An opinion as to whether the defendant should be evaluated by a designated ((~~mental health professional~~)) crisis responder under chapter 71.05 RCW.

(4) The secretary may execute such agreements as appropriate and necessary to implement this section and may choose to designate more than one evaluator.

Sec. 409. RCW 10.77.065 and 2014 c 225 s 59 and 2014 c 10 s 3 are each reenacted and amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the defendant, the evaluator shall notify the court that he or she is unable to complete the evaluation because of such lack of cooperation.

(ii) A copy of the report and recommendation shall be provided to the designated ((~~mental health professional~~)) crisis responder, the prosecuting attorney, the defense attorney, and the professional person at the local correctional facility where the defendant is being held, or if there is no professional person, to the person designated under (a)(iv) of this subsection. Upon request, the evaluator shall also provide copies of any source documents relevant to the evaluation to the designated ((~~mental health professional~~)) crisis responder.

(iii) Any facility providing inpatient services related to competency shall discharge the defendant as soon as the facility determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility providing inpatient services shall ordinarily be accomplished within two working days or less following the final evaluation of the defendant. If the defendant is discharged to the custody of a local correctional facility, the local correctional facility must continue the medication regimen prescribed by the facility, when clinically appropriate, unless the defendant refuses to cooperate with medication and an involuntary medication order by the court has not been entered.

(iv) If there is no professional person at the local correctional facility, the local correctional facility shall designate a professional person as defined in RCW 71.05.020 or, in cooperation with the behavioral health organization, a professional person at the behavioral health organization to receive the report and recommendation.

(v) Upon commencement of a defendant's evaluation in the local correctional facility, the local correctional facility must notify the evaluator of the name of the professional person, or person designated under (a)(iv) of this subsection, to receive the report and recommendation.

(b) If the evaluator concludes, under RCW 10.77.060(3)(f), the person should be evaluated by a designated ((~~mental health professional~~)) crisis responder under chapter 71.05 RCW, the court shall order such evaluation be conducted prior to release from confinement when the person is acquitted or convicted and sentenced to confinement for twenty-four months or less, or when charges are dismissed pursuant to a finding of incompetent to stand trial.

(2) The designated ((~~mental health professional~~)) crisis responder shall provide written notification within twenty-four hours of the results of the determination whether to commence proceedings under chapter 71.05 RCW. The notification shall be provided to the persons identified in subsection (1)(a) of this section.

(3) The prosecuting attorney shall provide a copy of the results of any proceedings commenced by the designated ((~~mental health professional~~)) crisis responder under subsection (2) of this section to the secretary.

(4) A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)(b)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notice to the prosecutor and defense attorney at least twenty-four hours prior to release. The notice may be given by electronic mail, facsimile, or other means reasonably likely to communicate the information immediately.

(5) The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services under this chapter may also be disclosed to the courts solely to prevent the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

Sec. 410. RCW 10.77.084 and 2012 c 256 s 5 are each amended to read as follows:

(1)(a) If at any time during the pendency of an action and prior to judgment the court finds, following a report as provided in RCW 10.77.060, a defendant is incompetent, the court shall order the proceedings against the defendant be stayed except as provided in subsection (4) of this section.

(b) At the end of the mental health treatment and restoration period, if any, or at any time a professional person determines competency has been, or is unlikely to be, restored, the defendant shall be returned to court for a hearing. The parties may agree to waive the defendant's presence or to remote participation by the defendant at a hearing or presentation of an agreed order if the recommendation of the evaluator is for the continuation of the stay of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to expiration of the defendant's authorized period of commitment, in which case the department shall promptly notify the court and parties of the date of the defendant's admission and expiration of commitment so that a timely hearing date may be scheduled. If, after notice and hearing, competency has been restored, the stay entered under (a) of this subsection shall be lifted. If competency has not been restored, the proceedings shall be dismissed without prejudice. If the court concludes that competency has not been restored, but that further treatment within the time limits established by RCW 10.77.086 or 10.77.088 is likely to restore competency, the court may order that treatment for purposes of competency restoration be

continued. Such treatment may not extend beyond the combination of time provided for in RCW 10.77.086 or 10.77.088.

(c) If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the proceedings shall be dismissed without prejudice and the defendant shall be evaluated for civil commitment proceedings.

(2) If the defendant is referred for evaluation by a designated ((~~mental health professional~~)) crisis responder under this chapter, the designated ((~~mental health professional~~)) crisis responder shall provide prompt written notification of the results of the evaluation and whether the person was detained. The notification shall be provided to the court in which the criminal action was pending, the prosecutor, the defense attorney in the criminal action, and the facility that evaluated the defendant for competency.

(3) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(4) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables the defendant to understand the proceedings against him or her and to assist in his or her own defense, or does not disable him or her from so understanding and assisting in his or her own defense.

(5) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of evaluation which meets the requirements of RCW 10.77.060(3). For defendants charged with a felony, the report following the second competency restoration period or first competency restoration period if the defendant's incompetence is determined to be solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency must include an assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

Sec. 411. RCW 10.77.088 and 2007 c 375 s 5 are each amended to read as follows:

(1)(a) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court shall order the secretary to place the defendant:

(i) At a secure mental health facility in the custody of the department or an agency designated by the department for mental health treatment and restoration of competency. The placement shall not exceed fourteen days in addition to any unused time of the evaluation under RCW 10.77.060. The court shall compute this total period and include its computation in the order. The fourteen-day period plus any unused time of the evaluation under RCW 10.77.060 shall be considered to include only the time the defendant is actually at the facility and shall be in addition to reasonable time for transport to or from the facility;

(ii) On conditional release for up to ninety days for mental health treatment and restoration of competency; or

(iii) Any combination of this subsection.

(b)(i) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated ((~~mental health professional~~)) crisis responder within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(ii) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to seventy-two hours, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The seventy-two-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two-hour period.

(2) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092:

The court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated ((~~mental health professional~~)) crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least twenty-four hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings.

Sec. 412. RCW 11.92.190 and 1996 c 249 s 11 are each amended to read as follows:

No residential treatment facility which provides nursing or other care may detain a person within such facility against their will. Any court order, other than an order issued in accordance with the involuntary treatment provisions of chapters 10.77, 71.05, and 72.23 RCW, which purports to authorize such involuntary detention or purports to authorize a guardian or limited guardian to consent to such involuntary detention on behalf of an incapacitated person shall be void and of no force or effect. This section does not apply to the detention of a minor as provided in chapter ((~~70.96A or~~)) 71.34 RCW.

Nothing in this section shall be construed to require a court order authorizing placement of an incapacitated person in a residential treatment facility if such order is not otherwise required by law: PROVIDED, That notice of any residential placement of an incapacitated person shall be served, either before or after placement, by the guardian or limited guardian on such person, the guardian ad litem of record, and any attorney of record.

Sec. 413. RCW 13.32A.044 and 2000 c 123 s 5 are each amended to read as follows:

(1) The purpose of the multidisciplinary team is to assist in a coordinated referral of the family to available social and health-related services.

(2) The team shall have the authority to evaluate the juvenile, and family members, if appropriate and agreed to by the parent, and shall:

(a) With parental input, develop a plan of appropriate available services and assist the family in obtaining those services;

(b) Make a referral to the designated ((~~chemical dependency specialist or the county designated mental health professional~~)) crisis responder, if appropriate;

(c) Recommend no further intervention because the juvenile and his or her family have resolved the problem causing the family conflict; or

(d) With the parent's consent, work with them to achieve reconciliation of the child and family.

(3) At the first meeting of the multidisciplinary team, it shall choose a member to coordinate the team's efforts. The parent member of the multidisciplinary team must agree with the choice of coordinator. The team shall meet or communicate as often as necessary to assist the family.

(4) The coordinator of the multidisciplinary team may assist in filing a child in need of services petition when requested by the parent or child or an at-risk youth petition when requested

by the parent. The multidisciplinary team shall have no standing as a party in any action under this title.

(5) If the administrator is unable to contact the child's parent, the multidisciplinary team may be used for assistance. If the parent has not been contacted within five days the administrator shall contact the department and request the case be reviewed for a dependency filing under chapter 13.34 RCW.

Sec. 414. RCW 18.83.110 and 2005 c 504 s 706 are each amended to read as follows:

Confidential communications between a client and a psychologist shall be privileged against compulsory disclosure to the same extent and subject to the same conditions as confidential communications between attorney and client, but this exception is subject to the limitations under RCW ((~~70.96A.140 and~~)) 71.05.360 (8) and (9).

Sec. 415. RCW 43.20A.025 and 1998 c 296 s 34 are each amended to read as follows:

The department of social and health services shall adopt rules defining "appropriately trained professional person" for the purposes of conducting mental health and chemical dependency evaluations under RCW ((~~71.34.052(3), 71.34.054(1), 70.96A.245(3), and 70.96A.250(1)~~)) 71.34.600(3) and 71.34.650(1).

Sec. 416. RCW 70.02.010 and 2014 c 225 s 70 and 2014 c 220 s 4 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" has the same meaning as in RCW 71.05.020.

(2) "Audit" means an assessment, evaluation, determination, or investigation of a health care provider by a person not employed by or affiliated with the provider to determine compliance with:

(a) Statutory, regulatory, fiscal, medical, or scientific standards;

(b) A private or public program of payments to a health care provider; or

(c) Requirements for licensing, accreditation, or certification.

(3) "Commitment" has the same meaning as in RCW 71.05.020.

(4) "Custody" has the same meaning as in RCW 71.05.020.

(5) "Deidentified" means health information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.

(6) "Department" means the department of social and health services.

(7) "Designated ((~~mental health professional~~)) crisis responder" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

(8) "Detention" or "detain" has the same meaning as in RCW 71.05.020.

(9) "Directory information" means information disclosing the presence, and for the purpose of identification, the name, location within a health care facility, and the general health condition of a particular patient who is a patient in a health care facility or who is currently receiving emergency health care in a health care facility.

(10) "Discharge" has the same meaning as in RCW 71.05.020.

(11) "Evaluation and treatment facility" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

(12) "Federal, state, or local law enforcement authorities" means an officer of any agency or authority in the United States, a state, a tribe, a territory, or a political subdivision of a state, a tribe, or a territory who is empowered by law to: (a) Investigate or conduct an official inquiry into a potential criminal violation of law; or (b) prosecute or otherwise conduct a criminal proceeding arising from an alleged violation of law.

(13) "General health condition" means the patient's health status described in terms of "critical," "poor," "fair," "good," "excellent," or terms denoting similar conditions.

(14) "Health care" means any care, service, or procedure provided by a health care provider:

(a) To diagnose, treat, or maintain a patient's physical or mental condition; or

(b) That affects the structure or any function of the human body.

(15) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(16) "Health care information" means any information, whether oral or recorded in any form or medium, that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care, including a patient's deoxyribonucleic acid and identified sequence of chemical base pairs. The term includes any required accounting of disclosures of health care information.

(17) "Health care operations" means any of the following activities of a health care provider, health care facility, or third-party payor to the extent that the activities are related to functions that make an entity a health care provider, a health care facility, or a third-party payor:

(a) Conducting: Quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, if the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;

(b) Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance and third-party payor performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of nonhealth care professionals, accreditation, certification, licensing, or credentialing activities;

(c) Underwriting, premium rating, and other activities relating to the creation, renewal, or replacement of a contract of health insurance or health benefits, and ceding, securing, or placing a contract for reinsurance of risk relating to claims for health care, including stop-loss insurance and excess of loss insurance, if any applicable legal requirements are met;

(d) Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs;

(e) Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the health care facility or third-party payor, including formulary development and administration,

development, or improvement of methods of payment or coverage policies; and

(f) Business management and general administrative activities of the health care facility, health care provider, or third-party payor including, but not limited to:

(i) Management activities relating to implementation of and compliance with the requirements of this chapter;

(ii) Customer service, including the provision of data analyses for policy holders, plan sponsors, or other customers, provided that health care information is not disclosed to such policy holder, plan sponsor, or customer;

(iii) Resolution of internal grievances;

(iv) The sale, transfer, merger, or consolidation of all or part of a health care provider, health care facility, or third-party payor with another health care provider, health care facility, or third-party payor or an entity that following such activity will become a health care provider, health care facility, or third-party payor, and due diligence related to such activity; and

(v) Consistent with applicable legal requirements, creating deidentified health care information or a limited dataset for the benefit of the health care provider, health care facility, or third-party payor.

(18) "Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession.

(19) "Human immunodeficiency virus" or "HIV" has the same meaning as in RCW 70.24.017.

(20) "Imminent" has the same meaning as in RCW 71.05.020.

(21) "Information and records related to mental health services" means a type of health care information that relates to all information and records compiled, obtained, or maintained in the course of providing services by a mental health service agency or mental health professional to persons who are receiving or have received services for mental illness. The term includes mental health information contained in a medical bill, registration records, as defined in RCW 71.05.020, and all other records regarding the person maintained by the department, by regional support networks and their staff, and by treatment facilities. The term further includes documents of legal proceedings under chapter 71.05, 71.34, or 10.77 RCW, or somatic health care information. For health care information maintained by a hospital as defined in RCW 70.41.020 or a health care facility or health care provider that participates with a hospital in an organized health care arrangement defined under federal law, "information and records related to mental health services" is limited to information and records of services provided by a mental health professional or information and records of services created by a hospital-operated community mental health program as defined in RCW 71.24.025(6). The term does not include psychotherapy notes.

(22) "Information and records related to sexually transmitted diseases" means a type of health care information that relates to the identity of any person upon whom an HIV antibody test or other sexually transmitted infection test is performed, the results of such tests, and any information relating to diagnosis of or treatment for any confirmed sexually transmitted infections.

(23) "Institutional review board" means any board, committee, or other group formally designated by an institution, or authorized under federal or state law, to review, approve the initiation of, or conduct periodic review of research programs to assure the protection of the rights and welfare of human research subjects.

(24) "Legal counsel" has the same meaning as in RCW 71.05.020.

(25) "Local public health officer" has the same meaning as in RCW 70.24.017.

(26) "Maintain," as related to health care information, means to hold, possess, preserve, retain, store, or control that information.

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary of social and health services under chapter 71.05 RCW, whether that person works in a private or public setting.

(28) "Mental health service agency" means a public or private agency that provides services to persons with mental disorders as defined under RCW 71.05.020 or 71.34.020 and receives funding from public sources. This includes evaluation and treatment facilities as defined in RCW 71.34.020, community mental health service delivery systems, or community mental health programs, as defined in RCW 71.24.025, and facilities conducting competency evaluations and restoration under chapter 10.77 RCW.

(29) "Minor" has the same meaning as in RCW 71.34.020.

(30) "Parent" has the same meaning as in RCW 71.34.020.

(31) "Patient" means an individual who receives or has received health care. The term includes a deceased individual who has received health care.

(32) "Payment" means:

(a) The activities undertaken by:

(i) A third-party payor to obtain premiums or to determine or fulfill its responsibility for coverage and provision of benefits by the third-party payor; or

(ii) A health care provider, health care facility, or third-party payor, to obtain or provide reimbursement for the provision of health care; and

(b) The activities in (a) of this subsection that relate to the patient to whom health care is provided and that include, but are not limited to:

(i) Determinations of eligibility or coverage, including coordination of benefits or the determination of cost-sharing amounts, and adjudication or subrogation of health benefit claims;

(ii) Risk adjusting amounts due based on enrollee health status and demographic characteristics;

(iii) Billing, claims management, collection activities, obtaining payment under a contract for reinsurance, including stop-loss insurance and excess of loss insurance, and related health care data processing;

(iv) Review of health care services with respect to medical necessity, coverage under a health plan, appropriateness of care, or justification of charges;

(v) Utilization review activities, including precertification and preauthorization of services, and concurrent and retrospective review of services; and

(vi) Disclosure to consumer reporting agencies of any of the following health care information relating to collection of premiums or reimbursement:

(A) Name and address;

(B) Date of birth;

(C) Social security number;

(D) Payment history;

(E) Account number; and

(F) Name and address of the health care provider, health care facility, and/or third-party payor.

(33) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(34) "Professional person" has the same meaning as in RCW 71.05.020.

(35) "Psychiatric advanced registered nurse practitioner" has the same meaning as in RCW 71.05.020.

(36) "Psychotherapy notes" means notes recorded, in any medium, by a mental health professional documenting or analyzing the contents of conversations during a private counseling session or group, joint, or family counseling session, and that are separated from the rest of the individual's medical record. The term excludes mediation prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: Diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.

(37) "Reasonable fee" means the charges for duplicating or searching the record, but shall not exceed sixty-five cents per page for the first thirty pages and fifty cents per page for all other pages. In addition, a clerical fee for searching and handling may be charged not to exceed fifteen dollars. These amounts shall be adjusted biennially in accordance with changes in the consumer price index, all consumers, for Seattle-Tacoma metropolitan statistical area as determined by the secretary of health. However, where editing of records by a health care provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.

(38) "Release" has the same meaning as in RCW 71.05.020.

(39) "Resource management services" has the same meaning as in RCW 71.05.020.

(40) "Serious violent offense" has the same meaning as in RCW 71.05.020.

(41) "Sexually transmitted infection" or "sexually transmitted disease" has the same meaning as "sexually transmitted disease" in RCW 70.24.017.

(42) "Test for a sexually transmitted disease" has the same meaning as in RCW 70.24.017.

(43) "Third-party payor" means an insurer regulated under Title 48 RCW authorized to transact business in this state or other jurisdiction, including a health care service contractor, and health maintenance organization; or an employee welfare benefit plan, excluding fitness or wellness plans; or a state or federal health benefit program.

(44) "Treatment" means the provision, coordination, or management of health care and related services by one or more health care providers or health care facilities, including the coordination or management of health care by a health care provider or health care facility with a third party; consultation between health care providers or health care facilities relating to a patient; or the referral of a patient for health care from one health care provider or health care facility to another.

Sec. 417. RCW 70.02.230 and 2014 c 225 s 71 and 2014 c 220 s 9 are each reenacted and amended to read as follows:

(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 70.96A.150, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

(i) Employed by the facility;

(ii) Who has medical responsibility for the patient's care;

(iii) Who is a designated ((~~mental health professional~~)) crisis responder;

(iv) Who is providing services under chapter 71.24 RCW;

(v) Who is employed by a state or local correctional facility where the person is confined or supervised; or

(vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional or designated crisis responder is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional or designated crisis responder shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and

prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(((~~(ii)~~))) (iii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(((~~(ii)~~))) (iii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of behavioral health organizations, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the mental health service agency where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information and records related to mental health services could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability and accountability act, to a licensed mental health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes may not be released without authorization of the person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one evaluation and treatment facility to another. The release of records under this subsection is limited to the information and records related to mental health services required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient was voluntarily admitted, or involuntarily committed, the date and place of admission,

placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(d). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, ..., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/ . . . . . ."

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary.

(3) Whenever federal law or federal regulations restrict the release of information contained in the information and records related to mental health services of any patient who receives treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(3)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in RCW 70.02.260, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(3)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter 71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

Sec. 418. RCW 70.48.475 and 2004 c 166 s 14 are each amended to read as follows:

(1) A person having charge of a jail, or that person's designee, shall notify the ((~~county designated mental health professional or the designated chemical dependency specialist~~)) designated crisis responder seventy-two hours prior to the release to the community of an offender or defendant who was subject to a discharge review under RCW 71.05.232. If the person having charge of the jail does not receive seventy-two hours notice of the release, the notification to the ((~~county designated mental health professional or the designated chemical dependency specialist~~)) designated crisis responder shall be made as soon as reasonably possible, but not later than the actual release to the community of the defendant or offender.

(2) When a person having charge of a jail, or that person's designee, releases an offender or defendant who was the subject of a discharge review under RCW 71.05.232, the person having charge of a jail, or that person's designee, shall notify the state hospital from which the offender or defendant was released.

Sec. 419. RCW 70.97.010 and 2014 c 225 s 78 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes but is not limited to atypical antipsychotic medications.

(2) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient.

(3) "Chemical dependency" means alcoholism, drug addiction, or dependence on alcohol and one or more other

psychoactive chemicals, as the context requires and as those terms are defined in chapter ((~~70.96A~~)) 71.05 RCW.

(4) "Chemical dependency professional" means a person certified as a chemical dependency professional by the department of health under chapter 18.205 RCW.

(5) "Commitment" means the determination by a court that an individual should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting.

(6) "Conditional release" means a modification of a commitment that may be revoked upon violation of any of its terms.

(7) "Custody" means involuntary detention under chapter 71.05 ((~~or 70.96A~~)) RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment.

(8) "Department" means the department of social and health services.

(9) "Designated crisis responder" ((~~means a designated mental health professional, a designated chemical dependency specialist, or a designated crisis responder as those terms are defined in chapter 70.96A, 71.05, or 70.96B RCW~~)) has the same meaning as in chapter 71.05 RCW.

(10) "Detention" or "detain" means the lawful confinement of an individual under chapter ((~~70.96A or~~)) 71.05 RCW.

(11) "Discharge" means the termination of facility authority. The commitment may remain in place, be terminated, or be amended by court order.

(12) "Enhanced services facility" means a facility that provides treatment and services to persons for whom acute inpatient treatment is not medically necessary and who have been determined by the department to be inappropriate for placement in other licensed facilities due to the complex needs that result in behavioral and security issues.

(13) "Expanded community services program" means a nonsecure program of enhanced behavioral and residential support provided to long-term and residential care providers serving specifically eligible clients who would otherwise be at risk for hospitalization at state hospital geriatric units.

(14) "Facility" means an enhanced services facility.

(15) "Gravely disabled" means a condition in which an individual, as a result of a mental disorder, as a result of the use of alcohol or other psychoactive chemicals, or both:

(a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or

(b) Manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(16) "History of one or more violent acts" refers to the period of time ten years before the filing of a petition under this chapter((~~,~~)) or chapter ((~~70.96A or~~)) 71.05 RCW, excluding any time spent, but not any violent acts committed, in a mental health facility or a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction.

(17) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(18) "Likelihood of serious harm" means:

(a) A substantial risk that:

(i) Physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;

(ii) Physical harm will be inflicted by an individual upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or

(iii) Physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

(b) The individual has threatened the physical safety of another and has a history of one or more violent acts.

(19) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions.

(20) "Mental health professional" means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary under the authority of chapter 71.05 RCW.

(21) "Professional person" means a mental health professional and also means a physician, registered nurse, and such others as may be defined in rules adopted by the secretary pursuant to the provisions of this chapter.

(22) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology.

(23) "Psychologist" means a person who has been licensed as a psychologist under chapter 18.83 RCW.

(24) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify individuals who are receiving or who at any time have received services for mental illness.

(25) "Release" means legal termination of the commitment under chapter 70.96A or 71.05 RCW.

(26) "Resident" means a person admitted to an enhanced services facility.

(27) "Secretary" means the secretary of the department or the secretary's designee.

(28) "Significant change" means:

(a) A deterioration in a resident's physical, mental, or psychosocial condition that has caused or is likely to cause clinical complications or life-threatening conditions; or

(b) An improvement in the resident's physical, mental, or psychosocial condition that may make the resident eligible for release or for treatment in a less intensive or less secure setting.

(29) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(30) "Treatment" means the broad range of emergency, detoxification, residential, inpatient, and outpatient services and care, including diagnostic evaluation, mental health or chemical dependency education and counseling, medical, psychiatric, psychological, and social service care, vocational rehabilitation, and career counseling, which may be extended to persons with mental disorders, chemical dependency disorders, or both, and their families.

(31) "Treatment records" include registration and all other records concerning individuals who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by an individual providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(32) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 420. RCW 71.05.660 and 2013 c 200 s 21 are each amended to read as follows:

Nothing in this chapter or chapter 70.02((~~, 70.96A,~~)) or 71.34((~~, or 70.96B~~)) RCW shall be construed to interfere with communications between physicians, psychiatric advanced registered nurse practitioners, or psychologists and patients and attorneys and clients.

Sec. 421. RCW 71.24.025 and 2014 c 225 s 10 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Available resources" means funds appropriated for the purpose of providing community mental health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other mental health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(3) "Behavioral health organization" means any county authority or group of county authorities or other entity recognized by the secretary in contract in a defined region.

(4) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and chemical dependency treatment services as described in chapter 70.96A RCW.

(5) "Child" means a person under the age of eighteen years.

(6) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(7) "Clubhouse" means a community-based program that provides rehabilitation services and is certified by the department of social and health services.

(8) "Community mental health program" means all mental health services, activities, or programs using available resources.

(9) "Community mental health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders as defined under RCW 71.05.020 and receive funding from public sources.

(10) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health organizations.

(11) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(12) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(13) "Department" means the department of social and health services.

(14) "Designated ((~~mental health professional~~)) crisis responder" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(15) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (16) of this section.

(16) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(17) "Licensed service provider" means an entity licensed according to this chapter or chapter 71.05 ((~~or 70.96A~~)) RCW or an entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department, or tribal attestation that meets state minimum standards, or persons licensed under chapter 18.57, 18.71, 18.83, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(18) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter

71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(19) "Mental health services" means all services provided by behavioral health organizations and other services provided by the state for persons who are mentally ill.

(20) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (6), (28), and (29) of this section.

(21) "Recovery" means the process in which people are able to live, work, learn, and participate fully in their communities.

(22) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(23) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (16) of this section but does not meet the full criteria for evidence-based.

(24) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(25) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(26) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined solely by a behavioral health organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated ((~~mental health professionals~~)) crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health organization.

(27) "Secretary" means the secretary of social and health services.

(28) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(29) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health organization to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(30) "State minimum standards" means minimum requirements established by rules adopted by the secretary and necessary to implement this chapter for: (a) Delivery of mental health services; (b) licensed service providers for the provision of mental health services; (c) residential services; and (d) community support services and resource management services.

(31) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(32) "Tribal authority," for the purposes of this section and RCW 71.24.300 only, means: The federally recognized Indian tribes and the major Indian organizations recognized by the secretary insofar as these organizations do not have a financial relationship with any behavioral health organization that would present a conflict of interest.

Sec. 422. RCW 71.24.045 and 2014 c 225 s 13 are each amended to read as follows:

The behavioral health organization shall:

(1) Contract as needed with licensed service providers. The behavioral health organization may, in the absence of a licensed service provider entity, become a licensed service provider entity pursuant to minimum standards required for licensing by the department for the purpose of providing services not available from licensed service providers;

(2) Operate as a licensed service provider if it deems that doing so is more efficient and cost effective than contracting for services. When doing so, the behavioral health organization shall comply with rules promulgated by the secretary that shall provide measurements to determine when a behavioral health organization provided service is more efficient and cost effective;

(3) Monitor and perform biennial fiscal audits of licensed service providers who have contracted with the behavioral health organization to provide services required by this chapter. The monitoring and audits shall be performed by means of a formal process which insures that the licensed service providers and professionals designated in this subsection meet the terms of their contracts;

(4) Establish reasonable limitations on administrative costs for agencies that contract with the behavioral health organization;

(5) Assure that the special needs of minorities, older adults, individuals with disabilities, children, and low-income persons are met within the priorities established in this chapter;

(6) Maintain patient tracking information in a central location as required for resource management services and the department's information system;

(7) Collaborate to ensure that policies do not result in an adverse shift of persons with mental illness into state and local correctional facilities;

(8) Work with the department to expedite the enrollment or reenrollment of eligible persons leaving state or local correctional facilities and institutions for mental diseases;

(9) Work closely with the ((~~county designated mental health professional or county~~)) designated crisis responder to maximize appropriate placement of persons into community services; and

(10) Coordinate services for individuals who have received services through the community mental health system and who become patients at a state psychiatric hospital to ensure they are transitioned into the community in accordance with mutually agreed upon discharge plans and upon determination by the medical director of the state psychiatric hospital that they no longer need intensive inpatient care.

Sec. 423. RCW 71.24.330 and 2014 c 225 s 51 are each amended to read as follows:

(1)(a) Contracts between a behavioral health organization and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and reprocurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with behavioral health organizations as provided in chapter 70.320 RCW.

(2) The behavioral health organization procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery systems, and maximization of the use of available funds for services versus profits. However, a behavioral health organization selected through the procurement process is not required to contract for services with any county-owned or operated facility. The behavioral health organization procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the behavioral health organization does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated ((~~mental health professionals~~)) crisis responders;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require behavioral health organizations to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; and

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a behavioral health organization. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to serve as a behavioral health organization they shall provide ninety days' advance notice in writing to the other party.

Sec. 424. RCW 71.32.080 and 2006 c 108 s 5 are each amended to read as follows:

(1)(a) A principal with capacity may, by written statement by the principal or at the principal's direction in the principal's presence, revoke a directive in whole or in part.

(b) An incapacitated principal may revoke a directive only if he or she elected at the time of executing the directive to be able to revoke when incapacitated.

(2) The revocation need not follow any specific form so long as it is written and the intent of the principal can be discerned. In the case of a directive that is stored in the health care declarations registry created by RCW 70.122.130, the revocation may be by an online method established by the department of health. Failure to use the online method of revocation for a directive that is stored in the registry does not invalidate a revocation that is made by another method described under this section.

(3) The principal shall provide a copy of his or her written statement of revocation to his or her agent, if any, and to each health care provider, professional person, or health care facility that received a copy of the directive from the principal.

(4) The written statement of revocation is effective:

(a) As to a health care provider, professional person, or health care facility, upon receipt. The professional person, health care provider, or health care facility, or persons acting under their direction shall make the statement of revocation part of the principal's medical record; and

(b) As to the principal's agent, upon receipt. The principal's agent shall notify the principal's health care provider, professional person, or health care facility of the revocation and provide them with a copy of the written statement of revocation.

(5) A directive also may:

(a) Be revoked, in whole or in part, expressly or to the extent of any inconsistency, by a subsequent directive; or

(b) Be superseded or revoked by a court order, including any order entered in a criminal matter. A directive may be superseded by a court order regardless of whether the order contains an explicit reference to the directive. To the extent a directive is not in conflict with a court order, the directive remains effective, subject to the provisions of RCW 71.32.150. A directive shall not be interpreted in a manner that interferes with: (i) Incarceration or detention by the department of corrections, in a city or county jail, or by the department of social and health services; or (ii) treatment of a principal who is subject to involuntary treatment pursuant to chapter 10.77, ((~~70.96A,~~)) 71.05, 71.09, or 71.34 RCW.

(6) A directive that would have otherwise expired but is effective because the principal is incapacitated remains effective until the principal is no longer incapacitated unless the principal has elected to be able to revoke while incapacitated and has revoked the directive.

(7) When a principal with capacity consents to treatment that differs from, or refuses treatment consented to in, the provisions of his or her directive, the consent or refusal constitutes a waiver of that provision and does not constitute a revocation of the provision or directive unless the principal also revokes the directive or provision.

Sec. 425. RCW 71.32.140 and 2009 c 217 s 12 are each amended to read as follows:

(1) A principal who:

(a) Chose not to be able to revoke his or her directive during any period of incapacity;

(b) Consented to voluntary admission to inpatient mental health treatment, or authorized an agent to consent on the principal's behalf; and

(c) At the time of admission to inpatient treatment, refuses to be admitted,

may only be admitted into inpatient mental health treatment under subsection (2) of this section.

(2) A principal may only be admitted to inpatient mental health treatment under his or her directive if, prior to admission, a member of the treating facility's professional staff who is a physician or psychiatric advanced registered nurse practitioner:

(a) Evaluates the principal's mental condition, including a review of reasonably available psychiatric and psychological history, diagnosis, and treatment needs, and determines, in conjunction with another health care provider or mental health professional, that the principal is incapacitated;

(b) Obtains the informed consent of the agent, if any, designated in the directive;

(c) Makes a written determination that the principal needs an inpatient evaluation or is in need of inpatient treatment and that the evaluation or treatment cannot be accomplished in a less restrictive setting; and

(d) Documents in the principal's medical record a summary of the physician's or psychiatric advanced registered nurse practitioner's findings and recommendations for treatment or evaluation.

(3) In the event the admitting physician is not a psychiatrist, or the advanced registered nurse practitioner is not a psychiatric advanced registered nurse practitioner, the principal shall receive a complete psychological assessment by a mental health professional within twenty-four hours of admission to determine the continued need for inpatient evaluation or treatment.

(4)(a) If it is determined that the principal has capacity, then the principal may only be admitted to, or remain in, inpatient treatment if he or she consents at the time or is detained under the involuntary treatment provisions of chapter ((~~70.96A,~~)) 71.05((~~,~~)) or 71.34 RCW.

(b) If a principal who is determined by two health care providers or one mental health professional and one health care provider to be incapacitated continues to refuse inpatient treatment, the principal may immediately seek injunctive relief for release from the facility.

(5) If, at the end of the period of time that the principal or the principal's agent, if any, has consented to voluntary inpatient treatment, but no more than fourteen days after admission, the principal has not regained capacity or has regained capacity but refuses to consent to remain for additional treatment, the principal must be released during reasonable daylight hours, unless detained under chapter ((~~70.96A,~~)) 71.05((~~,~~)) or 71.34 RCW.

(6)(a) Except as provided in (b) of this subsection, any principal who is voluntarily admitted to inpatient mental health treatment under this chapter shall have all the rights provided to individuals who are voluntarily admitted to inpatient treatment under chapter 71.05, 71.34, or 72.23 RCW.

(b) Notwithstanding RCW 71.05.050 regarding consent to inpatient treatment for a specified length of time, the choices an incapacitated principal expressed in his or her directive shall control, provided, however, that a principal who takes action demonstrating a desire to be discharged, in addition to making statements requesting to be discharged, shall be discharged, and no principal shall be restrained in any way in order to prevent his or her discharge. Nothing in this subsection shall be construed to prevent detention and evaluation for civil commitment under chapter 71.05 RCW.

(7) Consent to inpatient admission in a directive is effective only while the professional person, health care provider, and health care facility are in substantial compliance with the material provisions of the directive related to inpatient treatment.

Sec. 426. RCW 71.32.150 and 2003 c 283 s 15 are each amended to read as follows:

(1) Upon receiving a directive, a health care provider, professional person, or health care facility providing treatment to the principal, or persons acting under the direction of the health care provider, professional person, or health care facility, shall make the directive a part of the principal's medical record and shall be deemed to have actual knowledge of the directive's contents.

(2) When acting under authority of a directive, a health care provider, professional person, or health care facility shall act in accordance with the provisions of the directive to the fullest extent possible, unless in the determination of the health care provider, professional person, or health care facility:

(a) Compliance with the provision would violate the accepted standard of care established in RCW 7.70.040;

(b) The requested treatment is not available;

(c) Compliance with the provision would violate applicable law; or

(d) It is an emergency situation and compliance would endanger any person's life or health.

(3)(a) In the case of a principal committed or detained under the involuntary treatment provisions of chapter 10.77, ((~~70.96A,~~)) 71.05, 71.09, or 71.34 RCW, those provisions of a principal's directive that, in the determination of the health care provider, professional person, or health care facility, are

inconsistent with the purpose of the commitment or with any order of the court relating to the commitment are invalid during the commitment.

(b) Remaining provisions of a principal's directive are advisory while the principal is committed or detained.

The treatment provider is encouraged to follow the remaining provisions of the directive, except as provided in (a) of this subsection or subsection (2) of this section.

(4) In the case of a principal who is incarcerated or committed in a state or local correctional facility, provisions of the principal's directive that are inconsistent with reasonable penological objectives or administrative hearings regarding involuntary medication are invalid during the period of incarceration or commitment. In addition, treatment may be given despite refusal of the principal or the provisions of the directive: (a) For any reason under subsection (2) of this section; or (b) if, without the benefit of the specific treatment measure, there is a significant possibility that the person will harm self or others before an improvement of the person's condition occurs.

(5)(a) If the health care provider, professional person, or health care facility is, at the time of receiving the directive, unable or unwilling to comply with any part or parts of the directive for any reason, the health care provider, professional person, or health care facility shall promptly notify the principal and, if applicable, his or her agent and shall document the reason in the principal's medical record.

(b) If the health care provider, professional person, or health care facility is acting under authority of a directive and is unable to comply with any part or parts of the directive for the reasons listed in subsection (2) or (3) of this section, the health care provider, professional person, or health care facility shall promptly notify the principal and if applicable, his or her agent, and shall document the reason in the principal's medical record.

(6) In the event that one or more parts of the directive are not followed because of one or more of the reasons set forth in subsection (2) or (4) of this section, all other parts of the directive shall be followed.

(7) If no provider-patient relationship has previously been established, nothing in this chapter requires the establishment of a provider-patient relationship.

Sec. 427. RCW 72.09.315 and 2004 c 166 s 17 are each amended to read as follows:

(1) When an offender is under court-ordered mental health or chemical dependency treatment in the community and the supervision of the department of corrections, and the community corrections officer becomes aware that the person is in violation of the terms of the court's treatment order, the community corrections officer shall notify the ((~~county designated mental health professional or the designated chemical dependency specialist~~)) designated crisis responder, as appropriate, of the violation and request an evaluation for purposes of revocation of the less restrictive alternative or conditional release.

(2) When a ((~~county designated mental health professional or the designated chemical dependency specialist~~)) designated crisis responder notifies the department that an offender in a state correctional facility is the subject of a petition for involuntary treatment under chapter 71.05 ((~~or 70.96A~~)) RCW, the department shall provide documentation of its risk assessment or other concerns to the petitioner and the court if the department classified the offender as a high risk or high needs offender.

Sec. 428. RCW 72.09.370 and 2014 c 225 s 95 are each amended to read as follows:

(1) The offender reentry community safety program is established to provide intensive services to offenders identified under this subsection and to thereby promote public safety. The secretary shall identify offenders in confinement or partial confinement who: (a) Are reasonably believed to be dangerous to themselves or others; and (b) have a mental disorder. In determining an offender's dangerousness, the secretary shall consider behavior known to the department and factors, based on research, that are linked to an increased risk for dangerousness of offenders with mental illnesses and shall include consideration of an offender's chemical dependency or abuse.

(2) Prior to release of an offender identified under this section, a team consisting of representatives of the department of corrections, the division of mental health, and, as necessary, the indeterminate sentence review board, other divisions or administrations within the department of social and health services, specifically including the division of alcohol and substance abuse and the division of developmental disabilities, the appropriate behavioral health organization, and the providers, as appropriate, shall develop a plan, as determined necessary by the team, for delivery of treatment and support services to the offender upon release. In developing the plan, the offender shall be offered assistance in executing a mental health directive under chapter 71.32 RCW, after being fully informed of the benefits, scope, and purposes of such directive. The team may include a school district representative for offenders under the age of twenty-one. The team shall consult with the offender's counsel, if any, and, as appropriate, the offender's family and community. The team shall notify the crime victim/witness program, which shall provide notice to all people registered to receive notice under RCW 72.09.712 of the proposed release plan developed by the team. Victims, witnesses, and other interested people notified by the department may provide information and comments to the department on potential safety risk to specific individuals or classes of individuals posed by the specific offender. The team may recommend: (a) That the offender be evaluated by the designated ((~~mental health professional~~)) crisis responder, as defined in chapter 71.05 RCW; (b) department-supervised community treatment; or (c) voluntary community mental health or chemical dependency or abuse treatment.

(3) Prior to release of an offender identified under this section, the team shall determine whether or not an evaluation by a designated ((~~mental health professional~~)) crisis responder is needed. If an evaluation is recommended, the supporting documentation shall be immediately forwarded to the appropriate designated ((~~mental health professional~~)) crisis responder. The supporting documentation shall include the offender's criminal history, history of judicially required or administratively ordered involuntary antipsychotic medication while in confinement, and any known history of involuntary civil commitment.

(4) If an evaluation by a designated ((~~mental health professional~~)) crisis responder is recommended by the team, such evaluation shall occur not more than ten days, nor less than five days, prior to release.

(5) A second evaluation by a designated ((~~mental health professional~~)) crisis responder shall occur on the day of release if requested by the team, based upon new information or a change in the offender's mental condition, and the initial evaluation did not result in an emergency detention or a summons under chapter 71.05 RCW.

(6) If the designated ((~~mental health professional~~)) crisis responder determines an emergency detention under chapter 71.05 RCW is necessary, the department shall release the offender only to a state hospital or to a consenting evaluation and treatment facility. The department shall arrange transportation of the offender to the hospital or facility.

(7) If the designated ((~~mental health professional~~)) crisis responder believes that a less restrictive alternative treatment is appropriate, he or she shall seek a summons, pursuant to the provisions of chapter 71.05 RCW, to require the offender to appear at an evaluation and treatment facility. If a summons is issued, the offender shall remain within the corrections facility until completion of his or her term of confinement and be transported, by corrections personnel on the day of completion, directly to the identified evaluation and treatment facility.

(8) The secretary shall adopt rules to implement this section.

Sec. 429. RCW 74.13.033 and 2009 c 569 s 3 are each amended to read as follows:

(1) If a resident of a crisis residential center becomes by his or her behavior disruptive to the facility's program, such resident may be immediately removed to a separate area within the facility and counseled on an individual basis until such time as the child regains his or her composure. The department may set rules and regulations establishing additional procedures for dealing with severely disruptive children on the premises.

(2) When the juvenile resides in this facility, all services deemed necessary to the juvenile's reentry to normal family life shall be made available to the juvenile as required by chapter 13.32A RCW. In assessing the child and providing these services, the facility staff shall:

(a) Interview the juvenile as soon as possible;

(b) Contact the juvenile's parents and arrange for a counseling interview with the juvenile and his or her parents as soon as possible;

(c) Conduct counseling interviews with the juvenile and his or her parents, to the end that resolution of the child/parent conflict is attained and the child is returned home as soon as possible;

(d) Provide additional crisis counseling as needed, to the end that placement of the child in the crisis residential center will be required for the shortest time possible, but not to exceed fifteen consecutive days; and

(e) Convene, when appropriate, a multidisciplinary team.

(3) Based on the assessments done under subsection (2) of this section the center staff may refer any child who, as the result of a mental or emotional disorder, or intoxication by alcohol or other drugs, is suicidal, seriously assaultive, or seriously destructive toward others, or otherwise similarly evidences an immediate need for emergency medical evaluation and possible care, for evaluation pursuant to chapter 71.34 RCW((~~,~~)) or to a ((~~mental health professional~~)) designated crisis responder pursuant to chapter 71.05 RCW((~~, or to a chemical dependency specialist pursuant to chapter 70.96A RCW~~)) whenever such action is deemed appropriate and consistent with law.

(4) A juvenile taking unauthorized leave from a facility shall be apprehended and returned to it by law enforcement officers or other persons designated as having this authority as provided in RCW 13.32A.050. If returned to the facility after having taken unauthorized leave for a period of more than twenty-four hours a juvenile shall be supervised by such a facility for a period, pursuant to this chapter, which, unless where otherwise provided, may not exceed fifteen consecutive days. Costs of housing juveniles admitted to crisis residential centers shall be assumed by the department for a period not to exceed fifteen consecutive days.

Sec. 430. RCW 74.50.070 and 1987 c 406 s 8 are each amended to read as follows:

(1) If a county elects to establish a multipurpose diagnostic center or detention center, the alcoholism and drug addiction assessment service under RCW 74.50.040 may be integrated into the services provided by such a center.

(2) The center may be financed from funds made available by the department for alcoholism and drug addiction assessments under this chapter and funds contained in the department's budget for detoxification, involuntary detention, and involuntary treatment under chapter((~~s 70.96A and~~)) 71.05 RCW. The center may be operated by the county or pursuant to contract between the county and a qualified organization.

PART V
MISCELLANEOUS

NEW SECTION. **Sec. 501.** This act may be known and cited as Ricky Garcia's act.

NEW SECTION. **Sec. 502.** (1) Section 102 of this act takes effect April 1, 2016.

(2) Sections 202 through 209, 211, 213 through 221, 223 through 229, 231 through 234, 236, 237, 239 through 259, 261, 263, 265, 266, 268, 270, 271, and 273 through 278 of this act take effect April 1, 2017.

(3) Sections 210, 212, 222, 230, 235, 238, 260, 262, 264, 267, 269, and 272 of this act take effect July 1, 2019.

NEW SECTION. **Sec. 503.** Section 101 of this act expires April 1, 2016.

NEW SECTION. **Sec. 504.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Rodne moved the adoption of amendment (222) to amendment (217):

On page 77, after line 2 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 247.** A new section is added to chapter 71.05 RCW to read as follows:

The limitation on firearm rights based on involuntary commitment for treatment of a substance use disorder shall be strictly construed to apply only if the person would otherwise have his or her firearm rights limited under federal law."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 107, after line 31 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 273.** A new section is added to chapter 71.34 RCW to read as follows:

The limitation on firearm rights based on involuntary commitment for treatment of a substance use disorder shall be strictly construed to apply only if the person would otherwise have his or her firearm rights limited under federal law."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 112, line 38 of the striking amendment, after "(iii)" strike "After" and insert "Subject to section 279 of this act, after"

On page 115, line 25 of the striking amendment, after "substance," insert "subject to section 279 of this act,"

On page 116, line 6 of the striking amendment, after "(P.L. 103-159)." insert "A court ordering commitment for treatment of a substance use disorder under chapter 71.05 or 71.34 RCW shall only forward the information described in this subsection to the department of licensing and the national instant criminal background check system index, denied persons file, if the limitation on firearm rights applies according to RCW 9.41.040 and section 279 of this act."

On page 119, line 27 of the striking amendment, after "RCW or" insert ", subject to section 279 of this act,"

On page 121, after line 19 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 279.** A new section is added to chapter 9.41 RCW to read as follows:

The limitation on firearm rights based on involuntary commitment under chapter 71.05 or 71.34 RCW for treatment of a substance use disorder shall be strictly construed to apply only if the person would otherwise have his or her firearm rights limited under federal law."

Correct any internal references accordingly.

Correct the title.

Representatives Rodne and Cody spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (222) to amendment (217) was adopted.

Representative Cody spoke in favor of the adoption of the striking amendment as amended.

Amendment (217), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1713.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1713, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kretz, Kristiansen, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Klippert, Kochmar, MacEwen, Magendanz, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Scott, Shea, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1916, by Representatives Cody and Harris

Integrating administrative provisions for chemical dependency and mental health.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1916 was substituted for House Bill No. 1916 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1916 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1916.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1916, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, MacEwen, Manweller, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1916, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1545, by Representatives Robinson, Johnson and Cody

Encouraging the safe practice of public health nurses dispensing certain medications.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Robinson spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1545.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1545, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

HOUSE BILL NO. 1545, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1732, by Representatives Reykdal, Riccelli, Ryu, S. Hunt, Peterson, Ormsby, Stanford, Goodman, Cody, Tharinger, Ortiz-Self, Bergquist, Fitzgibbon, Farrell, Sullivan, Dunshee, Moscoso, Appleton, Sells, Pollet, Robinson, Walkinshaw, Jinkins, Senn, Wylie, Lytton, Hudgins, Tarleton, Kagi, Moeller, Sawyer, Fey, Pettigrew, Gregerson, Orwall, Santos, Kirby, McBride, Takko, Gregory, Clibborn, Springer, Van De Wege, Blake, Kilduff and Hansen

Addressing meal and rest breaks and mandatory overtime for certain health care employees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Cody and Sells spoke in favor of the passage of the bill.

Representatives Schmick, Rodne and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1732.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1732, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

HOUSE BILL NO. 1732, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1186, by Representatives Clibborn, Springer, Johnson, Senn, Moeller, McBride, Walkinshaw, Caldier and Fey

Requiring notification to patients in observation status at hospitals. Revised for 1st Substitute: Requiring notifications to patients in observation status at hospitals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1186 was substituted for House Bill No. 1186 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1186 was read the second time.

Representative Clibborn moved the adoption of amendment (158):

On page 2, beginning on line 10, strike all of subsection (2)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Clibborn and Schmick spoke in favor of the adoption of the amendment.

Amendment (158) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1186.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1186, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1186, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1503, by Representatives Jinkins, Ryu, Tharinger, DeBolt, Senn, Robinson, Harris, Cody, Riccelli, Walsh, Sawyer and Moeller

Concerning medical liens.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1503 was substituted for House Bill No. 1503 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1503 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1503.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1503, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

SUBSTITUTE HOUSE BILL NO. 1503, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1890, by Representatives Schmick and Cody

Concerning a second-party payment process for paying insurers. (REVISED FOR ENGROSSED: Concerning a second-party payment process for paying issuer.)

The bill was read the second time.

Representative Schmick moved the adoption of amendment (024):

On page 1, at the beginning of line 19, strike "insured" and insert "covered person"

On page 1, line 20, after "an" strike "insurer" and insert "issuer"

On page 2, line 13, after "of the" strike "insured, such that the insured" and insert "covered person, such that the covered person"

On page 2, line 15, after "All" strike "insurers" and insert "issuers"

On page 2, line 16, after "no" strike "insurer" and insert "issuer"

On page 2, line 19, after "an" strike "insurer" and insert "issuer"

On page 2, line 20, after "of the" strike "insured" and insert "covered person"

On page 2, at the beginning of line 22, strike "insurer" and insert "issuer"

Representatives Schmick and Cody spoke in favor of the adoption of the amendment.

Amendment (024) was adopted.

Representative Schmick moved the adoption of amendment (123):

On page 1, line 20, after "insurer." insert "The legislature does not intend to impact third-party payment programs required under federal law, including, but not limited to, federal guidance implementing the federal patient protection and affordable care act."

Representatives Schmick and Cody spoke in favor of the adoption of the amendment.

Amendment (123) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1890.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1890, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman,

Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1890, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1729, by Representatives Pettigrew, Magendanz, Kagi, Walsh, Van De Wege, DeBolt, Jinkins, Goodman, Dunshee, Hudgins, Wylie, Cody, Sawyer, Senn, Moeller, Tarleton and Santos

Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services.

The bill was read the second time.

With the consent of the house, amendment (211) was withdrawn.

Representative Wilcox moved the adoption of amendment (228):

On page 12, beginning on line 9, strike all of section 11

Renumber the remaining sections and correct any internal references accordingly.

On page 14, line 4, after "fee of" strike "thirty" and insert "((~~thirty~~)) fifty-four"

On page 14, line 5, after "monthly" strike "twenty-four" and insert "((~~twenty-four~~)) forty-eight"

On page 18, after line 39, insert the following:

"**Sec. 15.** RCW 10.99.080 and 2004 c 15 s 2 are each amended to read as follows:

(1) All superior courts, and courts organized under Title 3 or 35 RCW, may impose a penalty assessment of one hundred dollars, plus an additional fifteen dollars on any person convicted of a crime involving domestic violence; in no case shall a penalty assessment ((~~not to~~)) exceed one hundred fifteen dollars on any person convicted of a crime involving domestic violence. The assessment shall be in addition to, and shall not supersede, any other penalty, restitution, fines, or costs provided by law.

(2) Revenue from the:

(a) One hundred dollar assessment shall be used solely for the purposes of establishing and funding domestic violence advocacy and domestic violence prevention and prosecution programs in the city or county of the court imposing the assessment. Such revenue from the assessment shall not be used for indigent criminal defense. If the city or county does not have domestic violence advocacy or domestic violence prevention and prosecution programs, cities and counties may use the revenue collected from the assessment to contract with recognized community-based domestic violence program providers.

(b) Fifteen dollar assessment must be remitted monthly to the state treasury for deposit in the domestic violence prevention account.

(3) The one hundred dollar assessment imposed under this section shall not be subject to any state or local remittance requirements under chapter 3.46, 3.50, 3.62, 7.68, 10.82, or 35.20 RCW.

(4) For the purposes of this section, "convicted" includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, or the levying of a fine. For the purposes of this section, "domestic violence" has the same meaning as that term is defined under RCW 10.99.020 and includes violations of equivalent local ordinances.

(5) When determining whether to impose a penalty assessment under this section, judges are encouraged to solicit input from the victim or representatives for the victim in assessing the ability of the convicted offender to pay the penalty, including information regarding current financial obligations, family circumstances, and ongoing restitution.

Sec. 16. RCW 26.50.110 and 2013 c 84 s 31 are each amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court:

(i) May require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(ii) Shall impose a fine of fifteen dollars, in addition to any penalty or fine imposed, for a violation of a domestic violence protection order issued under this chapter. Revenue from the fifteen dollar fine must be remitted monthly to the state treasury for deposit in the domestic violence prevention account.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW

26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for violating the provisions of an order issued under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation."

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representatives Wilcox and Pettigrew spoke in favor of the adoption of the amendment.

Amendment (228) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew, Wilcox, Goodman, Walsh and Young spoke in favor of the passage of the bill.

Representative G. Hunt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1729.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1729, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, McCaslin, Scott, Shea and Taylor.

ENGROSSED HOUSE BILL NO. 1729, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1740, by Representatives Appleton and Ryu

Addressing political subdivisions purchasing health coverage through the public employees' benefits board program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1740 was substituted for House Bill No. 1740 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1740 was read the second time.

Representative Hunter moved the adoption of amendment (200):

On page 5, after line 36, insert the following:

"**Sec. 3.** RCW 41.05.050 and 2009 c 537 s 5 are each amended to read as follows:

(1) Every: (a) Department, division, or separate agency of state government; (b) county, municipal, school district, educational service district, or other political subdivisions; and (c) tribal governments as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the authority. Contributions, paid by the county, the municipality, other political subdivision, or a tribal government for their employees, shall include an amount determined by the authority to pay such administrative expenses of the authority as are necessary to administer the plans for employees of those groups, except as provided in subsection (4) of this section.

(2) If the authority at any time determines that the participation of a county, municipal, other political subdivision, or a tribal government covered under this chapter adversely impacts insurance rates for state employees, the authority ((~~shall implement limitations on the participation of additional~~))may develop an employer-specific charge for each county, municipal, other political subdivision((~~s~~)), or ((~~a~~)) tribal government that offsets a significant increase in insurance rates for state employees that could be caused by the participation of that employer.

(3) The contributions of any: (a) Department, division, or separate agency of the state government; (b) county, municipal, or other political subdivisions; and (c) any tribal government as are covered by this chapter, shall be set by the authority, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose. Insurance and health care contributions for ferry employees shall be governed by RCW 47.64.270.

(4)(a) The authority shall collect from each participating school district and educational service district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and family size as would be charged to state employees, for groups of district employees enrolled in authority plans. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030.

(b) For all groups of district employees enrolling in authority plans for the first time after September 1, 2003, the authority shall collect from each participating school district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and by family size as would be charged to state employees, only if the authority determines that this method of billing the districts will not result in a material difference between revenues from districts and expenditures made by the authority on behalf of districts and their employees. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030.

(c) If the authority determines at any time that the conditions in (b) of this subsection cannot be met, the authority shall offer enrollment to additional groups of district employees on a tiered rate structure until such time as the authority determines there would be no material difference between revenues and expenditures under a composite rate structure for all district employees enrolled in authority plans.

(d) The authority may charge districts a one-time set-up fee for employee groups enrolling in authority plans for the first time.

(e) For the purposes of this subsection:

(i) "District" means school district and educational service district; and

(ii) "Tiered rates" means the amounts the authority must pay to insuring entities by plan and by family size.

(f) Notwithstanding this subsection and RCW 41.05.065(4), the authority may allow districts enrolled on a tiered rate structure prior to September 1, 2002, to continue participation based on the same rate structure and under the same conditions and eligibility criteria.

(5) The authority shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature."

Correct the title

Representative Hunter spoke in favor of the adoption of the amendment.

Amendment (200) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1740.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1740, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Scott, Shea, Taylor and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1740, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1307, by Representatives Harris, Tharinger, Walkinshaw and Kagi

Concerning enforcement standards for residential services and support providers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris, Kagi and McCaslin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1307.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1307, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick,

Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1307, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1561, by Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith, S. Hunt and Wylie

Concerning the consideration of information technology security matters.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1561.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1561, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1561, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1617, by Representatives Rodne, Goodman and Jinkins

Concerning the use of the judicial information system by courts before granting certain orders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1617 was substituted for House Bill No. 1617 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1617 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1617.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1617, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

SUBSTITUTE HOUSE BILL NO. 1617, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1627, by Representative Schmick

Expanding the existing prohibition on unlawfully entering the land of another to hunt or to retrieve hunted wildlife under Title 77 RCW to include entering the land of another to collect wildlife parts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1627.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S.

Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1627, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1800, by Representatives Hargrove, Kagi and Walsh

Concerning filing a petition seeking termination of parental rights.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1800 was substituted for House Bill No. 1800 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1800 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hargrove and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1800.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1800, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1800, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2140, by Representatives Kagi, Orwall, Johnson, Walsh, Sells, Clibborn, Tarleton, Appleton, Ortiz-Self, Hargrove, Zeiger, Senn, Ormsby, Kilduff, Walkinshaw and Goodman

Concerning good cause exceptions during permanency hearings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2140.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2140, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2140, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2085, by Representatives Goodman and Ryu

Providing alternatives for penalties stemming from traffic infractions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2085 was substituted for House Bill No. 2085 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2085 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2085.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2085, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Hargrove, Harmsworth, Klippert, Magendanz, McCaslin, Nealey, Parker, Scott, Shea, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 2085, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1505, by Representatives Goodman, Kagi, Appleton, Jinkins and Tharinger

Allowing prosecutors to refer juveniles to restorative justice programs. Revised for 1st Substitute: Concerning juvenile restorative justice programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1505 was substituted for House Bill No. 1505 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1505 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1505.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1505, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Klippert and Vick.

SUBSTITUTE HOUSE BILL NO. 1505, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1505.

Representative Vick, 18th District

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

March 9, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5889

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SUBSTITUTE SENATE BILL NO. 5889.

The Speaker called upon Representative Moeller to preside.

SECOND READING

HOUSE BILL NO. 1491, by Representatives Kagi, Walsh, Hunter, Johnson, Ormsby, MacEwen, Senn, Magendanz, Farrell, Hayes, Ortiz-Self, Hudgins, Appleton, Fitzgibbon, S. Hunt, Ryu, Jinkins, Bergquist, Goodman, Tharinger and Riccelli

Improving quality in the early care and education system.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1491 was substituted for House Bill No. 1491 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1491 was read the second time.

Representative Kagi moved the adoption of amendment (205):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 505.** INTENT. (1) The legislature finds that quality early care and education builds the foundation for a child's success in school and in life. The legislature acknowledges that a quality framework is necessary for the early care and education system in Washington. The legislature recognizes that empirical evidence supports the conclusion that high quality programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children. The legislature acknowledges that critical developmental windows exist in early childhood, and low quality

child care has damaging effects for children. The legislature further understands that the proper dosage, duration of programming, and stability of care are critical to enhancing program quality and improving child outcomes. The legislature acknowledges that the early care and education system should strive to address the needs of Washington's culturally and linguistically diverse populations. The legislature understands that parental choice and provider diversity are guiding principles for early learning programs.

(2) The legislature intends to prioritize the integration of child care and preschool in an effort to promote full day programming. The legislature further intends to reward quality and create incentives for providers to participate in a quality rating and improvement system that will also provide valuable information to parents regarding the quality of care available in their communities.

Sec. 506. RCW 43.215.100 and 2013 c 323 s 6 are each amended to read as follows:

EARLY ACHIEVERS, QUALITY RATING, AND IMPROVEMENT SYSTEM.

(1) ((~~Subject to the availability of amounts appropriated for this specific purpose,~~)) The department, in collaboration with tribal governments and community and statewide partners, shall implement a ((~~voluntary~~)) quality rating and improvement system, called the early achievers program((~~, that~~)). The early achievers program provides a foundation of quality for the early care and education system. The early achievers program is applicable to licensed or certified child care centers and homes and early ((~~education~~)) learning programs such as working connections child care and early childhood education and assistance programs.

(2) The ((~~purpose~~)) objectives of the early achievers program ((~~is~~)) are to:

(a) ((~~To~~)) Improve short-term and long-term educational outcomes for children as measured by assessments including, but not limited to, the Washington kindergarten inventory of developing skills in RCW 28A.655.080;

(b) Give parents clear and easily accessible information about the quality of child care and early education programs((~~,~~));

(c) Support improvement in early learning and child care programs throughout the state((~~,~~));

(d) Increase the readiness of children for school((~~, and~~));

(e) Close the ((~~disparity~~)) disparities in access to quality care;

(f) Provide professional development and coaching opportunities to early child care and education providers; and ((~~(b) to~~))

(g) Establish a common set of expectations and standards that define, measure, and improve the quality of early learning and child care settings.

(3)(a) Licensed or certified child care centers and homes serving nonschool age children and receiving state subsidy payments must participate in the early achievers program by the required deadlines established in RCW 43.215.135.

(b) Approved early childhood education and assistance program providers receiving state-funded support must participate in the early achievers program by the required deadlines established in RCW 43.215.415.

(c) Participation in the early achievers program is voluntary for licensed or certified child care centers and homes not receiving state subsidy payments.

(d) School age child care providers are exempt from participating in the early achievers program. By July 1, 2017, the department shall design a plan to incorporate school age child care providers into the early achievers program. To test implementation of the early achievers system for school age child care providers the department shall implement a pilot program.

(4) ((~~By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and maintain a minimum score level.~~

~~(5) Before final implementation of the early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature.~~)) There are five levels in the early achievers program. Participants are expected to actively engage and continually advance within the program.

(5) The department has the authority to determine the rating cycle for the early achievers program.

(a) Early achievers program participants may request to be rated at any time after the completion of all level 2 activities.

(b) The department shall provide an early achievers program participant an update on the participant's progress toward completing level 2 activities after the participant has been enrolled in the early achievers program for fifteen months.

(c) The first rating is free for early achievers program participants.

(d) Each subsequent rating within the established rating cycle is free for early achievers program participants.

(6)(a) Early achievers program participants may request to be rerated outside the established rating cycle.

(b) The department may charge a fee for optional rerating requests made by program participants that are outside the established rating cycle.

(c) Fees charged are based on, but may not exceed, the cost to the department for activities associated with the early achievers program.

(7)(a) The department must create a single source of information for parents and caregivers to access details on a provider's early achievers program rating level, licensing history, and other indicators of quality and safety that will help parents and caregivers make informed choices.

(b) The department shall publish to the department's web site, or offer a link on its web site to, the following information:

(i) By August 1, 2015, early achievers program rating levels 1 through 5 for all child care programs that receive state subsidy, early childhood education and assistance programs, and federal head start programs in Washington; and

(ii) New early achievers program ratings within thirty days after a program becomes licensed or certified, or receives a rating.

(c) The early achievers program rating levels shall be published in a manner that is easily accessible to parents and caregivers and takes into account the linguistic needs of parents and caregivers.

(d) The department must publish early achievers program rating levels for child care programs that do not receive state subsidy but have voluntarily joined the early achievers program.

(e) Early achievers program participants who have published rating levels on the department's web site or on a link on the department's web site may include a brief description of their program, contingent upon the review and approval by the department, as determined by established marketing standards.

(8)(a) The department shall create a professional development pathway for early achievers program participants to obtain a high school diploma or equivalency or higher education credential in early childhood education, early childhood studies, child development, or an academic field related to early care and education.

(b) The professional development pathway must include opportunities for scholarships and grants to assist early achievers

program participants with the costs associated with obtaining an educational degree.

(c) The department shall address cultural and linguistic diversity when developing the professional development pathway.

(9) The early achievers quality improvement awards shall be reserved for participants offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy.

(10) In collaboration with tribal governments, community and statewide partners, and the early achievers review subcommittee created in RCW 43.215.090, the department shall develop a protocol for granting early achievers program participants an extension in meeting rating level requirement timelines outlined for the working connections child care program and the early childhood education and assistance program.

(a) The department may grant extensions only under exceptional circumstances, such as when early achievers program participants experience an unexpected life circumstance.

(b) Extensions shall not exceed six months, and early achievers program participants are only eligible for one extension in meeting rating level requirement timelines.

(c) Extensions may only be granted to early achievers program participants who have demonstrated engagement in the early achievers program.

(d) A report outlining the early achievers program extension protocol shall be delivered to the appropriate committees of legislature by December 31, 2015.

(11)(a) The department shall accept national accreditation that meets the requirements of this subsection (11) as a qualification for the early achievers program ratings.

(b) Each national accreditation agency will be allowed to submit its most current standards of accreditation to establish potential credit earned in the early achievers program. The department shall grant credit to accreditation bodies that can demonstrate that their standards meet or exceed the current early achievers program standards.

(c) Licensed child care centers and child care home providers must meet national accreditation standards approved by the department for the early achievers program in order to be granted credit for the early achievers program standards. Eligibility for the early achievers program is not subject to bargaining, mediation, or interest arbitration under RCW 41.56.028, consistent with the legislative reservation of rights under RCW 41.56.028(4)(d).

(12) A child care or early learning program that is operated by a federally recognized tribe and receives state funds shall participate in the early achievers program. The tribe may choose to participate through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty. The interlocal agreement must provide that:

(a) Tribal child care facilities and early learning programs may volunteer, but are not required, to be licensed by the department;

(b) Tribal child care facilities and early learning programs are not required to have their early achievers program rating level published to the department's web site or through a link on the department's web site; and

(c) Tribal child care facilities and early learning programs must provide notification to parents or guardians who apply for or have been admitted into their program that early achievers program rating level information is available and provide the parents or guardians with the program's early achievers program rating level upon request.

(13) The department shall consult with the early achievers review subcommittee on all substantial policy changes to the early achievers program.

(14) Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs under RCW 41.56.028(4)(d).

NEW SECTION. **Sec. 507.** A new section is added to chapter 43.215 RCW to read as follows:

REDUCTION OF BARRIERS—LOW-INCOME PROVIDERS AND PROGRAMS—EARLY ACHIEVERS.

(1)(a) Subject to the amounts appropriated for this specific purpose, the department shall, in collaboration with tribal governments and community and statewide partners, implement a protocol to maximize and encourage participation in the early achievers program for culturally diverse and low-income center and family home child care providers.

(b) During the first thirty months of implementation of the early achievers program the department shall prioritize the resources authorized in this section to assist providers rating at a level 2 in the early achievers program to help them reach a level 3 rating wherever access to subsidized care is at risk.

(2) The protocol should address barriers to early achievers program participation and include at a minimum the following:

(a) The creation of a substitute pool;

(b) The development of needs-based grants for providers at level 2 in the early achievers program to assist with purchasing curriculum development, instructional materials, supplies, and equipment to improve program quality. Priority for the needs-based grants shall be given to culturally diverse and low-income providers;

(c) The development of materials and assessments in a timely manner, and to the extent feasible, in the provider and family home languages; and

(d) The development of flexibility in technical assistance and coaching structures to provide differentiated types and amounts of support to providers based on individual need and cultural context.

Sec. 508. RCW 43.215.135 and 2013 c 323 s 9 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote ((~~continuity of care for children~~)) stability, quality, and continuity of early care and education programming.

(2) ((~~Beginning in fiscal year 2013,~~)) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months ((~~unless a change in circumstances necessitates reauthorization sooner than twelve months. The twelve-month certification applies only if the enrollments in the child care subsidy or working connections child care program are capped.~~

~~(3) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, working connections child care providers shall receive a five percent~~

~~increase in the subsidy rate for enrolling in level 2 in the early achievers programs. Providers must complete level 2 and advance to level 3 within thirty months in order to maintain this increase~~)) beginning January 1, 2016.

(3) Existing child care providers serving nonschool age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by February 1, 2019. If a child care provider rates below a level 3 by February 1, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than August 1, 2019.

(4) Effective July 1, 2016, a new child care provider serving nonschool age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

Sec. 509. RCW 43.215.1352 and 2012 c 251 s 2 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

When an applicant or recipient applies for or receives working connections child care benefits, ((~~he or she~~)) the applicant or recipient is required to((~~:~~

~~(1)~~)) notify the department of social and health services, within five days, of any change in providers((~~; and~~

~~(2) Notify the department of social and health services, within ten days, about any significant change related to the number of child care hours the applicant or recipient needs, cost sharing, or eligibility~~)).

Sec. 510. RCW 43.215.425 and 1994 c 166 s 6 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) The department shall adopt rules under chapter 34.05 RCW for the administration of the early childhood education and assistance program. Approved early childhood education and assistance programs shall conduct needs assessments of their service area((~~,~~)) and identify any targeted groups of children, to include but not be limited to children of seasonal and migrant farmworkers and native American populations living either on or off reservation((~~, and~~)). Approved early childhood education and assistance programs shall provide to the department a service delivery plan, to the extent practicable, that addresses these targeted populations.

(2) The department, in developing rules for the early childhood education and assistance program, shall consult with the early learning advisory ((~~committee~~)) council, and shall consider such factors as coordination with existing head start and other early childhood programs, the preparation necessary for instructors, qualifications of instructors, adequate space and equipment, and special transportation needs. The rules shall specifically require the early childhood programs to provide for parental involvement in participation with their child's program, in local program policy decisions, in development and revision of service delivery systems, and in parent education and training.

(3)(a) The department shall adopt rules pertaining to the early childhood education and assistance program that outline allowable periods of child absences, required contact with parents or caregivers to discuss child absences and encourage regular attendance, and a de-enrollment procedure when allowable child absences are exceeded.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016.

(4) The department shall adopt rules requiring early childhood education and assistance program employees who have access to children to submit to a fingerprint background check. Fingerprint background check procedures for the early childhood education and assistance program shall be the same as the background check procedures in RCW 43.215.215.

Sec. 511. RCW 43.215.415 and 1994 c 166 s 5 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Approved early childhood education and assistance programs shall receive state-funded support through the department. Public or private ((~~nonsectarian~~)) organizations, including, but not limited to school districts, educational service districts, community and technical colleges, local governments, or nonprofit organizations, are eligible to participate as providers of the state early childhood education and assistance program. ((~~Funds appropriated for the state program shall be used to continue to operate existing programs or to establish new or expanded early childhood programs, and shall not be used to supplant federally supported head start programs.~~))

(2) Funds obtained by providers through voluntary grants or contributions from individuals, agencies, corporations, or organizations may be used to expand or enhance preschool programs so long as program standards established by the department are maintained((~~, but shall not be used to supplant federally supported head start programs or state-supported early childhood programs~~)).

(3) Persons applying to conduct the early childhood education and assistance program shall identify targeted groups and the number of children to be served, program components, the qualifications of instructional and special staff, the source and amount of grants or contributions from sources other than state

funds, facilities and equipment support, and transportation and personal care arrangements.

(4) Existing early childhood education and assistance program providers must complete the following requirements to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program by August 1, 2015;

(b) Rate at a level 4 or 5 in the early achievers program by January 1, 2016. If an early childhood education and assistance program provider rates below a level 4 by January 1, 2016, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months.

(5) Effective August 1, 2015, a new early childhood education and assistance program provider must complete the requirements in this subsection (5) to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program within thirty days;

(b) Rate at a level 4 or 5 in the early achievers program within twelve months of enrollment. If an early childhood education and assistance program provider rates below a level 4 within twelve months of enrollment, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months.

(6)(a) If an early childhood education and assistance program provider has successfully completed all of the required early achievers program activities and is waiting to be rated by the deadline provided in this section, the provider may continue to participate in the early achievers program as an approved early childhood education and assistance program provider and receive state subsidy pending the successful completion of a level 4 or 5 rating.

(b) To avoid disruption, the department may allow for early childhood education and assistance program providers who have rated below a level 4 after completion of the six-month remedial period to continue to provide services until the current school year is finished.

(7) The department shall collect data to determine the demand for full-day programming for early childhood education and assistance program providers. The department shall analyze this demand by geographic region and report the findings to the appropriate committees of the legislature by January 1, 2016.

(8) By December 1, 2015, the department shall develop a pathway for family home providers to administer an early childhood education and assistance program.

Sec. 512. RCW 43.215.455 and 2010 c 231 s 3 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Beginning September 1, 2011, an early learning program to provide voluntary preschool opportunities for children three and four years of age shall be implemented according to the funding and implementation plan in RCW ((~~43.215.142~~)) 43.215.456. The program must ((~~be~~)) offer a comprehensive program ((~~providing~~)) of early childhood education and family support, ((~~options for~~)) including parental involvement((~~,~~)) and health information, screening, and referral services, ((~~as~~)) based on family need ((~~is determined~~)). Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The ((~~first phase of the~~)) program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.215.400 through 43.215.450.

(3)(a) Beginning in the 2015-16 school year, the program implementation in this section shall prioritize early childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering extended day early care and education programming;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The director shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.215.100:

(a) Minimum program standards((~~, including lead teacher, assistant teacher, and staff qualifications~~));

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

((~~(4)~~)) (5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the director under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

NEW SECTION. **Sec. 513.** A new section is added to chapter 43.215 RCW to read as follows:

PROGRAM DATA COLLECTION AND EVALUATION.

(1) The education data center established in RCW 43.41.400 must collect longitudinal, student-level data on all children attending a working connections child care program or an early childhood education and assistance program. Data collected should capture at a minimum the following characteristics:

(a) Daily program attendance;

(b) Identification of classroom and teacher;

(c) Early achievers program quality level rating;

(d) Program hours;

(e) Program duration;

(f) Developmental results from the Washington kindergarten inventory of developing skills in RCW 28A.655.080; and

(g) To the extent data is available, the distinct ethnic categories within racial subgroups of children and providers that align with categories recognized by the education data center.

(2) The department shall provide child care and early learning providers student-level data collected pursuant to this section that are specific to the child care provider's or the early learning provider's program.

(3) Every four years, the department in collaboration with the early achievers review subcommittee shall review the data

collected on the achievement of the early achievers program standards and provide a report to the appropriate committees of the legislature. The report shall include, but not be limited to, the following:

(a) Recommendations for improving the early achievers program standards;

(b) A review of the services available to providers and children from diverse cultural backgrounds;

(c) Recommendations for improving access to providers rated at a level 3 or higher in the early achievers program by children from diverse cultural backgrounds; and

(d) To the extent data is available, an analysis of the distribution of early achievers program rated facilities in relation to child and provider demographics, including but not limited to race and ethnicity, home language, and geographical location.

(4)(a) The department shall review available research and best practices literature on cultural competency in early learning settings. The department shall review the K-12 components for cultural competency developed by the professional educator standards board and identify components appropriate for early learning professional development.

(b) By July 31, 2016, the department shall provide recommendations to the appropriate committees of the legislature and the early learning advisory council on research-based cultural competency standards for early learning professional training.

(5)(a) The Washington state institute for public policy shall conduct a longitudinal analysis examining relationships between the early achievers program quality ratings levels and outcomes for children participating in subsidized early care and education programs.

(b) The institute shall submit the first report to the appropriate committees of the legislature and the early learning advisory council by December 31, 2018. The institute shall submit subsequent reports annually to the appropriate committees of the legislature and the early learning advisory council by December 31st, with the final report due December 31, 2021. The final report shall include a cost-benefit analysis.

(6)(a) The department shall complete an annual early learning program implementation report on the early childhood education and assistance program and the working connections child care program.

(b) The early learning program implementation report must be posted annually on the department's web site and delivered to the appropriate committees of the legislature. The first report is due by December 31, 2015, and the final report is due by December 31, 2019.

(c) The early learning program implementation report must address the following:

(i) Progress on early childhood education and assistance program implementation as required pursuant to RCW 43.215.415, 43.215.425, and 43.215.455;

(ii) An examination of the regional distribution of new preschool programming by zip code;

(iii) An analysis of the impact of preschool expansion on low-income neighborhoods and communities;

(iv) Recommendations to address any identified barriers to access to quality preschool for children living in low-income neighborhoods;

(v) An analysis of any impact from quality strengthening efforts on the availability and quality of infant and toddler care;

(vi) An analysis of any impact of extended day early care and education opportunities directives;

(vii) An examination of any identified barriers for providers to offer extended day early care and education opportunities; and

(viii) To the extent data is available, an analysis of the cultural diversity of early childhood education and assistance program providers and participants.

NEW SECTION. **Sec. 514.** A new section is added to chapter 43.215 RCW to read as follows:

CONTRACTED CHILD CARE SLOTS AND VOUCHERS.

(1) The department shall employ a combination of vouchers and contracted slots for the subsidized child care programs in RCW 43.215.135 and 43.215.415. Child care vouchers preserve parental choice. Child care contracted slots promote access to continuous quality care for children, provide parents and caregivers stable child care that supports employment, and allow providers to have predictable funding.

(2) Only child care providers who participate in the early achievers program and rate at a level 3, 4, or 5 are eligible to be awarded a contracted slot.

(3)(a) The department is required to use data to calculate a set number of targeted contracted slots. In calculating the number, the department must take into account a balance of family home and center child care programs and the overall geographic distribution of child care programs in the state and the distribution of slots between ages zero and five.

(b) The targeted contracted slots are reserved for programs meeting both of the following conditions:

(i) Programs in low-income neighborhoods; and

(ii) Programs that consist of at least fifty percent of children receiving subsidy pursuant to RCW 43.215.135.

(c) Until August 1, 2017, the department shall award at least fifty percent of the contracted slots for children birth to age three.

(4) The department shall award the remaining contracted slots via a competitive process and prioritize child care programs with at least one of the following characteristics:

(a) Programs located in a high-need geographic area;

(b) Programs partnering with elementary schools to offer transitional planning and support to children as they advance to kindergarten;

(c) Programs serving children involved in the child welfare system; or

(d) Programs serving children diagnosed with a special need.

(5)(a) The department shall adopt rules pertaining to the working connections child care program for both contracted slots and child care vouchers that outline the following:

(i) Allowable periods of child absences;

(ii) Required contact with parents or caregivers to discuss child absences and encourage regular program attendance; and

(iii) A de-enrollment procedure when allowable child absences are exceeded.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016.

(6) The department shall pay a provider for each contracted slot, unless a contracted slot is not used for thirty days.

(7)(a) By December 31, 2015, the department shall provide a report to the appropriate committees of the legislature on the number of contracted slots that use both early childhood education assistance program funding and working connections child care program funding.

(b) The report must be provided annually, with the last report due December 31, 2018.

Sec. 515. RCW 43.215.020 and 2013 c 323 s 5 are each amended to read as follows:

DEPARTMENT OF EARLY LEARNING DUTIES.

(1) The department of early learning is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.

(2) The primary duties of the department are to implement state early learning policy and to coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funding as efficiently as possible. The department's duties include, but are not limited to, the following:

(a) To support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs;

(b) To make early learning resources available to parents and caregivers;

(c) To carry out activities, including providing clear and easily accessible information about quality and improving the quality of early learning opportunities for young children, in cooperation with the nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To apply data already collected comparing the following factors and make biennial recommendations to the legislature regarding working connections subsidy and state-funded preschool rates and compensation models that would attract and retain high quality early learning professionals:

(i) State-funded early learning subsidy rates and market rates of licensed early learning homes and centers;

(ii) State-funded early learning subsidy rates and market rates of licensed child care homes and centers that serve children ages birth to three;

(iii) Compensation of early learning educators in licensed centers and homes and early learning teachers at state higher education institutions;

((~~(iii)~~)) (iv) State-funded preschool program compensation rates and Washington state head start program compensation rates; and

((~~(iv)~~)) (v) State-funded preschool program compensation to compensation in similar comprehensive programs in other states;

(f) To serve as the state lead agency for Part C of the federal individuals with disabilities education act (IDEA);

(g) To standardize internal financial audits, oversight visits, performance benchmarks, and licensing criteria, so that programs can function in an integrated fashion;

(h) To support the implementation of the nongovernmental private-public partnership and cooperate with that partnership in pursuing its goals including providing data and support necessary for the successful work of the partnership;

(i) To work cooperatively and in coordination with the early learning council;

(j) To collaborate with the K-12 school system at the state and local levels to ensure appropriate connections and smooth transitions between early learning and K-12 programs;

(k) To develop and adopt rules for administration of the program of early learning established in RCW ((~~43.215.141~~)) 43.215.455;

(l) To develop a comprehensive birth-to-three plan to provide education and support through a continuum of options including, but not limited to, services such as: Home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers; and

(m) Upon the development of an early learning information system, to make available to parents timely inspection and licensing action information and provider comments through the internet and other means.

(3) When additional funds are appropriated for the specific purpose of home visiting and parent and caregiver support, the department must reserve at least eighty percent for home visiting services to be deposited into the home visiting services account and up to twenty percent of the new funds for other parent or caregiver support.

(4) Home visiting services must include programs that serve families involved in the child welfare system.

(5) Subject to the availability of amounts appropriated for this specific purpose, the legislature shall fund the expansion in the Washington state preschool program pursuant to RCW ((~~43.215.142~~)) 43.215.456 in fiscal year 2014.

(6) The department's programs shall be designed in a way that respects and preserves the ability of parents and legal guardians to direct the education, development, and upbringing of their children, and that recognizes and honors cultural and linguistic diversity. The department shall include parents and legal guardians in the development of policies and program decisions affecting their children.

NEW SECTION. **Sec. 516.** A new section is added to chapter 43.215 RCW to read as follows:

SINGLE SET OF LICENSING STANDARDS.

No later than July 1, 2016, the department shall implement a single set of licensing standards for child care and the early childhood education and assistance program. The new licensing standards must:

(1) Provide minimum health and safety standards for child care and preschool programs;

(2) Rely on the standards established in the early achievers program to address quality issues in participating early childhood programs;

(3) Take into account the separate needs of family care providers and child care centers; and

(4) Promote the continued safety of child care settings.

NEW SECTION. **Sec. 517.** A new section is added to chapter 43.215 RCW to read as follows:

INTEGRATION WITH LOCAL GOVERNMENT EFFORTS.

(1) The foundation of quality in the early care and education system in Washington is the quality rating and improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments.

(2) Local governments are encouraged to collaborate with the department when establishing early learning programs for residents.

(3) Local governments may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming; and

(b) Reductions in copayments charged to parents or caregivers.

(4) Funds contributed to the department by local governments must be deposited in the early start account established in section 15 of this act.

Sec. 518. RCW 43.215.090 and 2012 c 229 s 589 are each amended to read as follows:

EARLY LEARNING ADVISORY COUNCIL.

(1) The early learning advisory council is established to advise the department on statewide early learning issues that would build a comprehensive system of quality early learning programs and services for Washington's children and families by assessing needs and the availability of services, aligning resources, developing plans for data collection and professional development of early childhood educators, and establishing key performance measures.

(2) The council shall work in conjunction with the department to develop a statewide early learning plan that guides the department in promoting alignment of private and public sector actions, objectives, and resources, and ensuring school readiness.

(3) The council shall include diverse, statewide representation from public, nonprofit, and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(4) Councilmembers shall serve two-year terms. However, to stagger the terms of the council, the initial appointments for twelve of the members shall be for one year. Once the initial one-year to two-year terms expire, all subsequent terms shall be for two years, with the terms expiring on June 30th of the applicable year. The terms shall be staggered in such a way that, where possible, the terms of members representing a specific group do not expire simultaneously.

(5) The council shall consist of not more than twenty-three members, as follows:

(a) The governor shall appoint at least one representative from each of the following: The department, the office of financial management, the department of social and health services, the department of health, the student achievement council, and the state board for community and technical colleges;

(b) One representative from the office of the superintendent of public instruction, to be appointed by the superintendent of public instruction;

(c) The governor shall appoint seven leaders in early childhood education, with at least one representative with experience or expertise in one or more of the areas such as the following: The K-12 system, family day care providers, and child care centers with four of the seven governor's appointees made as follows:

(i) The head start state collaboration office director or the director's designee;

(ii) A representative of a head start, early head start, migrant/seasonal head start, or tribal head start program;

(iii) A representative of a local education agency; and

(iv) A representative of the state agency responsible for programs under section 619 or part C of the federal individuals with disabilities education act;

(d) Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively;

(e) Two parents, one of whom serves on the department's parent advisory group, to be appointed by the governor;

(f) One representative of the private-public partnership created in RCW 43.215.070, to be appointed by the partnership board;

(g) One representative designated by sovereign tribal governments; and

(h) One representative from the Washington federation of independent schools.

(6) The council shall be cochaired by one representative of a state agency and one nongovernmental member, to be elected by the council for two-year terms.

(7) The council shall appoint two members and stakeholders with expertise in early learning to sit on the technical working group created in section 2, chapter 234, Laws of 2010.

(8) Each member of the board shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(9)(a) The council shall convene an early achievers review subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of the early achievers program. At a minimum the review shall address the following:

(i) Adequacy of data collection procedures;

(ii) Coaching and technical assistance standards;

(iii) Progress in reducing barriers to participation for low-income providers and providers from diverse cultural backgrounds;

(iv) Strategies in response to data on the effectiveness of early achievers program standards in relation to providers and children from diverse cultural backgrounds;

(v) Status of the life circumstance exemption protocols; and

(vi) Analysis of early achievers program data trends.

(b) The subcommittee must include consideration of cultural linguistic responsiveness when analyzing the areas for review required by (a) of this subsection.

(c) Beginning January 1, 2016, the subcommittee shall provide an annual report of the review findings and recommendations to the department and the appropriate committees of the legislature.

(d) The subcommittee shall include representatives from child care centers, family child care, the early childhood education and assistance program, contractors for early achievers program technical assistance and coaching, the organization responsible for conducting early achiever program ratings, and parents of children participating in early learning programs. The subcommittee shall include representatives from diverse cultural and linguistic backgrounds.

(10) The department shall provide staff support to the council.

NEW SECTION. **Sec. 519.** A new section is added to chapter 43.215 RCW to read as follows:

EARLY START ACCOUNT.

The early start account is created in the state treasury. Revenues in the account shall consist of appropriations by the legislature and all other sources deposited into the account. Moneys in the account may only be used after appropriation. Expenditures from the account may be used only to improve the quality of early care and education programming. The department oversees the account.

Sec. 520. RCW 43.215.010 and 2013 c 323 s 3 and 2013 c 130 s 1 are each reenacted and amended to read as follows:

DEFINITIONS.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools that are engaged primarily in early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school((-))age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) Any entity that provides recreational or educational programming for school((-))age((d)) children only and the entity meets all of the following requirements:

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and

(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100;

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(9) "Education data center" means the education data center established in RCW 43.41.400, commonly referred to as the education research and data center.

(10) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(((~~(10)~~))) (11) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

(((~~(11)~~))) (12) "Extended day program" means an early childhood education and assistance program that offers child care for at least ten hours per day, five days per week, year round.

(13) "Full day program" means an early childhood education and assistance program that offers child care for at least six hours per day, a minimum of one thousand hours per year, and at least four days per week.

(14) "Low-income child care provider" means a person who administers a child care program that consists of at least eighty percent of children receiving working connections child care subsidy.

(15) "Low-income neighborhood" means a district or community where more than twenty percent of households are below the federal poverty level.

(16) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(((~~(12)~~))) (17) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(((~~(13)~~))) (18) "Nonschool age child" means a child birth through six years of age who has yet to enter kindergarten or school.

(19) "Part day program" means an early childhood education and assistance program that offers child care for at least two and one-half hours per class session, at least three hundred twenty hours per year, for a minimum of thirty weeks per year.

(20) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(((~~(14)~~))) (21) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(((~~(15)~~))) (22) "School age child" means a child not less than five years of age through twelve years of age and who is attending kindergarten or school.

(23) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. **Sec. 521.** REPEALER. 2013 2nd sp.s. c 16 s 2 (uncodified) is repealed.

NEW SECTION. **Sec. 522.** A new section is added to chapter 43.215 RCW to read as follows:

SHORT TITLE.

Chapter . . ., Laws of 2015 (this act) may be known and cited as the early start act.

NEW SECTION. **Sec. 523.** NULL AND VOID. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Kagi moved the adoption of amendment (231) to the striking amendment (205):.

On page 6, line 19, after "(1)(a)" strike "Subject to the amounts appropriated for this specific purpose,"

On page 6, line 24, after "providers." insert the following:

"Amounts appropriated for the encouragement of culturally diverse and low-income center and family home child care provider participation shall be appropriated separately from the other funds appropriated for the department, are the only funds that may be used for the protocol, and may not be used for any other purposes. Funds appropriated for the protocol shall be considered an ongoing program for purposes of future departmental budget requests."

Representatives Kagi and Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (231) to amendment (205) was adopted.

Representative Kagi moved the adoption of amendment (224) to the striking amendment (205):

On page 8, at the beginning of line 2, strike "February 1" and insert "December 31"

On page 8, at the beginning of line 3, strike "February 1" and insert "December 31"

On page 8, beginning on line 4, after "than" strike "August 1, 2019" and insert "June 30, 2020"

Representatives Kagi and Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (224) to amendment (205) was adopted.

Representative Kagi moved the adoption of amendment (232) to the striking amendment (205):

On page 26, after line 30, insert the following:

"NEW SECTION. **Sec. 16.** A new section is added to chapter 43.215 RCW to read as follows:

(1)(a) A joint select committee on the early achievers program is established with members as provided in this subsection.

(i) Chair and ranking minority member of the house of representatives appropriations committee;

(ii) Chair and ranking minority member of the senate ways and means committee;

(iii) Chair and ranking minority member of the house of representatives early learning and human services committee; and

(iv) Chair and ranking minority member of the senate early learning and K-12 education committee.

(b) The committee shall choose its chair or cochairs from among its legislative membership. The chairs of the house of representatives appropriations committee and the senate ways and means committee shall convene the initial meeting of the committee.

(2) Between July 1, 2017 and December 1, 2017 the early achievers joint select committee shall review the demand and availability of licensed or certified child care family homes and centers, approved early childhood education and assistance programs, head start programs, and family, friend, and neighbor caregivers by geographic region, including rural and low-income areas. This review shall specifically look at the following:

(a) The geographic distribution of these child care programs by type of program, programs that accept state subsidy, enrollment in the early achievers program, and early achievers rating levels; and

(b) The demand and availability of these child care programs for major ethnic populations.

(3) By December 1, 2017 the early achievers joint select committee shall make recommendations to the legislature on the following:

(a) The sufficiency of funding provided for the early achievers program;

(b) The need for targeted funding for specific geographic regions or major ethnic populations; and

(c) Whether to modify the deadlines established in RCW 43.215.135 for purposes of the early achievers program mandate established in RCW 43.215.100.

(4) Staff support for the committee must be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The committee shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2017.

(8) This section expires December 1, 2018."

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representatives Kagi and Walsh spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (232) to amendment (205) was adopted.

Representative Kagi spoke in favor of the adoption of the striking amendment as amended.

Amendment (205), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Magendanz, Hunter, Walsh, Senn, Johnson and Dent spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1491.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1491, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1349, by Representative S. Hunt

Concerning requesting public records for the purpose of obtaining exempted information relating to employment and licensing. Revised for 1st Substitute: Concerning public records requests for the purpose of obtaining exempted employment and licensing information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1349 was substituted for House Bill No. 1349 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1349 was read the second time.

With the consent of the house, amendment (214) was withdrawn.

Representative Pollet moved the adoption of amendment (215):

Strike everything after the enacting clause and insert the following:

"**Sec. 524.** RCW 42.56.070 and 2005 c 274 s 284 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection ((~~(6)~~)) (9) of this section, this chapter, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by this chapter, an agency shall delete identifying details in a manner consistent with this chapter when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

(3) Each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(4) A local agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(5) Each state agency shall, by rule, establish and implement a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the agency has maintained an index;

(b) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(c) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) Interpretive statements as defined in RCW 34.05.010 that were entered after June 30, 1990; and

(e) Policy statements as defined in RCW 34.05.010 that were entered after June 30, 1990.

Rules establishing systems of indexing shall include, but not be limited to, requirements for the form and content of the index, its location and availability to the public, and the schedule for revising or updating the index. State agencies that have maintained indexes for records issued before July 1, 1990, shall continue to make such indexes available for public inspection and copying. Information in such indexes may be incorporated into indexes prepared pursuant to this subsection. State agencies may satisfy the requirements of this subsection by making available to the public indexes prepared by other parties but actually used by the agency in its operations. State agencies shall make indexes available for public inspection and copying. State agencies may charge a fee to cover the actual costs of providing individual mailed copies of indexes.

(6) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if:

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(7) Each agency shall establish, maintain, and make available for public inspection and copying a statement of the actual per page cost or other costs, if any, that it charges for providing photocopies of public records and a statement of the factors and manner used to determine the actual per page cost or other costs, if any.

(a) In determining the actual per page cost for providing photocopies of public records, an agency may include all costs directly incident to copying such public records including the actual cost of the paper and the per page cost for use of agency copying equipment. In determining other actual costs for providing photocopies of public records, an agency may include all costs directly incident to shipping such public records, including the cost of postage or delivery charges and the cost of any container or envelope used.

(b) In determining the actual per page cost or other costs for providing copies of public records, an agency may not include staff salaries, benefits, or other general administrative or overhead charges, unless those costs are directly related to the actual cost of copying the public records. Staff time to copy and mail the requested public records may be included in an agency's costs.

(8) An agency need not calculate the actual per page cost or other costs it charges for providing photocopies of public records if to do so would be unduly burdensome, but in that event: The agency may not charge in excess of fifteen cents per page for photocopies of public records or for the use of agency equipment to photocopy public records and the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requestor.

(9)(a) This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law((~~: PROVIDED, HOWEVER, That~~)). However, the lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor((~~: PROVIDED FURTHER, That~~)), and such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the administrative procedure act.

(b) Before obtaining records containing the names or nonexempt contact information of employees or volunteers from any agency, the requester must swear under oath that he or she will not use such information to obtain information exempted under RCW 42.56.250 for a commercial purpose or to harass, stalk, threaten, or intimidate any person.

(c) A person is subject to civil liability if he or she:

(i) Requests, pursuant to this chapter, the names or nonexempt contact information of agency employees or volunteers in order to obtain information exempted under RCW 42.56.250 for a commercial purpose or to harass, stalk, threaten, or intimidate any person; or

(ii) Uses the names or nonexempt contact information of agency employees or volunteers, with knowledge that such information was obtained through a request made pursuant to this chapter, in order to obtain information exempted under RCW 42.56.250 for a commercial purpose or to harass, stalk, threaten, or intimidate any person.

(d) A person who is liable under (c) of this subsection may be sued in superior court by any aggrieved party, or in the name of the state by the attorney general or the prosecuting authorities of political subdivisions of this state. A plaintiff may recover five hundred dollars for each item of information used in violation of (c) of this subsection, plus costs and reasonable attorneys' fees. The court may order any other appropriate civil remedy.

(e) For purposes of using the names or nonexempt contact information of agency employees or volunteers in order to obtain information exempted under RCW 42.56.250, a commercial purpose includes:

(i) Soliciting, marketing, advertising, or self-promoting;

(ii) Inducing any person to economically support any entity; or

(iii) Inducing any person to cease or refrain from economically supporting any entity.

(f) It is not a commercial purpose to obtain names or contact information for purposes of soliciting support for or opposition to any political party, candidate, or ballot measure, as defined in RCW 42.17A.005.

Sec. 525. RCW 42.56.250 and 2014 c 106 s 1 are each amended to read as follows:

The following employment and licensing information is exempt from public inspection and copying under this chapter:

(1) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;

(2) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

(3) The following information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers of any public agency: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, driver's license numbers, identicard numbers, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency. For purposes of this subsection, "employees" includes independent provider home care workers as defined in RCW 74.39A.240, and in-home child care providers exempt from licensing requirements, as provided in chapter 43.215 RCW;

(4) Information that identifies a person who, while an agency employee: (a) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and (b) requests his or her identity or any identifying information not be disclosed;

(5) Investigative records compiled by an employing agency conducting an active and ongoing investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal, state, or local laws prohibiting discrimination in employment;

(6) Criminal history records checks for board staff finalist candidates conducted pursuant to RCW 43.33A.025;

(7) Except as provided in RCW 47.64.220, salary and benefit information for maritime employees collected from private employers under RCW 47.64.220(1) and described in RCW 47.64.220(2); and

(8) Photographs and month and year of birth in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have access to the photographs and full date of birth. For the purposes of this subsection, news media does not include any person or organization of persons in the custody of a criminal justice agency as defined in RCW 10.97.030."

Correct the title.

Representative Pollet spoke in favor of the adoption of the amendment.

Representative Manweller spoke against the adoption of the amendment.

Amendment (215) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives S. Hunt, Pollet and Hurst spoke in favor of the passage of the bill.

Representatives Holy, Taylor, Manweller and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1349.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1349, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1349, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1397, by Representatives Holy, Bergquist, Appleton, Van Werven and McBride

Concerning personal financial affairs statement reporting requirements for elected and appointed officials, candidates, and appointees.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (026):

On page 2, after line 23, insert the following:

"**Sec. 2.** RCW 42.17A.705 and 2012 c 229 s 582 are each amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the chief information officer of the office of chief information officer, the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated

technology services agency, the secretary of corrections, the director of early learning, the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, the human resources director, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature; ((~~and~~))

(4) Any public employee who testifies on a proposed bill before the legislature; and

(5) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, liquor control board, lottery commission, Pacific Northwest electric power and conservation planning council, parks and recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees."

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative S. Hunt spoke against the adoption of the amendment.

Amendment (026) was not adopted.

Representative Taylor moved the adoption of amendment (027):

On page 2, after line 23, insert the following:

"Sec. 2. RCW 42.17A.705 and 2012 c 229 s 582 are each amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the chief information officer of the office of chief information officer, the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated technology services agency, the secretary of corrections, the director of early learning, the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, the human resources director, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature. For purposes of this section, a professional staff member of the legislature does not include a legislative assistant; and

(4) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, liquor control board, lottery commission, Pacific Northwest electric power and conservation

planning council, parks and recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Taylor, Reykdal and G. Hunt spoke in favor of the adoption of the amendment.

Representatives Sullivan, Walsh and S. Hunt spoke against the adoption of the amendment.

Amendment (027) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1397.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1397, and the bill passed the House by the following vote: Yeas, 78; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, G. Hunt, Griffey, Harmsworth, Hayes, Klippert, Kretz, McCabe, McCaslin, Muri, Schmick, Scott, Shea, Short, Taylor and Vick.

HOUSE BILL NO. 1397, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1390, by Representatives Goodman, Holy, Jinkins, Kagi, Moscoso, Ormsby and Pollet

Concerning legal financial obligations.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1390 was substituted for House Bill No. 1390 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1390 was read the second time.

Representative Goodman moved the adoption of amendment (165):

Strike everything after the enacting clause and insert the following:

"**Sec. 526.** RCW 10.82.090 and 2011 c 106 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, ((~~financial obligations~~)) restitution imposed in a judgment shall bear interest from the date of the judgment until payment, at the rate applicable to civil judgments. As of the effective date of this section, no interest shall accrue on nonrestitution legal financial obligations. All nonrestitution interest retained by the court shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

(2) The court may, on motion by the offender, following the offender's release from total confinement, reduce or waive the interest on legal financial obligations levied as a result of a criminal conviction as follows:

(a) The court shall waive all interest on the portions of the legal financial obligations that are not restitution that accrued ((~~during the term of total confinement for the conviction giving rise to the financial obligations, provided the offender shows that the interest creates a hardship for the offender or his or her immediate family~~)) prior to the effective date of this section;

(b) The court may reduce interest on the restitution portion of the legal financial obligations only if the principal has been paid in full((~~;~~

~~(c) The court may otherwise reduce or waive the interest on the portions of the legal financial obligations that are not restitution if the offender shows that he or she has personally made a good faith effort to pay and that the interest accrual is causing a significant hardship. For purposes of this section, "good faith effort" means that the offender has either (i) paid the principal amount in full; or (ii) made at least fifteen monthly payments within an eighteen-month period, excluding any payments mandatorily deducted by the department of corrections;~~

~~(d) For purposes of (a) through (c) of this subsection, the court may reduce or waive interest on legal financial obligations only~~)) and as an incentive for the offender to meet his or her other legal financial obligations((~~.~~)):

(c) The court may grant the motion, establish a payment schedule, and retain jurisdiction over the offender for purposes of reviewing and revising the reduction or waiver of interest.

(3) This section applies to persons convicted as adults or adjudicated in juvenile court.

Sec. 527. RCW 3.50.100 and 2012 c 136 s 3 are each amended to read as follows:

(1) Costs in civil and criminal actions may be imposed as provided in district court. All fees, costs, fines, forfeitures and other money imposed by any municipal court for the violation of

any municipal or town ordinances shall be collected by the court clerk and, together with any other noninterest revenues received by the clerk, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions, and certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the state general fund.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4)(a) Except as provided in (b) of this subsection, penalties, fines, ((~~bail forfeitures,~~)) fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(b) As of the effective date of this section, penalties, fines, bail forfeitures, fees, and costs imposed against a defendant in a criminal proceeding shall not accrue interest.

(5) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

Sec. 528. RCW 3.62.020 and 2012 c 262 s 1, 2012 c 136 s 4, and 2012 c 134 s 6 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs, fees, fines, forfeitures and penalties assessed and collected in whole or in part by district courts, except costs, fines, forfeitures and penalties assessed and collected, in whole or in part, because of the violation of city ordinances, shall be remitted by the clerk of the district court to the county treasurer at least monthly, together with a financial statement as required by the state auditor, noting the information necessary for crediting of such funds as required by law.

(2) Except as provided in RCW 9A.88.120, 10.99.080, 7.84.100(4), and this section, the county treasurer shall remit thirty-two percent of the noninterest money received under subsection (1) of this section except certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state or county in the prosecution of the case, including the fees of defense counsel. With the exception of funds to be transferred to the judicial stabilization trust account under RCW 3.62.060(2), money remitted under this subsection to the state treasurer shall be deposited in the state general fund.

(3) The balance of the noninterest money received by the county treasurer under subsection (1) of this section shall be deposited in the county current expense fund. Funds deposited under this subsection that are attributable to the county's portion of a surcharge imposed under RCW 3.62.060(2) must be used to support local trial court and court-related functions.

(4) Except as provided in RCW 7.84.100(4), all money collected for county parking infractions shall be remitted by the clerk of the district court at least monthly, with the information required under subsection (1) of this section, to the county treasurer for deposit in the county current expense fund.

(5)(a) Except as provided in (b) of this subsection, penalties, fines, ((~~bail forfeitures,~~)) fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(b) As of the effective date of this section, penalties, fines, bail forfeitures, fees, and costs imposed against a defendant in a criminal proceeding shall not accrue interest.

(6) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

Sec. 529. RCW 3.62.040 and 2012 c 136 s 5 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs, fines, forfeitures and penalties assessed and collected, in whole or in part, by district courts because of violations of city ordinances shall be remitted by the clerk of the district court at least monthly directly to the treasurer of the city wherein the violation occurred.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions and certain costs, to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the state general fund.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4) All money collected for city parking infractions shall be remitted by the clerk of the district court at least monthly to the city treasurer for deposit in the city's general fund.

(5)(a) Except as provided in (b) of this subsection, penalties, fines, ((~~bail forfeitures,~~)) fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(b) As of the effective date of this section, penalties, fines, bail forfeitures, fees, and costs imposed against a defendant in a criminal proceeding shall not accrue interest.

(6) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

Sec. 530. RCW 35.20.220 and 2012 c 136 s 7 are each amended to read as follows:

(1) The chief clerk, under the supervision and direction of the court administrator of the municipal court, shall have the custody and care of the books, papers and records of the court. The chief clerk or a deputy shall be present during the session of the court and has the power to swear all witnesses and jurors, administer oaths and affidavits, and take acknowledgments. The chief clerk shall keep the records of the court and shall issue all process under his or her hand and the seal of the court. The chief clerk shall do and perform all things and have the same powers pertaining to the office as the clerks of the superior courts have in their office. He or she shall receive all fines, penalties, and fees of every kind and keep a full, accurate, and detailed account of the same. The chief clerk shall on each day pay into the city treasury all money received for the city during the day previous, with a detailed account of the same, and taking the treasurer's receipt therefor.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions and certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the state general fund.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4)(a) Except as provided in (b) of this subsection, penalties, fines, ((~~bail forfeitures,~~)) fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(b) As of the effective date of this section, penalties, fines, bail forfeitures, fees, and costs imposed against a defendant in a criminal proceeding shall not accrue interest.

(5) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

Sec. 531. RCW 10.01.160 and 2010 c 54 s 1 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, the court may require a defendant to pay costs. Costs may be imposed only upon a convicted defendant, except for costs imposed upon a defendant's entry into a deferred prosecution program, costs imposed upon a defendant for pretrial supervision, or costs imposed upon a defendant for preparing and serving a warrant for failure to appear.

(2) Costs shall be limited to expenses specially incurred by the state in prosecuting the defendant or in administering the deferred prosecution program under chapter 10.05 RCW or pretrial supervision. They cannot include expenses inherent in providing a constitutionally guaranteed jury trial or expenditures in connection with the maintenance and operation of government agencies that must be made by the public irrespective of specific violations of law. Expenses incurred for serving of warrants for failure to appear and jury fees under RCW 10.46.190 may be included in costs the court may require a defendant to pay. Costs for administering a deferred prosecution may not exceed two hundred fifty dollars. Costs for administering a pretrial supervision may not exceed one hundred fifty dollars. Costs for preparing and serving a warrant for failure to appear may not exceed one hundred dollars. Costs of incarceration imposed on a defendant convicted of a misdemeanor or a gross misdemeanor may not exceed the actual cost of incarceration. In no case may the court require the offender to pay more than one hundred dollars per day for the cost of incarceration. Payment of other court-ordered financial obligations, including all legal financial obligations and costs of supervision take precedence over the payment of the cost of incarceration ordered by the court. All funds received from defendants for the cost of incarceration in the county or city jail must be remitted for criminal justice purposes to the county or city that is responsible for the defendant's jail costs. Costs imposed constitute a judgment against a defendant and survive a dismissal of the underlying action against the defendant. However, if the defendant is acquitted on the underlying action, the costs for preparing and serving a warrant for failure to appear do not survive the acquittal, and the judgment that such costs would otherwise constitute shall be vacated.

(3) The court shall not order a defendant to pay costs ((~~unless~~)) if the defendant ((~~is or will be able to pay them~~)) at the time of sentencing is indigent as defined in RCW 10.101.010(3) (a) through (c). In determining the amount and method of payment of costs for defendants who are not indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall take account of the financial resources of the defendant and the nature of the burden that payment of costs will impose.

(4) A defendant who has been ordered to pay costs and who is not in ((~~contumacious~~)) willful default in the payment thereof may at any time after release from total confinement petition the sentencing court for remission of the payment of costs or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may remit all or part of the amount due in costs, ((~~or~~)) modify the method of payment under RCW 10.01.170, or with the defendant's consent convert the unpaid costs to community restitution hours at the rate of no less than the state minimum wage established in RCW 49.46.020 for each hour of community restitution. Manifest hardship exists where the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c) and the defendant's indigency is unlikely to end in the future.

(5) Except for direct costs relating to evaluating and reporting to the court, prosecutor, or defense counsel regarding a defendant's competency to stand trial as provided in RCW 10.77.060, this section shall not apply to costs related to medical or mental health treatment or services a defendant receives while in custody of the secretary of the department of social and health services or other governmental units. This section shall not prevent the secretary of the department of social and health services or other governmental units from imposing liability and seeking

reimbursement from a defendant committed to an appropriate facility as provided in RCW 10.77.084 while criminal proceedings are stayed. This section shall also not prevent governmental units from imposing liability on defendants for costs related to providing medical or mental health treatment while the defendant is in the governmental unit's custody. Medical or mental health treatment and services a defendant receives at a state hospital or other facility are not a cost of prosecution and shall be recoverable under RCW 10.77.250 and 70.48.130, chapter 43.20B RCW, and any other applicable statute.

Sec. 532. RCW 10.01.170 and 1975-'76 2nd ex.s. c 96 s 2 are each amended to read as follows:

(1) When a defendant is sentenced to pay ((~~a~~)) fines, penalties, assessments, fees, restitution, or costs, the court may grant permission for payment to be made within a specified period of time or in specified installments. If the court finds that the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall grant permission for payment to be made within a specified period of time or in specified installments. If no such permission is included in the sentence the fine or costs shall be payable forthwith.

(2) An offender's monthly payment shall be applied to the principal on restitution obligations in all cases within a jurisdiction prior to payment of any other monetary obligations. After restitution is satisfied, payment shall be distributed proportionally among all other fines, costs other than costs of incarceration, fees, penalties, and assessments imposed, unless otherwise ordered by the court. Costs of incarceration shall be paid after all other fines, costs, fees, penalties, and assessments are satisfied. After the principal on all legal financial obligations is satisfied, payment shall be distributed to interest.

Sec. 533. RCW 10.01.180 and 2010 c 8 s 1006 are each amended to read as follows:

(1) A defendant sentenced to pay ((~~a~~)) any fine, penalty, assessment, fee, or costs who willfully defaults in the payment thereof or of any installment is in contempt of court as provided in chapter 7.21 RCW. The court may issue a warrant of arrest for his or her appearance.

(2) When ((~~a~~)) any fine, penalty, assessment, fee, or assessment of costs is imposed on a corporation or unincorporated association, it is the duty of the person authorized to make disbursement from the assets of the corporation or association to pay the ((~~fine or costs~~)) obligation from those assets, and his or her failure to do so may be held to be contempt.

(3)(a) The court shall not sanction a defendant for contempt based on failure to pay fines, penalties, assessments, fees, or costs unless the court finds, after a hearing and on the record, that the failure to pay is willful. A failure to pay is willful if the defendant has the current ability to pay but refuses to do so.

(b) In determining whether the defendant has the current ability to pay, the court shall inquire into and consider: (i) The defendant's income and assets; (ii) the defendant's basic living costs as defined by RCW 10.101.010 and other liabilities including child support and other legal financial obligations; and (iii) the defendant's bona fide efforts to acquire additional resources. A defendant who is indigent as defined by RCW 10.101.010(3) (a) through (c) is presumed to lack the current ability to pay.

(c) If the court determines that the defendant is homeless or a person who is mentally ill, as defined in RCW 71.24.025, failure to pay a legal financial obligation is not willful contempt and shall not subject the defendant to penalties.

(4) If a term of imprisonment for contempt for nonpayment of ((~~a~~)) any fine, penalty, assessment, fee, or costs is ordered, the term of imprisonment shall be set forth in the commitment order, and shall not exceed one day for each twenty-five dollars of the ((~~fine or costs~~)) amount ordered, thirty days if the ((~~fine or assessment~~)) amount ordered of costs was imposed upon conviction of a violation or misdemeanor, or one year in any other case, whichever is the shorter period. A person committed for nonpayment of ((~~a~~)) any fine, penalty, assessment, fee, or costs shall be given credit toward payment for each day of imprisonment at the rate specified in the commitment order.

(((~~(4)~~))) (5) If it appears to the satisfaction of the court that the default in the payment of ((~~a~~)) any fine, penalty, assessment, fee, or costs is not willful contempt, the court may, and if the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall enter an order: (a) Allowing the defendant additional time for payment((~~,~~)); (b) reducing the amount thereof or of each installment ((~~or~~)); (c) revoking the fine, penalty, assessment, fee, or costs or the unpaid portion thereof in whole or in part; or (d) with the defendant's consent converting the unpaid fine, penalty, assessment, fee, or costs to community restitution hours at the rate of no less than the state minimum wage established in RCW 49.46.020 for each hour of community restitution. The crime victim penalty assessment under RCW 7.68.035 may not be reduced, revoked, or converted to community restitution hours.

(((~~(5)~~))) (6) A default in the payment of ((~~a~~)) any fine, penalty, assessment, fee, or costs or any installment thereof may be collected by any means authorized by law for the enforcement of a judgment. The levy of execution for the collection of ((~~a~~)) any fine, penalty, assessment, fee, or costs shall not discharge a defendant committed to imprisonment for contempt until the amount ((~~of the fine or costs~~)) has actually been collected.

Sec. 534. RCW 10.46.190 and 2005 c 457 s 12 are each amended to read as follows:

Every person convicted of a crime or held to bail to keep the peace ((~~shall~~)) may be liable to all the costs of the proceedings against him or her, including, when tried by a jury in the superior court or before a committing magistrate, a jury fee as provided for in civil actions for which judgment shall be rendered and collected. The court shall not order a defendant to pay costs, as described in RCW 10.01.160, if the court finds that the person at the time of sentencing is indigent as defined in RCW 10.101.010(3) (a) through (c). The jury fee, when collected for a case tried by the superior court, shall be paid to the clerk and applied as the jury fee in civil cases is applied.

Sec. 535. RCW 10.64.015 and Code 1881 s 1104 are each amended to read as follows:

When the defendant is found guilty, the court shall render judgment accordingly, and the defendant ((~~shall~~)) may be liable for all costs, unless the court or jury trying the cause expressly find otherwise. The court shall not order a defendant to pay costs, as described in RCW 10.01.160, if the court finds that the person at the time of sentencing is indigent as defined in RCW 10.101.010(3) (a) through (c).

Sec. 536. RCW 9.92.070 and 1987 c 3 s 4 are each amended to read as follows:

Hereafter whenever any judge of any superior court or a district or municipal judge shall sentence any person to pay any fines, penalties, assessments, fees, and costs, the judge may, in the

judge's discretion, provide that such fines, penalties, assessments, fees, and costs may be paid in certain designated installments, or within certain designated period or periods((~~; and~~)). If the court finds that the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall allow for payment in certain designated installments or within certain designated periods. If such fines, penalties, assessments, fees, and costs shall be paid by the defendant in accordance with such order no commitment or imprisonment of the defendant shall be made for failure to pay such fine or costs. PROVIDED, that the provisions of this section shall not apply to any sentence given for the violation of any of the liquor laws of this state.

Sec. 537. RCW 10.73.160 and 1995 c 275 s 3 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, the court of appeals, supreme court, and superior courts may require an adult or a juvenile convicted of an offense or the parents or another person legally obligated to support a juvenile offender to pay appellate costs.

(2) Appellate costs are limited to expenses specifically incurred by the state in prosecuting or defending an appeal or collateral attack from a criminal conviction or sentence or a juvenile offender conviction or disposition. Appellate costs shall not include expenditures to maintain and operate government agencies that must be made irrespective of specific violations of the law. Expenses incurred for producing a verbatim report of proceedings and clerk's papers may be included in costs the court may require a convicted defendant or juvenile offender to pay.

(3) Costs, including recoupment of fees for court-appointed counsel, shall be requested in accordance with the procedures contained in Title 14 of the rules of appellate procedure and in Title 9 of the rules for appeal of decisions of courts of limited jurisdiction. An award of costs shall become part of the trial court judgment and sentence. An award of costs in juvenile cases shall also become part of any order previously entered in the trial court pursuant to RCW 13.40.145.

(4) The court shall not order a defendant to pay appellate costs if the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c) at the time the request for appellate costs is made.

(5) A defendant or juvenile offender who has been sentenced to pay costs and who is not in ((~~contumacious~~)) willful default in the payment may at any time after release from total confinement petition the court that sentenced the defendant or juvenile offender for remission of the payment of costs or of any unpaid portion. If it appears to the satisfaction of the sentencing court that payment of the amount due will impose manifest hardship on the defendant, the defendant's immediate family, or the juvenile offender, the sentencing court may remit all or part of the amount due in costs, ((~~or~~)) modify the method of payment under RCW 10.01.170, or with the defendant's or juvenile offender's consent convert the unpaid costs to community restitution hours at the rate of no less than the state minimum wage established in RCW 49.46.020 for each hour of community restitution. Manifest hardship exists where the defendant or juvenile offender is indigent as defined in RCW 10.101.010(3) (a) through (c) and the indigency is unlikely to end in the future.

((~~(5)~~)) (6) The parents or another person legally obligated to support a juvenile offender who has been ordered to pay appellate costs pursuant to RCW 13.40.145 and who is not in ((~~contumacious~~)) willful default in the payment may at any time petition the court that sentenced the juvenile offender for remission of the payment of costs or of any unpaid portion. If it appears to the satisfaction of the sentencing court that payment of the amount due will impose manifest hardship on the parents or another person legally obligated to support a juvenile offender or on their immediate families, the sentencing court may remit all or part of the amount due in costs, or may modify the method of payment.

Sec. 538. RCW 9.94A.6333 and 2008 c 231 s 19 are each amended to read as follows:

(1) If an offender violates any condition or requirement of a sentence, and the offender is not being supervised by the department, the court may modify its order of judgment and sentence and impose further punishment in accordance with this section.

(2) If an offender fails to comply with any of the nonfinancial conditions or requirements of a sentence the following provisions apply:

(a) The court, upon the motion of the state, or upon its own motion, shall require the offender to show cause why the offender should not be punished for the noncompliance. The court may issue a summons or a warrant of arrest for the offender's appearance;

(b) The state has the burden of showing noncompliance by a preponderance of the evidence;

(c) If the court finds that a violation has been proved, it may impose the sanctions specified in RCW 9.94A.633(1). Alternatively, the court may:

(i) Convert a term of partial confinement to total confinement; or

(ii) Convert community restitution obligation to total or partial confinement; ((~~or~~

~~(iii) Convert monetary obligations, except restitution and the crime victim penalty assessment, to community restitution hours at the rate of the state minimum wage as established in RCW 49.46.020 for each hour of community restitution;~~))

(d) If the court finds that the violation was not willful, the court may modify its previous order regarding ((~~payment of legal financial obligations and regarding~~)) community restitution obligations; and

(e) If the violation involves a failure to undergo or comply with a mental health status evaluation and/or outpatient mental health treatment, the court shall seek a recommendation from the treatment provider or proposed treatment provider. Enforcement of orders concerning outpatient mental health treatment must reflect the availability of treatment and must pursue the least restrictive means of promoting participation in treatment. If the offender's failure to receive care essential for health and safety presents a risk of serious physical harm or probable harmful consequences, the civil detention and commitment procedures of chapter 71.05 RCW shall be considered in preference to incarceration in a local or state correctional facility.

(3) If an offender fails to pay legal financial obligations as a requirement of a sentence the following provisions apply:

(a) The court, upon the motion of the state, or upon its own motion, shall require the offender to show cause why the offender should not be punished for the noncompliance. The court may issue a summons or a warrant of arrest for the offender's appearance;

(b) The state has the burden of showing noncompliance by a preponderance of the evidence;

(c) The court may not sanction the offender for failure to pay legal financial obligations unless the court finds, after a hearing and on the record, that the failure to pay is willful. A failure to pay is willful if the offender has the current ability to pay but refuses to do so. In determining whether the offender has the current ability to pay, the court shall inquire into and consider: (i) The offender's income and assets; (ii) the offender's basic living costs as defined by RCW 10.101.010 and other liabilities including

child support and other legal financial obligations; and (iii) the offender's bona fide efforts to acquire additional resources. An offender who is indigent as defined by RCW 10.101.010(3) (a) through (c) is presumed to lack the current ability to pay;

(d) If the court determines that the offender is homeless or a person who is mentally ill, as defined in RCW 71.24.025, failure to pay a legal financial obligation is not willful noncompliance and shall not subject the offender to penalties;

(e) If the court finds that a failure to pay is willful noncompliance, it may impose the sanctions specified in RCW 9.94A.633(1); and

(f) If the court finds that the violation was not willful, the court may, and if the court finds that the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall modify the terms of payment of the legal financial obligations, reduce or waive nonrestitution legal financial obligations, or with the defendant's consent convert nonrestitution legal financial obligations to community restitution hours at the rate of no less than the state minimum wage established in RCW 49.46.020 for each hour of community restitution. The crime victim penalty assessment under RCW 7.68.035 may not be reduced, waived, or converted to community restitution hours.

(4) Any time served in confinement awaiting a hearing on noncompliance shall be credited against any confinement ordered by the court.

((~~(4)~~)) (5) Nothing in this section prohibits the filing of escape charges if appropriate.

Sec. 539. RCW 9.94A.760 and 2011 c 106 s 3 are each amended to read as follows:

(1) Whenever a person is convicted in superior court, the court may order the payment of a legal financial obligation as part of the sentence. The court may not order an offender to pay costs as described in RCW 10.01.160 if the court finds that the offender at the time of sentencing is indigent as defined in RCW 10.101.010(3) (a) through (c). An offender being indigent as defined in RCW 10.101.010(3) (a) through (c) is not grounds for failing to impose restitution or the crime victim penalty assessment under RCW 7.68.035. The court must on either the judgment and sentence or on a subsequent order to pay, designate the total amount of a legal financial obligation and segregate this amount among the separate assessments made for restitution, costs, fines, and other assessments required by law. On the same order, the court is also to set a sum that the offender is required to pay on a monthly basis towards satisfying the legal financial obligation. If the court fails to set the offender monthly payment amount, the department shall set the amount if the department has active supervision of the offender, otherwise the county clerk shall set the amount. Upon receipt of an offender's monthly payment, ((~~restitution shall be paid prior to any payments of other monetary obligations. After restitution is satisfied,~~)) the county clerk shall distribute the payment ((~~proportionally among all other fines, costs, and assessments imposed~~)) in accordance with subsection (2) of this section, unless otherwise ordered by the court.

(2) An offender's monthly payment shall be applied to the principal on restitution obligations in all cases within a jurisdiction prior to payment of any other monetary obligations. After restitution is satisfied, payment shall be distributed proportionally among all other fines, costs other than costs of incarceration, fees, penalties, and assessments imposed, unless otherwise ordered by the court. Costs of incarceration shall be paid after all other fines, costs, fees, penalties, and assessments are satisfied. After the principal on all legal financial obligations is satisfied, payment shall be distributed to interest.

(3) If the court determines that the offender, at the time of sentencing, has the means to pay for the cost of incarceration, the court may require the offender to pay for the cost of incarceration ((~~at~~)). The court shall not order the offender to pay the cost of incarceration if the court finds that the offender at the time of sentencing is indigent as defined in RCW 10.101.010(3) (a) through (c). Costs of incarceration ordered by the court shall not exceed a rate of fifty dollars per day of incarceration, if incarcerated in a prison, or the ((~~court may require the offender to pay the~~)) actual cost of incarceration per day of incarceration, if incarcerated in a county jail. In no case may the court require the offender to pay more than one hundred dollars per day for the cost of incarceration. Payment of other court-ordered financial obligations, including all legal financial obligations and costs of supervision shall take precedence over the payment of the cost of incarceration ordered by the court. All funds recovered from offenders for the cost of incarceration in the county jail shall be remitted to the county and the costs of incarceration in a prison shall be remitted to the department.

((~~(3)~~)) (4) The court may add to the judgment and sentence or subsequent order to pay a statement that a notice of payroll deduction is to be issued immediately. If the court chooses not to order the immediate issuance of a notice of payroll deduction at sentencing, the court shall add to the judgment and sentence or subsequent order to pay a statement that a notice of payroll deduction may be issued or other income-withholding action may be taken, without further notice to the offender if a monthly court-ordered legal financial obligation payment is not paid when due, and an amount equal to or greater than the amount payable for one month is owed.

If a judgment and sentence or subsequent order to pay does not include the statement that a notice of payroll deduction may be issued or other income-withholding action may be taken if a monthly legal financial obligation payment is past due, the department or the county clerk may serve a notice on the offender stating such requirements and authorizations. Service shall be by personal service or any form of mail requiring a return receipt.

((~~(4)~~)) (5) Independent of the department or the county clerk, the party or entity to whom the legal financial obligation is owed shall have the authority to use any other remedies available to the party or entity to collect the legal financial obligation. These remedies include enforcement in the same manner as a judgment in a civil action by the party or entity to whom the legal financial obligation is owed. Restitution collected through civil enforcement must be paid through the registry of the court and must be distributed proportionately according to each victim's loss when there is more than one victim. The judgment and sentence shall identify the party or entity to whom restitution is owed so that the state, party, or entity may enforce the judgment. If restitution is ordered pursuant to RCW 9.94A.750(6) or 9.94A.753(6) to a victim of rape of a child or a victim's child born from the rape, the Washington state child support registry shall be identified as the party to whom payments must be made. Restitution obligations arising from the rape of a child in the first, second, or third degree that result in the pregnancy of the victim may be enforced for the time periods provided under RCW 9.94A.750(6) and 9.94A.753(6). All other legal financial obligations for an offense committed prior to July 1, 2000, may be enforced at any time during the ten-year period following the offender's release from total confinement or within ten years of entry of the judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend the criminal judgment an additional ten years for payment of legal financial obligations including crime victims' assessments. All other legal financial obligations for an offense committed on or after July 1, 2000, may be enforced at any time the offender remains under the

court's jurisdiction. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The department may only supervise the offender's compliance with payment of the legal financial obligations during any period in which the department is authorized to supervise the offender in the community under RCW 9.94A.728, 9.94A.501, or in which the offender is confined in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is not responsible for supervision of the offender during any subsequent period of time the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

((~~(5)~~)) (6) In order to assist the court in setting a monthly sum that the offender must pay during the period of supervision, the offender is required to report to the department for purposes of preparing a recommendation to the court. When reporting, the offender is required, under oath, to respond truthfully and honestly to all questions concerning present, past, and future earning capabilities and the location and nature of all property or financial assets. The offender is further required to bring all documents requested by the department.

((~~(6)~~)) (7) After completing the investigation, the department shall make a report to the court on the amount of the monthly payment that the offender should be required to make towards a satisfied legal financial obligation.

((~~(7)~~)) (8)(a) During the period of supervision, the department may make a recommendation to the court that the offender's monthly payment schedule be modified so as to reflect a change in financial circumstances. If the department sets the monthly payment amount, the department may modify the monthly payment amount without the matter being returned to the court. During the period of supervision, the department may require the offender to report to the department for the purposes of reviewing the appropriateness of the collection schedule for the legal financial obligation. During this reporting, the offender is required under oath to respond truthfully and honestly to all questions concerning earning capabilities and the location and nature of all property or financial assets. The offender shall bring all documents requested by the department in order to prepare the collection schedule.

(b) Subsequent to any period of supervision, or if the department is not authorized to supervise the offender in the community, the county clerk may make a recommendation to the court that the offender's monthly payment schedule be modified so as to reflect a change in financial circumstances. If the county clerk sets the monthly payment amount, or if the department set the monthly payment amount and the department has subsequently turned the collection of the legal financial obligation over to the county clerk, the clerk may modify the monthly payment amount without the matter being returned to the court. During the period of repayment, the county clerk may require the offender to report to the clerk for the purpose of reviewing the appropriateness of the collection schedule for the legal financial obligation. During this reporting, the offender is required under oath to respond truthfully and honestly to all questions concerning earning capabilities and the location and nature of all property or financial assets. The offender shall bring all documents requested by the county clerk in order to prepare the collection schedule.

((~~(8)~~)) (9) After the judgment and sentence or payment order is entered, the department is authorized, for any period of supervision, to collect the legal financial obligation from the offender. Subsequent to any period of supervision or, if the department is not authorized to supervise the offender in the community, the county clerk is authorized to collect unpaid legal financial obligations from the offender. Any amount collected by the department shall be remitted daily to the county clerk for the purpose of disbursements. The department and the county clerks are authorized, but not required, to accept credit cards as payment for a legal financial obligation, and any costs incurred related to accepting credit card payments shall be the responsibility of the offender.

((~~(9)~~)) (10) The department or any obligee of the legal financial obligation may seek a mandatory wage assignment for the purposes of obtaining satisfaction for the legal financial obligation pursuant to RCW 9.94A.7701. Any party obtaining a wage assignment shall notify the county clerk. The county clerks shall notify the department, or the administrative office of the courts, whichever is providing the monthly billing for the offender.

((~~(10)~~)) (11) The requirement that the offender pay a monthly sum towards a legal financial obligation constitutes a condition or requirement of a sentence and the offender is subject to the penalties for noncompliance as provided in RCW 9.94B.040, 9.94A.737, or 9.94A.740. If the court determines that the offender is homeless or a person who is mentally ill, as defined in RCW 71.24.025, failure to pay a legal financial obligation is not willful noncompliance and shall not subject the offender to penalties.

((~~(11)~~)) (12)(a) The administrative office of the courts shall mail individualized periodic billings to the address known by the office for each offender with an unsatisfied legal financial obligation.

(b) The billing shall direct payments, other than outstanding cost of supervision assessments under RCW 9.94A.780, parole assessments under RCW 72.04A.120, and cost of probation assessments under RCW 9.95.214, to the county clerk, and cost of supervision, parole, or probation assessments to the department.

(c) The county clerk shall provide the administrative office of the courts with notice of payments by such offenders no less frequently than weekly.

(d) The county clerks, the administrative office of the courts, and the department shall maintain agreements to implement this subsection.

((~~(12)~~)) (13) The department shall arrange for the collection of unpaid legal financial obligations during any period of supervision in the community through the county clerk. The department shall either collect unpaid legal financial obligations or arrange for collections through another entity if the clerk does not assume responsibility or is unable to continue to assume responsibility for collection pursuant to subsection ((~~(4)~~)) (5) of this section. The costs for collection services shall be paid by the offender.

((~~(13)~~)) (14) The county clerk may access the records of the employment security department for the purposes of verifying employment or income, seeking any assignment of wages, or performing other duties necessary to the collection of an offender's legal financial obligations.

((~~(14)~~)) (15) Nothing in this chapter makes the department, the state, the counties, or any state or county employees, agents, or other persons acting on their behalf liable under any circumstances for the payment of these legal financial obligations or for the acts of any offender who is no longer, or was not, subject to supervision by the department for a term of community custody, and who remains under the jurisdiction of the court for payment of legal financial obligations.

Sec. 540. RCW 9.94B.040 and 2002 c 175 s 8 are each amended to read as follows:

(1) If an offender violates any condition or requirement of a sentence, the court may modify its order of judgment and sentence and impose further punishment in accordance with this section.

(2) In cases where conditions from a second or later sentence of community supervision begin prior to the term of the second or later sentence, the court shall treat a violation of such conditions as a violation of the sentence of community supervision currently being served.

(3) If an offender fails to comply with any of the nonfinancial requirements or conditions of a sentence the following provisions apply:

(a)(i) Following the violation, if the offender and the department make a stipulated agreement, the department may impose sanctions such as work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, jail time, or other sanctions available in the community.

(ii) Within seventy-two hours of signing the stipulated agreement, the department shall submit a report to the court and the prosecuting attorney outlining the violation or violations, and sanctions imposed. Within fifteen days of receipt of the report, if the court is not satisfied with the sanctions, the court may schedule a hearing and may modify the department's sanctions. If this occurs, the offender may withdraw from the stipulated agreement.

(iii) If the offender fails to comply with the sanction administratively imposed by the department, the court may take action regarding the original noncompliance. Offender failure to comply with the sanction administratively imposed by the department may be considered an additional violation;

(b) In the absence of a stipulated agreement, or where the court is not satisfied with the department's sanctions as provided in (a) of this subsection, the court, upon the motion of the state, or upon its own motion, shall require the offender to show cause why the offender should not be punished for the noncompliance. The court may issue a summons or a warrant of arrest for the offender's appearance;

(c) The state has the burden of showing noncompliance by a preponderance of the evidence. If the court finds that the violation has occurred, it may order the offender to be confined for a period not to exceed sixty days for each violation, and may (i) convert a term of partial confinement to total confinement, (ii) convert community restitution obligation to total or partial confinement, or (iii) ((~~convert monetary obligations, except restitution and the crime victim penalty assessment, to community restitution hours at the rate of the state minimum wage as established in RCW 49.46.020 for each hour of community restitution, or (iv)~~)) order one or more of the penalties authorized in (a)(i) of this subsection. Any time served in confinement awaiting a hearing on noncompliance shall be credited against any confinement order by the court;

(d) If the court finds that the violation was not willful, the court may modify its previous order regarding ((~~payment of legal financial obligations and regarding~~)) community restitution obligations; and

(e) If the violation involves a failure to undergo or comply with mental status evaluation and/or outpatient mental health treatment, the community corrections officer shall consult with the treatment provider or proposed treatment provider. Enforcement of orders concerning outpatient mental health treatment must reflect the availability of treatment and must pursue the least restrictive means of promoting participation in treatment. If the offender's failure to receive care essential for health and safety presents a risk of serious physical harm or probable harmful consequences, the civil detention and commitment procedures of chapter 71.05 RCW shall be considered in preference to incarceration in a local or state correctional facility.

(4) If the violation involves failure to pay legal financial obligations, the following provisions apply:

(a) The department and the offender may enter into a stipulated agreement that the failure to pay was willful noncompliance, according to the provisions and requirements of subsection (3)(a) of this section;

(b) In the absence of a stipulated agreement, or where the court is not satisfied with the department's sanctions as provided in a stipulated agreement under (a) of this subsection, the court, upon the motion of the state, or upon its own motion, shall require the offender to show cause why the offender should not be punished for the noncompliance. The court may issue a summons or a warrant of arrest for the offender's appearance;

(c) The state has the burden of showing noncompliance by a preponderance of the evidence. The court may not sanction the offender for failure to pay legal financial obligations unless the court finds, after a hearing and on the record, that the failure to pay is willful. A failure to pay is willful if the offender has the current ability to pay but refuses to do so. In determining whether the offender has the current ability to pay, the court shall inquire into and consider: (i) The offender's income and assets; (ii) the offender's basic living costs as defined by RCW 10.101.010 and other liabilities including child support and other legal financial obligations; and (iii) the offender's bona fide efforts to acquire additional resources. An offender who is indigent as defined by RCW 10.101.010(3) (a) through (c) is presumed to lack the current ability to pay;

(d) If the court determines that the offender is homeless or a person who is mentally ill, as defined in RCW 71.24.025, failure to pay a legal financial obligation is not willful noncompliance and shall not subject the offender to penalties;

(e) If the court finds that the failure to pay is willful noncompliance, the court may order the offender to be confined for a period not to exceed sixty days for each violation or order one or more of the penalties authorized in subsection (3)(a)(i) of this section; and

(f) If the court finds that the violation was not willful, the court may, and if the court finds that the defendant is indigent as defined in RCW 10.101.010(3) (a) through (c), the court shall modify the terms of payment of the legal financial obligations, reduce or waive nonrestitution legal financial obligations, or with the defendant's consent convert nonrestitution legal financial obligations to community restitution hours at the rate of no less than the state minimum wage established in RCW 49.46.020 for each hour of community restitution. The crime victim penalty assessment under RCW 7.68.035 may not be reduced, waived, or converted to community restitution hours.

(5) The community corrections officer may obtain information from the offender's mental health treatment provider on the offender's status with respect to evaluation, application for services, registration for services, and compliance with the supervision plan, without the offender's consent, as described under RCW 71.05.630.

(((~~(5)~~))) (6) An offender under community placement or community supervision who is civilly detained under chapter 71.05 RCW, and subsequently discharged or conditionally released to the community, shall be under the supervision of the department of corrections for the duration of his or her period of community placement or community supervision. During any period of inpatient mental health treatment that falls within the period of community placement or community supervision, the inpatient treatment provider and the supervising community corrections

officer shall notify each other about the offender's discharge, release, and legal status, and shall share other relevant information.

(((~~(6)~~))) (7) Nothing in this section prohibits the filing of escape charges if appropriate.

Sec. 541. RCW 3.62.085 and 2005 c 457 s 10 are each amended to read as follows:

Upon conviction or a plea of guilty in any court organized under this title or Title 35 RCW, a defendant in a criminal case is liable for a fee of forty-three dollars, except this fee shall not be imposed on a defendant who is indigent as defined in RCW 10.101.010(3) (a) through (c). This fee shall be subject to division with the state under RCW 3.46.120(2), 3.50.100(2), 3.62.020(2), 3.62.040(2), and 35.20.220(2).

Sec. 542. RCW 36.18.020 and 2013 2nd sp.s. c 7 s 3 are each amended to read as follows:

(1) Revenue collected under this section is subject to division with the state under RCW 36.18.025 and with the county or regional law library fund under RCW 27.24.070, except as provided in subsection (5) of this section.

(2) Clerks of superior courts shall collect the following fees for their official services:

(a) In addition to any other fee required by law, the party filing the first or initial document in any civil action, including, but not limited to an action for restitution, adoption, or change of name, and any party filing a counterclaim, cross-claim, or third-party claim in any such civil action, shall pay, at the time the document is filed, a fee of two hundred dollars except, in an unlawful detainer action under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a case initiating filing fee of forty-five dollars, or in proceedings filed under RCW 28A.225.030 alleging a violation of the compulsory attendance laws where the petitioner shall not pay a filing fee. The forty-five dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(b) Any party, except a defendant in a criminal case, filing the first or initial document on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when the document is filed, a fee of two hundred dollars.

(c) For filing of a petition for judicial review as required under RCW 34.05.514 a filing fee of two hundred dollars.

(d) For filing of a petition for unlawful harassment under RCW 10.14.040 a filing fee of fifty-three dollars.

(e) For filing the notice of debt due for the compensation of a crime victim under RCW 7.68.120(2)(a) a fee of two hundred dollars.

(f) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first document therein, a fee of two hundred dollars.

(g) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96A.220, there shall be paid a fee of two hundred dollars.

(h) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmance of a conviction by a court of limited jurisdiction, a defendant in a criminal case shall be liable for a fee of two hundred dollars, except this fee shall not be imposed on a defendant who is indigent as defined in RCW 10.101.010(3) (a) through (c).

(i) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972. However, no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(3) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

(4) No fee shall be collected when an abstract of judgment is filed by the county clerk of another county for the purposes of collection of legal financial obligations.

(5)(a) Until July 1, 2017, in addition to the fees required to be collected under this section, clerks of the superior courts must collect surcharges as provided in this subsection (5) of which seventy-five percent must be remitted to the state treasurer for deposit in the judicial stabilization trust account and twenty-five percent must be retained by the county.

(b) On filing fees required to be collected under subsection (2)(b) of this section, a surcharge of thirty dollars must be collected.

(c) On all filing fees required to be collected under this section, except for fees required under subsection (2)(b), (d), and (h) of this section, a surcharge of forty dollars must be collected.

Sec. 543. RCW 43.43.7541 and 2011 c 125 s 1 are each amended to read as follows:

Every sentence imposed for a crime specified in RCW 43.43.754 must include a fee of one hundred dollars unless the state has previously collected the offender's DNA as a result of a prior conviction. The fee is a court-ordered legal financial obligation as defined in RCW 9.94A.030 and other applicable law. For a sentence imposed under chapter 9.94A RCW, the fee is payable by the offender after payment of all other legal financial obligations included in the sentence has been completed. For all other sentences, the fee is payable by the offender in the same manner as other assessments imposed. The clerk of the court shall transmit eighty percent of the fee collected to the state treasurer for deposit in the state DNA database account created under RCW 43.43.7532, and shall transmit twenty percent of the fee collected to the agency responsible for collection of a biological sample from the offender as required under RCW 43.43.754."

Correct the title.

Representative Goodman moved the adoption of amendment (179) to the striking amendment (165):

On page 27, after line 10 of the amendment, insert the following:

"NEW SECTION. **Sec. 1.9.** Nothing in this act requires the courts to refund or reimburse amounts previously paid towards legal financial obligations or interest on legal financial obligations."

Correct the title.

Representatives Goodman and Holy spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (179) to amendment (165) was adopted.

Representative Goodman spoke in favor of the adoption of the striking amendment as amended.

Amendment (165), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1390.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1390, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Klippert, Nealey and Orcutt.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1496, by Representatives Sells, Gregerson and Ormsby

Addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1496 was substituted for House Bill No. 1496 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1496 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1496.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1496, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1496, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1559, by Representatives Riccelli, Johnson, Wylie, Parker, MacEwen, Harris, Rodne, Schmick, Short, Pettigrew, Ormsby, Robinson, Van De Wege, Klippert, Reykdal, Sawyer, Holy, Walsh, S. Hunt, Kretz, Vick, Gregerson, McCaslin, Pike, Scott, Smith, Lytton, Hudgins, Ryu, Condotta, Sells, Moscoso, Hurst, Santos, Buys, Fey, Takko, Blake, Dent, Nealey, Kilduff, Chandler, Wilcox, Haler, Magendanz, Peterson, Ortiz-Self, Appleton, Manweller, Shea, Senn, Hayes, Kochmar, Hargrove, Muri, Stanford, Fagan, Griffey, Van Werven, Wilson, Harmsworth, Kirby, Tharinger, McBride and Goodman

Concerning higher education programs at Washington State University and the University of Washington.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1559 was substituted for House Bill No. 1559 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1559 was read the second time.

With the consent of the house, amendments (046), (142), and (144) were withdrawn.

Representative Pollet moved the adoption of amendment (130):

On page 1, after line 11, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.30 RCW to read as follows:

Prior to the board of regents of Washington State University authorizing or expending funds appropriated to Washington State University for the purposes of participation in the Washington

Wyoming Alaska Montana Idaho medical education program, enrolling twenty full-time equivalent student in the University of Washington medical school extension program at the Spokane, Washington Riverpoint campus, the expansion of health sciences capacity through the Washington Wyoming Alaska Montana Idaho medical education program in Spokane and Eastern Washington, or hiring new faculty to bring second year medical education to the Riverpoint campus using the existing Washington Wyoming Alaska Montana Idaho model or otherwise authorizing the establishment or accreditation of a medical school, funds shall be appropriated by the legislature specifically for such purposes, and shall, in no event be disbursed prior to the completion of the study and report to the legislature, as required by section 5 of this act.

NEW SECTION. **Sec. 3.** (1) The legislature finds that there are shortages of a wide range of health professionals in Washington, and regions of the state with an exacerbated shortage of health professionals, including providers of primary care. The legislature also finds that the need to increase the number of health care providers in Washington will require a variety of investments in the state's higher education system, and that many of the programs and institutions lack both physical capacity and faculty to train the numbers of students required to eliminate the shortage of health care providers. The legislature intends to ensure that it makes rational decisions, based on data and long-term projected costs, on how and where to invest in expanding the state's medical and health professional training programs to address the shortages in health care professions.

(2) The workforce training and education coordinating board shall direct a study to:

(a) Determine the comprehensive statewide need for primary care physicians, physicians in specialty fields, nurses, physician assistants, paramedical, and other health care professionals;

(b) Determine the targeted geographic need, including in rural and underserved areas, for primary care physicians, physicians in specialty fields, nurses, physician assistants, paramedical, dentists, and other health care professionals;

(c) Determine the need for additional graduate medical education residency slots in family and general practice, and specialty fields including:

(i) The current shortfall in meeting those needs, as well as the projected shortfall over the next ten years; and,

(ii) The relative importance of establishing residency slots versus medical education slots, and the relative contribution of other factors, to provide new doctors to meet needs of underserved areas; and

(iii) The relative costs, and time to, meet needs with other professionals and telemedicine programs;

(d) Analyze the capacity of the institutions of higher education to meet the need for degrees, including:

(i) The relative cost, including on-going costs, to increase degree positions;

(ii) An assessment of the on-going investment needed for each area for expanding degrees;

(iii) A comparison of the costs of expanding medical degrees via a new medical school with the costs of expanding medical student positions at the University of Washington; and

(iv) A comparison of the costs of expanding medical degrees with the resources needed for investment in residencies and other health professionals;

(e) Determine how an increase in degree positions would produce health care professionals serving underserved areas for primary and other care using data on the likelihood of graduates serving in underserved areas;

(f) Demonstrate how each investment would address the needs of underserved Washington residents in the various health care professional areas of practice, including primary care; and

(g) Create a comprehensive assessment of policy and funding options to meet workforce and graduate medical education needs, including a cost assessment of each policy option.

(3) The study shall include stakeholders from physician professional membership organizations, nurse professional membership organizations, paramedical professional membership organizations, dentist professional membership organizations, physician assistant professional membership organizations, four-year higher education institutions, community and technical colleges, hospital associations, and the state department of health.

(4) The report must be submitted to the legislature no later than December 1, 2015.

(5) This section expires June 30, 2016."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Pollet spoke in favor of the adoption of the amendment.

Representatives Haler and Hansen spoke against the adoption of the amendment.

Amendment (130) was not adopted.

Representative Pollet moved the adoption of amendment (131):

On page 2, line 6, after "fisheries." insert "It is the intent of the legislature that all appropriations made to support students in the Washington Wyoming Alaska Montana Idaho medical education program at the Spokane, Washington Riverpoint campus and all appropriations made to support the University of Washington medical school be used for the original purpose of the appropriations."

Representative Pollet spoke in favor of the adoption of the amendment.

Representatives Haler and Hansen spoke against the adoption of the amendment.

Amendment (131) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Haler, Parker, Johnson, Orcutt and Holy spoke in favor of the passage of the bill.

Representative Pollet spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1559.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1559, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Condotta, DeBolt, Dent, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Hurst, Johnson, Kilduff, Kirby, Klippert, Kochmar, Kretz,

Kristiansen, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young and Zeiger.

Voting nay: Representatives Caldier, Carlyle, Cody, Dunshee, Farrell, Hawkins, Hunter, Jinkins, Kagi, Lytton, Moeller, Orwall, Pollet, Taylor, Tharinger, Walkinshaw and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1559, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1485, by Representatives Haler, Cody, Schmick, Shea, Zeiger, Tarleton, Tharinger and Riccelli

Concerning family medicine residencies in health professional shortage areas.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1485 was substituted for House Bill No. 1485 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1485 was read the second time.

Representative Haler moved the adoption of amendment (114):

On page 4, line 13, after "following" strike "nine" and insert "eleven"

Representatives Haler and Cody spoke in favor of the adoption of the amendment.

Amendment (114) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1485.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1485, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1471, by Representatives Cody, Schmick, Harris, Van De Wege, DeBolt, Hurst, Kretz, Moeller, Jinkins and Tharinger

Mitigating barriers to patient access to care resulting from health insurance contracting practices.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1471 was substituted for House Bill No. 1471 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1471 was read the second time.

With the consent of the house, amendment (226) was withdrawn.

Representative Riccelli moved the adoption of amendment (196):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW to read as follows:

(1) A health plan offered to public employees and their covered dependents under this chapter that imposes different prior authorization standards and criteria for a covered service among tiers of contracting providers of the same licensed profession in the same health plan shall inform an enrollee which tier an individual provider or group of providers is in. The health care authority shall post the information on its web site in a manner accessible to both enrollees and providers.

(2) The health plan may not require prior authorization for an evaluation and management visit or an initial treatment visit with a contracting provider in a new episode of habilitative, rehabilitative, East Asian medicine, or chiropractic care.

(3) Any prior authorization standards and criteria used by the health plan, or a subcontractor or third-party administrator administering all or part of the plan, must be based on the plan's medical necessity standards.

(4) The health care authority shall post on its web site and provide upon the request of a covered person or contracting provider any standards, criteria, or information the health plan uses for prior authorization decisions.

(5) A health care provider with whom the administrator of the health plan consults regarding a decision to deny, limit, or terminate a person's covered health care services must hold a license, certification, or registration, in good standing and must be in the same or related health field as the health care provider being reviewed or of a specialty whose practice entails the same or similar covered health care service.

(6) The health plan may not require a provider to provide a discount from usual and customary rates for health care services not covered under the health plan, policy, or other agreement, to which the provider is a party.

(7) A health plan offered to employees and their covered dependents under this chapter may not require a covered person's cost sharing, including copayments, for habilitative, rehabilitative, East Asian medicine, or chiropractic care to exceed the cost-sharing amount the plan requires for primary care.

(8) For purposes of this section, "new episode of care" means treatment for a new condition that has not been presented to the provider:

(a) Less than sixty days prior to the first encounter for the condition; and

(b) Less than sixty days after the most recent encounter for the condition.

NEW SECTION. **Sec. 3.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A health carrier that imposes different prior authorization standards and criteria for a covered service among tiers of contracting providers of the same licensed profession in the same health plan shall inform an enrollee which tier an individual provider or group of providers is in. The carrier shall post the information on its web site in a manner accessible to both enrollees and providers.

(2) A health carrier may not require prior authorization for an evaluation and management visit or an initial treatment visit with a contracting provider in a new episode of habilitative, rehabilitative, East Asian medicine, or chiropractic care.

(3) Any prior authorization standards and criteria used by a health plan, or a subcontractor administering all or part of the health plan, must be based on the carrier's medical necessity standards on file with the commissioner.

(4) A health carrier shall post on its web site and provide upon the request of a covered person or contracting provider any standards, criteria, or information the carrier uses for prior authorization decisions.

(5) A health care provider with whom a health carrier consults regarding a decision to deny, limit, or terminate a person's covered health care services must hold a license, certification, or registration, in good standing and must be in the same or related health field as the health care provider being reviewed or of a specialty whose practice entails the same or similar covered health care service.

(6) A health carrier may not require a provider to provide a discount from usual and customary rates for health care services not covered under a health plan, policy, or other agreement, to which the provider is a party.

(7) A health carrier may not require a covered person's cost sharing, including copayments, for habilitative, rehabilitative, East Asian medicine, or chiropractic care to exceed the cost-sharing amount the carrier requires for primary care.

(8) For purposes of this section, "new episode of care" means treatment for a new condition that has not been presented to the provider:

(a) Less than sixty days prior to the first encounter for the condition; and

(b) Less than sixty days after the most recent encounter for the condition.

NEW SECTION. **Sec. 4.** This act takes effect January 1, 2017."

Correct the title.

Representative Harris moved the adoption of amendment (229) to the striking amendment (196):

On page 1, line 6 of the striking amendment, after "imposes" strike "different"

On page 1, line 7 of the striking amendment, after "authorization" strike "standards and criteria"

On page 1, line 9 of the striking amendment, after "shall" insert ", upon request,"

On page 1, beginning on line 13 of the striking amendment, after "for" strike all material through "or" on line 14

On page 1, beginning on line 15 of the striking amendment, after "of" strike "habilitative, rehabilitative" and insert "physical, speech, or occupational therapy"

On page 1, beginning on line 17 of the striking amendment, strike all of subsection (3)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 2, beginning on line 3 of the striking amendment, after "(7)" strike all material through "care" on line 7 and insert "(a) A rental network must give a contracted health care provider sixty days' notice prior to adding a new product to its contract with the provider. The rental network may not require the contracted provider to accept the additional product as a condition for continued participation in the in-force contract.

(b) For purposes of this subsection (7):

(i) "Rental network" means any entity that sells access to a network of health care providers to other entities.

(ii) "Product" means an entity purchasing access to a rental network.

(c) This subsection (7) does not apply to entities within the same insurance holding company system as defined in RCW 48.31B.005"

On page 2, beginning on line 9 of the striking amendment, after "condition" strike all material through "condition" on line 14

On page 2, line 17 of the striking amendment, after "imposes" strike "different"

On page 2, at the beginning of line 18 of the striking amendment, strike "standards and criteria"

On page 2, line 20 of the striking amendment, after "shall" insert ", upon request,"

On page 2, beginning on line 24 of the striking amendment, after "for" strike all material through "or" on line 25

On page 2, beginning on line 26 of the striking amendment, after "of" strike "habilitative, rehabilitative" and insert "physical, speech, or occupational therapy,"

On page 2, beginning on line 28 of the striking amendment, strike all of subsection (3)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, beginning on line 8 of the striking amendment, after "(7)" strike all material through "care" on line 11 and insert "(a) A rental network must give a contracted health care provider sixty days' notice prior to adding a new product to its contract with the provider. The rental network may not require the contracted provider to accept the additional product as a condition for continued participation in the in-force contract.

(b) For purposes of this subsection (7):

(i) "Rental network" means any entity that sells access to a network of health care providers to other entities.

(ii) "Product" means an entity purchasing access to a rental network.

(c) This subsection (7) does not apply to entities within the same insurance holding company system as defined in RCW 48.31B.005"

On page 3, beginning on line 13, after "condition" strike all material through "condition" on line 18

Representative Harris spoke in favor of the adoption of the amendment to the striking amendment.

Representative Cody spoke against the adoption of the amendment to the striking amendment.

Amendment (229) to amendment (196) was not adopted.

Representative Chandler moved the adoption of amendment (230) to the striking amendment (196):

On page 3, line 19 of the striking amendment, after "2017." insert the following:

"NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Representative Chandler spoke in favor of the adoption of the amendment to the striking amendment.

Representative Hunter spoke against the adoption of the amendment to the striking amendment.

Amendment (230) to amendment (196) was not adopted.

Representatives Riccelli and Schmick spoke in favor of the adoption of the striking amendment.

Amendment (196) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1471.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1471, and the bill passed the House by the following vote: Yeas, 82; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Fagan, Harmsworth, Harris, Klippert, McCabe, McCaslin, Muri, Scott, Taylor, Van Werven, Vick, Walsh and Wilcox.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1956, by Representative Moeller

Creating independent review organizations. Revised for 1st Substitute: Addressing a report to be filed by an independent review organization.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1956 was substituted for House Bill No. 1956 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1956 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Moeller spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1956.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1956, and the bill passed the House by the following vote: Yeas, 50; Nays, 48; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1956, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1738, by Representatives Orcutt, Clibborn, Hayes, Fey, Hargrove, Farrell, Zeiger, Moscoso, Muri, Condotta, Buys and Harmsworth

Concerning marine, off-road recreational vehicle, and snowmobile fuel tax refunds based on actual fuel taxes paid.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1738 was substituted for House Bill No. 1738 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1738 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1738.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1738, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1738, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1884, by Representatives Vick, Bergquist, Hayes, Riccelli, Orcutt, Wilson and Pike

Expanding the definition of an electric personal assistive mobility device to include a one-wheeled self-balancing device.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Vick and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1884.

MOTION

On motion of Representative Van De Wege, Representative Farrell was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1884, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative McBride.

Excused: Representative Farrell.

HOUSE BILL NO. 1884, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2181, by Representatives Schmick, Clibborn, Orcutt and Scott

Modifying the maximum speed limit on highways.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick, Clibborn and Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2181.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2181, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, G. Hunt, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Carlyle, Chandler, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hudgins, Jinkins, Kagi, Kilduff, Lytton, McBride, Peterson, Pollet, S. Hunt, Senn, Tarleton and Walkinshaw.

Excused: Representative Farrell.

HOUSE BILL NO. 2181, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1480, by Representatives Holy, Riccelli, Orcutt, Haler, Shea, Johnson, Clibborn, Ormsby, Condotta, Tharinger and McCaslin

Creating intermittent-use trailer license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1480 was substituted for House Bill No. 1480 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1480 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1480.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1480, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Farrell.

SUBSTITUTE HOUSE BILL NO. 1480, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1966, by Representatives Fey, Zeiger, Farrell, Fitzgibbon, Nealey, Walsh and Moscoso

Exempting transit agencies that manufacture liquid natural gas or compressed natural gas for the purposes of providing public transportation from the definition of manufacturing in respect to business and occupation tax.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1966 was substituted for House Bill No. 1966 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1966 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1966.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1966, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Farrell.

SUBSTITUTE HOUSE BILL NO. 1966, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2012, by Representatives Orcutt, Clibborn, Hargrove, Hayes, Pike, Zeiger, Muri and Wilson

Concerning the implementation of practical design by the department of transportation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2012 was substituted for House Bill No. 2012 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2012 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2012.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2012, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Farrell.

SUBSTITUTE HOUSE BILL NO. 2012, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1022
HOUSE BILL NO. 1136
HOUSE BILL NO. 1430
HOUSE BILL NO. 1465
HOUSE BILL NO. 1513
HOUSE BILL NO. 1618
HOUSE BILL NO. 1620
HOUSE BILL NO. 1790
HOUSE BILL NO. 1804
HOUSE BILL NO. 1830
HOUSE BILL NO. 1850
HOUSE BILL NO. 1918
HOUSE BILL NO. 1965
HOUSE BILL NO. 2063
HOUSE BILL NO. 2074
HOUSE BILL NO. 2084
HOUSE BILL NO. 2146

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., March 10, 2015, the 58th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY EIGHTH DAY

House Chamber, Olympia, Tuesday, March 10, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nina Baker and Naga Palepu. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Prosper Ndabishuriye, Evangelical Church of Central Africa, Bujumbura, Burundi.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

March 9, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5028
SUBSTITUTE SENATE BILL NO. 5066
SENATE BILL NO. 5070
SENATE BILL NO. 5100
SUBSTITUTE SENATE BILL NO. 5167
SENATE BILL NO. 5238
SECOND SUBSTITUTE SENATE BILL NO. 5252
SUBSTITUTE SENATE BILL NO. 5299
SENATE BILL NO. 5300
SUBSTITUTE SENATE BILL NO. 5380
SENATE BILL NO. 5395
SUBSTITUTE SENATE BILL NO. 5397
SUBSTITUTE SENATE BILL NO. 5436
SUBSTITUTE SENATE BILL NO. 5481
SUBSTITUTE SENATE BILL NO. 5488
SUBSTITUTE SENATE BILL NO. 5534
SUBSTITUTE SENATE BILL NO. 5601
SUBSTITUTE SENATE BILL NO. 5715
SUBSTITUTE SENATE BILL NO. 5733
SUBSTITUTE SENATE BILL NO. 5740
SENATE BILL NO. 5793
SENATE BILL NO. 5841
SUBSTITUTE SENATE BILL NO. 5957
SUBSTITUTE SENATE BILL NO. 5972

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1980, by Representative Springer

Implementing recommendations of the sunshine committee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1980 was substituted for House Bill No. 1980 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1980 was read the second time.

Representative S. Hunt moved the adoption of amendment (241):

Strike everything after the enacting clause and insert the following:

"**Sec. 5.** RCW 42.56.230 and 2014 c 142 s 1 are each amended to read as follows:

The following personal information is exempt from public inspection and copying under this chapter:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;

(2)(a) Personal information:

(i) For a child enrolled in licensed child care in any files maintained by the department of early learning; or

(ii) For a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, including but not limited to early learning or child care services, parks and recreation programs, youth development programs, and after-school programs.

(b) Emergency contact information under this subsection (2) may be provided to appropriate authorities and medical personnel for the purpose of treating the individual during an emergency situation;

(3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;

(4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

(5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial ((~~account numbers~~)) information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law;

(6) Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093;

(7)(a) Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

(b) Information provided under RCW 46.20.111 that indicates that an applicant declined to register with the selective service system.

(c) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

(d) Any record pertaining to a vessel registration issued under RCW 88.02.330 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement activity. This exemption does not prevent the release of the total number of vessel registrations that, under RCW 88.02.330, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse; and

(8) All information related to individual claims resolution structured settlement agreements submitted to the board of industrial insurance appeals under RCW 51.04.063, other than final orders from the board of industrial insurance appeals.

Upon request by the legislature, the department of licensing shall provide a report to the legislature containing all of the information in subsection (7)(c) and (d) of this section that is subject to public disclosure.

(9) Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under sections 5 and 6 of this act.

Sec. 6. RCW 42.56.240 and 2013 c 315 s 2, 2013 c 190 s 7, and 2013 c 183 s 1 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information ((~~means~~)) includes, but is not limited to, the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; ((~~and~~))

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822; ((~~and~~))

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020; and

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates.

Sec. 7. RCW 42.56.330 and 2014 c 170 s 2 and 2014 c 33 s 1 are each reenacted and amended to read as follows:

The following information relating to public utilities and transportation is exempt from disclosure under this chapter:

(1) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 or 81.77.210 that a court has determined are confidential under RCW 80.04.095 or 81.77.210;

(2) The addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order;

(3) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing

program or service((~~; however, these records~~)). Participant's names, general locations, and point of contact may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides;

(4) The personally identifying information of current or former participants or applicants in a paratransit or other transit service operated for the benefit of persons with disabilities or elderly persons;

(5) The personally identifying information of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose personally identifying information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud((~~, or to the news media when reporting on public transportation or public safety~~)). As used in this subsection, "personally identifying information" includes acquisition or use information pertaining to a specific, individual transit pass or fare payment media.

(a) Information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

(b) Personally identifying information may be released to law enforcement agencies if the request is accompanied by a court order;

(6) Any information obtained by governmental agencies that is collected by the use of a motor carrier intelligent transportation system or any comparable information equipment attached to a truck, tractor, or trailer; however, the information may be given to other governmental agencies or the owners of the truck, tractor, or trailer from which the information is obtained. As used in this subsection, "motor carrier" has the same definition as provided in RCW 81.80.010;

(7) The personally identifying information of persons who acquire and use transponders or other technology to facilitate payment of tolls. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. For these purposes aggregate data may include the census tract of the account holder as long as any individual personally identifying information is not released. Personally identifying information may be released to law enforcement agencies only for toll enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; and

(8) The personally identifying information of persons who acquire and use a driver's license or identicard that includes a radio frequency identification chip or similar technology to facilitate border crossing. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only for United States customs and border protection enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order.

Sec. 8. RCW 70.148.060 and 2005 c 274 s 341 are each amended to read as follows:

(1) All ((~~examination and proprietary reports and~~)) information except for proprietary reports or information obtained by the director and the director's staff in soliciting bids from insurers and in monitoring the insurer selected by the director shall ((~~not~~)) be made public or otherwise disclosed to any person, firm, corporation, agency, association, governmental body, or other entity.

(2) Subsection (1) of this section notwithstanding, the director may furnish all or part of examination reports prepared by the director or by any person, firm, corporation, association, or other entity preparing the reports on behalf of the director to:

(a) The Washington state insurance commissioner;

(b) A person or organization officially connected with the insurer as officer, director, attorney, auditor, or independent attorney or independent auditor; and

(c) The attorney general in his or her role as legal advisor to the director.

(3) Subsection (1) of this section notwithstanding, the director may furnish all or part of the examination or proprietary reports or information obtained by the director to:

(a) The Washington state insurance commissioner; and

(b) A person, firm, corporation, association, governmental body, or other entity with whom the director has contracted for services necessary to perform his or her official duties.

(4) ((~~Examination reports and~~)) Proprietary information obtained by the director and the director's staff ((~~are~~)) is not subject to public disclosure under chapter 42.56 RCW.

(5) A person who violates any provision of this section is guilty of a gross misdemeanor.

NEW SECTION. **Sec. 9.** A new section is added to chapter 38.52 RCW to read as follows:

(1) Information contained in an automatic number identification or automatic location identification database that is part of a county enhanced 911 emergency communications system as defined in RCW 82.14B.020 and intended for display at a public safety answering point with incoming 911 voice or data is confidential and exempt from public inspection and copying under chapter 42.56 RCW.

(2) Information voluntarily submitted to be contained in a database that is part of or associated with a county enhanced 911 emergency communications system as defined in RCW 82.14B.020 and intended for the purpose of display at a public safety answering point with incoming 911 voice or data is confidential and exempt from public inspection and copying under chapter 42.56 RCW.

(3) This section shall not be interpreted to prohibit:

(a) Display of information at a public safety answering point;

(b) Dissemination of information by the public safety answering point to police, fire, or emergency medical responders for display on a device used by police, fire, or emergency medical responders for the purpose of handling or responding to emergency calls or for training;

(c) Maintenance of the database by a county;

(d) Dissemination of information by a county to local agency personnel for inclusion in an emergency notification system that makes outgoing calls to telephone numbers to provide notification of a community emergency event;

(e) Inspection or copying by the subject of the information or an authorized representative; or

(f) The public disclosure of information prepared, retained, disseminated, transmitted, or recorded, for the purpose of handling or responding to emergency calls, unless disclosure of any such information is otherwise exempted under chapter 42.56 RCW or other law.

NEW SECTION. **Sec. 10.** A new section is added to chapter 38.52 RCW to read as follows:

Information obtained from an automatic number identification or automatic location identification database or voluntarily submitted to a local agency for inclusion in an emergency notification system is confidential and exempt from public inspection and copying under chapter 42.56 RCW. This section shall not be interpreted to prohibit:

(1) Making outgoing calls to telephone numbers to provide notification of a community emergency event;

(2) Maintenance of the database by a local agency; or

(3) Inspection or copying by the subject of the information or an authorized representative."

Correct the title.

Representatives S. Hunt and Holy spoke in favor of the adoption of the striking amendment.

Amendment (241) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1980.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1980, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1771, by Representatives Gregory, Magendanz, Lytton, Muri and Pollet

Confirming that the professional educator standards board is an authorized representative of the state educational agencies.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (043):

On page 3, line 33, after "purposes." insert "Student record data does not include personally identifiable information as defined in the federal family educational rights and privacy act, 20 U.S.C § 1232g."

Representatives Klippert and Magendanz spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

An electronic roll call vote was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (043) to House Bill No. 1771.

ROLL CALL

The Clerk called the roll on the adoption of amendment (043) to House Bill No. 1771, and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (043) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregory and Magendanz spoke in favor of the passage of the bill.

Representative Smith spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1771.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1771, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh,

Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

HOUSE BILL NO. 1771, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2041, by Representatives Hansen and Pollet

Creating a pilot project on performance-based scholarships in the state need grant program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2041 was substituted for House Bill No. 2041 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2041 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2041.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2041, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Klippert, McCaslin, Scott and Taylor.

SECOND SUBSTITUTE HOUSE BILL NO. 2041, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1420, by Representatives Wilcox, Springer, Magendanz, G. Hunt, Muri, Kirby, Takko, Kilduff and Hargrove

Concerning school siting and school district aid in reducing overall school construction costs. Revised for 1st Substitute: Establishing a legislative task force on school siting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1420 was substituted for House Bill No. 1420 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1420 was read the second time.

With the consent of the house, amendment (186) was withdrawn.

Representative Lytton moved the adoption of amendment (191):

On page 1, line 5, after "(1)" insert "The legislature recognizes that school districts are responsible for siting, building, and maintaining school facilities that provide a learning environment supportive of student achievement, and that schools are integral to the communities they serve. The legislature intends in creating the legislative task force on school siting, as provided in subsection (2) of this section, to review school facility challenges created by enrollment increases and recent education reforms, including expansion of full-day kindergarten and smaller class sizes.

(2)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 1, beginning on line 20, after "(iii)" strike all material through "areas" on page 2, line 1 and insert "Two representatives of school districts, who represent school districts that serve students in urban areas and currently are experiencing difficulty finding suitable siting locations, selected by the Washington association of school administrators;

(iv) Two representatives of school districts, who represent school districts that serve students in rural areas and currently are experiencing difficulty finding suitable siting locations,"

On page 2, beginning on line 8, after "schools" strike all material through "facilities" on line 13 and insert "inside and outside of urban growth areas. In reviewing this issue, the task force must balance the planning goals and requirements set forth in chapter 36.70A RCW with the needs of school districts facing capacity issues and the infrastructure needs of local governments.

(4) Staff from the office of superintendent of public instruction and from affected school districts, counties, and cities must support the task force by providing local information as needed. Support provided by staff from the office of superintendent of public instruction must be provided within existing resources"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Lytton spoke in favor of the adoption of the amendment.

Amendment (191) was adopted.

Representative Taylor moved the adoption of amendment (182):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 11.** A new section is added to chapter 36.70A RCW to read as follows:

(1) Any county planning under RCW 36.70A.040 shall permit schools outside of urban growth areas when the following criteria are met:

(a) The school is needed to meet student capacity needs in an identified service area which serves students residing in whole or in part outside of an urban growth area, as demonstrated by a capital facilities plan adopted by a locally elected school board of directors;

(b) An inventory of developable land has been conducted and findings have been made that vacant land suitable to site the school is unavailable within the urban growth boundary and relevant service area, taking into consideration school service area needs, locally adopted educational program requirements, and, to the extent there is vacant land available within the urban growth boundary, the current zoning and the financial feasibility of using public dollars to secure such land;

(c) New infrastructure is provided for and impact fees, if applicable, are established consistent with the requirements of RCW 82.02.050;

(d) Transit-oriented site planning and traffic demand management programs are implemented;

(e) Buffers are provided between the school development and adjacent nonurban uses;

(f) Environmental protection has been addressed and provided for;

(g) Development regulations are established to ensure urban growth will not occur in adjacent nonurban areas;

(h) Provision is made to mitigate impacts on designated agricultural lands, forest lands, and mineral resource lands if the proposed site is located adjacent to such lands; and

(i) The plan for the new school is consistent with the development regulations established for the protection of critical areas by the county pursuant to RCW 36.70A.170.

(2) Any county subject to this section shall ensure that:

(a) The comprehensive plan specifically identifies policies, consistent with this section, to guide the development of schools located outside of the urban growth boundary;

(b) The comprehensive plan and development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the new school, except in areas otherwise designated for urban growth under RCW 36.70A.110;

(c) The county ensures that the school development plan is consistent with the development regulations established for critical areas; and

(d) On-site and off-site infrastructure and service impacts are fully considered and mitigated."

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (182) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wilcox, Takko, Klippert, Magendanz and DeBolt spoke in favor of the passage of the bill.

Representative Pollet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1420.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 82; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Representatives Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Caldier, Condotta, Farrell, Fey, Gregory, Hudgins, Hunter, Peterson, Pollet, Ryu, Scott, Stanford, Tarleton and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1551, by Representatives Ryu, Haler, Kagi, Gregerson and Wylie

Improving the administration of unclaimed property laws.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1551 was substituted for House Bill No. 1551 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1551 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1551.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1551, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri,

Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1551, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1817, by Representatives Shea, Taylor, Holy, Scott, Griffey, Reykdal and Condotta

Providing liability immunity for local jurisdictions when wheeled all-terrain vehicles are operated on public roadways.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1817.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1817, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Sawyer and Stanford.

HOUSE BILL NO. 1817, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2084, by Representative Hunter

Imposing fines, withholding taxes, and other measures to encourage local jurisdictions to timely file state-required reports. (REVISED FOR ENGROSSED: Allowing the state treasurer to withhold taxes to encourage local jurisdictions to timely file financial reports.)

The bill was read the second time.

Representative Appleton moved the adoption of amendment (248):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 12.** A new section is added to chapter 43.09 RCW to read as follows:

(1) By October 1, 2015, and by October 1st of every year thereafter, the state auditor must notify the state and county treasurers of any special purpose districts that have not timely filed the annual financial report required under RCW 43.09.230 for the current year. If a special purpose district submits the report after the state auditor has notified the state and county treasurers, the state auditor, within thirty days, must notify treasurers that the district is compliant.

(2) Beginning with distributions made in October, the state treasurer may not distribute any local sales and use taxes imposed by the special purpose district to the district until the state treasurer is notified that the district is compliant as provided in subsection (1) of this section. The state treasurer must remit all withheld funds; however, the distribution may not include interest.

(3) Beginning with distributions made in October, county treasurers may not distribute any regular property taxes imposed by the special purpose district, or any other charges that the county collects on behalf of the district, to the district until the county treasurer is notified that the district is compliant as provided in subsection (1) of this section. A county treasurer must remit all withheld funds; however, the distribution may not include interest.

(4) For the purpose of this section, "special purpose district" means cemetery districts, metropolitan park districts, water-sewer districts, fire protection districts, port districts, public utility districts, county park and recreation service areas, park and recreation districts, flood control zone districts, diking districts, drainage improvement districts, solid waste collection districts, mosquito districts, and transportation benefit areas."

Correct the title.

Representatives Hunter and Nealey spoke in favor of the adoption of the striking amendment.

Amendment (248) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2084.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2084, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli,

Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Holy, Klippert, MacEwen, McCaslin, Orcutt, Pike, Schmick, Scott, Shea, Taylor and Young.

ENGROSSED HOUSE BILL NO. 2084, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1844, by Representatives Moscoso, Kochmar, Clibborn, Fey, Appleton, Ortiz-Self and Tarleton

Concerning work performed by state forces on ferry vessels and terminals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1844 was substituted for House Bill No. 1844 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1844 was read the second time.

With the consent of the house, amendment (240) was withdrawn.

Representative Moscoso moved the adoption of amendment (246):

Strike everything after the enacting clause and insert the following:

"**Sec. 13.** RCW 47.28.030 and 2014 c 222 s 701 are each amended to read as follows:

(1)(a) A state highway shall be constructed, altered, repaired, or improved, and improvements located on property acquired for right-of-way purposes may be repaired or renovated pending the use of such right-of-way for highway purposes, by contract or state forces. The work or portions thereof may be done by state forces when the estimated costs thereof are less than fifty thousand dollars and effective July 1, 2005, sixty thousand dollars.

(b) When delay of performance of such work would jeopardize a state highway or constitute a danger to the traveling public, the work may be done by state forces when the estimated cost thereof is less than eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars.

(c) When the department of transportation determines to do the work by state forces, it shall enter a statement upon its records to that effect, stating the reasons therefor.

(d) To enable a larger number of small businesses and veteran, minority, and women contractors to effectively compete for department of transportation contracts, the department may adopt rules providing for bids and award of contracts for the performance of work, or furnishing equipment, materials, supplies, or operating services whenever any work is to be performed and the engineer's estimate indicates the cost of the work would not exceed eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars.

(2) The rules adopted under this section:

(a) Shall provide for competitive bids to the extent that competitive sources are available except when delay of performance would jeopardize life or property or inconvenience the traveling public; and

(b) Need not require the furnishing of a bid deposit nor a performance bond, but if a performance bond is not required then progress payments to the contractor may be required to be made based on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from the previous partial payment; and

(c) May establish prequalification standards and procedures as an alternative to those set forth in RCW 47.28.070, but the prequalification standards and procedures under RCW 47.28.070 shall always be sufficient.

(3) The department of transportation shall comply with such goals and rules as may be adopted by the office of minority and women's business enterprises to implement chapter 39.19 RCW with respect to contracts entered into under this chapter. The department may adopt such rules as may be necessary to comply with the rules adopted by the office of minority and women's business enterprises under chapter 39.19 RCW.

(4)(a) ((~~For the period of March 15, 2014, through June 30, 2015,~~)) Work for less than ((~~one~~)) two hundred ((~~twenty~~)) forty thousand dollars may be performed on ferry vessels and terminals by state forces. When the estimated cost of work to be performed by state forces is between one hundred twenty thousand dollars and the dollar amount set by this subsection (4)(a), the department shall first contact, by mail or electronic mail, contractors that appear on the department's small works roster as created pursuant to procedures in chapter 39.04 RCW to do specific work the contractors are qualified to do to determine if any contractor is interested and capable of doing the work. If there is a response of interest within seventy-two hours, then the small works roster procedures commence. If no qualified contractors respond with interest and availability to do the work, the department may perform the work using state forces. If the secretary determines the work to be completed is an emergency, then procedures governing emergencies apply.

(b) The department shall hire a disinterested, third party to conduct an independent analysis to identify methods of reducing out-of-service times for vessel maintenance, preservation, and improvement projects. The analysis must include options that consider consolidating work while vessels are at shipyards by having state forces perform services traditionally performed at Eagle Harbor at the shipyard and decreasing the allowable time at shipyards. The analysis must also compare the out-of-service vessel times of performing services by state forces versus contracting out those services which in turn must be used to form a recommendation as to what the threshold of work performed on ferry vessels and terminals by state forces should be. This analysis must be presented to the transportation committees of the senate and house of representatives by December 1, 2010.

(c) The department shall develop a proposed ferry vessel maintenance, preservation, and improvement program and present it to the transportation committees of the senate and house of representatives by December 1, 2010. The proposed program must:

(i) Improve the basis for budgeting vessel maintenance, preservation, and improvement costs and for projecting those costs into a sixteen-year financial plan;

(ii) Limit the amount of planned out-of-service time to the greatest extent possible, including options associated with department staff as well as commercial shipyards; and

(iii) Be based on the service plan in the capital plan, recognizing that vessel preservation and improvement needs may vary by route.

(d) In developing the proposed ferry vessel maintenance, preservation, and improvement program, the department shall

consider the following, related to reducing vessel out-of-service time:

(i) The costs compared to benefits of Eagle Harbor repair and maintenance facility operations options to include staffing costs and benefits in terms of reduced out-of-service time;

(ii) The maintenance requirements for on-vessel staff, including the benefits of a systemwide standard;

(iii) The costs compared to benefits of staff performing preservation or maintenance work, or both, while the vessel is underway, tied up between sailings, or not deployed;

(iv) A review of the department's vessel maintenance, preservation, and improvement program contracting process and contractual requirements;

(v) The costs compared to benefits of allowing for increased costs associated with expedited delivery;

(vi) A method for comparing the anticipated out-of-service time of proposed projects and other projects planned during the same construction period;

(vii) Coordination with required United States coast guard dry dockings;

(viii) A method for comparing how proposed projects relate to the service requirements of the route on which the vessel normally operates; and

(ix) A method for evaluating the ongoing maintenance and preservation costs associated with proposed improvement projects.

NEW SECTION. **Sec. 14.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Representatives Moscoso and Orcutt spoke in favor of the adoption of the striking amendment.

Amendment (246) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1844.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1844, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1807, by Representatives Condotta and Hurst

Assisting small businesses licensed to sell spirits in Washington state.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1807 was substituted for House Bill No. 1807 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1807 was read the second time.

Representative Hurst moved the adoption of amendment (119):

On page 3, at the beginning of line 29, strike "or (c)"

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment.

Amendment (119) was adopted.

Representative Hurst moved the adoption of amendment (204):

On page 5, line 16, after "than" strike "one-half" and insert "one"

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment.

Amendment (204) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1807.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1807, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller,

McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1564, by Representatives Kilduff and Muri

Concerning the local option prohibition on the sale of liquor.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1564 was substituted for House Bill No. 1564 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1564 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Muri spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1564.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1564, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Gregerson, Gregory, Haler, Hansen, Hargrove, Hawkins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Dent, Fagan, G. Hunt, Goodman, Griffey, Harmsworth, Harris, Hayes, Holy, Hudgins, Johnson, Klippert, Kretz, Kristiansen, MacEwen, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Shea, Short, Stanford, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1564, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1808, by Representatives Stanford, Manweller, Blake, Orcutt, Ryu, Zeiger, Moscoso, Harris, Appleton, Wilcox, Takko, Haler, Pollet, Kochmar, Ormsby, Holy, Vick, Fey, Sells, Dunshee, Hayes, Farrell, S. Hunt, Reykdal and Van De Wege

Concerning passenger-carrying vehicles for railroad employees.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1808 was substituted for House Bill No. 1808 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1808 was read the second time.

Representative Stanford moved the adoption of amendment (245):

Strike everything after the enacting clause and insert the following:

"**Sec. 15.** RCW 81.61.010 and 1977 ex.s. c 2 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise((~~, the term~~)):

(1) "Contract crew hauling vehicle," as used in this chapter, means every self-propelled vehicle, regardless of its seating capacity, owned, leased, operated, and maintained by a person contracting with a railroad company or its agents, contractors, subcontractors, or vendors, and used primarily to provide railroad crew transportation.

(2) "Passenger-carrying vehicle," as used in this chapter, means those buses and trucks owned, operated, and maintained by a railroad company which transports railroad employees in other than the cab of such vehicle and designed primarily for operation on roads which may or may not be equipped with retractable flanged wheels for operation on railroad tracks.

NEW SECTION. **Sec. 16.** A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission must regulate persons providing contract railroad crew transportation and every contract crew hauling vehicle with respect to the safety of equipment, driver qualifications, insurance levels, and safety of operations.

(2) The commission must adopt rules and require reports as necessary to carry out this chapter regarding contract crew hauling vehicles and establish federal motor vehicle safety standards for contract crew hauling vehicles, regardless of seating capacity, as the minimum safety standards, including:

(a) Driver qualifications, including a driver's minimum age and skill, physical condition, and appropriate class of commercial driver's license;

(b) Equipment safety;

(c) Safety of operations;

(d) Passenger safety;

(e) Insurance coverage for each contract crew hauling vehicle that satisfies the following minimum amounts, which may be increased by rule as adopted by the commission:

(i)(A) One million five hundred thousand dollars combined single limit coverage for bodily injury and property damage liability coverage;

(B) Uninsured and underinsured motorist coverage of five million dollars; and

(ii) If a third party contracts with the person operating the vehicle on behalf of the railroad company to transport railroad employees, the insurance requirements may be satisfied by either the third party or the person operating the vehicle, so long as the person operating the vehicle names the third party as an additional insured or named insured;

(f) The suspension, revocation, or cancellation of the certificate issued by the commission and held by any person owning, leasing, operating, and maintaining contract crew hauling vehicles as a result of serious or repeated violations of this chapter or rules adopted under this chapter; and

(g) The form and posting of adequate notices in a conspicuous location in all contract crew hauling vehicles to advise railroad employee passengers of their rights, the opportunity to submit safety complaints to the commission, the complaint process, and providing contact information for the commission.

(3) Persons owning, leasing, operating, and maintaining contract crew hauling vehicles must retain for at least three years all operational records relating to the contract crew hauling vehicles, including vehicle records involving accidents, maintenance and service records, drivers' records, records of passenger complaints, all employment actions, driver logs, and records of passengers transported.

(4) A person is immediately and automatically disqualified to work as a driver of a contract crew hauling vehicle under this chapter if the person's license is suspended or revoked two or more times within a three-year period. The disqualification must last for two years from the most recent license suspension or revocation.

(5)(a) The commission may, in enforcing rules and orders relating to persons owning, leasing, operating, and maintaining contract crew hauling vehicles under this chapter, inspect any contract crew hauling vehicles. Upon request, the chief of the state patrol or the chief's designee may assist the commission in these inspections.

(b) The commission must investigate safety complaints related to contract crew hauling transportation under this section and take appropriate enforcement action as authorized.

(c) The commission may enforce this section under the authority in RCW 81.04.380 through 81.04.405, including assessing penalties as warranted.

(d) Any interested person or group may request notice of, and participate in, any hearings or proceedings held under this section.

NEW SECTION. **Sec. 17.** A new section is added to chapter 81.61 RCW to read as follows:

The commission must compile data regarding any reported safety complaints, accidents, regulatory violations and fines, and corrective actions taken by the commission involving vehicles regulated under this chapter. A railroad company, and any person that owns or leases, operates, or maintains contract crew hauling vehicles in the state, must, at the request of the commission, provide data relevant to any complaints and accidents, including location, time of day, visibility, a description of the event, whether any property damage or personal injuries resulted, and any corrective action taken by the railroad company, person operating the contract crew hauling vehicle, or commission. The commission must make this data available upon request and on its web site.

Sec. 18. RCW 81.61.040 and 1977 ex.s. c 2 s 4 are each amended to read as follows:

(1) The commission may, in enforcing rules and orders under this chapter, inspect any passenger-carrying vehicle provided by a railroad company or its agents, contractors, subcontractors, or vendors to transport ((~~employees~~)) railroad crews in the course of their employment. Upon request, the chief of the state patrol may assist the commission in these inspections.

(2) By December 31, 2015, the commission must develop an inspection program for contract crew hauling vehicles. This program must require periodic inspection of each vehicle, including review of operational practices."

Correct the title.

Representatives Stanford and Orcutt spoke in favor of the adoption of the striking amendment.

Amendment (245) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Orcutt spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1808.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1808, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Holy, Kretz, McCaslin, Parker, Schmick, Scott, Shea, Short, Taylor, Van Werven and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Springer to preside.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

ESB 5014 by Senators Honeyford and Ericksen

AN ACT Relating to best practices for water banks; reenacting and amending RCW 90.42.020; adding new sections to chapter 90.42 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

SSB 5022 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Angel, Liias and Rolfes)

AN ACT Relating to providing fee immunity for certain city, town, and county water facilities; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Judiciary.

2SSB 5093 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Hewitt, Mullet and Sheldon)

AN ACT Relating to creating the nuclear energy education program; and adding a new chapter to Title 80 RCW.

Referred to Committee on Technology & Economic Development.

SB 5094 by Senators Brown, Hewitt, Sheldon and Hatfield

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

SSB 5113 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senator Brown)

AN ACT Relating to requiring the department of commerce to coordinate and advance the siting and manufacturing of small modular reactors in the state to meet future energy supply, environmental, and energy security needs; and amending RCW 43.21F.025 and 43.21F.045.

Referred to Committee on Technology & Economic Development.

SB 5295 by Senators Kohl-Welles, Bailey, Liias, Becker, Frockt, Miloscia and Chase

AN ACT Relating to the dashboard for four-year institutions of higher education; amending RCW 28B.77.090; and creating a new section.

Referred to Committee on Higher Education.

ESSB 5343 by Senate Committee on Transportation (originally sponsored by Senators Hasegawa, King, Jayapal, Chase, Rolfes, Keiser, Darneille and Conway)

AN ACT Relating to parking impact mitigation from regional transit authority facility construction; adding a new section to chapter 81.112 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Transportation.

ESSB 5347 by Senate Committee on Ways & Means (originally sponsored by Senators Hobbs, Hatfield, Warnick, Honeyford and Pearson)

AN ACT Relating to creating demonstration projects for preserving agricultural land and public infrastructure in flood plains; and adding a new section to chapter 43.23 RCW.

Referred to Committee on Agriculture & Natural Resources.

ESB 5471 by Senators Angel, Mullet, Litzow and Hobbs

AN ACT Relating to electronic notices and document delivery of insurance products; and adding a new chapter to Title 48 RCW.

Referred to Committee on Business & Financial Services.

E2SSB 5564 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Miloscia, Hargrove, Kohl-Welles, Fain, Jayapal, Brown, Habib, Dammeier, Frockt, Litzow, Warnick, Hasegawa and McAuliffe)

AN ACT Relating to decreasing the barriers to successful community participation for individuals involved with the juvenile justice system; amending RCW 13.50.260, 13.40.190, 7.68.035, 9.08.070, 9.08.072, 9.46.1961, 9.68A.105, 9.68A.106, 9.94A.550, 9A.20.021, 9A.50.030, 9A.56.060, 9A.56.085, 9A.88.120, 9A.88.140, 10.73.160, 10.82.090, 10.99.080, 13.40.080, 36.18.016, 36.18.020, 36.18.040, 43.43.690, 43.43.7541, 46.61.5054, 46.61.5055, 69.50.401, 69.50.425, 69.50.430, 69.50.435, and 77.15.420; reenacting and amending RCW 13.50.010 and 13.40.127; adding a new section to chapter 13.40 RCW; adding a new section to chapter 13.50 RCW; creating new sections; and repealing RCW 13.40.145 and 13.40.085.

Referred to Committee on Early Learning & Human Services.

SB 5620 by Senators Bailey, Kohl-Welles, Frockt, Schoesler and Conway

AN ACT Relating to authorizing waivers of building fees and services and activities fees for certain military service members; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

SSB 5640 by Senate Committee on Transportation (originally sponsored by Senator Ericksen)

AN ACT Relating to deficiency claims after auction of a private property vehicle impound; and amending RCW 46.55.140.

Referred to Committee on Transportation.

SB 5662 by Senators Kohl-Welles, Honeyford, Braun, Mullet and Rolfes

AN ACT Relating to providing promotional items to a nonprofit charitable corporation or association; and amending RCW 66.28.310.

Referred to Committee on Commerce & Gaming.

E2SSB 5688 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Rolfes, McAuliffe, Fain, Hill, Kohl-Welles, Mullet, Billig, Darneille, Jayapal and Frockt)

AN ACT Relating to providing students with skills that promote mental health and well-being and increase academic performance; adding new sections to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

ESSB 5804 by Senate Committee on Government Operations & Security (originally sponsored by Senators Liias, Benton, Hasegawa, Dammeier and Angel)

AN ACT Relating to the procedure for adoption and amendment of the Washington state energy code; and amending RCW 19.27A.020, 19.27A.025, and 19.27A.045.

Referred to Committee on Technology & Economic Development.

ESB 5873 by Senators Conway, Bailey, Schoesler and Kohl-Welles

AN ACT Relating to permitting persons retired from the law enforcement officers' and firefighters' retirement system plan 1 to select a survivor benefit option; and amending RCW 41.26.164.

Referred to Committee on Appropriations.

SSB 5897 by Senate Committee on Ways & Means (originally sponsored by Senators Cleveland, Darneille, McAuliffe, Kohl-Welles and Chase)

AN ACT Relating to providing funding for medical evaluations of suspected victims of child abuse; adding a new section to chapter 7.68 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SB 5914 by Senators Benton, Padden, Miloscia, Keiser, Conway, Roach, Warnick, Hewitt, Hatfield, Angel, Ericksen, Hobbs and O'Ban

AN ACT Relating to clarifying and restating the scope of local authority regarding regulation of fireworks by adopting uniform statewide standards and rules that continue the current limited scope of local authority; amending RCW 70.77.250 and 70.77.270; and declaring an emergency.

Referred to Committee on Local Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Representative Springer presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1790, by Representatives Springer, Muri, Ortiz-Self and Reykdal

Clarifying the authority of a nurse working in a school setting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1790 was substituted for House Bill No. 1790 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1790 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1790.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1790, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Harmsworth, Kretz, Manweller, McCaslin, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven and Young.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1790, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1804, by Representatives Springer, Magendanz, Lytton, Muri and Reykdal

Concerning the confidentiality of educator professional growth plans.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Magendanz spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1804.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1804, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Harmsworth, Holy, Klippert, Orcutt, Pike, Scott, Shea, Taylor, Van Werven and Wilson.

Excused: Representative DeBolt.

HOUSE BILL NO. 1804, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1620, by Representatives Tharinger, Fey, Lytton, Van De Wege, Stanford, Fitzgibbon, Walkinshaw, Cody, Pollet and Jinkins

Increasing the surcharge to fund biotoxin testing and monitoring.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1620.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1620, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Hargrove, McCaslin, Scott, Shea and Taylor.

Excused: Representative DeBolt.

HOUSE BILL NO. 1620, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1821, by Representatives Sullivan, Manweller, Condotta, Orwall, Blake, Fitzgibbon and Gregerson

Addressing industrial insurance requirements and options for owners and lessees of for hire vehicles, limousines, and taxicabs.

The bill was read the second time.

With the consent of the house, amendment (201) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan, Condotta and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1821.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1821, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, G. Hunt, Harmsworth, Harris, Holy, McCabe, McCaslin, Orcutt, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Vick and Young.

Excused: Representative DeBolt.

HOUSE BILL NO. 1821, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1704, by Representatives Pettigrew, Haler, Reykdal, Zeiger, Tarleton, Sells, Pollet, Klippert, Appleton, Goodman, Santos, Fey and Hudgins

Enhancing public safety and reducing recidivism through postsecondary education.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1704.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1704, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harris, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Gregory, Harmsworth, Hawkins, Hayes, Hurst, Kilduff, Kretz, Kristiansen, McCabe, McCaslin, Muri, Orcutt, Pike, Schmick, Scott, Shea, Short, Taylor, Vick, Wilcox, Wilson and Young.

Excused: Representative DeBolt.

HOUSE BILL NO. 1704, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1704.

Representative Parker, 6th District

The Speaker (Representative Orwall presiding) called upon Representative Walkinshaw to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1320
HOUSE BILL NO. 1990

The Speaker (Representative Walkinshaw presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

March 9, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5057
ENGROSSED SUBSTITUTE SENATE BILL NO. 5735
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5737
ENGROSSED SENATE BILL NO. 5863

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1647, by Representatives Cody, Takko, Tharinger, Robinson, Blake, Appleton, Hunter, Kilduff, Kagi, Fitzgibbon, Ormsby, Wylie, S. Hunt, Reykdal, Goodman, Moscoso, Riccelli, Pollet, Walkinshaw, McBride and Jinkins

Concerning health plan coverage of reproductive health care.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Takko and Senn spoke in favor of the passage of the bill.

Representatives Short, Smith, Pike and Walsh spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1647.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1647, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative DeBolt.

HOUSE BILL NO. 1647, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1546, by Representatives Reykdal, Pollet, Springer, Bergquist, S. Hunt, Lytton, Tarleton, Wylie and McBride

Concerning dual credit opportunities provided by Washington state's public institutions of higher education.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1546 was substituted for House Bill No. 1546 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1546 was read the second time.

Representative Reykdal moved the adoption of amendment (249):

On page 1, beginning on line 10, after "year" strike all language through "assessments," on line 11

Representatives Reykdal and Magendanz spoke in favor of the adoption of the amendment.

Amendment (249) was adopted.

Representative Orwall moved the adoption of amendment (253):

On page 13, after line 12, insert the following:

"NEW SECTION. **Sec. 8.** If specific funding for the purposes of section 2 of this act, referencing section 2 of this act by bill or chapter number and section number, is not provided by June 30, 2015, in the omnibus appropriations act, sections 1, 2, and 3 of this act are null and void.

Sec. 9. RCW 28A.600.290 and 2012 c 229 s 801 are each amended to read as follows:

(1) The superintendent of public instruction, the state board for community and technical colleges, the student achievement council, and the public baccalaureate institutions shall jointly develop and each adopt rules governing the college in the high school program. The association of Washington school principals shall be consulted during the rules development. ((~~The rules shall be written to encourage the maximum use of the program and may not narrow or limit the enrollment options.~~)) Rules for the program shall be updated by December 1, 2015. The update shall address course requirements so that courses offered through the college in the high school program meet the standards for transferable college credit for the purposes of meeting general education requirements or degree requirements at institutions of higher education.

(2) College in the high school programs shall each be governed by a local contract between the district and the institution of higher education, in compliance with the ((~~guidelines~~)) rules adopted ((~~by the superintendent of public instruction, the state board for community and technical colleges, and the public baccalaureate institutions~~))under subsection (1) of this section.

(3) The college in the high school program must include the provisions in this subsection.

(a) The high school and institution of higher education together shall define the criteria for student eligibility. The institution of higher education may charge tuition fees to participating students.

(b) School districts shall report no student for more than one full-time equivalent including college in the high school courses.

(c) The funds received by the institution of higher education may not be deemed tuition or operating fees and may be retained by the institution of higher education.

(d) Enrollment information on persons registered under this section must be maintained by the institution of higher education separately from other enrollment information and may not be included in official enrollment reports, nor may such persons be considered in any enrollment statistics that would affect higher education budgetary determinations.

(e) A school district must grant high school credit to a student enrolled in a program course if the student successfully completes the course. ((~~If no comparable course is offered by the school district, the school district superintendent shall determine how many credits to award for the course.~~)) The determination of the number of high school credits shall be shall be made in writing before the student enrolls in the course. The credits shall be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course shall be included in the student's secondary school records and transcript.

(f) ((~~An~~))The participating institution of higher education must grant college credit to a student enrolled in a program course if the student successfully completes the course. The college credit shall be applied toward general education requirements or ((~~major~~)) degree requirements. ((~~If no comparable course is offered by the college, the institution of higher education at which the teacher of the program course is employed shall determine how many credits to award for the course and whether the course fulfills general education or major requirements.~~)) Evidence of successful completion of each program course must be included in the student's college transcript.

(g) Tenth, eleventh and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the tenth, eleventh, or twelfth grades may participate in the college in the high school program.

(h) Participating school districts must provide general information about the college in the high school program to all students in grades ((~~ten, eleven, and~~)) eight through twelve and to the parents and guardians of those students.

(i) Full-time and part-time faculty at institutions of higher education, including adjunct faculty, are eligible to teach program courses.

(4) The definitions in this subsection apply throughout this section.

(a) "Institution of higher education" has the meaning in RCW 28B.10.016 and also includes a public tribal college located in Washington and accredited by the Northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.

(b) "Program course" means a college course offered in a high school under the college in the high school program.

Sec. 10. RCW 28A.600.310 and 2012 c 229 s 702 are each amended to read as follows:

(1) Eleventh and twelfth grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the eleventh or twelfth grades may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education. A student receiving home-based instruction enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals, obtain a certificate of academic achievement or a certificate of individual achievement to graduate from high school,

or to master the essential academic learning requirements. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program. Participating institutions of higher education, in consultation with school districts, may establish admission standards for these students. If the institution of higher education accepts a secondary school pupil for enrollment under this section, the institution of higher education shall send written notice to the pupil and the pupil's school district within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection (2) shall be prorated based on credit load.

(c) Students may pay fees under this subsection with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(3)(a) The institutions of higher education must make available fee waivers for low-income running start students. Each institution must establish a written policy for the determination of low-income students before offering the fee waiver. A student shall be considered low income and eligible for a fee waiver upon proof that the student is currently qualified to receive free or reduced-price lunch. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

(b) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to web sites, online catalogues, admission and registration forms, mass e-mail messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.

(4) The pupil's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260 to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

(((~~(5) The state board for community and technical colleges, in collaboration with the other institutions of higher education that participate in the running start program and the office of the superintendent of public instruction, shall identify, assess, and report on alternatives for providing ongoing and adequate financial support for the program. Such alternatives shall include but are not limited to student tuition, increased support from local school districts, and reallocation of existing state financial support among the community and technical college system to account for differential running start enrollment levels and impacts. The state board for community and technical colleges shall report the assessment of alternatives to the governor and to the appropriate fiscal and policy committees of the legislature by September 1, 2010.~~))

NEW SECTION. **Sec. 11.** Sections 9 and 10 of this act take effect 90 days after adjournment of the session in which the bill is passed if, by June 30, 2015, sections 1, 2, and 3 of this act are null and void pursuant to section 8 of this act. If sections 1, 2, and 3 of this act are not null and void pursuant to section 8 of this act, sections 9 and 10 of this act are null and void in their entirety."

Representatives Orwall and Magendanz spoke in favor of the adoption of the amendment.

Amendment (253) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal and Santos spoke in favor of the passage of the bill.

Representatives Magendanz and Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1546.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1546, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, MacEwen, Magendanz, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1283, by Representatives Parker, Kirby and Vick

Concerning nonprofit organizations engaged in debt adjusting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1283 was substituted for House Bill No. 1283 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1283 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Parker, Kirby and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1283.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1283, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1283, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2010, by Representatives Takko, Reykdal and Buys

Creating appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2010.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2010, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2010, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1337, by Representatives Takko, Nealey, Springer, Zeiger, Tarleton and Chandler

Increasing the flexibility for industrial development district levies for public port districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1337 was substituted for House Bill No. 1337 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1337 was read the second time.

Representative Taylor moved the adoption of amendment (181):

On page 1, line 13, after "(1)" insert "and subsection (2) of this section"

On page 2, beginning on line 17, after "(2)" strike all material through "made in the" on line 32 and insert the following:

"(a) If a port district intends to impose levies over a first or second multiyear levy period, the port commission must:

(i) Publish notice of this intention with an explanation of the right of citizens to submit the proposition to a referendum vote, in accordance with (b) of this subsection (2), in one or more newspapers

of general circulation within the district, by April 1st of the year in which the first levy in the first or second multiyear levy period is to be made; and

(ii) Following adoption of a resolution approving the use of a first or second multiyear levy period, issue a press release explaining the amount of the levies to be imposed in the levy period, the years of implementation, and the right of citizens to submit the proposition to a referendum vote, in accordance with (b) of this subsection (2). The press release must be sent to local radio stations and to one or more newspapers of general circulation within the district. The resolution and the press release also must be posted on the website of the port district in a prominent location, if the port district maintains a website, for a period of at least four weeks, and sent to any electronic mailing list used to notify interested parties of activities of the port commission.

(b) If, within ninety days of the date that notice is published under (a)(i) of this subsection (2), a petition is filed with the county auditor containing the signatures of four percent of the number of voters registered and voting in the port district for the office of the governor at the most recent gubernatorial election, the county auditor must canvass the signatures in the same manner as prescribed in RCW 29A.72.230 and certify their sufficiency to the port commission within two weeks. If the petition contains sufficient valid signatures, the proposition to impose levies over a first or second multiyear levy period must be submitted to the voters of the port district at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311. The levies may be made in the first or"

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (181) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Nealey spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1337.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1337, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Haler, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, G. Hunt, Gregory, Griffey, Hargrove, Harmsworth, Harris, Hawkins, Holy, Kristiansen, McCaslin, Muri, Orcutt, Schmick, Scott, Shea, Taylor, Van Werven, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1337, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1761, by Representatives Stanford, Vick, Kirby, Parker, Ryu, G. Hunt, Blake, Santos and Hurst

Addressing insurance producers, insurers, and title insurance agents activities with customers and potential customers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1761 was substituted for House Bill No. 1761 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1761 was read the second time.

Representative Stanford moved the adoption of amendment (242):

Strike everything after the enacting clause and insert the following:

"**Sec. 19.** RCW 48.30.140 and 2009 c 329 s 1 are each amended to read as follows:

(1) Except to the extent provided for in an applicable filing with the commissioner then in effect, no insurer, insurance producer, or title insurance agent shall, as an inducement to insurance, or after insurance has been effected, directly or indirectly, offer, promise, allow, give, set off, or pay to the insured or to any employee of the insured, any rebate, discount, abatement, or reduction of premium or any part thereof named in any insurance contract, or any commission thereon, or earnings, profits, dividends, or other benefit, or any other valuable consideration or inducement whatsoever which is not expressly provided for in the policy.

(2) Subsection (1) of this section shall not apply as to commissions paid to a licensed insurance producer, or title insurance agent for insurance placed on that person's own property or risks.

(3) This section shall not apply to the allowance by any marine insurer, or marine insurance producer, to any insured, in connection with marine insurance, of such discount as is sanctioned by custom among marine insurers as being additional to the insurance producer's commission.

(4) This section shall not apply to advertising or promotional programs conducted by insurers((~~,~~)) or insurance producers((~~, or title insurance agents~~)) whereby prizes, goods, wares, gift cards, gift certificates, or merchandise, not exceeding ((~~twenty-five~~)) one hundred dollars in value per person in the aggregate in any twelve month period, are given to all insureds or prospective insureds under similar qualifying circumstances. This subsection does not apply to title insurers or title insurance agents.

(5) This section does not apply to an offset or reimbursement of all or part of a fee paid to an insurance producer as provided in RCW 48.17.270.

(6)(a) Subsection (1) of this section shall not be construed to prohibit a health carrier or disability insurer from including as part of a group or individual health benefit plan or contract containing health benefits, a wellness program which meets the requirements

for an exception from the prohibition against discrimination based on a health factor under the health insurance portability and accountability act (P.L. 104-191; 110 Stat. 1936) and regulations adopted pursuant to that act.

(b) For purposes of this subsection: (i) "Health carrier" and "health benefit plan" have the same meaning as provided in RCW 48.43.005; and (ii) "wellness program" has the same meaning as provided in 45 C.F.R. 146.121(f).

Sec. 20. RCW 48.30.150 and 2009 c 329 s 2 are each amended to read as follows:

(1) No insurer, insurance producer, title insurance agent, or other person shall, as an inducement to insurance, or in connection with any insurance transaction, provide in any policy for, or offer, or sell, buy, or offer or promise to buy or give, or promise, or allow to, or on behalf of, the insured or prospective insured in any manner whatsoever:

(a) Any shares of stock or other securities issued or at any time to be issued on any interest therein or rights thereto; or

(b) Any special advisory board contract, or other contract, agreement, or understanding of any kind, offering, providing for, or promising any profits or special returns or special dividends((~~;~~ ~~or~~)).

(((~~(c) Any~~)) (2) Insurers, except title insurers and title insurance agents, and insurance producers may offer prizes, goods, wares, gift cards, gift certificates, or merchandise ((~~of~~)) that does not exceed an aggregate value ((~~in excess~~)) of ((~~twenty-five~~)) one hundred dollars per person in any consecutive twelve-month period.

(((~~(2)~~))) (3) Subsection (1) of this section shall not be deemed to prohibit the sale or purchase of securities as a condition to or in connection with surety insurance insuring the performance of an obligation as part of a plan of financing found by the commissioner to be designed and operated in good faith primarily for the purpose of such financing, nor shall it be deemed to prohibit the sale of redeemable securities of a registered investment company in the same transaction in which life insurance is sold.

(((~~(3)~~))) (4)(a) Subsection (1) of this section shall not be deemed to prohibit a health carrier or disability insurer from including as part of a group or individual health benefit plan or contract providing health benefits, a wellness program which meets the requirements for an exception from the prohibition against discrimination based on a health factor under the health insurance portability and accountability act (P.L. 104-191; 110 Stat. 1936) and regulations adopted pursuant to that act.

(b) For purposes of this subsection: (i) "Health carrier" and "health benefit plan" have the same meaning as provided in RCW 48.43.005; and (ii) "wellness program" has the same meaning as provided in 45 C.F.R. 146.121(f).

NEW SECTION. **Sec. 21.** A new section is added to chapter 48.30 RCW to read as follows:

(1) An insurance producer may give to an individual, prizes, goods, wares, gift cards, gift certificates, or merchandise not exceeding one hundred dollars in value per person in any consecutive twelve-month period for the referral of insurance business to the insurance producer, if the giving of the prizes, goods, wares, gift cards, gift certificates, or merchandise is not conditioned upon the person who is referred applying for or obtaining insurance through the insurance producer.

(2) The payment for the referral must not be in cash, currency, bills, coins, check, or by money order.

(3) The provisions of RCW 48.30.140 and 48.30.150 do not apply to prizes, goods, wares, gift cards, gift certificates, or merchandise given to a person in compliance with subsections (1) and (2) of this section.

(4) Notwithstanding subsections (1) and (2) of this section, an insurance producer may pay to an unlicensed individual who is neither an insured nor a prospective insured a referral fee conditioned on the submission of an application if made in compliance with the provisions of RCW 48.17.490(4).

NEW SECTION. **Sec. 22.** A new section is added to chapter 48.30 RCW to read as follows:

(1) An insurance producer may sponsor events for, or make contributions to a bona fide charitable or nonprofit organization, if the sponsorship or contribution is not conditioned upon the organization applying for or obtaining insurance through the insurance producer.

(2) For purposes of this section, a bona fide charitable or nonprofit organization is:

(a) Any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, cultural, athletic, scientific, agricultural, or horticultural purposes;

(b) Any professional, commercial, industrial, or trade association;

(c) Any organization duly existing under the provisions of chapter 24.12, 24.20, or 24.28 RCW;

(d) Any agricultural fair authorized under the provisions of chapter 15.76 or 36.37 RCW; or

(e) Any nonprofit organization, whether incorporated or otherwise, when determined by the commissioner to be organized and operated for one or more of the purposes described in (a) through (d) of this subsection.

(3) RCW 48.30.140 and 48.30.150 do not apply to sponsorships or charitable contributions that are provided or given in compliance with subsection (1) of this section."

Correct the title.

Representatives Stanford and Vick spoke in favor of the adoption of the striking amendment.

Amendment (242) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1761.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1761, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1761, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1022, by Representatives Appleton and Goodman

Prohibiting general power of attorney provisions in bail bond agreements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1022.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1022, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1022, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1465, by Representatives MacEwen, Hudgins and Ormsby

Creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives MacEwen and Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1465.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1465, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Dent, Fagan, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCaslin, Muri, Orcutt, Riccelli, Schmick, Scott, Senn, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

HOUSE BILL NO. 1465, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1513, by Representatives Springer, Fitzgibbon, Gregerson and McBride

Concerning local infrastructure project areas.

The bill was read the second time.

Representative Fey moved the adoption of amendment (172):

On page 11, at the beginning of line 10, strike "or" and insert "((~~or~~))"

On page 11, line 13, after "extinguishment" insert "; or

(iii) Entered into an interlocal agreement with the county or counties in which the local infrastructure project area is located, under which the parties agree that the local property tax threshold level 1 is met, without regard to (a)(i) or (ii) of this subsection (4)"

Representatives Fey and Nealey spoke in favor of the adoption of the amendment.

Amendment (172) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

Representative Nealey spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1513.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1513, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, MacEwen, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Santos, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

ENGROSSED HOUSE BILL NO. 1513, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1851, by Representatives Hayes, Bergquist, Zeiger, Takko, Harmsworth, Wilson, Griffey, Hargrove, Smith and Magendanz

Creating an expedited permitting and contracting process for bridges owned by local governments that are deemed structurally deficient.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1851 was substituted for House Bill No. 1851 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1851 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1851.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1851, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1851, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1850, by Representatives Hayes, Clibborn, Orcutt, Takko, Harmsworth, Riccelli, Rodne, Bergquist, Wilson, Robinson, Smith, Muri and Magendanz

Exempting certain department of transportation actions from local review or permit processes under the shoreline management act.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1850 was substituted for House Bill No. 1850 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1850 was read the second time.

Representative Farrell moved the adoption of amendment (237):

On page 2, line 24, after "facilities;" strike "or"

On page 2, beginning on line 25, after "(3)(a)" strike all material through "government" on page 3, line 5 and insert "Subject to the limitations specified in this subsection (3), normal maintenance or repair of existing structures or developments by the department of transportation, including maintenance or repair of damage caused by accident, fire, or the elements.

(b) For purposes of this subsection (3), the following definitions apply:

(i) "Normal maintenance" includes any usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

(ii) "Normal repair" means to restore a structure or development to a state comparable to its original condition including, but not limited to, restoring the development's size, shape, configuration, location, and external appearance, within a reasonable period after decay or partial destruction. Normal repair of a structure or development may not cause substantial adverse effects to shoreline resources or the shoreline environment. Replacement of a structure or development may be authorized as a normal repair if:

(A) Replacement is the common method of repair for the type of structure or development;

(B) The replacement structure or development is comparable to the original structure or development including, but not limited to, the size, shape, configuration, location, and external appearance of the original structure or development; and

(C) The replacement does not cause substantial adverse effects to shoreline resources or the shoreline environment.

(c) Normal maintenance or repair of an existing structure or development under this subsection (3) does not include the expansion of an existing structure or development, or the construction of a new structure or development that does not meet

the criteria of a replacement structure or development under (b)(ii) of this subsection (3); or

(4) Construction or installation of safety structures and equipment by the department of transportation, including pavement marking, freeway surveillance and control systems, railroad protective devices not including grade-separated crossings, grooving, glare screen, safety barriers, energy attenuators, and hazardous or dangerous tree removal"

Representatives Farrell and Hayes spoke in favor of the adoption of the amendment.

Amendment (237) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Farrell spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1850.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1850, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1850, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2017, by Representatives Klippert, Cody, Blake, Dent, Hayes, Fagan and Kretz

Creating Washington farmers and ranchers special license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2017 was substituted for House Bill No. 2017 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2017 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klippert, Clibborn and Hayes spoke in favor of the passage of the bill.

Representative Magendanz spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2017.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2017, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Magendanz, Stanford and Taylor.

SUBSTITUTE HOUSE BILL NO. 2017, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1430, by Representatives Walkinshaw, Holy, Clibborn and McBride

Creating Washington state tree special license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1430 was substituted for House Bill No. 1430 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1430 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walkinshaw and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1430.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1430, and the bill passed the House by the following vote: Yeas, 79; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sells, Senn, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Harmsworth, Kristiansen, Magendanz, Nealey, Pike, Sawyer, Schmick, Scott, Shea, Stanford, Taylor, Van Werven, Vick, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1430, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1830, by Representative Muri

Creating Washington state wrestling special license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1830 was substituted for House Bill No. 1830 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1830 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Muri, Clibborn, Kochmar, Riccelli and Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1830.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1830, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Magendanz, Pollet, Scott, Stanford and Taylor.

SUBSTITUTE HOUSE BILL NO. 1830, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1232, by Representatives Chandler, Blake and McCabe

Concerning employer-purchased fishing guide licenses.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1232.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1232, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1232, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1676, by Representatives Short, Lytton, Kretz and Blake

Understanding the effects of predation on wild ungulate populations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1676 was substituted for House Bill No. 1676 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1676 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Short and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1676.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1676, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1676, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2107, by Representatives Kretz, Blake, Short, Dent and Schmick

Requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2107 was substituted for House Bill No. 2107 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2107 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz, Blake and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2107.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2107, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2107, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1118, by Representative Blake

Creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1118 was substituted for House Bill No. 1118 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1118 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Blake spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1118.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1118, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kretz, Kristiansen, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Kochmar, MacEwen, Magendanz, McCabe, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1118, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1389, by Representatives Goodman, Griffey, Klippert, Van De Wege, Tarleton, Chandler, Morris, Lytton, Hayes and Moscoso

Addressing the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1389.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1389, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1389, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1605, by Representatives Peterson, Van De Wege, Griffey, Riccelli and Fitzgibbon

Modifying certain provisions governing benefit charges of fire protection districts and regional fire protection service authorities.

The bill was read the second time.

With the consent of the house, amendments (168) and (208) were withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1605.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1605, and the bill passed the House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Gregory, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

HOUSE BILL NO. 1605, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1368, by Representatives Reykdal, Stokesbary, Van De Wege and Springer

Removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1368 was substituted for House Bill No. 1368 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1368 was read the second time.

Representative Reykdal moved the adoption of amendment (197):

On page 5, after line 30, insert the following:

"**Sec. 5.** RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in

RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 6. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes ((~~shall~~)) must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate

percent of all taxes levied for purposes of taxing districts within any county ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor ((~~shall~~)) must recompute and establish a consolidated levy in the following manner:

(((~~(1)~~))) (a) The full certified rates of tax levy for state, county, county road district, and city or town purposes ((~~shall~~)) must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy ((~~shall~~)) takes precedence over all other levies and ((~~shall~~)) may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies ((~~shall~~)) must be reduced as follows:

(((~~(a)~~))) (i) The levy imposed by a county under RCW 84.52.140 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(b)~~))) (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 shall be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(c)~~))) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(d)~~))) (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(e)~~))) (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(f)~~))) (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, ((~~shall~~)) must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated; and

(((~~(g)~~))) (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(((~~(2)~~))) (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property ((~~shall~~)) must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(((~~(a)~~))) (i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(b)~~))) (ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(c)~~))) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(d)~~))) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(e)~~))) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) ((~~shall~~)) must be reduced on a pro rata basis or eliminated; and

(((~~(f)~~))) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, ((~~shall~~)) must be reduced on a pro rata basis or eliminated."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 8, after line 15, insert the following:

"**Sec. 8.** RCW 84.52.125 and 2005 c 122 s 1 are each amended to read as follows:

A fire protection district or regional fire protection service authority may protect the district's or authority's tax levy from prorationing under RCW 84.52.010(2) by imposing up to a total of twenty-five cents per thousand dollars of assessed value of the tax levies authorized under RCW 52.16.140 and 52.16.160, or 52.26.140(1) (b) and (c) outside of the five dollars and ninety cents per thousand dollars of assessed valuation limitation established under RCW 84.52.043(2), if those taxes otherwise would be prorated under RCW 84.52.010(2)(e)."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, after line 21, insert the following:

"NEW SECTION. **Sec. 10.** Section 5 of this act expires January 1, 2018.

NEW SECTION. **Sec. 11.** Section 6 of this act takes effect January 1, 2018."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, after line 27, insert the following:

"NEW SECTION. **Sec. 13.** Section 7 of this act expires January 1, 2018.

NEW SECTION. **Sec. 14.** Section 8 of this act takes effect January 1, 2018."

Correct the title.

Representative Reykdal spoke in favor of the adoption of the amendment.

Amendment (197) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reykdal spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Hansen was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1368.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1368, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Gregory, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Hansen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2093, by Representatives Kretz, Short, Blake, Buys and Condotta

Concerning wildland fire suppression.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2093 was substituted for House Bill No. 2093 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2093 was read the second time.

Representative Kretz moved the adoption of amendment (220):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 15.** A new section is added to chapter 43.30 RCW under the subchapter heading "organization" to read as follows:

(1) The commissioner must appoint a local wildland fire liaison that reports directly to the commissioner or the supervisor and generally represents the interests and concerns of landowners and the general public during any fire suppression activities of the department.

(2) The role of the local wildland fire liaison is to provide advice to the commissioner on issues such as access to land during fire suppression activities, the availability of local fire suppression assets, environmental concerns, and landowner interests.

(3) In appointing the local wildland fire liaison, the commissioner must consult with county legislative authorities either directly or through an organization that represents the interests of county legislative authorities.

NEW SECTION. **Sec. 16.** (1) The local wildland fire liaison created in section 1 of this act must prepare a report to the commissioner of public lands by December 31, 2015, that provides recommendations regarding:

(a) Opportunities for the department of natural resources to increase training with local fire protection districts;

(b) The ability to quickly evaluate the availability of local fire district resources in a manner that allows the local resources to be more efficiently and effectively dispatched to wildland fires; and

(c) Opportunities to increase and maintain the viability of local fire suppression assets.

(2) The department of natural resources must issue a report to the legislature consistent with RCW 43.01.036 by October 31, 2016, that summarizes the recommendations of the local wildland fire liaison, details steps taken to implement the recommendations, and offers an analyses of the results on the ground.

(3) This section expires July 1, 2017.

NEW SECTION. **Sec. 17.** A new section is added to chapter 76.04 RCW under the subchapter heading "administration" to read as follows:

(1) The commissioner must appoint and maintain a wildland fire advisory committee to generally advise the commissioner on

all matters related to wildland firefighting in the state. This includes, but is not limited to, developing recommendations regarding department capital budget requests related to wildland firefighting and developing strategies to enhance the safe and effective use of private and public wildland firefighting resources.

(2) The commissioner may appoint members to the wildland fire advisory committee as the commissioner determines is the most helpful in the discharge of the commissioner's duties. However, at a minimum, the commissioner must invite the following:

(a) Two county commissioners, one from east of the crest of the Cascade mountains and one from west of the crest of the Cascade mountains;

(b) Two owners of industrial land, one an owner of timberland and one an owner of rangeland;

(c) The state fire marshal or a representative of the state fire marshal's office;

(d) Two individuals with the title of fire chief, one from a community located east of the crest of the Cascade mountains and one from a community located west of the crest of the Cascade mountains;

(e) An individual with the title of fire commissioner whose authority is pursuant to chapter 52.14 RCW;

(f) A representative of a federal wildland firefighting agency;

(g) A representative of a tribal nation;

(h) A representative of a statewide environmental organization;

(i) A representative of a state land trust beneficiary; and

(j) A small forest landowner.

(3) The local wildland fire liaison serves as the administrative chair for the wildland fire advisory committee.

(4) The department must provide staff support for all committee meetings.

(5) The wildland fire advisory committee must meet at the call of the administrative chair for any purpose that directly relates to the duties set forth in subsection (1) of this section or as is otherwise requested by the commissioner or the administrative chair.

(6) Each member of the wildland fire advisory committee serves without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(7) The members of the wildland fire advisory committee, or individuals acting on their behalf, are immune from civil liability for official acts performed in the course of their duties.

NEW SECTION. **Sec. 18.** A new section is added to chapter 76.04 RCW to read as follows:

(1)(a) An individual may, consistent with this section, enter privately owned or publicly owned land for the purposes of attempting to extinguish or control a wildland fire, regardless of whether the individual owns the land, when fighting the wildland fire in that particular time and location can be reasonably considered a public necessity due to an imminent danger.

(b) No civil or criminal liability may be imposed by any court on an individual acting pursuant to this section for any direct or proximate adverse impacts resulting from an individual's access to land for the purposes of attempting to extinguish or control a wildland fire when fighting the wildland fire in that particular time and location can be reasonably considered a public necessity, except upon proof of gross negligence or willful or wanton misconduct by the individual.

(c) An individual may enter land under this subsection (1) only if:

(i) There is an active fire on or in near proximity to the land;

(ii) The individual has a reasonable belief that the local fire conditions are creating an emergency situation and that there is an imminent danger of a fire growing or spreading to or from the parcel of land being entered;

(iii) The individual has a reasonable belief that preventive measures will extinguish or control the wildfire;

(iv) The individual has a reasonable belief that he or she is capable of taking preventive measures;

(v) The individual only undertakes measures that are reasonable and necessary until professional wildfire suppression personnel arrives;

(vi) The individual does not continue to take suppression actions after specific direction to cease from the landowner;

(vii) The individual takes preventive measures only for the period of time until efforts to control the wildfire have been assumed by professional wildfire suppression personnel, unless explicitly authorized by professional wildland firefighting personnel to remain engaged in suppressing the fire;

(viii) The individual follows the instructions of professional wildland firefighting personnel, including ceasing to engage in firefighting activities, when directed to do so by professional wildland firefighting personnel; and

(ix) The individual promptly notifies emergency personnel and the landowner, lessee, or occupant prior to entering the land or within a reasonable time after the individual attempts to extinguish or control the wildland fire.

(d) Nothing in this section authorizes any person to materially benefit from accessing land or retain any valuable materials that may be collected or harvested during the time the individual attempts to extinguish or control the wildland fire.

(e)(i) The authority to enter privately owned or publicly owned land under this subsection (1) is limited to the minimum necessary activities reasonably required to extinguish or control the wildland fire.

(ii) Activities that may be reasonable under this subsection (1) include, but are not limited to: Using hand tools to clear the ground of debris, operating readily available water hoses, clearing flammable materials from the vicinity of structures, unlocking or opening gates to assist firefighter access, and safely scouting and reporting fire behavior.

(iii) Activities that do not fall within the scope of this subsection (1)(e), due to the high potential for adverse consequences, include, but are not limited to: Lighting a fire in an attempt to stop the spread of another fire; using explosives as a firefighting technique; using aircraft for fire suppression; and directing other individuals to engage in firefighting.

(f) Nothing in this subsection (1) confers a legal or civil duty or obligation on a person to attempt to extinguish or control a wildfire.

(2)(a) No civil or criminal liability may be imposed by any court on the owner, lessee, or occupant of any land accessed as permitted under subsection (1) of this section for any direct or proximate adverse impacts resulting from the access to privately owned or publicly owned land allowed under subsection (1) of this section, except upon proof of willful or wanton misconduct by the owner, lessee, or occupant. The barriers to civil and criminal liability imposed by this subsection include, but are not limited to, impacts on:

(i) The individual accessing the privately owned or publicly owned land and the individual's personal property, including loss of life;

(ii) Any structures or land alterations constructed by individuals entering the privately owned or publicly owned land;

(iii) Other landholdings; and

(iv) Overall environmental resources.

(b) This subsection (2) does not apply in any case where liability for damages is provided under RCW 4.24.040.

(3) Nothing in this section limits or otherwise effects any other statutory or common law provisions relating to land access or the control of a conflagration.

Sec. 19. RCW 76.04.015 and 2012 c 38 s 1 are each amended to read as follows:

(1) The department may, at its discretion, appoint trained personnel possessing the necessary qualifications to carry out the duties and supporting functions of the department and may determine their respective salaries.

(2) The department shall have direct charge of and supervision of all matters pertaining to the forest fire service of the state.

(3) The department shall:

(a) Enforce all laws within this chapter;

(b) Be empowered to take charge of and direct the work of suppressing forest fires;

(c)(i) Investigate the origin and cause of all forest fires to determine whether either a criminal act or negligence by any person, firm, or corporation caused the starting, spreading, or existence of the fire. In conducting investigations, the department shall work cooperatively, to the extent possible, with utilities, property owners, and other interested parties to identify and preserve evidence. Except as provided otherwise in this subsection, the department in conducting investigations is authorized, without court order, to take possession or control of relevant evidence found in plain view and belonging to any person, firm, or corporation. To the extent possible, the department shall notify the person, firm, or corporation of its intent to take possession or control of the evidence. The person, firm, or corporation shall be afforded reasonable opportunity to view the evidence and, before the department takes possession or control of the evidence, also shall be afforded reasonable opportunity to examine, document, and photograph it. If the person, firm, or corporation objects in writing to the department's taking possession or control of the evidence, the department must either return the evidence within seven days after the day on which the department is provided with the written objections or obtain a court order authorizing the continued possession or control.

(ii) Absent a court order authorizing otherwise, the department may not take possession or control of evidence over the objection of the owner of the evidence if the evidence is used by the owner in conducting a business or in providing an electric utility service and the department's taking possession or control of the evidence would substantially and materially interfere with the operation of the business or provision of electric utility service.

(iii) Absent a court order authorizing otherwise, the department may not take possession or control of evidence over the objection of an electric utility when the evidence is not owned by the utility but has caused damage to property owned by the utility. However, this subsection (3)(c)(iii) does not apply if the department has notified the utility of its intent to take possession or control of the evidence and provided the utility with reasonable time to examine, document, and photograph the evidence.

(iv) Only personnel qualified to work on electrical equipment may take possession or control of evidence owned or controlled by an electric utility;

(d) Furnish notices or information to the public calling attention to forest fire dangers and the penalties for violation of this chapter;

(e) Be familiar with all timbered and cut-over areas of the state; ((~~and~~))

(f) Maximize the effective utilization of local fire suppression assets consistent with section 6 of this act; and

(g) Regulate and control the official actions of its employees, the wardens, and the rangers.

(4) The department may:

(a) Authorize all needful and proper expenditures for forest protection;

(b) Adopt rules consistent with this section for the prevention, control, and suppression of forest fires as it considers necessary including but not limited to: Fire equipment and materials; use of personnel; and fire prevention standards and operating conditions including a provision for reducing these conditions where justified by local factors such as location and weather;

(c) Remove at will the commission of any ranger or suspend the authority of any warden;

(d) Inquire into:

(i) The extent, kind, value, and condition of all timber lands within the state;

(ii) The extent to which timber lands are being destroyed by fire and the damage thereon;

(e) Provide fire detection, prevention, presuppression, or suppression services on nonforested public lands managed by the department or another state agency, but only to the extent that providing these services does not interfere with or detract from the obligations set forth in subsection (3) of this section. If the department provides fire detection, prevention, presuppression, or suppression services on nonforested public lands managed by another state agency, the department must be fully reimbursed for the work through a cooperative agreement as provided for in RCW 76.04.135(1).

(5) Any rules adopted under this section for the suppression of forest fires must include a mechanism by which a local fire mobilization radio frequency, consistent with RCW 43.43.963, is identified and made available during the initial response to any forest fire that crosses jurisdictional lines so that all responders have access to communications during the response. Different initial response frequencies may be identified and used as appropriate in different geographic response areas. If the fire radio communication needs escalate beyond the capability of the identified local radio frequency, the use of other available designated interoperability radio frequencies may be used.

(6) When the department considers it to be in the best interest of the state, it may cooperate with any agency of another state, the United States or any agency thereof, the Dominion of Canada or any agency or province thereof, and any county, town, corporation, individual, or Indian tribe within the state of Washington in forest firefighting and patrol.

NEW SECTION. **Sec. 20.** A new section is added to chapter 76.04 RCW to read as follows:

(1) To maximize the effective utilization of local fire suppression assets, the department is required to:

(a) Compile and annually update master lists of qualified wildland fire suppression contractors who have valid incident qualifications for the kind of contracted work to be performed. In order to be included on a master list of qualified wildland fire suppression contractors:

(i) Contractors providing fire engines, tenders, crews, or similar resources must have training and qualifications sufficient for federal wildland fire contractor eligibility, including possessing a valid incident qualification card, commonly called a red card; and

(ii) Contractors other than those identified in (a)(i) of this subsection must have training and qualifications evidenced by possession of a valid department qualification and safety document, commonly called a blue card, issued to people cooperating with the department pursuant to an agreement;

(b) Provide timely advance notification of the dates and locations of department blue card training to all potential wildland fire suppression contractors known to the department and make the training available in several locations that are reasonably convenient for contractors;

(c) Make the lists of qualified wildland fire suppression contractors available to county legislative authorities, emergency management departments, and local fire districts;

(d) Cooperate with federal wildland firefighting agencies to maximize, based on predicted need, the efficient use of local resources in close proximity to wildland fire incidents;

(e) Enter into preemptive agreements with landowners in possession of firefighting capability that may be utilized in wildland fire suppression efforts, including the use of bulldozers, fallers, fuel tenders, potable water tenders, water sprayers, wash trailers, refrigeration units, and buses; and

(f) Conduct outreach to provide basic incident command system and wildland fire safety training to landowners in possession of firefighting capability to help ensure that any wildland fire suppression actions taken by private landowners on their own land are accomplished safely and in coordination with any related incident command structure.

(2) Nothing in subsection (1) of this section prohibits the department from conducting condensed safety training on the site of a wildland fire in order to utilize available contractors not included on a master list of qualified wildland fire suppression contractors.

(3) When entering into preemptive agreements with landowners under this section, the department must ensure that:

(a) All equipment and personnel satisfy department standards; and

(b) All contractors are, when engaged in fire suppression activities, under the supervision of recognized wildland fire personnel.

(4) No civil liability may be imposed by any court on the state or its officers and employees for any adverse impacts resulting from training provided by the department or preemptive agreements entered into by the department under the provisions of this section except upon proof of gross negligence or willful or wanton misconduct.

Sec. 21. RCW 76.04.005 and 2014 c 90 s 1 are each reenacted and amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Additional fire hazard" means a condition existing on any land in the state:

(a) Covered wholly or in part by forest debris which is likely to further the spread of fire and thereby endanger life or property; or

(b) When, due to the effects of disturbance agents, broken, down, dead, or dying trees exist on forest land in sufficient quantity to be likely to further the spread of fire within areas covered by a forest health hazard warning or order issued by the commissioner of public lands under RCW 76.06.180. The term "additional fire hazard" does not include green trees or snags left standing in upland or riparian areas under the provisions of RCW 76.04.465 or chapter 76.09 RCW.

(2) "Closed season" means the period between April 15th and October 15th, unless the department designates different dates because of prevailing fire weather conditions.

(3) "Department" means the department of natural resources, or its authorized representatives, as defined in chapter 43.30 RCW.

(4) "Department protected lands" means all lands subject to the forest protection assessment under RCW 76.04.610 or covered under contract or agreement pursuant to RCW 76.04.135 by the department.

(5) "Disturbance agent" means those forces that damage or kill significant numbers of forest trees, such as insects, diseases, wind storms, ice storms, and fires.

(6) "Emergency fire costs" means those costs incurred or approved by the department for emergency forest fire suppression, including the employment of personnel, rental of equipment, and purchase of supplies over and above costs regularly budgeted and provided for nonemergency fire expenses for the biennium in which the costs occur.

(7) "Exploding target" means a device that is designed or marketed to ignite or explode when struck by firearm ammunition or other projectiles.

(8) "Forest debris" includes forest slash, chips, and any other vegetative residue resulting from activities on forest land.

(9) "Forest fire service" includes all wardens, rangers, and other persons employed especially for preventing or fighting forest fires.

(10) "Forest land" means any unimproved lands which have enough trees, standing or down, or flammable material, to constitute in the judgment of the department, a fire menace to life or property. Sagebrush and grass areas east of the summit of the Cascade mountains may be considered forest lands when such areas are adjacent to or intermingled with areas supporting tree growth. Forest land, for protection purposes, does not include structures.

(11) "Forest landowner," "owner of forest land," "landowner," or "owner" means the owner or the person in possession of any public or private forest land.

(12) "Forest material" means forest slash, chips, timber, standing or down, or other vegetation.

(13) "Incendiary ammunition" means ammunition that is designed to ignite or explode upon impact with or penetration of a target or designed to trace its course in the air with a trail of smoke, chemical incandescence, or fire.

(14) "Landowner operation" means every activity, and supporting activities, of a forest landowner and the landowner's agents, employees, or independent contractors or permittees in the management and use of forest land subject to the forest protection assessment under RCW 76.04.610 for the primary benefit of the owner. The term includes, but is not limited to, the growing and harvesting of forest products, the development of transportation systems, the utilization of minerals or other natural resources, and the clearing of land. The term does not include recreational and/or residential activities not associated with these enumerated activities.

(15) "Participating landowner" means an owner of forest land whose land is subject to the forest protection assessment under RCW 76.04.610.

(16) "Sky lantern" means an unmanned self-contained luminary device that uses heated air produced by an open flame or produced by another source to become or remain airborne.

(17) "Slash" means organic forest debris such as tree tops, limbs, brush, and other dead flammable material remaining on forest land as a result of a landowner operation.

(18) "Slash burning" means the planned and controlled burning of forest debris on forest lands by broadcast burning, underburning, pile burning, or other means, for the purposes of silviculture, hazard abatement, or reduction and prevention or elimination of a fire hazard.

(19) "Suppression" means all activities involved in the containment and control of forest fires, including the patrolling thereof until such fires are extinguished or considered by the department to pose no further threat to life or property.

(20) "Unimproved lands" means those lands that will support grass, brush and tree growth, or other flammable material when such lands are not cleared or cultivated and, in the opinion of the department, are a fire menace to life and property.

(21) "Commissioner" means the commissioner of public lands.

(22) "Local fire suppression assets" means firefighting equipment that is located in close proximity to the wildland fire and that meets department standards and requirements.

(23) "Local wildland fire liaison" means the person appointed by the commissioner to serve as the local wildland fire liaison as provided in section 1 of this act."

Correct the title.

Representatives Kretz and Blake spoke in favor of the adoption of the striking amendment.

Amendment (220) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2093.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2093, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hansen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1720 and the bill was placed on the second reading calendar:

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2063, by Representatives Kilduff, Kagi, Jinkins, Springer, Hunter, Ormsby, Tharinger and Tarleton

Creating an investment program for individuals with disabilities. Revised for 2nd Substitute: Creating a work group to design a qualified achieving a better life experience program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2063 was substituted for House Bill No. 2063 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2063 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff, Senn, Parker, Kilduff (again) and Kagi spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2063.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2063, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Scott, Shea, Taylor, Van Werven, Wilcox and Young.

Excused: Representative Hansen.

SECOND SUBSTITUTE HOUSE BILL NO. 2063, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1651, by Representatives Ryu, Goodman, Rodne, Griffey, Van Werven, Wylie, Moscoso, Ormsby and Santos

Concerning definitions related to human trafficking.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1651 was substituted for House Bill No. 1651 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1651 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1651.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1651, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hansen.

SUBSTITUTE HOUSE BILL NO. 1651, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1943, by Representatives Shea, Goodman, McCaslin and Scott

Concerning home detention.

The bill was read the second time.

Representative Goodman moved the adoption of amendment (257):

Strike everything after the enacting clause and insert the following:

"**Sec. 22.** RCW 9.94A.030 and 2012 c 143 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within eight hundred eighty feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon.

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association

with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20) "Domestic violence" has the same meaning as defined in RCW 10.99.020 and 26.50.010.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense other than a violent offense or a sex offense and who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(25) "Electronic monitoring" means tracking the location of an individual, whether pretrial or posttrial, through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which continuously or intermittently detects the location of the monitored individual and continuously notifies the monitoring agency of the monitored individual's location.

(26) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

((~~(26)~~)) (27) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

((~~(27)~~)) (28) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

((~~(28)~~)) (29) "Home detention" means a program of partial confinement available to offenders wherein the offender is confined in a private residence twenty-four hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic ((~~surveillance~~)) monitoring.

((~~(29)~~)) (30) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

((~~(30)~~)) (31) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims'

compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(((~~(31)~~))) (32) "Minor child" means a biological or adopted child of the offender who is under age eighteen at the time of the offender's current offense.

(((~~(32)~~))) (33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age fourteen;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Robbery in the second degree;

(p) Sexual exploitation;

(q) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(r) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(s) Any other class B felony offense with a finding of sexual motivation;

(t) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(u) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(v)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(w) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(((~~(33)~~))) (34) "Nonviolent offense" means an offense which is not a violent offense.

(((~~(34)~~))) (35) "Offender" means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanant or gross misdemeanant probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(((~~(35)~~))) (36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

(((~~(36)~~))) (37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Malicious Harassment (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person eighteen years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(((~~(37)~~))) (38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (((~~(37)~~))) (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was sixteen years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was eighteen years of age or older when the offender committed the offense.

(((~~(38)~~))) (39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(((~~(39)~~))) (40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(((~~(40)~~))) (41) "Public school" has the same meaning as in RCW 28A.150.010.

(((~~(41)~~))) (42) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.10, 26.26, or 26.50 RCW that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(((~~(42)~~))) (43) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(((~~(43)~~))) (44) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(((~~(44)~~))) (45) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(((~~(45)~~))) (46) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(((~~(46)~~))) (47) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register) on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(((~~(47)~~))) (48) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(((~~(48)~~))) (49) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(((~~(49)~~))) (50) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(((~~(50)~~))) (51) "Stranger" means that the victim did not know the offender twenty-four hours before the offense.

(((~~(51)~~))) (52) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(((~~(52)~~))) (53) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(((~~(53)~~))) (54) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(((~~(54)~~))) (55) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(((~~(55)~~))) (56) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(((~~(56)~~))) (57) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(((~~(57)~~))) (58) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 23. RCW 9.94A.734 and 2010 c 224 s 9 are each amended to read as follows:

(1) Home detention may not be imposed for offenders convicted of the following offenses, unless imposed as partial confinement in the department's parenting program under RCW 9.94A.6551:

(a) A violent offense;

(b) Any sex offense;

(c) Any drug offense;

(d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;

(e) Assault in the third degree as defined in RCW 9A.36.031;

(f) Assault of a child in the third degree;

(g) Unlawful imprisonment as defined in RCW 9A.40.040; or

(h) Harassment as defined in RCW 9A.46.020.

Home detention may be imposed for offenders convicted of possession of a controlled substance under RCW 69.50.4013 or forged prescription for a controlled substance under RCW 69.50.403 if the offender fulfills the participation conditions set forth in this section and is monitored for drug use by a treatment alternatives to street crime program or a comparable court or agency-referred program.

(2) Home detention may be imposed for offenders convicted of burglary in the second degree as defined in RCW 9A.52.030 or residential burglary conditioned upon the offender:

(a) Successfully completing twenty-one days in a work release program;

(b) Having no convictions for burglary in the second degree or residential burglary during the preceding two years and not more than two prior convictions for burglary or residential burglary;

(c) Having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense;

(d) Having no prior charges of escape; and

(e) Fulfilling the other conditions of the home detention program.

(3) Home detention may be imposed for offenders convicted of taking a motor vehicle without permission in the second degree as defined in RCW 9A.56.075, theft of a motor vehicle as defined under RCW 9A.56.065, or possession of a stolen motor vehicle as defined under RCW 9A.56.068 conditioned upon the offender:

(a) Having no convictions for taking a motor vehicle without permission, theft of a motor vehicle or possession of a stolen motor vehicle during the preceding five years and not more than two

prior convictions for taking a motor vehicle without permission, theft of a motor vehicle or possession of a stolen motor vehicle;

(b) Having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense;

(c) Having no prior charges of escape; and

(d) Fulfilling the other conditions of the home detention program.

(4) Participation in a home detention program shall be conditioned upon:

(a) The offender obtaining or maintaining current employment or attending a regular course of school study at regularly defined hours, or the offender performing parental duties to offspring or minors normally in the custody of the offender;

(b) Abiding by the rules of the home detention program; and

(c) Compliance with court-ordered legal financial obligations.

(5) The home detention program may also be made available to offenders whose charges and convictions do not otherwise disqualify them if medical or health-related conditions, concerns or treatment would be better addressed under the home detention program, or where the health and welfare of the offender, other inmates, or staff would be jeopardized by the offender's incarceration. Participation in the home detention program for medical or health-related reasons is conditioned on the offender abiding by the rules of the home detention program and complying with court-ordered restitution.

(6) Home detention may not be imposed for an offender if the sentencing court finds that the offender has previously and knowingly violated the terms of a home detention program.

(7) A home detention program must be administered by a monitoring agency that meets the conditions described in section 3 of this act.

NEW SECTION. **Sec. 24.** A new section is added to chapter 9.94A RCW to read as follows:

(1) A monitoring agency shall:

(a) Provide notification within twenty-four hours to the court or other supervising agency when the monitoring agency discovers that the monitored individual is unaccounted for, or is beyond an approved location, for twenty-four consecutive hours. Notification shall also be provided to the probation department, the prosecuting attorney, local law enforcement, the local detention facility, or the department, as applicable;

(b) Provide notification to the court or other supervising agency of any other known violations of the court-ordered terms and conditions of the home detention or electronic monitoring program or the terms and conditions set by the supervising agency;

(c) Document the monitored individual's absence at the individual's location of employment, school, treatment, counseling, programming, or other court-ordered activities; and

(d) Verify the location of the offender through in-person contact on a random basis at least once per month.

(2) In addition, a private monitoring agency shall:

(a) Have detailed contingency plans for the monitoring agency's operation with provisions for power outage, loss of telephone service, fire, flood, malfunction of equipment, death, incapacitation or personal emergency of a monitor, and financial insolvency of the monitoring agency;

(b) Prohibit certain relationships between a monitored individual and a monitoring agency, including:

(i) Personal associations between a monitored individual and a monitoring agency or agency employee;

(ii) A monitoring agency or employee entering into another business relationship with a monitored individual or monitored individual's family during the monitoring; and

(iii) A monitoring agency or employee employing a monitored individual for at least one year after the termination of the monitoring;

(c) Not employ or be owned by any person convicted of a felony offense within the past four years; and

(d) Obtain a background check through the Washington state patrol for every partner, director, officer, owner, employee, or operator of the monitoring agency, at the monitoring agency's expense.

(3) A private monitoring agency that fails to comply with any of the requirements in subsections (1) and (2) of this section may be subject to a civil penalty, as determined by a court of competent jurisdiction, in an amount of not more than one thousand dollars for each violation, in addition to any penalties imposed by contract.

(4)(a) A court that receives notice of a violation by a monitored individual of the terms of electronic monitoring or home detention shall note and maintain a record of the violation in the court file.

(b) The presiding judge of a court must notify the administrative office of the courts if:

(i) The court decides it will not allow use of a particular monitoring agency by persons ordered to comply with an electronic monitoring or home detention program; and

(ii) The court, after previously deciding not to allow use of a particular monitoring agency, decides to resume allowing use of the monitoring agency by persons ordered to comply with a home detention program.

(iii) In either case, the court must include in its notice the reasons for the court's decision.

(5) The administrative office of the courts shall, after receiving notice pursuant to subsection (4) of this section, transmit the notice to all superior courts and courts of limited jurisdiction in the state.

(6) The courts, the administrative office of the courts, and their employees and agents are not liable for acts or omissions pursuant to subsections (4) and (5) of this section absent a showing of gross negligence or bad faith.

(7) For the purposes of this section:

(a) A "monitoring agency" means an entity, private or public, which electronically monitors an individual, pursuant to an electronic monitoring or home detention program, including the department of corrections, a sheriff's office, a police department, a local detention facility, or a private entity; and

(b) A "supervising agency" means the public entity that authorized, approved, administers or manages, whether pretrial or posttrial, the home detention or electronic monitoring program of an individual and has jurisdiction and control over the monitored individual. A supervising agency may also be a monitoring agency.

(8) All government contracts with a private monitoring agency to provide electronic monitoring or home detention must be in writing and may provide contractual penalties in addition to those provided under subsection (3) of this section.

NEW SECTION. **Sec. 25.** A new section is added to chapter 9.94A RCW to read as follows:

(1) By December 1, 2015, the administrative office of the courts shall create a pattern form order for use by a court in cases where a court orders a person to comply with a home detention program.

(2) The court shall provide a copy of the form order to the person ordered to comply with a home detention program. The form order must include the following:

(a) In a conspicuous location, a notice of criminal penalties resulting for a violation of the terms and conditions of a home detention program; and

(b) Language stating that a person may leave his or her residence for specific purposes only as ordered by the court, with a

list of common purposes, such as school, employment, treatment, counseling, programming, or other activities from which a court may select.

(3) When a court orders a person to comply with the terms of a home detention program, the court must, in addition to its order, complete the form order created pursuant to this section to notify the person of criminal penalties associated with violation of the terms and conditions of the program and of any express permission granted for absence from the residence.

Sec. 26. RCW 10.21.030 and 2014 c 24 s 2 are each amended to read as follows:

(1) The judicial officer may at any time amend the order to impose additional or different conditions of release. The conditions imposed under this chapter supplement but do not supplant provisions of law allowing the imposition of conditions to assure the appearance of the defendant at trial or to prevent interference with the administration of justice.

(2) Appropriate conditions of release under this chapter include, but are not limited to, the following:

(a) The defendant may be placed in the custody of a pretrial release program;

(b) The defendant may have restrictions placed upon travel, association, or place of abode during the period of release;

(c) The defendant may be required to comply with a specified curfew;

(d) The defendant may be required to return to custody during specified hours or to be placed on electronic monitoring, as defined in RCW 9.94A.030, if available. The defendant, if convicted, may not have the period of incarceration reduced by the number of days spent on electronic monitoring;

(e) The defendant may be required to comply with a program of home detention, as defined in RCW 9.94A.030;

(f) The defendant may be prohibited from approaching or communicating in any manner with particular persons or classes of persons;

((~~(f)~~)) (g) The defendant may be prohibited from going to certain geographical areas or premises;

((~~(g)~~)) (h) The defendant may be prohibited from possessing any dangerous weapons or firearms;

((~~(h)~~)) (i) The defendant may be prohibited from possessing or consuming any intoxicating liquors or drugs not prescribed to the defendant. The defendant may be required to submit to testing to determine the defendant's compliance with this condition;

((~~(i)~~)) (j) The defendant may be prohibited from operating a motor vehicle that is not equipped with an ignition interlock device;

((~~(j)~~)) (k) The defendant may be required to report regularly to and remain under the supervision of an officer of the court or other person or agency; and

((~~(k)~~)) (l) The defendant may be prohibited from committing any violations of criminal law.

NEW SECTION. **Sec. 27.** A new section is added to chapter 10.21 RCW to read as follows:

Under this chapter, "home detention" means any program meeting the definition of home detention in RCW 9.94A.030, and complying with the requirements of section 3 of this act.

NEW SECTION. **Sec. 28.** A new section is added to chapter 10.21 RCW to read as follows:

A monitoring agency, as defined in section 3 of this act, may not agree to monitor pursuant to home detention or electronic monitoring an offender who is currently awaiting trial for a violent or sex offense, as defined in RCW 9.94A.030, and who has previously been convicted of one or more violent or sex offenses.

Sec. 29. RCW 9.94A.704 and 2014 c 35 s 1 are each amended to read as follows:

(1) Every person who is sentenced to a period of community custody shall report to and be placed under the supervision of the department, subject to RCW 9.94A.501.

(2)(a) The department shall assess the offender's risk of reoffense and may establish and modify additional conditions of community custody based upon the risk to community safety.

(b) Within the funds available for community custody, the department shall determine conditions on the basis of risk to community safety, and shall supervise offenders during community custody on the basis of risk to community safety and conditions imposed by the court. The secretary shall adopt rules to implement the provisions of this subsection (2)(b).

(3) If the offender is supervised by the department, the department shall at a minimum instruct the offender to:

(a) Report as directed to a community corrections officer;

(b) Remain within prescribed geographical boundaries;

(c) Notify the community corrections officer of any change in the offender's address or employment;

(d) Pay the supervision fee assessment; and

(e) Disclose the fact of supervision to any mental health or chemical dependency treatment provider, as required by RCW 9.94A.722.

(4) The department may require the offender to participate in rehabilitative programs, or otherwise perform affirmative conduct, and to obey all laws.

(5) If the offender was sentenced pursuant to a conviction for a sex offense, the department may:

(a) Require the offender to refrain from direct or indirect contact with the victim of the crime or immediate family member of the victim of the crime. If a victim or an immediate family member of a victim has requested that the offender not contact him or her after notice as provided in RCW 72.09.340, the department shall require the offender to refrain from contact with the requestor. Where the victim is a minor, the parent or guardian of the victim may make a request on the victim's behalf.

(b) Impose electronic monitoring. Within the resources made available by the department for this purpose, the department shall carry out any electronic monitoring using the most appropriate technology given the individual circumstances of the offender. As used in this section, "electronic monitoring" ((~~means the monitoring of an offender using an electronic offender tracking system including, but not limited to, a system using radio frequency or active or passive global positioning system technology~~)) has the same meaning as in RCW 9.94A.030.

(6) The department may not impose conditions that are contrary to those ordered by the court and may not contravene or decrease court-imposed conditions.

(7)(a) The department shall notify the offender in writing of any additional conditions or modifications.

(b) By the close of the next business day after receiving notice of a condition imposed or modified by the department, an offender may request an administrative review under rules adopted by the department. The condition shall remain in effect unless the reviewing officer finds that it is not reasonably related to the crime of conviction, the offender's risk of reoffending, or the safety of the community.

(8) The department shall notify the offender in writing upon community custody intake of the department's violation process.

(9) The department may require offenders to pay for special services rendered including electronic monitoring, day reporting, and telephone reporting, dependent on the offender's ability to pay. The department may pay for these services for offenders who are not able to pay.

(10)(a) When a sex offender has been sentenced pursuant to RCW 9.94A.507, the department shall assess the offender's risk of recidivism and shall recommend to the board any additional or modified conditions based upon the offender's risk to community safety and may recommend affirmative conduct or electronic monitoring consistent with subsections (4) through (6) of this section.

(b) The board may impose conditions in addition to court-ordered conditions. The board must consider and may impose department-recommended conditions. The board must impose a condition requiring the offender to refrain from contact with the victim or immediate family member of the victim as provided in subsection (5)(a) of this section.

(c) By the close of the next business day, after receiving notice of a condition imposed by the board or the department, an offender may request an administrative hearing under rules adopted by the board. The condition shall remain in effect unless the hearing examiner finds that it is not reasonably related to any of the following:

(i) The crime of conviction;

(ii) The offender's risk of reoffending;

(iii) The safety of the community.

(d) If the department finds that an emergency exists requiring the immediate imposition of additional conditions in order to prevent the offender from committing a crime, the department may impose such conditions. The department may not impose conditions that are contrary to those set by the board or the court and may not contravene or decrease court-imposed or board-imposed conditions. Conditions imposed under this subsection shall take effect immediately after notice to the offender by personal service, but shall not remain in effect longer than seven working days unless approved by the board.

(11) In setting, modifying, and enforcing conditions of community custody, the department shall be deemed to be performing a quasi-judicial function.

Sec. 30. RCW 26.50.010 and 2008 c 6 s 406 are each amended to read as follows:

As used in this chapter, the following terms shall have the meanings given them:

(1) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

(2) "Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

(3) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

(4) "Court" includes the superior, district, and municipal courts of the state of Washington.

(5) "Judicial day" does not include Saturdays, Sundays, or legal holidays.

(6) "Electronic monitoring" ((~~means a program in which a person's presence at a particular location is monitored from a remote location by use of electronic equipment~~)) has the same meaning as in RCW 9.94A.030.

(7) "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes but is not limited to clothing, cribs, bedding, documents, medications, and personal hygiene items.

Sec. 31. RCW 10.99.040 and 2012 c 223 s 3 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his or her client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2)(a) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800.

(c) The no-contact order shall also be issued in writing as soon as possible, and shall state that it may be extended as provided in subsection (3) of this section. By January 1, 2011, the administrative office of the courts shall develop a pattern form for all no-contact orders issued under this chapter. A no-contact order issued under this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(3) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order even if the defendant fails to appear at arraignment. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed. If a no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring as

defined in RCW 9.94A.030. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring.

(4)(a) Willful violation of a court order issued under subsection (2), (3), or (7) of this section is punishable under RCW 26.50.110.

(b) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A certified copy of the order shall be provided to the victim.

(5) If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(6) Whenever a no-contact order is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated under subsection (3) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

(7) All courts shall develop policies and procedures by January 1, 2011, to grant victims a process to modify or rescind a no-contact order issued under this chapter. The administrative office of the courts shall develop a model policy to assist the courts in implementing the requirements of this subsection.

Sec. 32. RCW 9.94A.505 and 2010 c 224 s 4 are each amended to read as follows:

(1) When a person is convicted of a felony, the court shall impose punishment as provided in this chapter.

(2)(a) The court shall impose a sentence as provided in the following sections and as applicable in the case:

(i) Unless another term of confinement applies, a sentence within the standard sentence range established in RCW 9.94A.510 or 9.94A.517;

(ii) RCW 9.94A.701 and 9.94A.702, relating to community custody;

(iii) RCW 9.94A.570, relating to persistent offenders;

(iv) RCW 9.94A.540, relating to mandatory minimum terms;

(v) RCW 9.94A.650, relating to the first-time offender waiver;

(vi) RCW 9.94A.660, relating to the drug offender sentencing alternative;

(vii) RCW 9.94A.670, relating to the special sex offender sentencing alternative;

(viii) RCW 9.94A.655, relating to the parenting sentencing alternative;

(ix) RCW 9.94A.507, relating to certain sex offenses;

(x) RCW 9.94A.535, relating to exceptional sentences;

(xi) RCW 9.94A.589, relating to consecutive and concurrent sentences;

(xii) RCW 9.94A.603, relating to felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

(b) If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under RCW 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

(3) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(4) If a sentence imposed includes payment of a legal financial obligation, it shall be imposed as provided in RCW 9.94A.750, 9.94A.753, 9.94A.760, and 43.43.7541.

(5) Except as provided under RCW 9.94A.750(4) and 9.94A.753(4), a court may not impose a sentence providing for a term of confinement or community custody that exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(6) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(7) The sentencing court shall not give the offender credit for any time the offender was required to comply with a home detention program prior to sentencing if the offender was convicted of one of the following offenses:

(a) A violent offense;

(b) Any sex offense;

(c) Any drug offense;

(d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;

(e) Assault in the third degree as defined in RCW 9A.36.031;

(f) Assault of a child in the third degree;

(g) Unlawful imprisonment as defined in RCW 9A.40.040; or

(h) Harassment as defined in RCW 9A.46.020.

(8) The court shall order restitution as provided in RCW 9.94A.750 and 9.94A.753.

((~~(8)~~)) (9) As a part of any sentence, the court may impose and enforce crime-related prohibitions and affirmative conditions as provided in this chapter.

((~~(9)~~)) (10) In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention.

Sec. 33. RCW 9A.76.130 and 2011 c 336 s 403 are each amended to read as follows:

(1) A person is guilty of escape in the third degree if he or she:

(a) Escapes from custody; or

(b) Knowingly violates the terms of a home detention program.

(2) Escape in the third degree is a ((~~gross~~)) misdemeanor, except as provided in subsection (3) of this section.

(3)(a) If the person has one prior conviction for escape in the third degree, escape in the third degree is a gross misdemeanor.

(b) If the person has two or more prior convictions for escape in the third degree, escape in the third degree is a class C felony.

NEW SECTION. **Sec. 34.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Goodman and Shea spoke in favor of the adoption of the striking amendment.

Amendment (257) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1943.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1943, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Santos.

Excused: Representative Hansen.

ENGROSSED HOUSE BILL NO. 1943, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1320, by Representatives Goodman and Moscoso

Creating an identicard program for certain incarcerated offenders.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1320 was substituted for House Bill No. 1320 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1320 was read the second time.

Representative Senn moved the adoption of amendment (090):

On page 2, line 22, strike "of nine dollars" and insert "as established in RCW 46.20.117"

On page 3, line 12, strike "of nine dollars for" and insert "of the amount appropriate to cover the cost of production of an"

On page 4, line 24, strike "of nine dollars for" and insert "of the amount appropriate to cover the cost of production of an"

Representatives Senn and MacEwen spoke in favor of the adoption of the amendment.

Amendment (090) was adopted.

Representative MacEwen moved the adoption of amendment (259):

On page 2, line 28, strike "fine" and insert "fee"

Representatives MacEwen and Goodman spoke in favor of the adoption of the amendment.

Amendment (259) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1320.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1320, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hansen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1320, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1720, by Representatives Robinson, Peterson, Stanford, Riccelli, Gregerson, Senn, Appleton, Ortiz-Self, Tarleton, Jinkins and Santos

Concerning healthy housing.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1720.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1720, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Harmsworth, Harris, Hayes, Kretz, Kristiansen, McCaslin, Nealey, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative Hansen.

HOUSE BILL NO. 1720, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1730, by Representatives Kirby and Vick

Concerning the handling of earnest money.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1730 was substituted for House Bill No. 1730 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1730 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1730.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1730, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hansen.

SUBSTITUTE HOUSE BILL NO. 1730, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1918, by Representatives Shea, Orcutt, Hayes and Scott

Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea, Clibborn and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1918.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1918, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Stanford and Tarleton.

Excused: Representative Hansen.

HOUSE BILL NO. 1918, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1187, by Representatives Chandler, Blake, Buys, Stanford, Hayes and Parker

Concerning best practices for water banks.

The bill was read the second time.

Representative Chandler moved the adoption of amendment (188):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 35.** (1) The legislature finds that, unlike other basins in Washington, the Yakima basin is unique in that it has recently undergone a legal adjudication of surface water rights in the basin. In addition, the holders of junior water rights in the basin may be subject to water use curtailment. The unique nature of the Yakima basin has led to the development of an active water market for water reallocation that includes the use of the trust water right program for mitigation purposes and water banking.

(2) In adopting this act to establish standards for water banking in the Yakima basin, it is not the intent of the legislature to imply that the types of water mitigation currently used in the Yakima basin can or should be applied to other parts of Washington.

Sec. 36. RCW 90.42.020 and 2009 c 283 s 3 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of ecology.

(2) "Local government" means a city, town, public utility district, irrigation district, public port, county, sewer district, or water district.

(3) "Net water savings" means the amount of water that is determined to be conserved and usable within a specified stream reach or reaches for other purposes without impairment or detriment to water rights existing at the time that a water conservation project is undertaken, reducing the ability to deliver water, or reducing the supply of water that otherwise would have been available to other existing water uses.

(4) "Pilot planning areas" means the geographic areas designated under RCW 90.54.045(2).

(5) "Trust water right" means any water right acquired by the state under this chapter for management in the state's trust water rights program.

(6) "Yakima basin water bank sponsor" means any person, corporation, or other entity, including a state agency, nonprofit organization, or local government, that holds a legal or beneficial interest in a trust water right from which mitigation credits will be offered for sale to other parties for domestic supply purposes in the Yakima river basin.

(7) "Water conservation project" means any project or program that achieves physical or operational improvements that provide for increased water use efficiency in existing systems of diversion, conveyance, application, or use of water under water rights existing on July 28, 1991.

NEW SECTION. **Sec. 37.** A new section is added to chapter 90.42 RCW to read as follows:

(1)(a) Every Yakima basin water bank sponsor shall file with the department a schedule showing the amount to be charged for a mitigation credit, including all costs and fees.

(b) The department must post the schedule received from all Yakima basin water bank sponsors on its agency internet web site.

(2) No change may be made in the amount charged, or other costs and fees paid, unless the Yakima basin water bank sponsor provides notice to the department at least thirty days before the change goes into effect. The notice must plainly state the changes to be made in the schedule then on file with the department and the effective date of the changes.

(3) For water banks established prior to the effective date of this section, the Yakima basin water bank sponsor must submit a schedule to the department within ninety days of the effective date of this section.

NEW SECTION. **Sec. 38.** A new section is added to chapter 90.42 RCW to read as follows:

(1) A Yakima basin water bank sponsor may establish a water bank for any lawful purpose and retains all authority to establish any costs, fees, or other charges for the purchase and sale of mitigation credits. This includes the authority to establish a sliding scale of charges, whereby a charge is made for mitigation based on the quantity of water use or on the services rendered as part of the water bank transaction or operations.

(2) Nothing in this section prohibits a Yakima basin water bank sponsor from establishing a water bank for specific limited purposes, such as providing mitigation credits for certain water uses or users, but not other uses or users. However, a Yakima basin water bank sponsor may not sell or otherwise provide mitigation credits to similarly situated uses or users on different prices or terms.

NEW SECTION. **Sec. 39.** A new section is added to chapter 90.42 RCW to read as follows:

(1) The department shall require each Yakima basin water bank sponsor to:

(a) Demonstrate the availability of an adequate and reliable water supply to mitigate for the intended purposes for which mitigation is provided; and

(b) Record each mitigation credit with the appropriate county auditor for the parcel of land upon which the mitigation credit is used in like manner and in the same effect as provided for an original certificate or permit to divert water.

(2) The department shall ensure that new water uses for which mitigation is provided will not cause detriment or injury to existing water rights.

NEW SECTION. **Sec. 40.** This act may be known and cited as the Yakima basin water banking best practices act.

NEW SECTION. **Sec. 41.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 42.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Stanford moved the adoption of amendment (210) to the striking amendment (188):

On page 3, line 13 of the striking amendment, after "adequate" strike "and reliable" and insert ", reliable, and uninterruptable"

On page 3, line 22 of the striking amendment, after "rights." insert "This includes instream flows that otherwise could be adversely affected by the new water uses or lead to harm being caused to priority species of fish or wildlife or to critical habitat for species listed under the federal endangered species act."

Representative Stanford spoke in favor of the adoption of the amendment to the striking amendment.

Representative Manweller spoke against the adoption of the amendment to the striking amendment.

Amendment (210) to amendment (188) was adopted.

Representatives Chandler and Blake spoke in favor of the adoption of the striking amendment as amended.

Amendment (188), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Blake spoke in favor of the passage of the bill.

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1187.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1187, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent, G. Hunt, Griffey, Hargrove, Harmsworth, Hawkins, Holy, Klippert, Kristiansen, Manweller, McCaslin, Muri, Parker, Schmick, Scott, Shea, Stokesbary, Taylor, Van Werven, Vick and Young.

Excused: Representative Hansen.

ENGROSSED HOUSE BILL NO. 1187, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1124
HOUSE BILL NO. 1469

There being no objection, the Committee on Transportation was relieved of ENGROSSED HOUSE BILL NO. 2190 and the bill was placed on the second reading calendar:

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., March 11, 2015, the 59th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 11, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amir Alemar and Sarah Bortel. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Redhawk Rice-Sauer, Origin Church, Spokane, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

March 10, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5037
ENGROSSED SUBSTITUTE SENATE BILL NO. 5084
ENGROSSED SENATE BILL NO. 5091
SENATE BILL NO. 5144
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179
ENGROSSED SUBSTITUTE SENATE BILL NO. 5321
SUBSTITUTE SENATE BILL NO. 5328
ENGROSSED SUBSTITUTE SENATE BILL NO. 5346
SENATE BILL NO. 5379
SECOND SUBSTITUTE SENATE BILL NO. 5404
SUBSTITUTE SENATE BILL NO. 5418
SUBSTITUTE SENATE BILL NO. 5451
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5452
SUBSTITUTE SENATE BILL NO. 5487
ENGROSSED SENATE BILL NO. 5510
ENGROSSED SENATE BILL NO. 5513
ENGROSSED SENATE BILL NO. 5577
ENGROSSED SENATE BILL NO. 5624
ENGROSSED SUBSTITUTE SENATE BILL NO. 5656
SUBSTITUTE SENATE BILL NO. 5694
ENGROSSED SUBSTITUTE SENATE BILL NO. 5743
SENATE BILL NO. 5768
ENGROSSED SENATE BILL NO. 5871
ENGROSSED SENATE BILL NO. 5935
SUBSTITUTE SENATE BILL NO. 5965
ENGROSSED SENATE JOINT RESOLUTION NO. 8204

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2192 by Representatives Taylor, Scott, Young and Shea

AN ACT Relating to repealing the prescription monitoring program; amending RCW 42.56.360; reenacting and amending RCW 74.09.215; and repealing RCW 70.225.010, 70.225.020, 70.225.025, 70.225.030, 70.225.040, 70.225.050, and 70.225.060.

Referred to Committee on Health Care & Wellness.

SSB 5028 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Dammeier, Cleveland, Keiser and Warnick)

AN ACT Relating to raising licensure limits to allow assisted living facilities to serve a higher acuity resident population; amending RCW 18.20.030, 18.20.090, 18.20.160, and 18.20.330; reenacting and amending RCW 18.20.020; and adding new sections to chapter 18.20 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5066 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Darneille)

AN ACT Relating to the collection of blood samples for forensic testing; amending RCW 46.61.506 and 46.61.508; adding a new section to chapter 18.130 RCW; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Public Safety.

SB 5070 by Senators Pearson, Warnick, Dammeier, Kohl-Welles and Brown

AN ACT Relating to the supervision of domestic violence offenders; and amending RCW 9.94A.501.

Referred to Committee on Public Safety.

SB 5100 by Senators Hobbs and King

AN ACT Relating to processing certain motor vehicle-related violations applicable to rental cars; and amending RCW 46.20.270 and 46.63.073.

Referred to Committee on Transportation.

SSB 5167 by Senate Committee on Commerce & Labor (originally sponsored by Senator O'Ban)

AN ACT Relating to the local option prohibition on the sale of liquor; and amending RCW 66.40.010 and 66.40.030.

Referred to Committee on Commerce & Gaming.

SB 5238 by Senators Angel, Liias, Honeyford, McCoy, Dammeier and Chase

AN ACT Relating to public water systems; and amending RCW 36.70A.035.

Referred to Committee on Local Government.

2SSB 5252 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, McAuliffe, King, Litzow and Angel)

AN ACT Relating to a program to implement regional school safety and security centers in educational service districts; adding a new section to chapter 28A.310 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5299 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton, Mullet, Fain, Darneille, Hobbs, Angel and Conway)

AN ACT Relating to updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process; amending RCW 18.44.021, 19.144.010, 19.144.080, 19.144.090, 19.146.010, 19.146.020, 19.146.0201, 19.146.030, 19.146.040, 19.146.070, 19.146.205, 19.146.220, 19.146.221, 19.146.227, 19.146.228, 19.146.265, 19.146.300, 19.146.390, 31.04.015, 31.04.027, 31.04.045, 31.04.075, 31.04.093, 31.04.102, 31.04.105, 31.04.145, 31.04.205, 31.04.221, 31.04.224, 31.04.247, 31.04.277, 31.04.290, and 31.04.520; reenacting and amending RCW 31.04.025; adding new sections to chapter 31.04 RCW; repealing RCW 19.146.290 and 19.146.330; and prescribing penalties.

Referred to Committee on Business & Financial Services.

SB 5300 by Senators Benton, Mullet, Fain, Darneille, Hobbs and Angel

AN ACT Relating to updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions; amending RCW 31.12.005, 31.12.195, 31.12.225, 31.12.285, 31.12.326, 31.12.345, 31.12.367, 31.12.372, 31.12.404, 31.12.413, 31.12.436, 31.12.461, 31.12.464, 31.12.471, 31.12.516, 31.12.545, 31.12.575, 31.12.585, 31.12.595, and 31.12.674; and adding a new section to chapter 31.12 RCW.

Referred to Committee on Business & Financial Services.

SSB 5380 by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Pearson)

AN ACT Relating to migratory bird-related provisions; and amending RCW 77.12.670 and 77.12.690.

Referred to Committee on Agriculture & Natural Resources.

SB 5395 by Senators Roach, Liias, Benton and McCoy

AN ACT Relating to modifying exemptions relating to real estate appraisals; and amending RCW 42.56.260.

Referred to Committee on State Government.

SSB 5397 by Senate Committee on Transportation (originally sponsored by Senators Litzow, Hobbs and King)

AN ACT Relating to the department of licensing disclosing certain transportation-related information; amending RCW 46.12.630, 46.12.635, and 46.12.640; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SSB 5436 by Senate Committee on Health Care (originally sponsored by Senators Bailey and Dammeier)

AN ACT Relating to continuing the work of the joint legislative executive committee on aging and disability; adding a new section to chapter 74.39A RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SSB 5481 by Senate Committee on Transportation (originally sponsored by Senators Hill, Litzow, Mullet, Chase, Rivers, Becker, Bailey, Warnick, Rolfes and Hasegawa)

AN ACT Relating to omnibus tolling customer service reform; and amending RCW 46.63.160.

Referred to Committee on Transportation.

SSB 5488 by Senate Committee on Health Care (originally sponsored by Senators Keiser, Jayapal, Parlette and Cleveland)

AN ACT Relating to applied behavior analysis; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SSB 5534 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Hill, Conway, Rivers, Rolfes, Hargrove and Chase)

AN ACT Relating to creating a certified public accounting scholarship program; amending RCW 18.04.065; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

SSB 5601 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Warnick, Rivers, Schoesler and Honeyford)

AN ACT Relating to requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of

waiving the recertification requirements under the Washington pesticide control act; and amending RCW 15.58.233.

Referred to Committee on Agriculture & Natural Resources.

SSB 5715 by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Pedersen, Braun and Angel)

AN ACT Relating to including the contents of fiscal impact statements in the ballot title for certain initiative measures; amending RCW 29A.72.050 and 29A.72.250; and providing an effective date.

Referred to Committee on State Government.

SSB 5733 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Warnick, Hatfield and Hobbs)

AN ACT Relating to livestock transaction reporting; amending RCW 16.57.160; and adding a new section to chapter 16.57 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5740 by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Billig, Litzow, McAuliffe, Frockt, Miloscia, Darneille and Jayapal)

AN ACT Relating to extended foster care services; amending RCW 13.34.267 and 74.13.031; reenacting and amending RCW 74.13.020; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Early Learning & Human Services.

SB 5793 by Senators Darneille, Conway and O'Ban

AN ACT Relating to providing credit towards child support obligations for veterans benefits; and amending RCW 26.18.190.

Referred to Committee on Judiciary.

SB 5841 by Senators King, Kohl-Welles, Rivers, Liias and Hobbs

AN ACT Relating to a tuition and fees exemption for children and surviving spouses of certain highway workers; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

SSB 5957 by Senate Committee on Transportation (originally sponsored by Senators Liias, Rivers, Billig, King, Hobbs, Frockt and Hasegawa)

AN ACT Relating to the pedestrian safety advisory council; adding a new section to chapter 43.59 RCW; and providing an expiration date.

Referred to Committee on Transportation.

SSB 5972 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Schoesler, Hatfield and Warnick)

AN ACT Relating to procurement of seeds by state agencies; and adding a new section to chapter 39.26 RCW.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) recognized Natasha Savage, Valentina Kiselev, and Alexander Cherkasov from Russian World, a Russian-American News and Cultural organization in Seattle, as well as representatives from the Consul General of the Russian Federation in Seattle and the University of Washington Russian Speaking Youth Association who were previously honored in House Resolution No. 4609.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1124, by Representatives Takko, Morris, Springer and Fey

Permitting the sampling of beer and wine at locations licensed to serve beer and wine for on-premises consumption.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko, Condotta and Goodman spoke in favor of the passage of the bill.

Representative Harris spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1124.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1124, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris, Ormsby, Smith, Stanford and Van De Wege.

HOUSE BILL NO. 1124, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1469, by Representatives Hudgins, Magendanz, Stanford, Ormsby and Tarleton

Addressing removal of payment credentials and other sensitive data from state data networks.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1469 was substituted for House Bill No. 1469 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1469 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1469.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1469, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1469, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1472, by Representatives Fitzgibbon, Peterson, Goodman, McBride, Springer, Fey, Farrell, Hudgins, Kagi, Walkinshaw, Gregerson, S. Hunt, Jinkins, Tharinger and Pollet

Concerning use of chemical action plans to require safer chemicals in Washington. Revised for 2nd Substitute: Concerning using chemical action plans to require safer chemicals in Washington.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1472 was substituted for House Bill No. 1472 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1472 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (239):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 43.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternatives assessment" means a process for identifying and comparing chemical and nonchemical alternatives currently in existence that can be practicably and economically used to replace the use of a chemical. The objective of an alternatives assessment is to assess less toxic chemicals or nonchemical alternatives to replace the use of a chemical in a product and to avoid the unintended consequence of switching to a substitute that presents an equivalent or greater concern. An alternatives assessment must follow the guidelines issued by the interstate chemicals clearinghouse, the national academy of sciences, or equivalent methodology. At a minimum, an alternatives assessment includes: An evaluation of chemical hazard, exposure, performance, cost, and availability; information for each alternative considered; and the identification of alternatives.

(2) "Biomonitoring" means assessment of human exposures to chemicals by measuring the chemicals or their metabolites in human tissues or specimens, such as blood, breast milk, and urine.

(3) "Chemical" means a substance, including metals, with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation, or metabolism.

(4) "Chemical action plan" means a plan that identifies, characterizes, and evaluates uses and releases of a specific chemical or group of chemicals and identifies actions needed to protect human health and the environment.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology or the director's designee.

(7) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product or is an importer or domestic distributor of a product sold or offered for sale in or into the state. "Manufacturer" does not include small businesses as defined in RCW 19.85.020.

(8) "Product" means any item sold for residential or commercial use including any component or product packaging. "Product" does not include the following items, but does include their packaging:

(a) Food or beverage;

(b) Tobacco products;

(c) Drug or biological products regulated by the United States food and drug administration;

(d) Products produced under military specifications;

(e) Finished products regulated by the federal aviation administration;

(f) Chemical products used to produce an agricultural commodity, as defined in RCW 17.21.020; and

(g) Any previously owned product sold in casual or isolated sales as defined in RCW 82.04.040 or products sold by nonprofit organizations.

(9) "Product component" means a uniquely identifiable material or coating that is included as a part of a finished product.

(10) "Safer alternative" means an alternative that is less hazardous to humans or the environment than the existing chemical or chemical process. A safer alternative to a particular chemical may include a chemical substitute or a change in materials or design that eliminates the need for a chemical alternative.

(11) "Summary report" means a report prepared by the department summarizing available alternatives assessments and includes a determination regarding the existence of a safer alternative. The summary report also includes a determination of the completeness of the alternatives assessments reviewed and identifies unsuitable alternatives.

(12) "Unsuitable alternative" means an alternative identified through the alternatives assessment process that does not meet the hazard, exposure, cost, performance, and availability criteria of a safer alternative.

NEW SECTION. **Sec. 44.** (1) Beginning January 1, 2016, and every two years thereafter, the department, in consultation with the department of health, must select up to four chemicals for the development of chemical action plans as specified in section 4 of this act from the following:

(a) Chemicals identified by the United States environmental protection agency in section 304(a)(1) of the clean water act, water quality criteria for human health, that impact Washington state clean water bodies as identified under section 303(d) of the clean water act; or

(b) Chemicals that meet the criteria of a high priority chemical as defined in RCW 70.240.010 as applied to humans, plants, or wildlife, and either:

(i) Meet the criteria for a high priority chemical of high concern for children as described in RCW 70.240.030(1) (a) through (c); or

(ii) Have been shown through environmental monitoring studies to be present in fish, wildlife, air, water, soil, or sediment.

(2) The department may conduct environmental monitoring or, subject to the availability of amounts appropriated for this specific purpose, may request the department of health to conduct biomonitoring of a chemical to verify the chemical is present in the state's environment or population or to better understand environmental or human exposures in the state. Environmental monitoring and biomonitoring conducted pursuant to this chapter must be of a minimum scope necessary to adequately inform a chemical action plan.

(3)(a) At least two of the first four chemicals selected for a chemical action plan must be chosen from the chemicals identified in subsection (1)(a) of this section.

(b) When selecting chemicals for the development of chemical action plans, the director shall notify the public of the selection, the basis for the selection, and a draft schedule. The notice must be published in the Washington State Register. The department shall provide the public with an opportunity for review and comment before finalizing the schedule.

(c) When selecting chemicals for the development of chemical action plans, the department must consider:

(i) Opportunities for reducing or phasing out uses, production, or releases of a chemical;

(ii) Scientific evidence on the combined effects of exposure to the chemical and other substances commonly present in the Washington environment;

(iii) Scientific evidence on the susceptibility of sensitive population groups and environmental media from exposure to the chemical, as well as cumulative effects of multiple exposures; and

(iv) Existing plans or regulatory requirements to reduce or phase out the use and releases of the chemical.

(d) The department must identify the sources of information it relied upon in selecting chemicals for the development of chemical action plans under this section, including peer-reviewed science.

NEW SECTION. **Sec. 45.** (1) The department may require information from manufacturers of products that contain a chemical selected for a chemical action plan under section 2 of this act. Prior to requesting information from a manufacturer under this subsection, the department must consult with a chemical action plan external advisory committee, if one has been formed yet, to evaluate the particular chemical that is the subject of the information request. The department may only make reasonable requests of manufacturers that are limited in their scope and frequency and that are focused on:

(a) The most common and prevalent uses of the chemicals or products containing the chemicals, based on the department's existing knowledge about the chemical;

(b) Areas where there is an identified gap in public or department knowledge about a chemical; and

(c) Chemical uses or products that the department has reason to believe are likely to be responsible for or associated with a significant portion of releases into the environment or public health exposures.

(2) Within six months of a request by the department, manufacturers shall report the following:

(a) The name and address of the manufacturer and the name, address, and phone number of a contact person for the manufacturer;

(b) The name of the chemical used or produced and its chemical abstracts service registry number;

(c) A brief description of the product or product component containing the substance;

(d) A description of the function of the chemical in the product;

(e) The amount of the chemical used in each unit of the product or product component, which may be reported in ranges, rather than the exact amount;

(f) An estimate of average daily, weekly, or monthly commercial consumption of the chemical by businesses or the public; and

(g) Any other information the manufacturer deems relevant to the appropriate use of the product.

(3) In response to an information request from the department under this section, a manufacturer may extrapolate amounts and estimates from national data. The resulting submission must include the information in subsection (2)(a) of this section for each manufacturer. However, the information required by subsection (2)(b) through (g) of this section is not required to be provided in a manner that identifies individual manufacturers.

(4) The department shall specify the required format for submission of the information required under subsection (2) of this section. The format should be generally consistent with the format specified in other states with substantially similar reporting requirements.

(5) Multiple businesses, or a business association, may collaborate and submit a single submission on a chemical found in similar products.

(6) Where information submitted by a manufacturer under chapter 70.240 RCW is the same as the information required to be submitted by the manufacturer in subsection (2) of this section, that manufacturer is not required to submit the same information again.

(7) The department may, by order, require a manufacturer subject to the reporting requirement in subsection (2) of this section to provide additional information that is relevant to the development of a chemical action plan under section 4 of this act. An order by the department must also meet the reasonableness criteria of subsection (1) of this section.

NEW SECTION. **Sec. 46.** (1) When developing a chemical action plan, the department shall convene an external advisory committee to provide stakeholder input, expertise, and additional information. All advisory committee meetings must be open to the public. The department must invite representatives from, at minimum, the following organizations and entities to serve as external advisory committee members: Large and small business sectors; a representative of a statewide business association with over one thousand total members and that represents multiple business sectors; community, environmental, and public health advocacy groups; local governments; affected and interested businesses; and public health agencies. State agencies and technical experts may be requested to participate.

(2) All chemical action plans must include the following types of information, evaluations, and recommendations:

(a) Chemical name, properties, uses, and manufacturers;

(b) An analysis of the available information on the production, unintentional production, uses, and disposal of the chemical;

(c) Information on the known or potential impacts on human health and the environment associated with the use and release of the chemical; and

(d) An evaluation of the regulatory and nonregulatory approaches that influence production, uses, releases, and management of the chemical.

(3)(a) All chemical action plans must identify actions, if needed, to eliminate or reduce threats to human health and the environment and include recommendations for managing, reducing, or phasing out the different uses and releases of the chemical to minimize exposure.

(b) Recommendations must be based on an evaluation of the following factors:

(i) Environmental and human health benefits;

(ii) Economic and social impacts;

(iii) Feasibility;

(iv) Availability and effectiveness of safer substitutes for uses of the chemical; and

(v) Consistency with existing federal and state regulatory requirements.

(4) The department must include in the chemical action plan a summary of any dissenting views held by external advisory committee members regarding the recommendations contained in the plan.

(5) The department must identify the sources of information it relied upon in completing a chemical action plan under this section, including peer-reviewed science.

NEW SECTION. **Sec. 47.** (1)(a) Consistent with a recommendation in a chemical action plan, the department is authorized to require manufacturers, by order, to conduct alternatives assessments, as detailed in this section. The department may not require manufacturers to complete an alternatives assessment for a greater breadth of uses or products, nor require alternatives assessments to be completed by a greater number of manufacturers, than is necessary to address significant sources of environmental or public health exposures to the chemical.

(b) The scope of an alternatives assessment must be:

(i) A single type of use of a chemical in a specific type of manufacturing process; or

(ii) The inclusion of a chemical in a specific type of product.

(2)(a) If ordered by the department, a manufacturer of a product that contains a chemical for which a chemical action plan has been completed under section 4 of this act or under chapter 173-333 WAC must submit an alternatives assessment to the department for each use of the chemical specified by the department.

(b) The manufacturer must submit the alternatives assessment to the department within one year of receipt of the department's order; however, the department may grant an extension on a case-by-case basis for good cause if the manufacturer shows that additional time is necessary to complete an alternatives assessment or would substantially improve the quality of the alternatives assessment. Multiple businesses, or a business association, may collaborate and submit a single alternatives assessment on a chemical found in similar products.

(c) In lieu of an alternatives assessment, a manufacturer may submit a certificate of compliance, as described in (d) of this subsection, if:

(i) The manufacturer has ceased using the chemical for which it would be required to do an alternatives assessment; or

(ii) The manufacturer can demonstrate its plans to phase out the use of the chemical within a time frame that is reasonable based on the manufacturing process used to produce the product and the use of the product.

(d) A certificate of compliance must include the following:

(i) Chemical names and chemical abstracts service registry numbers for all chemicals that currently contribute to the specific function previously served by the prohibited chemical;

(ii) How the manufacturer is meeting the function of the prohibited chemical with a safer alternative; and

(iii) The signature of an authorized official of the manufacturer.

(3) If the department determines that a submitted alternatives assessment does not meet the definition or required objectives of an alternatives assessment, or the department does not identify a manufacturer that may be required to submit an alternatives assessment, the department may contract with an independent scientific organization to conduct an independent alternatives assessment in consultation with the chemical action plan advisory committee. Any alternatives assessment conducted by the independent contractor must include a process to involve interested parties.

(4) The department may rely on existing information indicating that a safer alternative for a chemical exists if that information is equivalent to an alternatives assessment.

NEW SECTION. **Sec. 48.** (1)(a) The department, in consultation with the department of health, shall prepare a summary report of all reviewed alternatives assessments and other relevant information assembled under section 5 of this act. The summary report must include a determination of whether a safer alternative exists and identify unsuitable alternatives.

(b) In making its determination, the department shall evaluate whether the alternatives assessment submitted by manufacturers:

(i) Follows the guidelines on alternatives assessment issued by the interstate chemicals clearinghouse, the national academy of sciences, or equivalent methodology;

(ii) Identifies safer alternatives as defined in section 1 of this act; and

(iii) Identifies unsuitable alternatives as defined in section 1 of this act.

(2) If the department determines that a safer alternative exists, based on a completed alternatives assessment or equivalent information, the department must submit a recommendation to prohibit specific uses of the chemical, in the form of draft legislation, to the appropriate committees of the house of representatives and senate.

(3) If the department determines that a safer alternative does not exist, then the department may reevaluate information on the availability of safer alternatives not more often than once every five years.

NEW SECTION. **Sec. 49.** (1) A manufacturer violating a requirement of this chapter, a rule adopted under this chapter, or an order issued under this chapter, is subject to a civil penalty not to exceed five thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ten thousand dollars for each repeat offense.

(2) Any penalty provided for in this section, and any order issued by the department under this chapter, maybe appealed to the pollution control hearings board.

(3) All penalties collected under this chapter shall be deposited in the state toxics control account created in RCW 70.105D.070.

NEW SECTION. **Sec. 50.** Manufacturers submitting information or records to the department may request that the information or records be made available only for the confidential use of the director, the department, or the appropriate division of the department. The director shall give consideration to the request and if such action would not be detrimental to the public interest and is otherwise within accord with the policies and purposes of chapter 43.21A RCW, the director must grant the request for the information to remain confidential as authorized in RCW 43.21A.160. Under the procedures established under RCW 43.21A.160, the department must keep confidential any records furnished by a manufacturer under this chapter that relate to proprietary manufacturing processes or chemical formulations used in products or processes.

NEW SECTION. **Sec. 51.** The department may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

NEW SECTION. **Sec. 52.** A new section is added to chapter 39.26 RCW to read as follows:

(1) The department shall establish purchasing and procurement policies that provide a preference for products and products in packaging that do not contain:

(a) Persistent, bioaccumulative, and toxic chemicals as defined in chapter 173-333 WAC as of the effective date of this section; and

(b) Chemicals that have been addressed by a completed chemical action plan that has included a recommendation that the state adopt a purchasing and procurement policy for products and products in packaging that do not contain the chemical.

(2) No agency may knowingly purchase products or products in packaging containing chemicals identified in subsection (1) of this section unless there is no cost-effective and technologically feasible alternative. When all available products contain a chemical identified in subsection (1) of this section, a preference must be given to alternative products that contain lesser amounts of chemicals identified in subsection (1) of this section.

(3) Nothing in this section requires the department or any other state agency to breach an existing contract or dispose of stock that has been ordered or is in the possession of the department or other state agency as of the effective date of this section.

(4) This section does not require the department or any other agency to test every product procured.

(5) The department or any other agency may request suppliers of products to provide testing data from an accredited laboratory or testing facility documenting levels of a chemical identified in subsection (1) of this section in products or product packaging. Requested or voluntarily received testing data from businesses, manufacturers, organizations, and individuals must be submitted for review to the department of ecology.

Sec. 53. RCW 43.21B.110 and 2013 c 291 s 33 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) A final decision by the department or director made under chapter 183, Laws of 2009.

(d) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(e) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(f) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(g) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(h) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(i) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(j) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(k) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(l) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW.

(m) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(n) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(o) Decisions regarding a restriction, order, or penalty issued under chapter 70.--- RCW (the new chapter created in section 14 of this act).

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 54. RCW 43.21B.110 and 2013 c 291 s 34 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions regarding a restriction, order, or penalty issued under chapter 70.--- RCW (the new chapter created in section 14 of this act).

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. **Sec. 55.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 56.** Sections 1 through 9 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. **Sec. 57.** A new section is added to chapter 43.131 RCW to read as follows:

The authority of the department of ecology to do the following under the authority of chapter 70.--- RCW (the new chapter created in section 14 of this act) expires June 30, 2025: Require manufacturers to provide information on chemicals and conduct alternatives assessments; prepare summary reports on alternatives assessments; prohibit the use of chemicals and the sale, offer for sale, or distribution of a product containing a prohibited chemical; and assess penalties.

NEW SECTION. **Sec. 58.** A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 2026:

(1) Section 1 of this act;
(2) Section 2 of this act;
(3) Section 3 of this act;
(4) Section 4 of this act;
(5) Section 5 of this act;
(6) Section 6 of this act;
(7) Section 7 of this act;
(8) Section 8 of this act; and
(9) Section 9 of this act.

NEW SECTION. **Sec. 59.** This act may be known and cited as the toxics reduction act.

NEW SECTION. **Sec. 60.** Section 11 of this act expires June 30, 2019.

NEW SECTION. **Sec. 61.** Section 12 of this act takes effect June 30, 2019.

NEW SECTION. **Sec. 62.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

With the consent of the house, amendment (265) to the striking amendment was withdrawn.

Representative Shea moved the adoption of amendment (266) to the striking amendment (239):

Representative Shea spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

An electronic roll call vote was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (266) to amendment (239) to Second Substitute House Bill No. 1472.

ROLL CALL

The Clerk called the roll on the adoption of amendment (266) to amendment (239) to Second Substitute House Bill No. 1472 and the amendment was not adopted by the following vote: Yeas, 49; Nays, 49; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Takko, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (266) was not adopted.

Representative Fitzgibbon spoke in favor of the adoption of the striking amendment.

Representative Shea spoke against the adoption of the striking amendment.

Amendment (239) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1472.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1472, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kretz, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko,

Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, MacEwen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Taylor, Van Werven, Vick, Walsh, Wilson and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1585, by Representatives Young, Shea, Scott, G. Hunt, Taylor and Santos

Providing a right of first repurchase for surplus transportation property.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Young a7(nC)7.4(l)5(i)5(bbo)13.6(r)6.7(n s)9.3(p)13.7(ok)13.7(e)11(i)5(n f)20(a)-2.3(v)13.6(or)6.7(of)20( )]TJ -0.004 Tc 0

(5) The applications and related specification standards for state and local transportation and infrastructure projects that reuse and recycle construction aggregate and recycled concrete materials to be used in the implementation of this section are outlined in the department of transportation's standard specifications for road, bridge, and municipal construction, section 9-03.21, table 9-03.21(1)E.

(6) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Construction aggregate and recycled concrete materials" means reclaimed coarse and fine aggregate cement and concrete mixtures as commonly defined by the American public works association, the federal highway administration, and department of transportation specifications.

(b) "Implementation partners" means local governmental entities and interested Washington-based associations representing the appropriate sectors of the construction industry.

(c) "Local governmental entities" means cities or counties.

NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95 RCW to read as follows:

(1) The department of transportation, together with its implementation partners, as that term is defined in section 2 of this act, must report annually to the legislature on the implementation of section 2 of this act. The annual report must be submitted to the legislature, consistent with RCW 43.01.036, by January 2nd of each year from 2017 through 2020.

(2) This section expires July 1, 2021.

NEW SECTION. **Sec. 4.** This act takes effect January 1, 2016."

Correct the title.

Representative Orcutt moved the adoption of amendment (189) to the striking amendment (164):

Representatives Orcutt and Clibborn spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (189) to amendment (164) was adopted.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment as amended.

Amendment (164), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Hayes, Van Werven and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1695.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1695, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1695, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1919, by Representative S. Hunt

Clarifying the timing of special elections.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1919 was substituted for House Bill No. 1919 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1919 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1919.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1919, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Kretz, Kristiansen, McCaslin, Scott, Shea, Short and Taylor.

SUBSTITUTE HOUSE BILL NO. 1919, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1977, by Representatives Moscoso, Orcutt, Clibborn, Bergquist, Zeiger, Pollet and Tarleton

Creating a tuition and fees exemption for children and surviving spouses of certain highway workers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso and Zeiger spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1977.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1977, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hayes, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hunter, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

HOUSE BILL NO. 1977, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1990, by Representatives Fey, Sells and Appleton

Concerning use tax on vehicles transferred between immediate family members for no consideration other than to relieve the transferor of the underlying debt on the vehicle.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1990.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1990, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler and Hunter.

HOUSE BILL NO. 1990, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2055, by Representatives Johnson, S. Hunt, Walsh, Van De Wege, Haler, Appleton, Hawkins, Robinson, Zeiger, Sawyer, Wilson, Clibborn, Scott, Kagi, Buys, Fagan and Tharinger

Concerning statements on ballot measures in voters' pamphlets.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Johnson, S. Hunt and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2055.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2055, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Orcutt.

HOUSE BILL NO. 2055, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

March 10, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5226
ENGROSSED SUBSTITUTE SENATE BILL NO. 5550
ENGROSSED SUBSTITUTE SENATE BILL NO. 5899

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 1554, by Representatives Stambaugh, S. Hunt, Holy, Zeiger, Scott, G. Hunt, Bergquist, Condotta, Ormsby and Young

Exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stambaugh and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1554.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1554 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Wilcox.

HOUSE BILL NO. 1554, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1554 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1554 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1554, on reconsideration, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1554 on reconsideration, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1819, by Representatives Wilson, Griffey, Dent, Van Werven, Caldier, Pike, Shea, Vick, Harmsworth and Condotta

Concerning appointments to inspect the books of account of a political committee or a candidate committee.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wilson, S. Hunt, Pike and Johnson spoke in favor of the passage of the bill.

Representative Appleton spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1819.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1819, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Fagan, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunter, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moscoso, Muri, Nealey, Orcutt, Parker, Peterson, Pike, Reykdal, Rodne, S. Hunt, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary,

Sullivan, Takko, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young and Zeiger.

Voting nay: Representatives Appleton, Dunshee, Farrell, Fey, Fitzgibbon, Gregerson, Hudgins, Hurst, Jinkins, Lytton, Moeller, Morris, Ormsby, Ortiz-Self, Orwall, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Tarleton, Tharinger, Van De Wege, Walkinshaw and Mr. Speaker.

HOUSE BILL NO. 1819, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative Wilson on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1839, by Representatives Kilduff, Rodne, Muri, Goodman, Orwall, Walkinshaw, Moeller, Tharinger and Jinkins

Concerning services that provide support for decision making.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1839.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1839, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1839, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1859, by Representatives Kilduff, Smith and Dunshee

Concerning the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington.

The bill was read the second time.

Representative Kilduff moved the adoption of amendment (227):

On page 7, line 8, after "(1)" insert "RCW 28B.50.401 (Transfer of moneys in community college bond retirement fund to state general fund—Purpose);

(2) RCW 28B.50.402 (Transfer of moneys in community and technical college bond retirement fund to state general fund—Exception);

(3)"

Renumber the remaining subsections consecutively, correct any internal references accordingly, and correct the title.

On page 38, beginning on line 3, strike all of section 27

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Kilduff and DeBolt spoke in favor of the adoption of the amendment.

Amendment (227) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1859.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1859, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1859, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1940, by Representatives Stokesbary, Fitzgibbon, Ryu, Magendanz, Kochmar, Hargrove, Rodne, Bergquist, Hurst, Gregerson, Orwall and Jinkins

Exempting levies imposed by qualifying flood control zone districts from certain limitations upon regular property tax levies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1940 was not substitute for House Bill No. 1940.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stokesbary, Carlyle and Wilcox spoke in favor of the passage of the bill.

Representatives Orcutt and Hunter spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1940.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1940, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dent, Dunshee, G. Hunt, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hunter, Klippert, Kretz, Manweller, McCaslin, Muri, Orcutt, Pollet, S. Hunt, Schmick, Scott, Shea, Short, Smith, Stanford, Taylor, Van Werven, Vick and Wilson.

HOUSE BILL NO. 1940, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1962, by Representatives Griffey, Peterson, Harmsworth, Wilson, Scott, Van Werven, Stokesbary, Condotta and Hayes

Regulating disclosure of process server social security numbers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Griffey and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1962.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1962, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1962, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2042, by Representatives McCabe, Cody, Harris, Dent, Fagan, McBride, Kochmar, Wilson, Johnson, Klippert and Pike

Establishing the crime of voyeurism in the second degree.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2042 was substituted for House Bill No. 2042 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2042 was read the second time.

With the consent of the house, amendment (045) was withdrawn.

Representative Appleton moved the adoption of amendment (066):

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1)(a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (8) of this section. If the prosecutor finds that the requirements of subsection (1)(a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify

community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) Except as provided in RCW 13.40.213 and subsection (7) of this section, where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, a class C felony listed in RCW 9.94A.411(2) as a crime against persons or listed in RCW 9A.46.060 as a crime of harassment, or a class C felony that is a violation of RCW 9.41.080 or *9.41.040(2)(a)(iii); or

(b) An alleged offender is accused of a felony and has a criminal history of any felony, or at least two gross misdemeanors, or at least two misdemeanors; or

(c) An alleged offender has previously been committed to the department; or

(d) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion; or

(e) An alleged offender has three or more diversion agreements on the alleged offender's criminal history; or

(f) A special allegation has been filed that the offender or an accomplice was armed with a firearm when the offense was committed.

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense is the offender's first offense or violation. If the alleged offender is charged with a related offense that must or may be filed under subsections (5) and (8) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient to charge an alleged offender with:

(a) either prostitution or prostitution loitering and the alleged offense is the offender's first prostitution or prostitution loitering offense, the prosecutor shall divert the case; or

(b) voyeurism in the second degree and the alleged offense is the offender's first offense or violation, the prosecutor shall divert the case unless the juvenile has prior adjudications or diversions.

(8) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(9) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversion interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversion unit, the victim shall be notified of the referral and informed how to contact the unit.

(10) The responsibilities of the prosecutor under subsections (1) through (9) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(11) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to mediation or victim offender reconciliation programs. Such mediation or victim offender reconciliation programs shall be voluntary for victims."

Representative Appleton spoke in favor of the adoption of the amendment.

Representatives Klippert and Manweller spoke against the adoption of the amendment.

There being no objection, the House deferred action on. SUBSTITUTE HOUSE BILL NO. 2042, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 2046, by Representatives Dent, Takko, Griffey and Tharinger

Adding a definition of streams to the shoreline management act.

The bill was read the second time.

With the consent of the house, amendment (206) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent, Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2046.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2046, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2046, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1211, by Representatives G. Hunt, Reykdal, Sawyer, Manweller, Vick, S. Hunt and Buys

Addressing fees and costs related to methods of wage payment.

The bill was read the second time.

Bergquist, S. Hunt, Moscoso, Pollet, Takko, Sells, Sullivan, Stanford, Morris, Tharinger and Ormsby

Enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1646 was substituted for House Bill No. 1646 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1646 was read the second time.

With the consent of the house, amendments (054), (093), (218) and (219) were withdrawn.

Representative G. Hunt moved the adoption of amendment (101):

On page 3, beginning on line 13, after "failing to" strike all material through "positions" on line 15 and insert "use reasonable means to provide the employee information about advancement in their career tracks or positions, including but not limited to posting information on internal and external websites, in employee common areas, or at the employer's human resource office"

Representatives G. Hunt and Sells spoke in favor of the adoption of the amendment.

Amendment (101) was adopted.

Representative Senn moved the adoption of amendment (262):

) On page 3, after line 31, insert the following:

"(3) An employer may prohibit a human resources manager from disclosing the wages of other employees unless the disclosure is otherwise required by law."

Representatives Senn and Manweller spoke in favor of the adoption of the amendment.

Amendment (262) was adopted.

Representative Short moved the adoption of amendment (264):

) Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 5.** INTENT. According to census bureau data, forty percent of households in the United States rely on a woman as the leading or sole breadwinner. In addition, women hold a significant percentage of minimum wage jobs. Income disparities limit the ability of women to provide for their families, leading to higher rates of poverty among women and children.

The legislature finds that in order to establish equality among workers, men and women in the same job must be compensated as equals. The legislature finds that gaps in employee wages is a form of gender discrimination. Policies that encourage retaliation or discipline towards workers who discuss or inquire about compensation prevent workers from moving forward.

The legislature intends to update the existing Washington state equal pay act, not modified since 1943, to address income disparities, employer discrimination, and retaliation practices, and to reflect the equal status of all workers in Washington state.

NEW SECTION. **Sec. 6.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Compensation" means discretionary and nondiscretionary wages and benefits provided by an employer to an employee as a result of the employment relationship.

(2) "Department," "director," "employee," and "employer" have the same meaning as defined in RCW 49.12.005.

Sec. 7. RCW 49.12.175 and 1943 c 254 s 1 are each amended to read as follows:

EQUAL PAY OPPORTUNITY.

(1) Any employer in this state((~~, employing both males and females, who shall discriminate in any way in the payment of wages as between sexes or who shall pay any female a less wage, be it time or piece work, or salary, than is being paid to males~~)) who discriminates in providing compensation based on gender between individuals similarly employed((~~, or in any employment formerly performed by males, shall be~~)) is guilty of a misdemeanor.

(2)(a) If any ((~~female~~)) employee ((~~shall~~)) receives less compensation because of being discriminated against on account of ((~~her sex, and~~)) gender in violation of this section, ((~~she shall be~~)) that employee is entitled to recover in a civil action the full amount of compensation that ((~~she~~)) the employee would have received had ((~~she~~)) the employee not been discriminated against. An employee is entitled to recover any actual damages, plus statutory damages equal to the amount of actual damages or five thousand dollars, whichever is greater, and costs and reasonable attorneys' fees. In addition, the court may order injunctive relief. In such action, however, the employer shall be credited with any compensation which has been paid to ((~~her~~)) the employee upon account.

(b) A differential in ((~~wages between employees~~)) compensation or employment opportunities based in good faith on a bona fide job-related factor or factors ((~~other than sex shall~~)), including but not limited to education, training, or experience, that is not based on gender, unless the differential is otherwise permitted by law, does not constitute discrimination within the meaning of ((~~RCW 49.12.010 through 49.12.180~~)) this section.

NEW SECTION. **Sec. 8.** WORKPLACE PRACTICES. (1) An employer may not:

(a) Require nondisclosure by an employee of his or her wages as a condition of employment; or

(b) Require an employee to sign a waiver or other document that prevents the employee from disclosing the amount of the employee's wages.

(2) An employer may not discharge or in any other manner retaliate against an employee for:

(a) Inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee;

(b) Asking the employer to provide a reason for the employee's wages or reasons for a lack of employment advancement available to the employee; or

(c) Aiding or encouraging an employee to exercise their rights under this section.

(3) An employer may prohibit a human resources or other manager from disclosing the wages of other employees unless the disclosure is otherwise required by law.

NEW SECTION. **Sec. 9.** NO RETALIATION. An employer may not discharge or otherwise discriminate against an employee because the employee has filed any complaint, or instituted or caused to be instituted any proceeding under this chapter, or testified or is about to testify in any such proceeding, or because of the exercise by such employee on behalf of himself or herself or others of any right afforded by this chapter.

NEW SECTION. **Sec. 10.** CAUSE OF ACTION. An employee may bring a civil action against an employer for violation of section 4 or 5 of this act for actual damages, plus statutory damages equal to the amount of actual damages or five thousand dollars, whichever is greater, and costs and reasonable attorneys' fees. The court may also order reinstatement and injunctive relief.

NEW SECTION. **Sec. 11.** NOTICE. The department may include notice of the provisions of this chapter in the next reprinting of employment posters.

NEW SECTION. **Sec. 12.** RULE MAKING. The department may adopt rules to implement sections 1 through 5 of this act.

NEW SECTION. **Sec. 13.** SHORT TITLE. This chapter shall be known and cited as the "equal pay opportunity act."

NEW SECTION. **Sec. 14.** CODIFICATION. (1) Sections 1, 2, and 4 through 9 of this act constitute a new chapter in Title 49 RCW.

(2) RCW 49.12.175 is recodified as a section in chapter 49.--- RCW (the new chapter created in this section)."

Representative Short spoke in favor of the adoption of the striking amendment.

Representative Gregerson spoke against the adoption of the striking amendment.

An electronic roll call vote was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (264) to Substitute House Bill No. 1646.

ROLL CALL

The Clerk called the roll on the adoption of amendment (264) to Substitute House Bill No. 1646, and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, McCaslin, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, and Wylie

Amendment (264) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Senn, Takko, Sells, Farrell, Ortiz-Self, Gregerson and Jinkins spoke in favor of the passage of the bill.

Representatives Short, Manweller, Van Werven and Smith spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1646.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1646, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kretz, Lytton, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 12, 2015, the 60th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTIETH DAY

House Chamber, Olympia, Thursday, March 12, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4622, by Representative Farrell

WHEREAS, Serve Washington leads our state's long tradition of citizen involvement by providing opportunities for Washingtonians of all ages to improve their communities through AmeriCorps national service and volunteerism; and

WHEREAS, 900,000 AmeriCorps members have served our country since AmeriCorps' inception in 1994, including 35,000 from Washington; and

WHEREAS, This year AmeriCorps will provide the opportunity for 75,000 citizens across the nation, including 2,650 in Washington, to give back to their communities, state, and country; and

WHEREAS, This year AmeriCorps members are serving at more than 1,000 locations throughout Washington State to improve the lives of our most vulnerable citizens; and

WHEREAS, Over the past twenty years, AmeriCorps members in Washington have contributed 52 million hours of service to address unmet community needs; and

WHEREAS, AmeriCorps members are strengthening our educational system by helping students succeed in school and gain the skills necessary to get 21st century jobs; protecting our environment by building trails, restoring parks, and protecting watersheds; helping communities prepare, respond, and recover from natural and man-made disasters; and providing support to military families and veterans as they readjust to civilian life; and

WHEREAS, The AmeriCorps national service experience has a powerful impact on the lives of its members, who gain new and useful skills, advance their education, and become more connected to their communities; and

WHEREAS, A longitudinal study has shown that AmeriCorps alumni are more likely to be civically engaged; to go into public service careers such as teaching, public safety, nonprofit management, and military service; and to volunteer in their communities; and

WHEREAS, In exchange for a year of full-time service, AmeriCorps members earn a Segal AmeriCorps Education Award, equal to the maximum Pell Grant, to help pay for college or pay back student loans; and

WHEREAS, AmeriCorps members from Washington have earned more than $122,380,000 in education awards since 1994; and

WHEREAS, AmeriCorps acts as a powerful catalyst and force multiplier for community volunteering by recruiting, training, and supervising thousands of additional community volunteers for the organizations where they serve; and

WHEREAS, Governor Inslee has proclaimed March 9, 2015, through March 13, 2015, as AmeriCorps Week;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives support the observation of AmeriCorps Week, salute AmeriCorps members and alumni for their service, and thank the community partners who make AmeriCorps possible.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4622.

HOUSE RESOLUTION NO. 4622 was adopted.

MESSAGES FROM THE SENATE

March 11, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5139
SUBSTITUTE SENATE BILL NO. 5186
SUBSTITUTE SENATE BILL NO. 5206
ENGROSSED SUBSTITUTE SENATE BILL NO. 5282
SENATE BILL NO. 5363
ENGROSSED SUBSTITUTE SENATE BILL NO. 5407
ENGROSSED SENATE BILL NO. 5419
SUBSTITUTE SENATE BILL NO. 5433
SUBSTITUTE SENATE BILL NO. 5563
SUBSTITUTE SENATE BILL NO. 5583
SUBSTITUTE SENATE BILL NO. 5609
SUBSTITUTE SENATE BILL NO. 5721
SENATE BILL NO. 5723
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
SUBSTITUTE SENATE BILL NO. 5870
ENGROSSED SUBSTITUTE SENATE BILL NO. 5954

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 11, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048
ENGROSSED SENATE BILL NO. 5153
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353
SUBSTITUTE SENATE BILL NO. 5591
ENGROSSED SUBSTITUTE SENATE BILL NO. 5607
ENGROSSED SUBSTITUTE SENATE BILL NO. 5748
ENGROSSED SUBSTITUTE SENATE BILL NO. 5826
ENGROSSED SUBSTITUTE SENATE BILL NO. 5843
ENGROSSED SENATE BILL NO. 5854
ENGROSSED SUBSTITUTE SENATE BILL NO. 5857
ENGROSSED SENATE BILL NO. 5874
ENGROSSED SUBSTITUTE SENATE BILL NO. 5884
ENGROSSED SUBSTITUTE SENATE BILL NO. 5915
ENGROSSED SENATE BILL NO. 5921

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SSB 5037 by Senate Committee on Law & Justice (originally sponsored by Senators O'Ban and Sheldon)

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Public Safety.

E2SSB 5057 by Senate Committee on Ways & Means (originally sponsored by Senator Ericksen)

AN ACT Relating to the safe transport of hazardous materials; amending RCW 82.23B.010, 82.23B.020, 82.23B.030, 82.23B.040, 88.40.011, 90.56.010, 81.53.240, 38.52.070, and 81.53.010; reenacting and amending RCW 88.46.010 and 38.52.040; adding a new section to chapter 90.56 RCW; adding a new section to chapter 81.53 RCW; adding a new section to chapter 81.44 RCW; and creating new sections.

Referred to Committee on Environment.

ESSB 5084 by Senate Committee on Health Care (originally sponsored by Senators Becker, Frockt, Conway, Keiser and Mullet)

AN ACT Relating to modifying the all payer claims database to improve health care quality and cost transparency by changing provisions related to definitions regarding data, reporting and pricing of products, responsibilities of the office of financial management and the lead organization, submission to the database, and parameters for release of information; amending RCW 43.371.010, 43.371.020, 43.371.030, 43.371.040, 43.371.050, 43.371.060, and 43.371.070; and adding a new section to chapter 43.371 RCW.

Referred to Committee on Health Care & Wellness.

ESB 5091 by Senators Brown, Hewitt and Sheldon

AN ACT Relating to including nuclear energy in the definition of a "qualified alternative energy resource" for the purposes of RCW 19.29A.090; and amending RCW 19.29A.090.

Referred to Committee on Technology & Economic Development.

SB 5144 by Senators Dammeier, Becker, Bailey, Rivers, Brown, Parlette and O'Ban

AN ACT Relating to making the Bree collaborative more accessible to the public and promoting transparency; and amending RCW 70.250.050.

Referred to Committee on State Government.

E2SSB 5179 by Senate Committee on Ways & Means (originally sponsored by Senators Hill, McAuliffe, Litzow, Mullet, Hobbs and Dammeier)

AN ACT Relating to paraeducators; amending RCW 28A.630.400 and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

Referred to Committee on Education.

ESB 5226 by Senators Becker, Braun, Warnick, Dammeier and Benton

AN ACT Relating to protecting public sector workers' rights through public disclosure of public sector unions' finances; adding a new section to chapter 41.58 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 49.39 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Labor.

ESSB 5321 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton, Mullet, Hobbs, Angel and Fain)

AN ACT Relating to licensure of persons providing debt settlement services; amending RCW 42.56.230; reenacting and amending RCW 18.28.010; adding a new chapter to Title 18 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Business & Financial Services.

SSB 5328 by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Bailey and Chase)

AN ACT Relating to disseminating financial aid information; and amending RCW 28B.92.005.

Referred to Committee on Higher Education.

ESSB 5346 by Senate Committee on Health Care (originally sponsored by Senators Ranker, Mullet, Darneille, Liias, Conway, McAuliffe, Keiser and Chase)

AN ACT Relating to providing first responders with contact information for subscribers of personal emergency response services during an emergency; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5379 by Senators Hobbs, Kohl-Welles, Rivers, Hatfield, McAuliffe, Chase, Keiser and Jayapal

AN ACT Relating to adding posttraumatic stress disorder to the terminal or debilitating medical conditions that qualify for the medical use of marijuana; and amending RCW 69.51A.010.

Referred to Committee on Health Care & Wellness.

2SSB 5404 by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Frockt, Miloscia, Kohl-Welles, McAuliffe, Chase, Pedersen and Conway)

AN ACT Relating to homeless youth prevention and protection; amending RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 43.330.167, 43.185C.040, 43.185C.240, and 28A.300.540; reenacting and amending RCW 43.185C.010, 13.32A.060, and 13.32A.065; adding new sections to chapter 43.185C RCW; adding new sections to chapter 43.330 RCW; creating a new section; and recodifying RCW 13.32A.042, 13.32A.044, 13.32A.050, 13.32A.060, 13.32A.065, 13.32A.070, 13.32A.090, 13.32A.095, 13.32A.130, 74.13.032, 74.13.0321, 74.13.033, 74.13.034, 74.15.220, 74.15.225, 74.15.260, and 74.15.270.

Referred to Committee on Early Learning & Human Services.

SSB 5418 by Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Braun, Parlette, McAuliffe, Benton and Conway)

AN ACT Relating to creating a pilot program to improve care for catastrophically injured workers; adding a new section to chapter 51.36 RCW; and creating a new section.

Referred to Committee on Labor.

SSB 5451 by Senate Committee on Commerce & Labor (originally sponsored by Senators Braun, Keiser, Conway, Kohl-Welles and McAuliffe)

AN ACT Relating to addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities; amending RCW 51.16.120, 51.32.095, and 51.44.040; reenacting and amending RCW 51.32.099; adding a new section to chapter 51.32 RCW; creating new sections; and repealing 2013 c 331 s 3, 2011 c 291 s 3, and 2013 c 331 s 6 (uncodified).

Referred to Committee on Labor.

E2SSB 5452 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Billig, Fain, Dammeier, Hargrove, Hill, Rivers, Brown, Mullet, Frockt, Jayapal, Angel, Cleveland, Kohl-Welles, Keiser, McAuliffe and Habib)

AN ACT Relating to improving quality in the early care and education system; amending RCW 43.215.100, 43.215.135, 43.215.1352, 43.215.425, 43.215.415, 43.215.455, and 43.215.090; reenacting and amending RCW 43.215.010; adding new sections to chapter 43.215 RCW; creating new sections; and repealing 2013 2nd sp.s. c 16 s 2 (uncodified).

Referred to Committee on Early Learning & Human Services.

SSB 5487 by Senate Committee on Higher Education (originally sponsored by Senators Baumgartner, Billig, Rivers, Keiser, Schoesler, Hatfield, Angel, King, Liias, Mullet, Dansel, Ericksen, Warnick, Honeyford, Brown, Hasegawa, Hewitt and Chase)

AN ACT Relating to higher education programs at Washington State University and the University of Washington; amending RCW 28B.10.115 and 28B.20.060; and adding a new section to chapter 28B.30 RCW.

Referred to Committee on Higher Education.

ESB 5510 by Senators Braun, Baumgartner, Rivers and Angel

AN ACT Relating to simplifying and adding certainty to the calculation of workers' compensation benefits; amending RCW 51.32.050 51.32.060, and 51.32.090; adding a new section to chapter 51.08 RCW; repealing RCW 51.08.178; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

ESB 5513 by Senators Braun, Baumgartner, Dammeier, Rivers, Bailey, Sheldon, Schoesler, Warnick and Honeyford

AN ACT Relating to creating the workers' recovery act by amending provisions governing structured settlements by lowering age barriers and clarifying legislative intent; amending RCW 51.04.063; and creating new sections.

Referred to Committee on Labor.

ESSB 5550 by Senate Committee on Transportation (originally sponsored by Senators Habib and Fain)

AN ACT Relating to providers of commercial transportation services; amending RCW 18.235.020, 46.72.010, 51.12.020, and 81.72.240; reenacting and amending RCW 42.56.270 and 43.79A.040; adding a new chapter to Title 46 RCW; and repealing RCW 46.72.073, 46.72A.053, 51.12.180, 51.12.183, 51.12.185, 51.16.240, and 81.72.230.

Referred to Committee on Business & Financial Services.

ESB 5577 by Senators Braun and Cleveland

AN ACT Relating to pharmaceutical waste; and creating new sections.

Referred to Committee on Environment.

ESB 5624 by Senators Keiser, Honeyford and Conway

AN ACT Relating to financing essential public infrastructure; amending RCW 39.94.030, 43.155.020, 43.155.040, and 43.155.050; reenacting and amending RCW 39.94.040; adding a new section to chapter 43.155 RCW; adding a new chapter to Title 39 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Capital Budget.

ESSB 5656 by Senate Committee on Transportation (originally sponsored by Senators Rivers, Chase, Fain and Keiser)

AN ACT Relating to enhancing public safety by reducing distracted driving incidents caused by the use of personal wireless communications devices; amending RCW 46.61.668, 46.20.055, 46.20.075, 46.25.010, and 46.20.130; creating a new section; repealing RCW 46.61.667; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SSB 5694 by Senate Committee on Government Operations & Security (originally sponsored by Senators Padden, Baumgartner and Billig)

AN ACT Relating to assessments for nuisance abatement in cities and towns; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Local Government.

ESSB 5735 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Ericksen, Rivers, Angel, Baumgartner, Brown, Hewitt, Bailey, Schoesler, Parlette, Honeyford, Braun, Padden, Becker, Hatfield and Sheldon)

AN ACT Relating to providing incentives for carbon reduction investments; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

E2SSB 5737 by Senate Committee on Ways & Means (originally sponsored by Senators Miloscia and Chase)

AN ACT Relating to government performance and accountability; amending RCW 43.17.385, 43.17.390, 43.41.100, 43.41.270, 43.88.005, 43.88.030, 43.88.090, 43.88.160, 43.88C.010, 43.88C.020, 43.09.440, 43.09.470, 46.68.290, 47.04.280, 47.60.140, 70.94.551, and 2.56.200; reenacting and amending RCW 44.04.260; adding a new section to chapter 43.88 RCW; adding a new section to chapter 43.19 RCW; adding a new chapter to Title 43 RCW; creating a new section; and repealing RCW 43.17.380.

Referred to Committee on General Government & Information Technology.

ESSB 5743 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Fain, Hobbs, Benton, Mullet and Angel)

AN ACT Relating to insurance producers, insurers, and title insurance agents activities with customers and potential customers; amending RCW 48.30.140 and 48.30.150; and adding new sections to chapter 48.30 RCW.

Referred to Committee on Business & Financial Services.

SB 5768 by Senators Cleveland, Benton, Honeyford and Fraser

AN ACT Relating to county electronic public auctions; amending RCW 36.34.060, 36.34.080, 36.34.090, 36.35.120, 84.56.070, 84.56.090, 84.64.005, 84.64.080, and 84.64.200; reenacting and amending RCW 36.16.140; adding a new section to chapter 36.16 RCW; adding a new section to chapter 84.64 RCW; and creating a new section.

Referred to Committee on Local Government.

ESB 5863 by Senators Jayapal, Rivers, Keiser, Miloscia, Conway, Angel, Liias, Pedersen, Hobbs, Kohl-Welles and Hasegawa

AN ACT Relating to highway construction workforce development; and amending RCW 47.01.435.

Referred to Committee on Transportation.

ESB 5871 by Senators Angel, Liias, Roach, McCoy and Chase

AN ACT Relating to appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Local Government.

ESSB 5899 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Liias, Keiser, Ranker, Angel, Hobbs, Sheldon, Fain, Rivers, Roach, King, Ericksen and Honeyford)

AN ACT Relating to small loans and small consumer installment loans; amending RCW 31.45.010, 31.45.020, 31.45.030, 31.45.040, 31.45.050, 31.45.060, 31.45.070, 31.45.090, 31.45.100, 31.45.105, 31.45.110, 31.45.150, 31.45.180, 31.45.190, and 31.45.200; adding new sections to chapter 31.45 RCW; creating new sections; repealing RCW 31.45.073, 31.45.077, 31.45.079, 31.45.082, 31.45.084, 31.45.085, 31.45.086, 31.45.088, 31.45.093, 31.45.095, and 31.45.210; prescribing penalties; providing an effective date; and providing a contingent effective date.

Referred to Committee on Business & Financial Services.

ESB 5935 by Senators Parlette and Frockt

AN ACT Relating to biological products; and amending RCW 69.41.110, 69.41.120, 69.41.150, and 69.41.160.

Referred to Committee on Health Care & Wellness.

SSB 5965 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Warnick, Hatfield, Pearson, Hobbs and Bailey)

AN ACT Relating to evaluating mitigation options for impacts to base flows and minimum instream flows; creating new sections; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

ESJR 8204 by Senators Keiser, Honeyford and Conway

Amending the Constitution to allow the state to guarantee debt issued on behalf of a political subdivision for essential public infrastructure.

Referred to Committee on Capital Budget.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 6, 2015

HB 2136 Prime Sponsor, Representative Carlyle: Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Condotta; Fitzgibbon; Pollet; Robinson; Ryu; Springer; Stokesbary; Vick and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Manweller and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Reykdal.

Referred to Committee on Appropriations.

March 9, 2015

SB 5119 Prime Sponsor, Senator Angel: Providing authority for two or more nonprofit corporations to participate in a joint self-insurance program covering property or liability risks. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar and McCabe.

Referred to Committee on General Government & Information Technology.

March 9, 2015

SSB 5156 Prime Sponsor, Committee on Commerce & Labor: Concerning the disclosure of information regarding elevators and other conveyances in certain real estate transactions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar and McCabe.

Passed to Committee on Rules for second reading.

March 9, 2015

SB 5581 Prime Sponsor, Senator Angel: Addressing the benefits of group life and disability insurance policies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar and McCabe.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 13, 2015, the 61st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FIRST DAY

House Chamber, Olympia, Friday, March 13, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

ESSB 5048 by Senate Committee on Government Operations & Security (originally sponsored by Senators Chase, Roach, Hatfield and Miloscia)

AN ACT Relating to the referendum of assumptions of water-sewer districts by cities and towns; and adding a new section to chapter 35.13A RCW.

Referred to Committee on Local Government.

SB 5139 by Senators Roach, Liias, Conway, Benton, McCoy, Dansel and Ericksen

AN ACT Relating to building code standards for certain buildings four or more stories high; and amending RCW 19.27.060.

Referred to Committee on Local Government.

ESB 5153 by Senators Billig, Roach, Sheldon, Fain, Liias, Mullet, Fraser, Dansel, McCoy, Rolfes, Cleveland, Darneille, Habib, Padden, Nelson, Benton, Chase, Keiser, Jayapal, Hasegawa and Frockt

AN ACT Relating to increasing transparency of campaign contributions; amending RCW 42.17A.125, 42.17A.205, 42.17A.235, 42.17A.240, and 42.17A.250; reenacting and amending RCW 42.17A.005; and creating a new section.

Referred to Committee on State Government.

SSB 5186 by Senate Committee on Ways & Means (originally sponsored by Senators Benton, Hasegawa, Sheldon and Keiser)

AN ACT Relating to property tax exemptions for service-connected disabled veterans and senior citizens; amending RCW 84.36.381 and 84.38.030; and creating new sections.

Referred to Committee on Finance.

SSB 5206 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Miloscia, Bailey, Braun, Padden, Hewitt, Hill, Dammeier, Honeyford and Parlette)

AN ACT Relating to state audit findings of noncompliance with state law; amending RCW 43.09.310; and adding a new section to chapter 43.09 RCW.

Referred to Committee on General Government & Information Technology.

ESSB 5282 by Senate Committee on Commerce & Labor (originally sponsored by Senators Braun, Baumgartner and Warnick)

AN ACT Relating to residential security system installations; and amending RCW 19.28.006 and 19.28.261.

Referred to Committee on Labor.

E2SSB 5353 by Senate Committee on Ways & Means (originally sponsored by Senator Angel)

AN ACT Relating to marketing opportunities for spirits produced in Washington by craft and general licensed distilleries; amending RCW 66.24.140, 66.24.145, 66.24.175, and 66.20.010; adding a new section to chapter 66.20 RCW; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Gaming.

SB 5363 by Senators Padden, Dansel, Pearson, Roach, Rivers, Angel, Schoesler, Braun, Dammeier, Honeyford and Hewitt

AN ACT Relating to prohibiting the use of eminent domain for economic development; amending RCW 35.81.080; and adding a new chapter to Title 8 RCW.

Referred to Committee on Judiciary.

ESSB 5407 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Pearson, Bailey and Benton)

AN ACT Relating to the effects of instream flow rules on water use; and amending RCW 90.22.030 and 90.54.020.

Referred to Committee on Agriculture & Natural Resources.

ESB 5419 by Senators Litzow, McAuliffe, Rivers, Fain, Mullet, Frockt, Hill, Dammeier, Rolfes, Kohl-Welles and Chase

AN ACT Relating to the student user privacy in education rights act; adding new sections to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5433 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Rolfes, Roach, Fain, Hasegawa, Dammeier, McCoy, Nelson, Frockt, McAuliffe, Rivers, Kohl-Welles, Chase, Jayapal, Conway and Habib)

AN ACT Relating to teaching Washington's tribal history, culture, and government in the common schools; amending RCW 28A.320.170; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5563 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Sheldon and Ericksen)

AN ACT Relating to providing a business and occupation tax exemption for environmental handling charges; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

SSB 5583 by Senate Committee on Ways & Means (originally sponsored by Senator Dansel)

AN ACT Relating to providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species; amending RCW 77.12.020, 77.04.090, and 77.04.012; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5591 by Senate Committee on Government Operations & Security (originally sponsored by Senators Liias, Roach, Hasegawa, Fain, McCoy, Keiser, Pearson, Kohl-Welles, McAuliffe and Conway)

AN ACT Relating to allowing emergency medical services to develop community assistance referral and education services programs; amending RCW 35.21.930, 18.71.200, 18.71.205, and 18.71.210; and reenacting and amending RCW 18.73.030.

Referred to Committee on Health Care & Wellness.

ESSB 5607 by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Conway, Dammeier, Darneille, O'Ban and Padden)

AN ACT Relating to complaint procedure for the modification or termination of guardianship; and amending RCW 11.88.120.

Referred to Committee on Judiciary.

SSB 5609 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Bailey, Ranker, Hatfield, Baumgartner, Liias and Rolfes)

AN ACT Relating to protecting waterways from pollution from synthetic plastic microbeads; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

SSB 5721 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Dammeier and Jayapal)

AN ACT Relating to the membership of the expanded learning opportunities council; amending RCW 28A.630.123; and providing an expiration date.

Referred to Committee on Education.

SB 5723 by Senators Honeyford and Keiser

AN ACT Relating to the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington; amending RCW 28A.525.200, 28B.10.851, 28B.14D.040, 28B.50.401, 35.21.900, 35A.40.050, 35A.79.020, 41.16.040, 43.70.900, 43.83.020, 43.83A.030, 43.83D.120, 43.83H.030, 43.83I.040, 43.99C.070, 43.99E.020, 43.99F.030, 43.99G.020, 43.99I.020, 43.99K.020, 43.99L.020, 43.99P.020, 43.99Q.020, 70.95.165, 70.95.267, 70.95.268, 79.17.120, 87.80.130, 90.38.900, 90.42.060, and 90.72.080; reenacting and amending RCW 43.99H.020; adding a new section to chapter 90.48 RCW; adding new sections to chapter 43.83 RCW; recodifying RCW 90.50.020, 28B.10.851, 28B.14.040, 43.75.225, 43.83A.030, 43.83H.030, 43.83I.040, 43.99E.020, 43.99F.030, and 43.99G.020; decodifying RCW 15.24.800, 15.24.802, 15.24.804, 15.24.806, 15.24.808, 15.24.810, 15.24.812, 15.24.814, 15.24.816, 15.24.818, 79.24.100, 79.24.110, 79.24.120, 79.24.130, 79.24.140, 79.24.150, 79.24.160, 79.24.652, 79.24.654, 79.24.656, 79.24.658, 79.24.660, 79.24.662, 79.24.664, 79.24.666, 79.24.668, 28A.525.210, 28A.525.212, 28A.525.214, 28A.525.216, 28A.525.218, 28A.525.220, 28A.525.222, 28A.525.230, 28A.525.240, 28A.525.250, 28A.525.260, 28A.525.270, 28A.525.280, 28A.525.290, 28A.525.300, 28B.50.403, 28B.50.404, 28B.50.405, 28B.50.406, 28B.50.407, 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 43.83I.010, 43.83I.020, 43.83I.030, 43.83I.050, 43.83I.060, 43.83I.100, 43.83I.110, 43.83I.120, 43.83I.130, 43.83I.140, 43.83I.150, 43.83I.160, 43.83I.162, 43.83I.164, 43.83I.168, 43.83I.170, 43.83I.172, 43.83I.174, 43.83I.176, 43.83I.178, 43.83I.180, 43.83I.182, 43.83I.184, 43.83I.186, 43.83I.188, 43.83I.190, 43.83I.192, 43.83I.194, 43.83I.900, 43.83I.910, 43.83I.912, 43.83I.914, 43.83I.915, 43.96B.200, 43.96B.205, 43.96B.210, 43.96B.215, 43.96B.220, 43.96B.225, 43.96B.230, 43.96B.235, 43.96B.240, 43.96B.245, 43.96B.900, 43.99C.010, 43.99C.015, 43.99C.020, 43.99C.025, 43.99C.030, 43.99C.035, 43.99C.045, 43.99C.047, 43.99C.050, 43.99C.055, 43.99C.060,

28B.10.850, 28B.10.852, 28B.10.853, 28B.10.854, 28B.10.855, 28B.106.005, 28B.106.010, 28B.106.020, 28B.106.030, 28B.106.040, 28B.106.050, 28B.106.060, 28B.106.070, 28B.106.080, 28B.106.901, 28B.106.902, 28B.13.010, 28B.13.020, 28B.13.030, 28B.13.040, 28B.13.050, 28B.13.060, 28B.13.900, 28B.14.010, 28B.14.020, 28B.14.030, 28B.14.040, 28B.14.050, 28B.14.060, 28B.14B.010, 28B.14B.020, 28B.14B.030, 28B.14B.040, 28B.14B.050, 28B.14B.060, 28B.14C.010, 28B.14C.020, 28B.14C.030, 28B.14C.040, 28B.14C.050, 28B.14C.060, 28B.14C.070, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14C.140, 28B.14C.900, 28B.14D.010, 28B.14D.020, 28B.14D.030, 28B.14D.050, 28B.14D.060, 28B.14D.070, 28B.14D.080, 28B.14D.090, 28B.14D.900, 28B.14D.950, 28B.14E.010, 28B.14E.020, 28B.14E.030, 28B.14E.040, 28B.14E.050, 28B.14E.060, 28B.14E.950, 28B.14F.010, 28B.14F.020, 28B.14F.030, 28B.14F.040, 28B.14F.050, 28B.14F.060, 28B.14F.062, 28B.14F.064, 28B.14F.066, 28B.14F.068, 28B.14F.070, 28B.14F.072, 28B.14F.074, 28B.14F.076, 28B.14F.078, 28B.14F.950, 28B.14F.951, 28B.14F.952, 28B.14G.010, 28B.14G.020, 28B.14G.030, 28B.14G.040, 28B.14G.050, 28B.14G.060, 28B.14G.070, 28B.14G.080, 28B.14G.900, 28B.14G.950, 47.10.010, 47.10.020, 47.10.030, 47.10.040, 47.10.050, 47.10.060, 47.10.070, 47.10.080, 47.10.090, 47.10.100, 47.10.110, 47.10.120, 47.10.130, 47.10.140, 47.10.150, 47.10.160, 47.10.170, 47.10.180, 47.10.190, 47.10.200, 47.10.210, 47.10.220, 47.10.230, 47.10.240, 47.10.250, 47.10.260, 47.10.270, 47.10.280, 47.10.290, 47.10.300, 47.10.310, 47.10.320, 47.10.330, 47.10.340, 47.10.350, 47.10.360, 47.10.370, 47.10.380, 47.10.390, 47.10.400, 47.10.410, 47.10.420, 47.10.430, 47.10.440, 47.10.450, 47.10.460, 47.10.470, 47.10.480, 47.10.490, 47.10.500, 47.10.700, 47.10.702, 47.10.704, 47.10.706, 47.10.708, 47.10.710, 47.10.712, 47.10.714, 47.10.716, 47.10.718, 47.10.720, 47.10.722, 47.10.724, 47.10.726, 47.10.727, 47.10.728, 47.10.729, 47.10.730, 47.10.731, 47.10.732, 47.10.733, 47.10.734, 47.10.735, 47.10.736, 47.10.737, 47.10.738, 47.10.751, 47.10.752, 47.10.753, 47.10.754, 47.10.755, 47.10.756, 47.10.757, 47.10.758, 47.10.759, 47.10.760, 47.10.761, 47.10.762, 47.10.763, 47.10.764, 47.10.765, 47.10.766, 47.10.767, 47.10.768, 47.10.769, 47.10.770, 47.10.771, 37.14.010, 37.14.020, 37.14.030, 37.14.040, 37.14.050, 37.14.900, 70.48.270, 70.48.280, 70.48.310, 70.48.320, 72.19.070, 72.19.100, 72.19.110, 72.19.120, 72.19.130, 70.48A.010, 70.48A.020, 70.48A.030, 70.48A.040, 70.48A.050, 70.48A.060, 70.48A.070, 70.48A.080, 70.48A.090, 70.48A.900, 43.83.010, 43.83.030, 43.83.040, 43.83.050, 43.83.060, 43.83.062, 43.83.064, 43.83.066, 43.83.068, 43.83.070, 43.83.074, 43.83.076, 43.83.078, 43.83.082, 43.83.084, 43.83.090, 43.83.094, 43.83.096, 43.83.098, 43.83.102, 43.83.104, 43.83.110, 43.83.112, 43.83.114, 43.83.116, 43.83.118, 43.83.120, 43.83.122, 43.83.124, 43.83.126, 43.83.130, 43.83.132, 43.83.134, 43.83.136, 43.83.138, 43.83.140, 43.83.142, 43.83.144, 43.83.146, 43.83.148, 43.83.150, 43.83.152, 43.83.154, 43.83.156, 43.83.158, 43.83.160, 43.83.162, 43.83.164, 43.83.166, 43.83.168, 43.83.170, 43.83.172, 43.83.174, 43.83.176, 43.83.178, 43.83.180, 43.83.182, 43.83.184, 43.83.186, 43.83.188, 43.83.190, 43.83.192, 43.83.194, 43.83.196, 43.83.198, 43.83.200, 43.83.202, 43.83.204, 43.83.206, 43.83.208, 43.83.210, 43.99G.010, 43.99G.030, 43.99G.040, 43.99G.050, 43.99G.060, 43.99G.070, 43.99G.080, 43.99G.090, 43.99G.100, 43.99G.102, 43.99G.104, 43.99G.108, 43.99G.112, 43.99G.114, 43.99G.900, 43.99G.901, 43.31.956, 43.31.960, 43.31.962, 43.31.964, 43.83C.010, 43.83C.020, 43.83C.040, 43.83C.050, 43.83C.060, 43.83C.070, 43.83C.080, 43.83C.090, 43.83C.100, 43.83C.110, 43.99A.010, 43.99A.020, 43.99A.030, 43.99A.040, 43.99A.050, 43.99A.060, 43.99A.070, 43.99A.080, 43.99A.090, 43.99A.100, 43.99A.110, 43.99B.010, 43.99B.012, 43.99B.014, 43.99B.016, 43.99B.018, 43.99B.020, 43.99B.022, 43.99B.024, 43.99B.026, 43.99B.028, 43.99B.030, 43.99B.032, 43.99B.034, 43.99B.036, 43.99B.038, 43.99B.040, 43.99B.042, 79A.10.010, 79A.10.020, 79A.10.030, 79A.10.040, 79A.10.050, 79A.10.060, 79A.10.070, 79A.10.090, 77.90.010, 77.90.020, 77.90.030, 77.90.040, 77.90.050, 77.90.060, 77.90.070, 77.90.080, 43.83D.010, 43.83D.020, 43.83D.030, 43.83D.040, 43.83D.050, 43.83D.060, 43.83D.070, 43.83D.080, 43.83D.090, 43.83D.100, 43.83D.110, 43.83H.010, 43.83H.020, 43.83H.040, 43.83H.050, 43.83H.060, 43.83H.100, 43.83H.110, 43.83H.120, 43.83H.130, 43.83H.140, 43.83H.150, 43.83H.160, 43.83H.162, 43.83H.164, 43.83H.166, 43.83H.168, 43.83H.170, 43.83H.172, 43.83H.174, 43.83H.176, 43.83H.178, 43.83H.180, 43.83H.182, 43.83H.184, 43.83H.186, 43.83H.188, 43.83H.190, 43.83H.192, 43.83H.194, 43.83H.900, 43.83H.910, 43.83H.912, 43.83H.914, 43.83H.915, 43.75.200, 43.75.205, 43.75.215, 43.75.230, 43.75.235, 43.75.900, 43.75.910, 47.02.020, 47.02.030, 47.02.040, 47.02.050, 47.02.060, 47.02.070, 47.02.080, 47.02.090, 47.02.100, 47.02.110, 28B.20.750, 28B.20.751, 28B.20.752, 28B.20.753, 28B.20.754, 28B.20.755, 28B.20.756, 28B.20.757, 28B.20.758, 28B.20.759, 28B.30.600, 28B.30.602, 28B.30.604, 28B.30.606, 28B.30.608, 28B.30.610, 28B.30.612, 28B.30.614, 28B.30.616, 28B.30.618, 28B.30.619, 28B.30.620, 28B.31.010, 28B.31.020, 28B.31.030, 28B.31.050, 28B.31.060, 28B.31.070, 28B.31.080, 28B.31.090, 28B.31.100, 43.83A.010, 43.83A.020, 43.83A.040, 43.83A.050, 43.83A.060, 43.83A.070, 43.83A.080, 43.83A.090, 43.83A.100, 43.83A.110, 43.83A.900, 43.99F.010, 43.99F.020, 43.99F.040, 43.99F.050, 43.99F.060, 43.99F.070, 43.99F.080, 43.99F.090, 43.99F.100, 43.99F.110, 90.50.010, 90.50.030, 90.50.040, 90.50.050, 90.50.060, 90.50.080, 90.50.900, 43.83B.010, 43.83B.020, 43.83B.030, 43.83B.040, 43.83B.050, 43.83B.060, 43.83B.070, 43.83B.080, 43.83B.090, 43.83B.100, 43.83B.110, 43.83B.355, 43.83B.365, 43.83B.370, 43.83B.375, 43.99D.005, 43.99D.010, 43.99D.015, 43.99D.020, 43.99D.025, 43.99D.030, 43.99D.035, 43.99D.040, 43.99D.045, 43.99D.050, 43.99D.055, 43.99D.900, 43.99E.005, 43.99E.010, 43.99E.015, 43.99E.025, 43.99E.030, 43.99E.035, 43.99E.040, 43.99E.045, 43.99E.050, 43.99E.055, 43.99E.900, and 43.75.225; and repealing RCW 67.40.040.

Referred to Committee on Capital Budget.

ESSB 5748 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Mullet, Fain, Dammeier, Hill, Rivers, Becker, King, Braun, Warnick and Bailey)

AN ACT Relating to clarifying the teacher and principal evaluation process with the intent of strengthening the process; and amending RCW 28A.405.100.

Referred to Committee on Education.

ESSB 5785 by Senate Committee on Government Operations & Security (originally sponsored by Senators Rivers, Nelson, Dansel, Hatfield, Pearson, Fain, Liias and Hobbs)

AN ACT Relating to the definition of official duties of state officers; reenacting and amending RCW 42.52.010; and adding a new section to chapter 43.01 RCW.

Referred to Committee on State Government.

ESSB 5826 by Senate Committee on Ways & Means (originally sponsored by Senators Mullet and Benton)

AN ACT Relating to creating the Washington small business retirement marketplace; adding new sections to chapter 43.330 RCW; adding a new section to chapter 43.320 RCW; and creating a new section.

Referred to Committee on Appropriations.

ESSB 5843 by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Parlette, Pearson, Rolfes, Hewitt, Litzow, Conway, Hasegawa and McAuliffe)

AN ACT Relating to outdoor recreation; amending RCW 79A.05.351; and adding a new section to chapter 43.06 RCW.

Referred to Committee on Environment.

ESB 5854 by Senators Braun, Baumgartner and Dammeier

AN ACT Relating to employee organizations submitting digital copies of their collective bargaining agreements to the public employment relations commission; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 49.39 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 49.66 RCW; and adding a new section to chapter 41.58 RCW.

Referred to Committee on Labor.

ESSB 5857 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Conway, Becker and Pearson)

AN ACT Relating to registration and regulation of pharmacy benefit managers; amending RCW 19.340.030 and 19.340.010; adding a new section to chapter 19.340 RCW; adding a new section to chapter 48.02 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SSB 5870 by Senate Committee on Health Care (originally sponsored by Senators Liias, Litzow, Pedersen, Fain, Ranker, Rivers, Frockt, Cleveland, Mullet, Kohl-Welles, Keiser, Chase, Billig, Hasegawa, Darneille and Habib)

AN ACT Relating to protecting youth from aversive mental health therapies; amending RCW 18.130.020 and 18.130.180; and creating a new section.

Referred to Committee on Health Care & Wellness.

ESB 5874 by Senators Ericksen and Ranker

AN ACT Relating to regulatory and financial mechanisms and means to promote the retirement of coal-fired electric generation facilities; amending RCW 19.285.030, 54.48.030, and 80.80.060; adding new sections to chapter 80.82 RCW; and recodifying RCW 80.82.010 and 80.82.020.

Referred to Committee on Technology & Economic Development.

ESSB 5884 by Senate Committee on Law & Justice (originally sponsored by Senators Kohl-Welles, Darneille, Padden, Keiser, Conway, Chase and Hasegawa)

AN ACT Relating to the trafficking of persons; amending RCW 7.68.350 and 7.68.801; adding a new section to chapter 7.68 RCW; adding a new section to chapter 47.38 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Public Safety.

ESSB 5915 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Angel, Miloscia, Braun, Dansel, Schoesler, Hewitt and Chase)

AN ACT Relating to fiscal notes; amending RCW 43.88A.010 and 43.88A.020; adding a new section to chapter 43.88A RCW; creating a new section; and providing expiration dates.

Referred to Committee on Appropriations.

ESB 5921 by Senators Honeyford, Hatfield, Chase and Brown

AN ACT Relating to preserving the common law interpretation and application of the vested rights doctrine; and amending RCW 19.27.095, 36.70B.180, and 58.17.033.

Referred to Committee on Judiciary.

ESSB 5954 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Bailey, Hill, Becker, Fain, Miloscia, Parlette, Angel, Schoesler, Brown, Litzow, Warnick, Honeyford, Sheldon, Rivers, Roach and Benton)

AN ACT Relating to reducing tuition; amending RCW 28B.15.031, 28B.15.066, 28B.15.067, and 28B.15.069; reenacting and amending RCW 28B.95.020 and 28B.95.030; adding a new section to chapter 28B.92 RCW; creating new sections; and repealing RCW 28B.15.068 and 28B.15.102.

Referred to Committee on Higher Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

With the consent of the House, the following bills listed on the day's floor calendar were referred to the Committee on Rules:

HOUSE BILL NO. 1007
HOUSE BILL NO. 1071
HOUSE BILL NO. 1226
HOUSE BILL NO. 1231
HOUSE BILL NO. 1336
HOUSE BILL NO. 1006
HOUSE BILL NO. 1354
HOUSE BILL NO. 1603
HOUSE BILL NO. 1702
HOUSE BILL NO. 1709
HOUSE BILL NO. 1951
HOUSE BILL NO. 2009
SUBSTITUTE HOUSE BILL NO. 2042
HOUSE BILL NO. 2051
HOUSE BILL NO. 2061
HOUSE BILL NO. 1476
HOUSE BILL NO. 1478
HOUSE BILL NO. 1481
HOUSE BILL NO. 1824
HOUSE BILL NO. 2128
HOUSE BILL NO. 1175
HOUSE BILL NO. 1176
HOUSE BILL NO. 1284
HOUSE BILL NO. 1393
HOUSE BILL NO. 1409
HOUSE BILL NO. 1445
HOUSE BILL NO. 1468
HOUSE BILL NO. 1602
HOUSE BILL NO. 1693
HOUSE BILL NO. 1701
HOUSE BILL NO. 1716
HOUSE BILL NO. 1809
HOUSE BILL NO. 2122
HOUSE BILL NO. 2125
HOUSE BILL NO. 2127
HOUSE BILL NO. 1067
HOUSE BILL NO. 1107
HOUSE BILL NO. 1250
HOUSE BILL NO. 1364
HOUSE BILL NO. 1437
HOUSE BILL NO. 1634
HOUSE BILL NO. 1689
HOUSE BILL NO. 1799
HOUSE BILL NO. 1849
HOUSE BILL NO. 1911
HOUSE BILL NO. 1917
HOUSE BILL NO. 1957
HOUSE BILL NO. 1009
HOUSE BILL NO. 1391
HOUSE BILL NO. 1715
HOUSE BILL NO. 2133
HOUSE BILL NO. 1136
HOUSE BILL NO. 1618
HOUSE BILL NO. 1965
HOUSE BILL NO. 2074
HOUSE BILL NO. 2146

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 16, 2015, the 64th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH DAY

House Chamber, Olympia, Monday, March 16, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4623, by Representatives Buys, Tarleton, Carlyle, Van Werven, Morris, and Lytton

WHEREAS, It is the policy of the Washington State House of Representatives to honor the successes and sacrifices of commercial fishermen; and

WHEREAS, The Washington State commercial fishing fleet begins leaving in March and May, and the Blessing of the Fleet will occur at Fishermen's Terminal in Ballard on March 15, 2015; and

WHEREAS, This is the 87th year the Ballard First Lutheran Church has held the blessing and the 19th year Pastor Erik Wilson Weiberg has offered the blessing; and

WHEREAS, This is the 40th year the Blessing of the Fleet will occur at the Port of Bellingham, and this year it will be presented at Zuanich Point Park in Squalicum Harbor on May 16, 2015, at 11:00 a.m.; and

WHEREAS, This is the 32nd year the Blessing of the Fleet will occur in Blaine Harbor, and this year it will be presented at Blaine Boating Center on May 3, 2015 at 1:30 p.m.; and

WHEREAS, The Washington State commercial fishing fleet is one of the world's largest distant water fleets; and

WHEREAS, The commercial fishing industry directly and indirectly employs thousands of people and is one of the largest industries in Washington State, the annual harvest is vital to the growth and stability of the Washington State economy; and

WHEREAS, The life of a fisher is fraught with danger and hardship most people will never face, and strength and courage are requirements for anyone who chooses to work on the sea, as fishers must brave the elements in order to harvest the ocean's resources; and

WHEREAS, The men and women who work on fishing boats, often in dangerous circumstances, deserve our admiration, thanks, and, when tragedy strikes, our remembrance; and

WHEREAS, Too often, the brave men and women of our fishing fleet lose their lives, a tragedy that not only impacts the close-knit community of fishing families in our region, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all of our fishers will return home safely to their families, friends, and communities.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4623.

HOUSE RESOLUTION NO. 4623 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4624, by Representative Moeller

WHEREAS, In 2015, over a half million people will die of cancer in the United States making it the nation's second leading cause of death; and

WHEREAS, Of all cancer deaths, more people in the United States die from lung cancer than any other type of cancer; and

WHEREAS, In 2011, over 200,000 people in the United States were diagnosed with lung cancer and over 150,000 people in the United States died from lung cancer; and

WHEREAS, African American males are more likely to die from lung cancer than any other racial or ethnic population; and

WHEREAS, While the number of deaths from cancer has declined for men, except men of color, the number of lung cancer rates for women have been rising; and

WHEREAS, In addition to the human costs, the direct medical costs of cancer have been estimated to be around ninety billion dollars per year, with lung cancer representing a significant portion of those costs;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the effects that lung cancer has had on Washington residents and honor those who are living with the disease and those who are caring for them; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the American Cancer Society and the Secretary of the Washington State Department of Health.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4624.

HOUSE RESOLUTION NO. 4624 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4625, by Representatives Buys and Van Werven

WHEREAS, Skyler Hamilton, an esteemed resident of the City of Everson and a student at Meridian High School, has achieved national recognition for exemplary volunteer service by receiving a 2015 Prudential Spirit of Community Award; and

WHEREAS, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Mr. Hamilton earned this award by generously giving his time and energy to his community; and

WHEREAS, The success of the State of Washington, the strength of our communities, and the overall vitality of American society depend in great measure on the dedication of young people like Mr. Hamilton, who use their considerable talents and resources to serve others;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate and honor Skyler Hamilton as a recipient of a Prudential Spirit of Community Award, recognize his outstanding record of volunteer service, peer leadership, and community spirit, and extend best wishes for his continued success and happiness.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4625.

HOUSE RESOLUTION NO. 4625 was adopted.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 12, 2015

SB 5172 Prime Sponsor, Senator Dammeier: Revising the lien for collection of sewer charges by counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 12, 2015

SB 5271 Prime Sponsor, Senator Roach: Concerning standards adopted by the national fire protection association and the state building code council. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

March 12, 2015

SB 5337 Prime Sponsor, Senator Fraser: Modifying per diem rates for port district officers and employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

March 12, 2015

SSB 5350 Prime Sponsor, Committee on Government Operations & Security: Concerning water-sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 12, 2015

SB 5556 Prime Sponsor, Senator Warnick: Concerning irrigation district administration. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 17, 2015, the 65th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FIFTH DAY

House Chamber, Olympia, Tuesday, March 17, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2193 by Representatives Robinson, Sells and Kagi

Modifying the property tax exemption for property used to provide housing for eligible persons with developmental disabilities.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 12, 2015

SB 5249 Prime Sponsor, Senator Darneille: Creating a bond issuance exemption for qualifying local revitalization financing projects. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Santos and Young.

Passed to Committee on Rules for second reading.

March 13, 2015

SB 5288 Prime Sponsor, Senator Braun: Concerning expiration dates related to real estate broker provisions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on General Government & Information Technology.

March 13, 2015

SSB 5296 Prime Sponsor, Committee on Commerce & Labor: Concerning regulation of locksmith services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Hunt, G..

Passed to Committee on Rules for second reading.

March 13, 2015

SB 5725 Prime Sponsor, Senator Benton: Addressing surplus lines of insurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 18, 2015, the 66th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY SIXTH DAY

House Chamber, Olympia, Wednesday, March 18, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2194 by Representatives Hunter, Hansen and Carlyle

AN ACT Relating to creating a funding stream and program for cancer research, prevention, and care; amending RCW 43.350.005, 43.350.010, 43.350.020, and 43.350.040; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.350 RCW; adding a new section to chapter 82.24 RCW; adding new sections to chapter 82.26 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

JOINT SESSION

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Lieutenant Governor Brad Owen, and Senator Andy Billig to seats on the Rostrum. The Senators were invited to sit within the Chamber.

The Speaker (Representative Moeller presiding) called upon President Owen to preside.

The President of the Senate, Lieutenant Governor Owen called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Kilduff and Smith, and Senators Padden and Rolfes.

The President appointed a special committee to escort the Statewide elected officials to the House Chamber: Representatives Riccelli and Hayes, and Senators Dansel and McCauliffe.

The President appointed a special committee to advise His Excellency, Governor Jay Inslee, that the joint session had assembled and to escort him to the House Chamber: Representatives McBride and Harmsworth and Senators Jayapal and Roach.

The President appointed a special committee to escort the Medal of Merit and Medal of Valor honorees to the House Chamber: Representatives Gregerson, Kristiansen and Scott and Senators Fraser and Pearson.

The Supreme Court Justices arrived, were escorted to the floor of the House Chamber and were introduced: Chief Justice Barbara Madsen, and Justices Susan Owens, Debra Stephens, Sheryl Gordon McCloud, and Mary Yu.

The State elected officials arrived, were escorted to the floor of the House Chamber and were introduced: Secretary of State Kim Wyman, Treasurer Jim McIntire, and Commissioner of Public Lands Peter Goldmark.

His Excellency Governor Jay Inslee arrived, and was escorted to the Rostrum and introduced.

The Medal of Merit and Medal of Honor honorees arrived and were escorted to the Rostrum.

The President introduced Medal of Merit honorees Gretchen Schodde; and Willie and Tobin Frank (on behalf of Medal of Merit honoree Billy Frank Jr.), and Medal of Valor honorees Brantly Stupey (on behalf of the city of Arlington), Quinn Nations (on behalf of the town of Darrington), Willy Harper (on behalf of the community of Oso), and Kevin Lenon (on behalf of the Sauk-Suiattle Tribe).

The President introduced the special guests present in the Chambers: First Lady Trudi Inslee, 2007 Medal of Merit Recipient, Bill Gates, Sr., 2007 Medal of Valor recipient Timothy Bourasaw and his wife Janie, Former Secretaries of State Ralph Munro and Sam Reed, Snohomish County Executive and former Speaker Pro Tempore John Lovick, and Director of the Department of Emergency Mangagement for Snohomish County and former Speaker Pro Tempore John Pennington.

The flags were escorted to the rostrum by the Darrington Fire District 24 Color Guard. Holly Harmon sang the National Anthem. The President led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Joel Johnson, Chaplain, Oso Fire Department and Pastor at Assembly of God Church, Arlington.

Reverend Joel Johnson: "Thank you Mr. President. Would you please join me. Heavenly Father, thank you for the opportunity to gather here today to honor and celebrate the spirit of community. Please bless everyone who is represented here today. We recognize the sense of unity that brought us together in the face of great adversities. Help us to continue to be strong and stand

together in the days ahead. During this time especially, we ask for comfort, peace and strength. Encourage us as we look to the future with great hope. For our legislative representatives, we ask You for guidance, direction, clarity and wisdom in every decision made. Please bless them with creativity to find new dynamic and exciting solutions to any challenges. Help us all with our common goal to leave an amazing legacy for Washington State. We humbly ask these things. Amen."

President Owen: "The purpose of the Joint Session is to award the Medal of Merit and Medal of Valor to some of our state's most outstanding and distinguished citizens."

MEDAL OF MERIT

Secretary of State Kim Wyman: "Thank you all for being here for this significant event. Our collective hearts are filled with gratitude and respect for all those being recognized today. The Medal of Merit is the highest award given by our state to Washingtonians. It honors those whose extraordinary achievements have benefited others. This recognition was created by the Legislature in 1986. Recipients are selected by the State Medal of Merit Committee which consists of the Governor, President of the Senate, Speaker of the House and Chief Justice of the Supreme Court. The first Medal of Merit ceremony was held in 1987. Since then 30 people have received this prestigious honor, with the last being given in 2009. The Medal of Merit has the name of the recipient engraved on the back with the following inscription 'For exceptionally meritorious conduct in performing outstanding services to the people and state of Washington.' It is a privilege to personally congratulate the two individuals being recognized with the 2015 Medal of Merit for a lifetime of remarkable achievements. Thank you.

GRETCHEN SCHODDE

President Owen: "It is now my pleasure to honor the work of Gretchen Schodde. Gretchen Schodde is a founder of Harmony Hill Retreat Center in Union, a center focused on wellness and renewal for individuals and families affected by a cancer diagnosis. This care is provided at no cost to the participants. She pioneered a supporting response to cancer diagnoses that has become a national model, focusing beyond the cancer diagnosis to support overall health and wellness. Ms. Schodde has been a groundbreaking health care professional, emergency first responder, educator and volunteer for nearly 50 years. She has been a leader in promoting health and wellness as a community-wide effort and a leader in Mason County health and safety programs for over two decades as a former public health nurse, a past director of Mason County Drug Abuse Prevention, and as a firefighter and critical incident responder in Mason County. It is our honor and privilege to present the Medal of Merit to Gretchen Schodde."

The Governor presented to Gretchen Schodde the Medal of Merit and certificate.

Gretchen Schodde: "Thank you Lieutenant Governor Owen, Governor Inslee and esteemed members of this chamber. I am humbled by this tremendous honor. Harmony Hill has been a grace, grit and gratitude filled adventure. Amazing people have shown up to help and I am grateful for every one of them. Thank you. Last time I was in this chamber was actually more than forty years ago when the Nurse Practice Act was being voted on and hundreds of citizens from rural communities, especially Darrington where I was working as a nurse practitioner, were here pitching for the expanded role of the nurse. The bill passed and my life has never been the same. The thread of nursing has been woven around my heart and has been the core of my life work. There is a poem about the thread by William Stafford that I would like to share with you. 'There's a thread you follow. It goes among things that change. But it doesn't change. People wonder about what you are pursuing. You have to explain about the thread. But it is hard for others to see. While you hold it you can't get lost. Tragedies happen; people get hurt or die; and you suffer and get old. Nothing you do can stop time's unfolding. You don't ever let go of the thread.' My heartfelt thanks for the great work all of you are doing for the State of Washington. Come visit Harmony Hill. Never let go of the thread. Thank you so much."

BILLY FRANK, JR.

Representative Sawyer: "Billy Frank Jr., a world-renowned tribal leader, dedicated his life to the salmon, the environment, and peace between diverse cultures. Billy's activism began at age 14, with his first arrest on the banks of the Nisqually River; he refused to stop fishing. Billy was an integral player in the fight for treaty fishing rights. The "fish wars" between Pacific Northwest Indian tribes and Washington State escalated to a fever pitch in the 1960s, and the Nisqually Indian endured brutal clashes in the fallout. Billy became the longtime chairman of the Northwest Indian Fisheries Commission; a witness in the Boldt Decision (U.S. v. Washington), the landmark court case that restored tribal fishing rights in 1974; and facilitated strong relationships between competing interests that revived the Nisqually Watershed. Even into his 80s, Billy circled the globe to assist indigenous people in saving their own cultures and the environment. The late U.S. Senator Dan Inouye nominated Billy for the Nobel Peace Prize in 2010. Mr. Frank, as my script says but Billy would be upset if I called him that, Billy was devoted to the salmon with the hope of carrying out the work of his father, Willie Frank Sr., who is believed to be the last full-blooded Nisqually Indian. Billy Frank Jr., died May 5, 2014 at the age of 83. In my opinion he was the greatest civil rights hero in our state's history and it is an honor to present this award to his children today."

The Governor presented to Willie and Tobin Frank, on behalf of Billy Frank Jr., the Medal of Merit and certificate.

Tobin Frank: "My brother and I are truly honored to be here today to accept this award on behalf of my dad. You know we wish he was still with us right now but he is here in spirit with us and looking down on everybody in this room. We thank the State of Washington for this award. He devoted his whole life to protecting our treaty rights, to protecting our salmon, our way of life, but his biggest thing was relationships. He was one of a kind. He could sit in the room with the state and make things happen. He could pave the way for all of us and I truly believe that we have to keep his legacy going, keep what he wanted going, as far as the tribes and the state working together for the interest of our natural resources. We are truly honored to be here. We are honored that all our family and friends are able to be here today to accept this. He had a lot of nieces and nephews and family members, we are all honored to be here today. Thank you very much."

MEDAL OF VALOR

Governor Inslee: "Thank you. Mr. President, Mr. Speaker, Secretary Wyman, Chief Justice Madsen, members of the Washington State Legislature. We gather today to recognize persons whose acts of bravery in the face of personal risk to themselves necessitate a unique honor from their fellow citizens.

These persons are not necessarily part of our dedicated law enforcement organizations, our firefighters, or rescue personnel, but simply average citizens who responded to moments of crisis with complete selflessness. Long ago, the state determined that there were true Washington heroes, whose courageous actions were deserving of special recommendation and recognition. The State of Washington Medal of Valor was therefore created to establish in law, to recognize, "any person who has saved, or attempted to save, the life of another at the risk of serious injury or death" to themselves. But because we are forward-thinking in our state, lawmakers recognized last year that sometimes giving this honor to an individual alone is insufficient; Sometimes in the face of great loss and tragedy, when an entire community rises up to save others, an entire community is therefore entitled to this recognition. And such is the case with the communities that rose up to save their families, friends, and neighbors during the catastrophic mudslide that struck on March 22, 2014. So today, I am honored to help recognize the tremendous acts of heroism and compassion by the communities of Oso, Darrington, Arlington, and the Sauk-Suiattle Tribe. Members of these communities, together, assisted in the rescue, recovery, and relief efforts following the historic disaster. And on behalf of nearly 7 million Washingtonians, I offer a heartfelt thank you to these communities for their service during one of the greatest natural disasters in our state's history. And as a personal note, this is the Medal of Valor, which denotes bravery, but having been in these communities for weeks and months after this, I can tell you that the intense light of their individual acts of bravery were met by the intense warmth of their thousands of acts of compassion, to help their communities heal. Thank you."

Chief Justice Madsen: "On the morning of March 22, 2014, a devastating landslide occurred between Oso and Darrington, killing 43 people and destroying about 40 homes. The Oso landslide is the deadliest in U.S. history. It buried a square-mile area of the Stillaguamish River Valley under a blanket of mud, clay, trees and flood waters.

The Medal of Valor is presented to the many individuals from the communities of Oso, Darrington, Arlington and the Sauk-Suiattle Tribe who risked injury and death, and made great personal sacrifice to assist in rescue, recovery and relief efforts following the tragedy. These heroes dug through the mud to find survivors and victims; lent and used equipment and machinery to aid in the rescue effort; organized town hall meetings, recruited volunteers and coordinated fundraising; helped hold their communities together with meals, comfort, prayers and housing."

CITY OF ARLINGTON

The Governor presented to Brantly Stupey, on behalf of the City of Arlington, the Medal of Valor and certificate.

Brantly Stupey: "Thank you. Thank you everyone here. I would like to start by saying thank you on behalf of the Arlington, Oso, Darrington and Sauk-Suiattle communities. I know myself and all the people with me today feel greatly honored to be accepting this award but it is because of the amazing people in our community and the timeless efforts of all the firefighters, search and rescue workers and all other volunteer groups too numerous to mention that we are receiving this award. It is through this great tragedy, like all great tragedies, that challenge the human spirit, but something brings out the best in all of us. For this reason and through the strength, resiliency and love of our communities we have remained undaunted. The battle for healing is ongoing but through continued unity, in time, all will heal. With that being said, thank you again on behalf of our community for this tremendous honor."

TOWN OF DARRINGTON

The Governor presented to Quinn Nations, on behalf of the Town of Darrington, the Medal of Valor and certificate.

Quinn Nations: "You sure are a tall drink of water. You know we appreciate it on behalf of Darrington, it is quite the honor, but I hope you have about two thousand more of them because there are a lot of people here that deserve one of them. And I think Steve Skaglund said it best when he made the statement about the slide, he said 'Look at what the American people can do when you just untie their hands.' Chew on that one for a little bit. We appreciate it. Thank you."

COMMUNITY OF OSO

The Governor presented to Willy Harper, on behalf of the Community of Oso, the Medal of Valor and certificate.

Willy Harper: Let me start by saying thank you. It is an honor to be up here with all the recipients. It is an honor to be up here to represent my town, our town, it's not my town, and somebody stated that that day our community grew and it certainly did. It grew beyond Arlington, it grew beyond Darrington and Sauk-Suiattle. We had so many people helping us that day. Some words some people keep saying are humble and compassion and you just can't imagine how much those words ring true when there are so many people come, that help your community. The looks on the faces of the people that came to help changed after those few weeks, and so many of those faces haven't changed since then. We still have community members struggling and it is not just bureaucracy, sometimes it is just trying to connect those people to the right people that can help them and so I hope that no people recognize how great our communities were, and it is an honor to accept this. I hope they remember that there is a long road ahead of us but we wouldn't be where we are today if it wasn't for all the community members who stepped up so thank you. Thank you."

SAUK-SUIATTLE INDIAN TRIBE

The Governor presented to Kevin Lenon, on belalf of the Sauk-Suiattle Indian Tribe, the Medal of Valor and certificate.

Kevin Lenon: "Thank you. As a small sovereign nation of American Indians the Sauk-Suiattle Indian Tribe of Darrington Washington shares the belief of all our tribal nations that the earth is our mother and that the creator resides beyond the skies and within our own beings. While we strive to protect our mother earth so does she shelter us in so many ways from harm. There are times when the simple shifting of her garment may catch us in her movements and we are harmed. No one can explain the unnatural landslide event and we are shocked and saddened that our friends and neighbors of Washington lost their lives in such a massive shift of the earth. There were families, mothers, fathers, grandparents, aunts and uncles and so many precious children and there were visiting individuals who were traveling through the area. We performed our very sacred smudging and feeding the rivers ceremonies in reverence of our mother and to offer gratitude to the Creator that these lives were shared with us for a time. We are humbled by the honor bestowed by the Legislature, the Governor of the great State of Washington, recognizing our assistance in that horrible time of destruction. We are all small communities who live in the valleys of these beautiful mountains.

We can most respectfully honor their memories of the precious lost ones by working together to build a strong and inviting community for the world to come and see and share and forever implant the importance of the names and the lives of those who have moved on to another world. We dedicate this honor you have bestowed on us to the lives lost, to those who worked so diligently to save lives and recover those who suffered death. And in their honor we pledge to work diligently with our neighboring communities and cities and groups to build a bright world of earthly beauty and a healthy human spirit. Thank you.

The President recognized, and asked the members to stand and recognize, honored guests from the City of Arlington, Town of Darrington, Community of Oso, and the Sauk-Suiattle Indian Tribe seated in the galleries

President Owen: "Thank you to all of our honorees for you courage and your example. We are proud to honor you today. The State of Washington is truly blessed to have remarkable people who give so much of themselves and their time to enrich our communities. Through their selfless deeds the citizens we have had an opportunity to recognize here today, represent the best of that spirit. On behalf of a grateful state, we truly appreciate what all of you have done for the people of the state of Washington.

The President asked the special committee to escort the Medal of Merit and Medal of Valor recipients from the House Chamber.

The President asked the special committee to escort the Governor from the House Chamber.

The President asked the special committee to escort the Statewide elected officials from the House Chamber.

The President asked the special committee to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Moeller presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, and members of the Washington State Senate from the House Chamber.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 19, 2015, the 67th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY SEVENTH DAY

House Chamber, Olympia, Thursday, March 19, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Moeller presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2195 by Representatives Lytton, Walkinshaw, Orwall, Chandler and Fagan

AN ACT Relating to auditor's fees; and amending RCW 36.18.010.

Referred to Committee on Appropriations.

HB 2195 by Representatives Lytton, Walkinshaw, Orwall, Chandler and Fagan

AN ACT Relating to auditor's fees; and amending RCW 36.18.010.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 17, 2015

SB 5015 Prime Sponsor, Senator Honeyford: Extending the dairy inspection program assessment expiration date. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Dunshee.

Referred to Committee on General Government & Information Technology.

March 13, 2015

2SSB 5052 Prime Sponsor, Committee on Ways & Means: Establishing the cannabis patient protection act. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 15.** This act may be known and cited as the cannabis patient protection act.

NEW SECTION. **Sec. 16.** The legislature finds that since voters approved Initiative Measure No. 692 in 1998, it has been the public policy of the state to permit the medical use of marijuana. Between 1998 and the present day, there have been multiple legislative attempts to clarify what is meant by the medical use of marijuana and to ensure qualifying patients have a safe, consistent, and adequate source of marijuana for their medical needs.

The legislature further finds that qualifying patients are people with serious medical conditions and have been responsible for finding their own source of marijuana for their own personal medical use. Either by growing it themselves, designating someone to grow for them, or participating in collective gardens, patients have developed methods of access in spite of continued federal opposition to the medical use of marijuana. In a time when access itself was an issue and no safe, consistent source of marijuana was available, this unregulated system was permitted by the state to ensure some, albeit limited, access to marijuana for medical use. Also permitted were personal possession limits of fifteen plants and twenty-four ounces of useable marijuana, which was deemed to be the amount of marijuana needed for a sixty-day supply. In a time when supply was not consistent, this amount of marijuana was necessary to ensure patients would be able to address their immediate medical needs.

The legislature further finds that while possession amounts are provided in statute, these do not amount to protection from arrest and prosecution for patients. In fact, patients in compliance with state law are not provided arrest protection. They may be arrested and their only remedy is to assert an affirmative defense at trial that they are in compliance with the law and have a medical need. Too many patients using marijuana for medical purposes today do not know this; many falsely believe they cannot be arrested so long as their health care provider has authorized them for the medical use of marijuana.

The legislature further finds that in 2012 voters passed Initiative Measure No. 502 which permitted the recreational use of marijuana. For the first time in our nation's history, marijuana would be regulated, taxed, and sold for recreational consumption. Initiative Measure No. 502 provides for strict regulation on the production, processing, and distribution of marijuana. Under Initiative Measure No. 502, marijuana is trackable from seed to sale and may only be sold or grown under license. Marijuana must

be tested for impurities and purchasers of marijuana must be informed of the THC level in the marijuana. Since its passage, two hundred fifty producer/processor licenses and sixty-three retail licenses have been issued, covering the majority of the state. With the current product canopy exceeding 2.9 million square feet, and retailers in place, the state now has a system of safe, consistent, and adequate access to marijuana; the marketplace is not the same marketplace envisioned by the voters in 1998. While medical needs remain, the state is in the untenable position of having a recreational product that is tested and subject to production standards that ensure safe access for recreational users. No such standards exist for medical users and, consequently, the very people originally meant to be helped through the medical use of marijuana do not know if their product has been tested for molds, do not know where their marijuana has been grown, have no certainty in the level of THC or CBD in their products, and have no assurances that their products have been handled through quality assurance measures. It is not the public policy of the state to allow qualifying patients to only have access to products that may be endangering their health.

The legislature, therefore, intends to adopt a comprehensive act that uses the regulations in place for the recreational market to provide regulation for the medical use of marijuana. It intends to ensure that patients retain their ability to grow their own marijuana for their own medical use and it intends to ensure that patients have the ability to possess more marijuana-infused products, useable marijuana, and marijuana concentrates than what is available to a nonmedical user. It further intends that medical specific regulations be adopted as needed and under consultation of the departments of health and agriculture so that safe handling practices will be adopted and so that testing standards for medical products meet or exceed those standards in use in the recreational market.

Sec. 17. RCW 66.08.012 and 2012 c 117 s 265 are each amended to read as follows:

There shall be a board, known as the "Washington state liquor ((~~control~~)) and cannabis board," consisting of three members, to be appointed by the governor, with the consent of the senate, who shall each be paid an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The governor may, in his or her discretion, appoint one of the members as chair of the board, and a majority of the members shall constitute a quorum of the board.

Sec. 18. RCW 69.50.101 and 2014 c 192 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "Commission" means the pharmacy quality assurance commission.

(d) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(e)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(f) "Deliver" or "delivery," means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(n) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(o) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(p) "Isomer" means an optical isomer, but in subsection (z)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(q) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(r) "Lot number" shall identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(t) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(u) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than sixty percent.

(v) "Marijuana processor" means a person licensed by the state liquor ((~~control~~)) and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(w) "Marijuana producer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(x) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(y) "Marijuana retailer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(z) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(aa) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(bb) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(cc) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(dd) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ee) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with

respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(ff) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(gg) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(hh) "Retail outlet" means a location licensed by the state liquor ((~~control~~)) and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(ii) "Secretary" means the secretary of health or the secretary's designee.

(jj) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(kk) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ll) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(mm) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(nn) "Designated provider" has the meaning provided in RCW 69.51A.010.

(oo) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(pp) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(qq) "Plant" has the meaning provided in RCW 69.51A.010.

(rr) "Authorization card" has the meaning provided in RCW 69.51A.010.

Sec. 19. RCW 69.50.325 and 2014 c 192 s 2 are each amended to read as follows:

(1) There shall be a marijuana producer's license to produce marijuana for sale at wholesale to marijuana processors and other marijuana producers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW and the rules adopted to implement and enforce ((~~it~~)) these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

Sec. 20. RCW 69.50.331 and 2013 c 3 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, or sell marijuana, or for the renewal of a license to produce, process, or sell marijuana, the state liquor ((~~control~~)) and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a)(i) The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state

liquor and cannabis board shall give preference between competing applications in the licensing process to applicants that have the following experience and qualifications:

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the state liquor ((~~control~~)) and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor ((~~control~~)) and cannabis board may extend the time period for submitting written objections.

(c) The written objections shall include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor ((~~control~~)) and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor ((~~control~~)) and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor ((~~control~~)) and cannabis board representatives shall present and defend the state liquor ((~~control~~)) and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor ((~~control~~)) and cannabis board shall send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8) The state liquor ((~~control~~)) and cannabis board shall not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor ((~~control~~)) and cannabis board shall give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 21. RCW 69.50.342 and 2013 c 3 s 9 are each amended to read as follows:

(1) For the purpose of carrying into effect the provisions of chapter 3, Laws of 2013 according to their true intent or of supplying any deficiency therein, the state liquor ((~~control~~)) and cannabis board may adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013 as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor ((~~control~~)) and cannabis board is empowered to adopt rules regarding the following:

(((~~(1)~~))) (a) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises where marijuana is produced or processed;

(((~~(2)~~))) (b) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor ((~~control~~)) and cannabis board, and inspection of the books and records;

(((~~(3)~~))) (c) Methods of producing, processing, and packaging marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products; conditions of sanitation; safe handling requirements; approved pesticides and pesticide testing requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(((~~(4)~~))) (d) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(((~~(5)~~))) (e) Screening, hiring, training, and supervising employees of licensees;

(((~~(6)~~))) (f) Retail outlet locations and hours of operation;

(((~~(7)~~))) (g) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products for sale in retail outlets;

(((~~(8)~~))) (h) Forms to be used for purposes of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it~~)) these chapters, the terms and conditions to be contained in licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and the qualifications for receiving a license issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, including a criminal history record information check. The state liquor ((~~control~~)) and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ((~~control~~)) and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;

(((~~(9)~~))) (i) Application, reinstatement, and renewal fees for licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and fees for anything done or permitted to be done under the rules adopted to implement and enforce this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW;

(((~~(10)~~))) (j) The manner of giving and serving notices required by this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or rules adopted to implement or enforce ((~~it~~)) these chapters;

(((~~(11)~~))) (k) Times and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(((~~(12)~~))) (l) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it: PROVIDED, That nothing in chapter 3, Laws of 2013 shall be construed as authorizing the state liquor control board to seize,~~

~~confiscate, destroy, or donate to law enforcement marijuana, useable marijuana, or marijuana-infused products produced, processed, sold, offered for sale, or possessed in compliance with the Washington state medical use of cannabis act, chapter 69.51A RCW~~)) these chapters.

(2) Rules adopted on retail outlets holding medical marijuana endorsements must be adopted in coordination and consultation with the department.

Sec. 22. RCW 69.50.345 and 2013 c 3 s 10 are each amended to read as follows:

The state liquor ((~~control~~)) and cannabis board, subject to the provisions of this chapter ((~~3, Laws of 2013~~)), must adopt rules ((~~by December 1, 2013,~~)) that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees.

(a) Application forms for marijuana producers must request the applicant to state whether the applicant intends to produce marijuana for sale by marijuana retailers holding medical marijuana endorsements and the amount of or percentage of canopy the applicant intends to commit to growing plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients.

(b) The state liquor and cannabis board must reconsider and increase limits on the amount of square feet permitted to be in production on the effective date of this section and increase the percentage of production space for those marijuana producers who intend to grow plants for marijuana retailers holding medical marijuana endorsements if the marijuana producer designates the increased production space to plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products to be sold to qualifying patients. If current marijuana producers do not use all the increased production space, the state liquor and cannabis board may reopen the license period for new marijuana producer license applicants but only to those marijuana producers who agree to grow plants for marijuana retailers holding medical marijuana endorsements. Priority in licensing must be given to marijuana producer license applicants who have an application pending on the effective date of this section but who are not yet licensed and then to new marijuana producer license applicants. After January 1, 2017, any reconsideration of the limits on the amount of square feet permitted to be in production to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in section 21 of this act;

(2) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

(a) Population distribution;

(b) Security and safety issues; ((~~and~~))

(c) The provision of adequate access to licensed sources of marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(d) The number of retail outlets holding medical marijuana endorsements necessary to meet the medical needs of qualifying patients. The state liquor and cannabis board must reconsider and increase the maximum number of retail outlets it established before the effective date of this section and allow for a new license application period and a greater number of retail outlets to be permitted in order to accommodate the medical needs of qualifying patients and designated providers. After January 1, 2017, any reconsideration of the maximum number of retail outlets needed to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in section 21 of this act;

(3) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

(4) Determining the maximum quantities of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

(5) Determining the maximum quantities of marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

(6) In making the determinations required by ((~~subsections (3) through (5) of~~)) this section, the state liquor ((~~control~~)) and cannabis board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(10) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(11) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor ((~~control~~)) and cannabis board, and prescribing methods of producing, processing, and packaging marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(12) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or the rules of the state liquor ((~~control~~)) and cannabis board.

Sec. 23. RCW 69.50.354 and 2014 c 192 s 3 are each amended to read as follows:

There may be licensed, in no greater number in each of the counties of the state than as the state liquor ((~~control~~)) and cannabis board shall deem advisable, retail outlets established for the purpose of making marijuana concentrates, useable marijuana, and marijuana-infused products available for sale to adults aged twenty-one and over. Retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer or retail outlet employee, shall not be a criminal or civil offense under Washington state law.

NEW SECTION. **Sec. 24.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A medical marijuana endorsement to a marijuana retail license is hereby established to permit a marijuana retailer to sell marijuana for medical use to qualifying patients and designated providers.

(2) An applicant may apply for a medical marijuana endorsement concurrently with an application for a marijuana retail license.

(3) To be issued an endorsement, a marijuana retailer must:

(a) Not authorize the medical use of marijuana for qualifying patients at the retail outlet or permit health care professionals to authorize the medical use of marijuana for qualifying patients at the retail outlet;

(b) Carry marijuana concentrates and marijuana-infused products identified by the department under subsection (4) of this section;

(c) Not use labels or market marijuana concentrates, useable marijuana, or marijuana-infused products in a way that make them intentionally attractive to minors;

(d) Demonstrate the ability to enter qualifying patients and designated providers in the medical marijuana authorization database established in section 21 of this act and issue authorization cards and agree to enter qualifying patients and designated providers into the database and issue authorization cards in compliance with department standards;

(e) Keep copies of the qualifying patient's or designated provider's authorization card, or keep equivalent records as required by rule of the state liquor and cannabis board or the department of revenue to document the validity of tax exempt sales under sections 38 and 39 of this act; and

(f) Meet other requirements as adopted by rule of the department or the state liquor and cannabis board.

(4) The department, in conjunction with the state liquor and cannabis board, must adopt rules on requirements for marijuana concentrates, useable marijuana, and marijuana-infused products that may be sold to qualifying patients or designated providers at a retail outlet holding a medical marijuana endorsement. These rules must include:

(a) THC concentration, CBD concentration, or low THC, high CBD ratios appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients or designated providers;

(b) Labeling requirements including that the labels attached to marijuana concentrates, useable marijuana, or marijuana-infused products contain THC concentration, CBD concentration, and THC to CBD ratios;

(c) Other product requirements, including any additional mold, fungus, or pesticide testing requirements, or limitations to the types of solvents that may be used in marijuana processing that the department deems necessary to address the medical needs of qualifying patients;

(d) Safe handling requirements for marijuana concentrates, useable marijuana, or marijuana-infused products; and

(e) Training requirements for employees.

(5) A marijuana retailer holding an endorsement to sell marijuana to qualifying patients or designated providers must train its employees on:

(a) Procedures regarding the recognition of valid authorizations and the use of equipment to enter qualifying patients and designated providers into the medical marijuana authorization database;

(b) Recognition of valid authorization cards; and

(c) Recognition of strains, varieties, THC concentration, CBD concentration, and THC to CBD ratios of marijuana concentrates, useable marijuana, and marijuana-infused products, available for sale when assisting qualifying patients and designated providers at the retail outlet.

NEW SECTION. **Sec. 25.** A new section is added to chapter 69.50 RCW to read as follows:

A marijuana retailer or a marijuana retailer holding a medical marijuana endorsement may sell products with a THC concentration of 0.3 percent or less. Marijuana retailers holding a medical marijuana endorsement may also provide these products at no cost to qualifying patients or designated providers.

Sec. 26. RCW 69.50.357 and 2014 c 192 s 4 are each amended to read as follows:

(1) Retail outlets shall sell no products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers shall not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with an authorization card may enter and remain on the premises of a retail outlet holding a medical marijuana

endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with an authorization card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and authorization cards. Employees must also be trained to permit qualifying patients who hold authorization cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with an authorization card to enter the premises if accompanied by their designated providers.

(4) Licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than one thousand six hundred square inches identifying the retail outlet by the licensee's business or trade name. Retail outlets that hold medical marijuana endorsements may include this information on signage.

(((~~(4)~~))) (5) Licensed marijuana retailers shall not display marijuana concentrates, useable marijuana, or marijuana-infused products in a manner that is visible to the general public from a public right-of-way.

(((~~(5)~~))) (6) No licensed marijuana retailer or employee of a retail outlet shall open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

(((~~(6)~~))) (7) The state liquor ((~~control~~)) and cannabis board shall fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

Sec. 27. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor ((~~control~~)) and cannabis board to implement and enforce chapter 3, Laws of 2013, shall not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under this chapter ((~~3, Laws of 2013~~));

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor ((~~control~~)) and cannabis board under RCW 69.50.345(5); and

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate.

Sec. 28. RCW 69.50.4013 and 2013 c 3 s 20 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) The possession, by a person twenty-one years of age or older, of useable marijuana or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. **Sec. 29.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Nothing in this chapter permits anyone other than a validly licensed marijuana processor to use butane or other explosive gases to extract or separate resin from marijuana or to produce or process any form of marijuana concentrates or marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient. The extraction or separation of resin from marijuana, the processing of marijuana concentrates, and the processing of marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient by any person other than a validly licensed marijuana processor each constitute manufacture of marijuana in violation of RCW 69.50.401. Cooking oil, butter, and other nonexplosive home cooking substances may be used by qualified patients and designated providers to make marijuana extracts for noncommercial personal medical use.

(2) Except for the use of butane, the state liquor and cannabis board may not enforce this section until it has adopted the rules required by section 28 of this act.

Sec. 30. RCW 69.51A.005 and 2011 c 181 s 102 are each amended to read as follows:

(1) The legislature finds that:

(a) There is medical evidence that some patients with terminal or debilitating medical conditions may, under their health care professional's care, benefit from the medical use of ((~~cannabis~~)) marijuana. Some of the conditions for which ((~~cannabis~~)) marijuana appears to be beneficial include, but are not limited to:

(i) Nausea, vomiting, and cachexia associated with cancer, HIV-positive status, AIDS, hepatitis C, anorexia, and their treatments;

(ii) Severe muscle spasms associated with multiple sclerosis, epilepsy, and other seizure and spasticity disorders;

(iii) Acute or chronic glaucoma;

(iv) Crohn's disease; and

(v) Some forms of intractable pain.

(b) Humanitarian compassion necessitates that the decision to use ((~~cannabis~~)) marijuana by patients with terminal or debilitating medical conditions is a personal, individual decision, based upon their health care professional's professional medical judgment and discretion.

(2) Therefore, the legislature intends that, so long as such activities are in strict compliance with this chapter:

(a) Qualifying patients with terminal or debilitating medical conditions who, in the judgment of their health care professionals, may benefit from the medical use of ((~~cannabis~~)) marijuana, shall not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law based solely on their medical use of ((~~cannabis~~)) marijuana, notwithstanding any other provision of law;

(b) Persons who act as designated providers to such patients shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law, notwithstanding any other provision of law, based solely on their assisting with the medical use of ((~~cannabis~~)) marijuana; and

(c) Health care professionals shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law for the proper authorization of medical use of ((~~cannabis~~)) marijuana by qualifying patients for whom, in the health care professional's professional judgment, the medical use of ((~~cannabis~~)) marijuana may prove beneficial.

(3) Nothing in this chapter establishes the medical necessity or medical appropriateness of ((~~cannabis~~)) marijuana for treating terminal or debilitating medical conditions as defined in RCW 69.51A.010.

(4) Nothing in this chapter diminishes the authority of correctional agencies and departments, including local governments or jails, to establish a procedure for determining when the use of ((~~cannabis~~)) marijuana would impact community safety or the effective supervision of those on active supervision for a criminal conviction, nor does it create the right to any accommodation of any medical use of ((~~cannabis~~)) marijuana in any correctional facility or jail.

Sec. 31. RCW 69.51A.010 and 2010 c 284 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Designated provider" means a person who((~~:~~
~~(a)~~)) is ((~~eighteen~~)) twenty-one years of age or older((~~;~~
~~(b)~~)) and:

(a)(i) Is the parent or guardian of a qualifying patient who is under the age of eighteen and beginning July 1, 2016, holds an authorization card; or

(ii) Has been designated in writing by a qualifying patient to serve as a designated provider ((~~under this chapter~~)) for that patient;

(b)(i) Has an authorization from the qualifying patient's health care professional; or

(ii) Beginning July 1, 2016:

(A) Has been entered into the medical marijuana authorization database as being the designated provider to a qualifying patient; and

(B) Has been provided an authorization card;

(c) Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider; ((~~and~~))

(d) Provides marijuana to only the qualifying patient that has designated him or her;

(e) Is in compliance with the terms and conditions of this chapter; and

(f) Is the designated provider to only one patient at any one time.

(2) "Health care professional," for purposes of this chapter only, means a physician licensed under chapter 18.71 RCW, a physician assistant licensed under chapter 18.71A RCW, an osteopathic physician licensed under chapter 18.57 RCW, an osteopathic physicians' assistant licensed under chapter 18.57A RCW, a naturopath licensed under chapter 18.36A RCW, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW.

(3) "Medical use of marijuana" means the manufacture, production, possession, transportation, delivery, ingestion, application, or administration of marijuana((~~, as defined in RCW 69.50.101(q),~~)) for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating ((~~illness~~)) medical condition.

(4) "Qualifying patient" means a person who:

(a)(i) Is a patient of a health care professional;

(((~~b~~))) (ii) Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;

(((~~c~~))) (iii) Is a resident of the state of Washington at the time

spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications; or

(g) ((~~Any other medical condition duly approved by the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter~~)) Posttraumatic stress disorder.

(7) ((~~"Valid documentation"~~)) (a) Until July 1, 2016, "authorization" means:

(((~~(a)~~))) (i) A statement signed and dated by a qualifying patient's health care professional written on tamper-resistant paper, which states that, in the health care professional's professional opinion, the patient may benefit from the medical use of marijuana; and

(((~~(b)~~))) (ii) Proof of identity such as a Washington state driver's license or identicard, as defined in RCW 46.20.035.

(b) Beginning July 1, 2016, "authorization" means a form developed by the department that is completed and signed by a qualifying patient's health care professional and printed on tamper-resistant paper.

(8) "Authorization card" means a card issued to qualifying patients and designated providers by a marijuana retailer with a medical marijuana endorsement that has entered them into the medical marijuana authorization database.

(9) "CBD concentration" means the percent of cannabidiol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product.

(10) "Department" means the department of health.

(11) "Marijuana" has the meaning provided in RCW 69.50.101.

(12) "Marijuana concentrates" has the meaning provided in RCW 69.50.101.

(13) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(14) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(15) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(16) "Marijuana retailer with a medical marijuana endorsement" means a marijuana retailer that has been issued a medical marijuana endorsement by the state liquor and cannabis board pursuant to section 10 of this act.

(17) "Marijuana-infused products" has the meaning provided in RCW 69.50.101.

(18) "Medical marijuana authorization database" means the secure and confidential database established in section 21 of this act.

(19) "Plant" means a marijuana plant having at least three distinguishable and distinct leaves, each leaf being at least three centimeters in diameter, and a readily observable root formation consisting of at least two separate and distinct roots, each being at least two centimeters in length. Multiple stalks emanating from the same root ball or root system is considered part of the same single plant.

(20) "Secretary" means the secretary of the department of health.

(21) "THC concentration" has the meaning provided in RCW 69.50.101.

(22) "Useable marijuana" has the meaning provided in RCW 69.50.101.

(23) "Low THC, high CBD" means products determined by the department to have a low THC, high CBD ratio under section 10 of this act. Low THC, high CBD products must be inhalable, ingestible, or absorbable.

Sec. 32. RCW 69.51A.030 and 2011 c 181 s 301 are each amended to read as follows:

(1) The following acts do not constitute crimes under state law or unprofessional conduct under chapter 18.130 RCW, and a health care professional may not be arrested, searched, prosecuted, disciplined, or subject to other criminal sanctions or civil consequences or liability under state law, or have real or personal property searched, seized, or forfeited pursuant to state law, notwithstanding any other provision of law as long as the health care professional complies with subsection (2) of this section:

(a) Advising a patient about the risks and benefits of medical use of ((~~cannabis~~)) marijuana or that the patient may benefit from the medical use of ((~~cannabis~~)) marijuana; or

(b) Providing a patient or designated provider meeting the criteria established under RCW 69.51A.010(((~~26~~))) with ((~~valid documentation~~)) an authorization, based upon the health care professional's assessment of the patient's medical history and current medical condition, ((~~where such use is~~)) if the health care professional has complied with this chapter and he or she determines within a professional standard of care or in the individual health care professional's medical judgment the qualifying patient may benefit from the medical use of marijuana.

(2)(a) A health care professional may ((~~only~~)) provide a qualifying patient or that patient's designated provider with ((~~valid documentation authorizing~~)) an authorization for the medical use of ((~~cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:~~

~~(i) Completing a~~)) marijuana in accordance with this section.

(b) In order to authorize for the medical use of marijuana under (a) of this subsection, the health care professional must:

(i) Have a documented relationship with the patient, as a principal care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition;

(ii) Complete an in-person physical examination of the patient ((~~as appropriate, based on the patient's condition and age~~));

(((~~(ii) Documenting~~))) (iii) Document the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of ((~~cannabis~~)) marijuana;

(((~~(iii) Informing~~))) (iv) Inform the patient of other options for treating the terminal or debilitating medical condition and documenting in the patient's medical record that the patient has received this information; ((~~and~~

~~(iv) Documenting~~)) (v) Document in the patient's medical record other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of ((~~cannabis~~)) marijuana; and

(vi) Complete an authorization on forms developed by the department, in accordance with subsection (3) of this section.

(((~~(b)~~))) (c) For a qualifying patient eighteen years of age or older, an authorization expires one year after its issuance. For a qualifying patient less than eighteen years of age, an authorization expires six months after its issuance. An authorization may be renewed upon completion of an in-person physical examination and compliance with the other requirements of (b) of this subsection.

(d) A health care professional shall not:

(i) Accept, solicit, or offer any form of pecuniary remuneration from or to a ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer, marijuana processor, or marijuana producer;

(ii) Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a

particular ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer;

(iii) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition at a location where ((~~cannabis~~)) marijuana is produced, processed, or ((~~dispensed~~)) sold;

(iv) Have a business or practice which consists ((~~solely~~)) primarily of authorizing the medical use of ((~~cannabis~~)) marijuana or authorize the medical use of marijuana at any location other than his or her practice's permanent physical location;

(v) ((~~Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice~~)) Except as provided in section 35 of this act, sell marijuana concentrates, marijuana-infused products, or useable marijuana to a qualifying patient or designated provider; or

(vi) Hold an economic interest in an enterprise that produces, processes, or ((~~dispenses cannabis~~)) sells marijuana if the health care professional authorizes the medical use of ((~~cannabis~~)) marijuana.

(3) ((~~A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW.~~)) The department shall develop the form for the health care professional to use as an authorization for qualifying patients and designated providers. The form shall include the qualifying patient's or designated provider's name, address, and date of birth; the health care professional's name, address, and license number; the amount and type of marijuana recommended for the qualifying patient; a telephone number where the authorization can be verified during normal business hours; the dates of issuance and expiration; and a statement that an authorization does not provide protection from arrest unless the qualifying patient or designated provider is also entered in the medical marijuana authorization database and holds an authorization card.

(4) Until July 1, 2016, a health care professional who, within a single calendar month, authorizes the medical use of marijuana to more than thirty patients must report the number of authorizations issued.

(5) The appropriate health professions disciplining authority may inspect or request patient records to confirm compliance with this section. The health care professional must provide access to or produce documents, records, or other items that are within his or her possession or control within twenty-one calendar days of service of a request by the health professions disciplining authority. If the twenty-one calendar day limit results in a hardship upon the health care professional, he or she may request, for good cause, an extension not to exceed thirty additional calendar days. Failure to produce the documents, records, or other items shall result in citations and fines issued consistent with RCW 18.130.230. Failure to otherwise comply with the requirements of this section shall be considered unprofessional conduct and subject to sanctions under chapter 18.130 RCW.

(6) After a health care professional authorizes a qualifying patient for the medical use of marijuana, he or she must discuss with the qualifying patient how to use marijuana and the types of products the qualifying patient should seek from a retail outlet.

NEW SECTION. **Sec. 33.** A new section is added to chapter 69.51A RCW to read as follows:

As part of authorizing a qualifying patient or designated provider, the health care professional may include recommendations on the amount of marijuana that is likely needed by the qualifying patient for his or her medical needs and in accordance with this section.

(1) If the health care professional does not include recommendations on the qualifying patient's or designated provider's authorization, the marijuana retailer with a medical marijuana endorsement, when adding the qualifying patient or designated provider to the medical marijuana authorization database, shall enter into the database that the qualifying patient or designated provider may purchase at a retail outlet holding a medical marijuana endorsement a combination of the following: Forty-eight ounces of marijuana-infused product in solid form; three ounces of useable marijuana; two hundred sixteen ounces of marijuana-infused product in liquid form; or twenty-one grams of marijuana concentrates. The qualifying patient or designated provider may also grow, in his or her domicile, up to six plants for the personal medical use of the qualifying patient and possess up to eight ounces of useable marijuana produced from his or her plants. These amounts shall be specified on the authorization card that is issued to the qualifying patient or designated provider.

(2) If the health care professional determines that the medical needs of a qualifying patient exceed the amounts provided for in subsection (1) of this section, the health care professional must specify on the authorization that it is recommended that the patient be allowed to grow, in his or her domicile, up to fifteen plants for the personal medical use of the patient. A patient so authorized may possess up to sixteen ounces of useable marijuana in his or her domicile. The number of plants must be entered into the medical marijuana authorization database by the marijuana retailer with a medical marijuana endorsement and specified on the authorization card that is issued to the qualifying patient or designated provider.

(3) If a qualifying patient or designated provider with an authorization from a health care professional has not been entered into the medical marijuana authorization database, he or she may not receive an authorization card and may only purchase at a retail outlet, whether it holds a medical marijuana endorsement or not, the amounts established in RCW 69.50.360. In addition the qualifying patient or the designated provider may grow, in his or her domicile, up to four plants for the personal medical use of the qualifying patient and possess up to six ounces of useable marijuana in his or her domicile.

NEW SECTION. **Sec. 34.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Health care professionals may authorize the medical use of marijuana for qualifying patients who are under the age of eighteen if:

(a) The minor's parent or guardian participates in the minor's treatment and agrees to the medical use of marijuana by the minor; and

(b) The parent or guardian acts as the designated provider for the minor and has sole control over the minor's marijuana.

(2) The minor may not grow plants or purchase marijuana-infused products, useable marijuana, or marijuana concentrates from a marijuana retailer with a medical marijuana endorsement.

(3) Both the minor and the minor's parent or guardian who is acting as the designated provider must be entered in the medical marijuana authorization database and hold an authorization card.

(4) A health care professional who authorizes the medical use of marijuana by a minor must do so as part of the course of treatment of the minor's terminal or debilitating medical condition. If authorizing a minor for the medical use of marijuana, the health care professional must:

(a) Consult with other health care providers involved in the minor's treatment, as medically indicated, before authorization or reauthorization of the medical use of marijuana; and

(b) Reexamine the minor at least once every six months or more frequently as medically indicated. The reexamination must:

(i) Determine that the minor continues to have a terminal or debilitating medical condition and that the condition benefits from the medical use of marijuana; and

(ii) Include a follow-up discussion with the minor's parent or guardian to ensure the parent or guardian continues to participate in the treatment of the minor.

NEW SECTION. **Sec. 35.** A new section is added to chapter 69.51A RCW to read as follows:

(1) The department must contract with an entity to create, administer, and maintain a secure and confidential medical marijuana authorization database that, beginning July 1, 2016, allows:

(a) A marijuana retailer with a medical marijuana endorsement to add a qualifying patient or designated provider and include the amount of marijuana concentrates, useable marijuana, marijuana-infused products, or plants for which the qualifying patient is authorized under section 19 of this act;

(b) Persons authorized to prescribe or dispense controlled substances to access health care information on their patients for the purpose of providing medical or pharmaceutical care for their patients;

(c) A qualifying patient or designated provider to request and receive his or her own health care information or information on any person or entity that has queried their name or information;

(d) Appropriate local, state, tribal, and federal law enforcement or prosecutorial officials who are engaged in a bona fide specific investigation of suspected marijuana-related activity that may be illegal under Washington state law to confirm the validity of the authorization card of a qualifying patient or designated provider;

(e) A marijuana retailer holding a medical marijuana endorsement to confirm the validity of the authorization card of a qualifying patient or designated provider;

(f) The department of revenue to verify tax exemptions under chapters 82.08 and 82.12 RCW;

(g) The department and the health care professional's disciplining authorities to monitor authorizations and ensure compliance with this chapter and chapter 18.130 RCW by their licensees; and

(h) Authorizations to expire six months or one year after entry into the medical marijuana authorization database, depending on whether the authorization is for a minor or an adult.

(2) A qualifying patient and his or her designated provider, if any, may be placed in the medical marijuana authorization database at a marijuana retailer with a medical marijuana endorsement. After a qualifying patient or designated provider is placed in the medical marijuana authorization database, he or she must be provided with an authorization card that contains identifiers required in subsection (3) of this section.

(3) The authorization card requirements must be developed by the department in rule and include:

(a) A randomly generated and unique identifying number;

(b) For designated providers, the unique identifying number of the qualifying patient whom the provider is assisting;

(c) A photograph of the qualifying patient's or designated provider's face taken by an employee of the marijuana retailer with a medical marijuana endorsement at the same time that the qualifying patient or designated provider is being placed in the medical marijuana authorization database in accordance with rules adopted by the department;

(d) The amount of marijuana concentrates, useable marijuana, marijuana-infused products, or plants for which the qualifying patient is authorized under section 19 of this act;

(e) The effective date and expiration date of the authorization card;

(f) The name of the health care professional who authorized the qualifying patient or designated provider; and

(g) For the authorization card, additional security features as necessary to ensure its validity.

(4) For qualifying patients who are eighteen years of age or older and their designated providers, authorization cards are valid for one year from the date the health care professional issued the authorization. For qualifying patients who are under the age of eighteen and their designated providers, authorization cards are valid for six months from the date the health care professional issued the authorization. Qualifying patients may not be reentered into the medical marijuana authorization database until they have been reexamined by a health care professional and determined to meet the definition of qualifying patient. After reexamination, a marijuana retailer with a medical marijuana endorsement must reenter the qualifying patient or designated provider into the medical marijuana authorization database and a new authorization card will then be issued in accordance with department rules.

(5) If an authorization card is lost or stolen, a marijuana retailer with a medical marijuana endorsement, in conjunction with the database administrator, may issue a new card that will be valid for six months to one year if the patient is reexamined by a health care professional and determined to meet the definition of qualifying patient and depending on whether the patient is under the age of eighteen or eighteen years of age or older as provided in subsection (4) of this section. If a reexamination is not performed, the expiration date of the replacement authorization card must be the same as the lost or stolen authorization card.

(6) The database administrator must remove qualifying patients and designated providers from the medical marijuana authorization database upon expiration of the authorization card. Qualifying patients and designated providers may request to remove themselves from the medical marijuana authorization database before expiration of an authorization card and health care professionals may request to remove qualifying patients and designated providers from the medical marijuana authorization database if the patient or provider no longer qualifies for the medical use of marijuana. The database administrator must retain database records for at least five calendar years to permit the state liquor and cannabis board and the department of revenue to verify eligibility for tax exemptions.

(7) During development of the medical marijuana authorization database, the database administrator must consult with the department, stakeholders, and persons with relevant expertise to include, but not be limited to, qualifying patients, designated providers, health care professionals, state and local law enforcement agencies, and the University of Washington computer science and engineering security and privacy research lab or a certified cyber security firm, vendor, or service.

(8) The medical marijuana authorization database must meet the following requirements:

(a) Any personally identifiable information included in the database must be nonreversible, pursuant to definitions and standards set forth by the national institute of standards and technology;

(b) Any personally identifiable information included in the database must not be susceptible to linkage by use of data external to the database;

(c) The database must incorporate current best differential privacy practices, allowing for maximum accuracy of database queries while minimizing the chances of identifying the personally identifiable information included therein; and

(d) The database must be upgradable and updated in a timely fashion to keep current with state of the art privacy and security standards and practices.

(9)(a) Personally identifiable information of qualifying patients and designated providers included in the medical marijuana authorization database is confidential and exempt from public disclosure, inspection, or copying under chapter 42.56 RCW.

(b) Information contained in the medical marijuana authorization database may be released in aggregate form, with all personally identifying information redacted, for the purpose of statistical analysis and oversight of agency performance and actions.

(c) Information contained in the medical marijuana authorization database shall not be shared with the federal government or its agents unless the particular patient or designated provider is convicted in state court for violating this chapter or chapter 69.50 RCW.

(10) The department must, in coordination with the database administrator, establish a fee that is adequate to cover the costs of administrating the medical marijuana authorization database. The marijuana retailer with a medical marijuana endorsement shall collect the fee from the qualifying patient or designated provider at the time that he or she is entered into the database and issued an authorization card. The department shall establish a schedule for marijuana retailers with a medical marijuana endorsement to remit the fees collected.

(11) If the database administrator fails to comply with this section, the department may cancel any contracts with the database administrator and contract with another database administrator to continue administration of the database. A database administrator who fails to comply with this section is subject to a fine of up to five thousand dollars in addition to any penalties established in the contract. Fines collected under this section must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

(12) The department may adopt rules to implement this section.

NEW SECTION. **Sec. 36.** A new section is added to chapter 42.56 RCW to read as follows:

Records in the medical marijuana authorization database established in section 21 of this act containing names and other personally identifiable information of qualifying patients and designated providers are exempt from disclosure under this chapter.

NEW SECTION. **Sec. 37.** A new section is added to chapter 69.51A RCW to read as follows:

(1) It is unlawful for a person to knowingly or intentionally:

(a) Access the medical marijuana authorization database for any reason not authorized under section 21 of this act;

(b) Disclose any information received from the medical marijuana authorization database in violation of section 21 of this act including, but not limited to, qualifying patient or designated provider names, addresses, or amount of marijuana for which they are authorized;

(c) Produce an authorization card or to tamper with an authorization card for the purpose of having it accepted by a marijuana retailer holding a medical marijuana endorsement in order to purchase marijuana as a qualifying patient or designated provider or to grow marijuana plants in accordance with this chapter;

(d) If a person is a designated provider to a qualifying patient, sell, donate, or supply marijuana produced or obtained for the qualifying patient to another person, or use the marijuana produced or obtained for the qualifying patient for the designated provider's own personal use or benefit; or

(e) If the person is a qualifying patient, sell, donate, or otherwise supply marijuana produced or obtained by the qualifying patient to another person.

(2) A person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both.

Sec. 38. RCW 69.51A.040 and 2011 c 181 s 401 are each amended to read as follows:

The medical use of ((~~cannabis~~)) marijuana in accordance with the terms and conditions of this chapter does not constitute a crime and a qualifying patient or designated provider in compliance with the terms and conditions of this chapter may not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences((~~,~~)) for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, or have real or personal property seized or forfeited for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, and investigating ((~~peace~~)) law enforcement officers and ((~~law enforcement~~)) agencies may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance, if:

(1)(a) The qualifying patient or designated provider has been entered into the medical marijuana authorization database and holds a valid authorization card and possesses no more than ((~~fifteen cannabis plants and:~~

~~(i) No more than twenty-four ounces of useable cannabis;~~

~~(ii) No more cannabis product than what could reasonably be produced with no more than twenty-four ounces of useable cannabis; or~~

~~(iii) A combination of useable cannabis and cannabis product that does not exceed a combined total representing possession and processing of no more than twenty-four ounces of useable cannabis~~)) the amount of marijuana concentrates, useable marijuana, plants, or marijuana-infused products authorized under section 19 of this act.

(((~~(b)~~))) If a person is both a qualifying patient and a designated provider for another qualifying patient, the person may possess no more than twice the amounts described in ((~~(a) of this subsection~~)) section 19 of this act for the qualifying patient and designated provider, whether the plants, ((~~useable cannabis, and cannabis product~~)) marijuana concentrates, useable marijuana, or marijuana-infused products are possessed individually or in combination between the qualifying patient and his or her designated provider;

(((~~(2)~~))) (b) The qualifying patient or designated provider presents his or her ((~~proof of registration with the department of health,~~)) authorization card to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

(((~~(3)~~))) (c) The qualifying patient or designated provider keeps a copy of his or her ((~~proof of registration with the registry established in section 901 of this act~~)) authorization card and the qualifying patient or designated provider's contact information posted prominently next to any ((~~cannabis~~)) plants, ((~~cannabis~~)) marijuana concentrates, marijuana-infused products, or useable ((~~cannabis~~)) marijuana located at his or her residence;

(((~~(4)~~))) (d) The investigating ((~~peace~~)) law enforcement officer does not possess evidence that:

(((~~(a)~~))) (i) The designated provider has converted ((~~cannabis~~)) marijuana produced or obtained for the qualifying patient for his or her own personal use or benefit; or

(((~~(b)~~))) (ii) The qualifying patient ((~~has converted cannabis produced or obtained for his or her own medical use to the~~

~~qualifying patient's personal, nonmedical use or benefit~~)) sold, donated, or supplied marijuana to another person; and

(((~~(5)~~))) (e) The ((~~investigating peace officer does not possess evidence that the~~)) designated provider has not served as a designated provider to more than one qualifying patient within a fifteen-day period; ((~~and~~

~~(6)~~)) or

(2) The ((~~investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4)~~))) qualifying patient or designated provider participates in a cooperative as provided in section 26 of this act.

Sec. 39. RCW 69.51A.043 and 2011 c 181 s 402 are each amended to read as follows:

(1) A qualifying patient or designated provider who has a valid authorization from his or her health care professional, but is not ((~~registered with the registry established in section 901 of this act~~)) entered in the medical marijuana authorization database and does not have an authorization card may raise the affirmative defense set forth in subsection (2) of this section, if:

(a) The qualifying patient or designated provider presents his or her ((~~valid documentation to any peace~~)) authorization to any law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

(b) The qualifying patient or designated provider possesses no more ((~~cannabis~~)) marijuana than the limits set forth in ((~~RCW 69.51A.040(1)~~)) section 19(3) of this act;

(c) The qualifying patient or designated provider is in compliance with all other terms and conditions of this chapter;

(d) The investigating ((~~peace~~)) law enforcement officer does not have probable cause to believe that the qualifying patient or designated provider has committed a felony, or is committing a misdemeanor in the officer's presence, that does not relate to the medical use of ((~~cannabis~~)) marijuana; and

(e) No outstanding warrant for arrest exists for the qualifying patient or designated provider((~~; and~~

~~(f) The investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4) of this act~~)).

(2) A qualifying patient or designated provider who is not ((~~registered with the registry established in section 901 of this act~~)) entered in the medical marijuana authorization database and does not have an authorization card, but who presents his or her ((~~valid documentation~~)) authorization to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana, may assert an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that he or she otherwise meets the requirements of RCW 69.51A.040. A qualifying patient or designated provider meeting the conditions of this subsection but possessing more ((~~cannabis~~)) marijuana than the limits set forth in ((~~RCW 69.51A.040(1)~~)) section 19(3) of this act may, in the investigating ((~~peace~~)) law enforcement officer's discretion, be taken into custody and booked into jail in connection with the investigation of the incident.

NEW SECTION. **Sec. 40.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid authorization cards.

(2) Cooperatives may not be located within one mile of a marijuana retailer. People who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's authorization card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location. The state liquor and cannabis board must deny the registration of any cooperative if the location is within one mile of a marijuana retailer.

(3) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(4) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their authorization cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(5) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's authorization card must be kept at the location at all times.

(6) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(7) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

NEW SECTION. **Sec. 41.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Notwithstanding any other provision of this chapter and even if multiple qualifying patients or designated providers reside in the same housing unit, no more than fifteen plants may be grown or located in any one housing unit other than a cooperative established pursuant to section 26 of this act.

(2) Neither the production nor processing of marijuana or marijuana-infused products pursuant to this section nor the storage or growing of plants may occur if any portion of such activity can be readily seen by normal unaided vision or readily smelled from a public place or the private property of another housing unit.

(3) Cities, towns, counties, and other municipalities may create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance with this section.

NEW SECTION. **Sec. 42.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Once the state liquor and cannabis board adopts rules under subsection (2) of this section, qualifying patients or designated providers may only extract or separate the resin from marijuana or produce or process any form of marijuana concentrates or marijuana-infused products in accordance with those standards.

(2) The state liquor and cannabis board must adopt rules permitting qualifying patients and designated providers to extract or separate the resin from marijuana using noncombustable methods. The rules must provide the noncombustible methods permitted and any restrictions on this practice.

Sec. 43. RCW 69.51A.045 and 2011 c 181 s 405 are each amended to read as follows:

(1) A qualifying patient or designated provider in possession of ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the limits set forth in ((~~RCW 69.51A.040(1)~~)) this chapter but otherwise in compliance with all other terms and conditions of this chapter may establish an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that the qualifying patient's necessary medical use exceeds the amounts set forth in RCW 69.51A.040((~~(1)~~)).

(2) An investigating ((~~peace~~)) law enforcement officer may seize ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the amounts set forth in ((~~RCW 69.51A.040(1): PROVIDED, That~~)) this chapter. In the case of ((~~cannabis~~)) plants, the qualifying patient or designated provider shall be allowed to select the plants that will remain at the location. The officer and his or her law enforcement agency may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance.

Sec. 44.

Sec. 46. RCW 69.51A.085 and 2011 c 181 s 403 are each amended to read as follows:

(1) Qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering ((~~cannabis~~)) marijuana for medical use subject to the following conditions:

(a) No more than ten qualifying patients may participate in a single collective garden at any time;

(b) No person under the age of twenty-one may participate in a collective garden or receive marijuana that was produced, processed, transported, or delivered through a collective garden. A designated provider for a person who is under the age of twenty-one may participate in a collective garden on behalf of the person under the age of twenty-one;

(c) A collective garden may contain no more than fifteen plants per patient up to a total of forty-five plants;

(((~~c~~))) (d) A collective garden may contain no more than twenty-four ounces of useable ((~~cannabis~~)) marijuana per patient up to a total of seventy-two ounces of useable ((~~cannabis~~)) marijuana;

(((~~d~~))) (e) A copy of each qualifying patient's ((~~valid documentation or proof of registration with the registry established in section 901 of this act~~)) authorization, including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and

(((~~e~~))) (f) No useable ((~~cannabis~~)) marijuana from the collective garden is delivered to anyone other than one of the qualifying patients participating in the collective garden.

(2) For purposes of this section, the creation of a "collective garden" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies, and labor necessary to plant, grow, and harvest ((~~cannabis; cannabis~~)) marijuana plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of ((~~cannabis~~)) marijuana plants.

(3) A person who knowingly violates a provision of subsection (1) of this section is not entitled to the protections of this chapter.

NEW SECTION. **Sec. 47.** A new section is added to chapter 69.50 RCW to read as follows:

(1) The state liquor and cannabis board may conduct controlled purchase programs to determine whether:

(a) A marijuana retailer is unlawfully selling marijuana to persons under the age of twenty-one;

(b) A marijuana retailer holding a medical marijuana endorsement is selling to persons under the age of eighteen or selling to persons between the ages of eighteen and twenty-one who do not hold valid authorization cards;

(c) Until July 1, 2016, collective gardens under RCW 69.51A.085 are providing marijuana to persons under the age of twenty-one; or

(d) A cooperative organized under section 26 of this act is permitting a person under the age of twenty-one to participate.

(2) Every person under the age of twenty-one years who purchases or attempts to purchase marijuana is guilty of a violation of this chapter or chapter 69.51A RCW. This section does not apply to:

(a) Persons between the ages of eighteen and twenty-one who hold valid authorization cards and purchase marijuana at a marijuana retail outlet holding a medical marijuana endorsement;

(b) Persons between the ages of eighteen and twenty-one years who are participating in a controlled purchase program authorized by the state liquor and cannabis board under rules adopted by the board. Violations occurring under a private, controlled purchase program authorized by the state liquor and cannabis board may not be used for criminal or administrative prosecution.

(3) A marijuana retailer who conducts an in-house controlled purchase program authorized under this section shall provide his or her employees a written description of the employer's in-house controlled purchase program. The written description must include notice of actions an employer may take as a consequence of an employee's failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program.

(4) An in-house controlled purchase program authorized under this section shall be for the purposes of employee training and employer self-compliance checks. A marijuana retailer may not terminate an employee solely for a first-time failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program authorized under this section.

(5) Every person between the ages of eighteen and twenty-one who is convicted of a violation of this section is guilty of a misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of two hundred fifty dollars shall be imposed and any sentence requiring community restitution shall require not fewer than twenty-five hours of community restitution.

Sec. 48. RCW 69.51A.100 and 2011 c 181 s 404 are each amended to read as follows:

(1) A qualifying patient may revoke his or her designation of a specific designated provider and designate a different designated provider at any time. A revocation of designation must be in writing, signed and dated, and provided to the designated provider and, if applicable, the medical marijuana authorization database administrator. The protections of this chapter cease to apply to a person who has served as a designated provider to a qualifying patient seventy-two hours after receipt of that patient's revocation of his or her designation.

(2) A person may stop serving as a designated provider to a given qualifying patient at any time by revoking that designation in writing, signed and dated, and provided to the qualifying patient and, if applicable, the medical marijuana authorization database administrator. However, that person may not begin serving as a designated provider to a different qualifying patient until fifteen days have elapsed from the date the last qualifying patient designated him or her to serve as a provider.

(3) The department may adopt rules to implement this section, including a procedure to remove the name of the designated provider from the medical marijuana authorization database upon receipt of a revocation under this section.

NEW SECTION. **Sec. 49.** A new section is added to chapter 69.51A RCW to read as follows:

Neither this chapter nor chapter 69.50 RCW prohibits a health care professional from selling or donating topical, noningestable products that have a THC concentration of less than .3 percent to qualifying patients.

NEW SECTION. **Sec. 50.** A new section is added to chapter 69.51A RCW to read as follows:

A medical marijuana consultant certificate is hereby established.

(1) In addition to any other authority provided by law, the secretary of the department may:

(a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to implement this chapter;

(b) Establish forms and procedures necessary to administer this chapter;

(c) Approve training or education programs that meet the requirements of this section and any rules adopted to implement it;

(d) Receive criminal history record information that includes nonconviction information data for any purpose associated with initial certification or renewal of certification. The secretary shall require each applicant for initial certification to obtain a state or federal criminal history record information background check through the state patrol or the state patrol and the identification division of the federal bureau of investigation prior to the issuance of any certificate. The secretary shall specify those situations where a state background check is inadequate and an applicant must obtain an electronic fingerprint-based national background check through the state patrol and federal bureau of investigation. Situations where a background check is inadequate may include instances where an applicant has recently lived out-of-state or where the applicant has a criminal record in Washington;

(e) Establish administrative procedures, administrative requirements, and fees in accordance with RCW 43.70.250; and

(f) Maintain the official department record of all applicants and certificate holders.

(2) A training or education program approved by the secretary must include the following topics:

(a) The medical conditions that constitute terminal or debilitating conditions, and the symptoms of those conditions;

(b) Short and long-term effects of cannabinoids;

(c) Products that may benefit qualifying patients based on the patient's terminal or debilitating medical condition;

(d) Risks and benefits of various routes of administration;

(e) Safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors;

(f) Demonstrated knowledge of this chapter and the rules adopted to implement it; and

(g) Other subjects deemed necessary and appropriate by the secretary to ensure medical marijuana consultant certificate holders are able to provide evidence-based and medically accurate advice on the medical use of marijuana.

(3) Medical marijuana consultant certificates are subject to annual renewals and continuing education requirements established by the secretary.

(4) The secretary shall have the power to refuse, suspend, or revoke the certificate of any medical marijuana consultant upon proof that:

(a) The certificate was procured through fraud, misrepresentation, or deceit;

(b) The certificate holder has committed acts in violation of subsection (6) of this section; or

(c) The certificate holder has violated or has permitted any employee or volunteer to violate any of the laws of this state relating to drugs or controlled substances or has been convicted of a felony.

In any case of the refusal, suspension, or revocation of a certificate by the secretary under the provisions of this chapter, appeal may be taken in accordance with chapter 34.05 RCW, the administrative procedure act.

(5) A medical marijuana consultant may provide the following services when acting as an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 and holding a medical marijuana endorsement under section 10 of this act:

(a) Assisting a customer with the selection of products sold at the retail outlet that may benefit the qualifying patient's terminal or debilitating medical condition;

(b) Describing the risks and benefits of products sold at the retail outlet;

(c) Describing the risks and benefits of methods of administration of products sold at the retail outlet;

(d) Advising a customer about the safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors; and

(e) Providing instruction and demonstrations to customers about proper use and application of useable marijuana, marijuana-infused products, and marijuana concentrates.

(6) Nothing in this section authorizes a medical marijuana consultant to:

(a) Offer or undertake to diagnose or cure any human disease, ailment, injury, infirmity, deformity, pain, or other condition, physical or mental, real or imaginary, by use of marijuana or any other means or instrumentality; or

(b) Recommend or suggest modification or elimination of any course of treatment that does not involve the medical use of marijuana.

(7) Nothing in this section requires an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 and holding a medical marijuana endorsement under section 10 of this act to obtain a medical marijuana consultant certification.

(8) Nothing in this section applies to the practice of a health care profession by individuals who are licensed, certified, or registered in a profession listed in RCW 18.130.040(2) and who are performing services within their authorized scope of practice.

NEW SECTION. **Sec. 51.** A new section is added to chapter 69.51A RCW to read as follows:

The board of naturopathy, the board of osteopathic medicine and surgery, the medical quality assurance commission, and the nursing care quality assurance commission shall develop and approve continuing education programs related to the use of marijuana for medical purposes for the health care providers that they each regulate that are based upon practice guidelines that have been adopted by each entity.

NEW SECTION. **Sec. 52.** A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to:

(a) Beginning July 1, 2016, sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under section 10 of this act to be beneficial for medical use, by marijuana retailers holding medical marijuana endorsements to qualifying patients or designated providers who hold authorization cards;

(b) Beginning July 1, 2016, sales of products containing THC with a THC concentration of 0.3 percent or less to qualifying patients or designated providers who hold authorization cards, by marijuana retailers holding medical marijuana endorsements;

(c) Beginning July 1, 2016, sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under section 10 of this act to have a low THC, high CBD ratio and to be beneficial for medical use, by marijuana retailers, regardless of whether the buyer is a qualifying patient or designated provider who holds an authorization card;

(d) Beginning July 1, 2016, sales of products containing THC with a THC concentration of 0.3 percent or less by health care professionals under section 35 of this act; or

(e) From the effective date of this section until July 1, 2016, sales of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by collective gardens under RCW 69.51A.085 to qualifying patients or designated

providers who hold an authorization card, if such sales are in compliance with chapter 69.51A RCW.

(2) Each seller making exempt sales under subsection (1) of this section must maintain information establishing the purchaser's eligibility for the exemption in the form and manner required by the department.

(3) Nothing in subsection (1)(a), (b), and (e) of this section applies to transactions with qualifying patients and designated providers who have not been entered in the medical marijuana authorization database and do not have an authorization card.

(4) For the purposes of this section:

(a) The terms "THC concentration," "marijuana," "marijuana concentrates," "useable marijuana," "marijuana retailer," and "marijuana-infused products" have the meaning provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," and "authorization card" have the meaning provided in RCW 69.51A.010; and

(b) "Products containing THC with a THC concentration of 0.3 percent or less" means all products containing THC with a THC concentration not exceeding 0.3 percent and that, when used as intended, are inhalable, ingestible, or absorbable.

NEW SECTION. **Sec. 53.** A new section is added to chapter 82.12 RCW to read as follows:

(1) From the effective date of this section until July 1, 2016, the provisions of this chapter shall not apply to the use of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a collective garden under RCW 69.51A.085 and the qualifying patients or designated providers participating in the collective garden if such use is in compliance with chapter 69.51A RCW.

(2) Beginning July 1, 2016, the provisions of this chapter shall not apply to:

(a) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under section 10 of this act to be beneficial for medical use of marijuana, by qualifying patients or designated providers who hold authorization cards and have purchased such products from a marijuana retailer holding a medical marijuana endorsement.

(b) The use of products containing THC with a THC concentration of 0.3 percent or less by qualifying patients or designated providers who hold authorization cards and have purchased such products from a marijuana retailer holding a medical marijuana endorsement.

(c)(i) Marijuana retailers holding a medical marijuana endorsement with respect to:

(A) Marijuana concentrates, useable marijuana, or marijuana-infused products; or

(B) Products containing THC with a THC concentration of 0.3 percent or less;

(ii) The exemption in this subsection (2)(c) applies only if such products are provided at no charge to a qualifying patient or designated provider who holds an authorization card. Each such retailer providing such products at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(d) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under section 10 of this act to have a low THC, high CBD ratio and to be beneficial for medical use, purchased from marijuana retailers.

(e) Health care professionals with respect to the use of products containing THC with a THC concentration of 0.3 percent or less donated by the health care professionals under section 35 of this act. Each health care professional providing such products at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(f) The use of products containing THC with a THC concentration of 0.3 percent or less by qualifying patients when purchased from or provided at no charge by a health care professional under section 35 of this act.

(g) The use of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a cooperative and its members, when produced by the cooperative.

(3) Nothing in subsection (2)(a), (b), (c), and (g) of this section applies to use related to qualifying patients and designated providers who have not been entered in the medical marijuana authorization database and do not have an authorization card.

(4) For the purposes of this section:

(a) The terms "THC concentration," "marijuana," "marijuana concentrates," "useable marijuana," "marijuana retailer," and "marijuana-infused products" have the meaning provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," and "authorization card" have the meaning provided in RCW 69.51A.010;

(b) "Cooperative" means a cooperative authorized by and operating in compliance with section 26 of this act and any rules adopted by the state liquor and cannabis board under section 26 of this act; and

(c) "Products containing THC with a THC concentration of 0.3 percent or less" has the same meaning as in section 38 of this act.

NEW SECTION. **Sec. 54.** A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to any cooperative in respect to growing marijuana, or manufacturing marijuana concentrates, useable marijuana, or marijuana-infused products, as those terms are defined in RCW 69.50.101.

(2) For purposes of this section, "cooperative" has the same meaning provided in section 39 of this act.

NEW SECTION. **Sec. 55.** (1) The legislature finds marijuana use for qualifying patients is a valid and necessary option health care professionals may recommend for their patients. The legislature further finds that although there is a distinction between recreational and medical use of marijuana, the changing environment for recreational marijuana use in Washington will also affect qualifying patients. The legislature further finds that while recognizing the difference between recreational and medical use of marijuana, it is imperative to develop a single, comprehensive regulatory scheme for marijuana use in the state. Acknowledging that the implementation of this act may result in changes to how qualifying patients access marijuana for their medical use, the legislature intends to ease the transition towards a regulated market and provide a statutory means for a safe,

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purchased by qualifying patients provided in sections 38 and 39 of this act. The performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(b) The legislature categorizes the tax preference as one intended to accomplish the general purposes indicated in RCW 82.32.808(2)(e).

(c) It is the legislature's specific public policy objective to provide qualifying patients a retail sales and use tax exemption on purchases of marijuana concentrates, useable marijuana, and marijuana-infused products for medical use when qualifying patients hold a valid authorization card. It is also the legislature's specific public policy objective to provide a retail sales and use tax exemption for all people who purchase low THC, high CBD products. These products are more likely to be beneficial to those who use marijuana for medical use and are not likely to appeal to nonmedical users.

(d) To measure the effectiveness of the exemption provided in sections 38 and 39 of this act in achieving the specific public policy objectives described in (c) of this subsection, the joint legislative audit and review committee must evaluate the actual fiscal impact of the sales and use tax exemption compared to the estimated impact in the fiscal note for this act.

(3) For the purposes of this section, the terms "authorization card," "marijuana retailer," "qualifying patient," "low THC, high CBD," and "health care professional" have the meaning provided in RCW 69.51A.010 and the terms "marijuana concentrates," "useable marijuana," "marijuana retailer," and "marijuana-infused products" have the meaning provided in RCW 69.50.101.

NEW SECTION. **Sec. 56.** (1) The department of health must develop recommendations on establishing medical marijuana specialty clinics that would allow for the authorization and dispensing of marijuana to patients of health care professionals who work on-site of the clinic and who are certified by the department of health in the medical use of marijuana.

(2) Recommendations must be reported to the chairs of the health care committees of both the senate and house of representatives by December 1, 2015.

NEW SECTION. **Sec. 57.** All references to the Washington state liquor control board must be construed as referring to the Washington state liquor and cannabis board. The code reviser must prepare legislation for the 2016 legislative session changing all references in the Revised Code of Washington from the Washington state liquor control board to the Washington state liquor and cannabis board.

NEW SECTION. **Sec. 58.** The following acts or parts of acts are each repealed:

(1)RCW 69.51A.020 (Construction of chapter) and 2011 c 181 s 103 & 1999 c 2 s 3;

(2)RCW 69.51A.025 (Construction of chapter—Compliance with RCW 69.51A.040) and 2011 c 181 s 413;

(3)RCW 69.51A.047 (Failure to register or present valid documentation—Affirmative defense) and 2011 c 181 s 406;

(4)RCW 69.51A.070 (Addition of medical conditions) and 2007 c 371 s 7 & 1999 c 2 s 9;

(5)RCW 69.51A.090 (Applicability of valid documentation definition) and 2010 c 284 s 5;

(6)RCW 69.51A.140 (Counties, cities, towns—Authority to adopt and enforce requirements) and 2011 c 181 s 1102; and

(7)RCW 69.51A.200 (Evaluation) and 2011 c 181 s 1001.

NEW SECTION. **Sec. 59.** RCW 69.51A.085 (Collective gardens) and 2015 c ... s 32 (section 32 of this act) and 2011 c 181 s 403 are each repealed.

NEW SECTION. **Sec. 60.** Sections 38 and 39 of this act take effect October 1, 2015.

NEW SECTION. **Sec. 61.** Sections 12, 19, 20, 23 through 26, 31, 35, 40, and 45 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 62.** Sections 21, 22, 32, and 33 of this act are necessary for the immediate preservation of the public health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. **Sec. 63.** This act takes effect on the dates provided in sections 46 through 48 of this act if House Bill No. 2136, or any subsequent version of House Bill No. 2136, is enacted into law by October 1, 2015."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Clibborn; Jinkins; Johnson; Moeller; Robinson and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Assistant Ranking Minority Member; Caldier and Short.

MINORITY recommendation: Without recommendation. Signed by Representative DeBolt.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5088 Prime Sponsor, Senator Pearson: Concerning a geological hazards assessment. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5146 Prime Sponsor, Senator Bailey: Concerning quality assurance standards for medicaid purchasing. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 64.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority shall select an accrediting organization that develops and manages health care measures that assess the quality of care and services that managed care clients receive. In selecting an organization, the authority shall consider the accreditation standards of the national committee for quality assurance. The authority shall require that:

(a) All medicaid managed care contractors under contract with the authority as of the effective date of this section are accredited by the organization by December 1, 2015; and

(b) All new managed care entrants are accredited by the organization within eighteen months from the contract start date.

(2) Medicaid purchasing must support standards developed by the selected organization."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SSB 5165 Prime Sponsor, Committee on Health Care: Authorizing palliative care in conjunction with treatment or management of serious or life-threatening illness. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SSB 5166 Prime Sponsor, Committee on Ways & Means: Concerning the management of forage fish resources. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Subject to the availability of amounts appropriated for this specific purpose, the department of natural resources and the department of fish and wildlife must collaborate to conduct a survey of the location of surf smelt and sand lance spawning grounds throughout Puget Sound, including the Strait of Juan de Fuca. To the extent available, the departments of natural resources and fish and wildlife must conduct the surveys using crews of the veterans conservation corps created in RCW 43.60A.150.

(2) The results from the survey required under this section must be used by the department of natural resources and the department of fish and wildlife to expand knowledge of spawning habitat areas. The survey results must be made accessible to the public.

(3) The survey required under this section must be completed by June 30, 2017.

NEW SECTION. Sec. 2. (1) Subject to the availability of amounts appropriated for this specific purpose, the department of fish and wildlife must conduct a mid-water trawl survey at various depths throughout Puget Sound to evaluate the prevalence of adults of all species of forage fish. The department must integrate the results of the survey into existing Puget Sound ecosystem assessments to assist the department of fish and wildlife in the management and conservation of forage fish species and the species that prey upon them.

(2) The department of fish and wildlife must complete the survey required under this section by June 30, 2017.

NEW SECTION. Sec. 3. The legislature intends for the department of natural resources and the department of fish and wildlife to complete the survey required under section 1 of this act with funds specifically appropriated from the state's capital budget for the 2015-2017 biennium.

NEW SECTION. Sec. 4. This act expires July 1, 2018."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Referred to Committee on Capital Budget.

March 17, 2015

SB 5180 Prime Sponsor, Senator Benton: Modernizing life insurance reserve requirements. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on Appropriations.

March 17, 2015

SB 5182 Prime Sponsor, Senator Dammeier: Granting fire protection districts and regional fire protection service authorities biennial budget authority. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 52.16.030 and 1989 c 63 s 25 are each amended to read as follows:

(1) Annually after the county board or boards of equalization of the county or counties in which the district is located have equalized the assessments for general tax purposes in that year, the secretary of the district shall prepare and certify a budget of the requirements of each district fund, and deliver it to the county legislative authority or authorities of the county or counties in which the district is located in ample time for the tax levies to be made for district purposes.

(2) In lieu of adopting an annual budget, a fire protection district may adopt a biennial budget with a mid-biennium review and modification for the second year of the biennium.

NEW SECTION. Sec. 2. A new section is added to chapter 52.26 RCW to read as follows:

A regional fire protection service authority may, in lieu of adopting an annual budget, adopt a biennial budget with a mid-biennium review and modification for the second year of the biennium."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5204 Prime Sponsor, Senator Parlette: Providing an exemption from hydraulic project permit fees for certain emergency permits. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5207 Prime Sponsor, Senator Liias: Concerning office hours for registered tow truck operators. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe and Ormsby.

Passed to Committee on Rules for second reading.

March 17, 2015

SSB 5234 Prime Sponsor, Committee on Commerce & Labor: Regarding miniature hobby boilers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe and Ormsby.

Passed to Committee on Rules for second reading.

March 17, 2015

SSB 5268 Prime Sponsor, Committee on Health Care: Concerning refilling eye drop prescriptions. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5464 Prime Sponsor, Senator Warnick: Concerning unlawfully engaging in fishing guide activity. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

ESSB 5470 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning municipal procurement of water services. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5603 Prime Sponsor, Senator Warnick: Changing cottage food operation provisions. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 65.** RCW 69.22.050 and 2011 c 281 s 5 are each amended to read as follows:

(1) The annual gross sales of cottage food products may not exceed ((an annual amount set by the department)) twenty-five thousand dollars. The determination of the maximum annual gross sales must be computed on the basis of the amount of gross sales within or at a particular domestic residence and may not be computed on a per person basis within or at an individual domestic residence.

(2) If gross sales exceed the maximum allowable annual gross sales amount, the cottage food operation must either obtain a food processing plant license under chapter 69.07 RCW or cease operations.

(3) A cottage food operation exceeding the maximum allowable annual gross sales amount is not entitled to a full or partial refund of any fees paid under RCW 69.22.030 or 69.22.040.

(4) ((The maximum annual gross sales amount must be established in rule by the department consistent with this subsection. The amount must be set at fifteen thousand dollars until December 31, 2012. Beginning January 1, 2013, the department must increase the fifteen thousand dollar annual gross sales limit biennially to reflect inflation. The department may determine inflation-based increases in any matter it deems most efficient.

(5))) The director may request in writing documentation to verify the annual gross sales figure."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5717 Prime Sponsor, Senator Angel: Amending the insurer holding company act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Referred to Committee on Appropriations.

March 17, 2015

SB 5881 Prime Sponsor, Senator Pearson: Providing a group fishing permit for certain programs for at-risk youth. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5974 Prime Sponsor, Senator Benton: Requiring the insurance commissioner to review barriers to offering supplemental coverage options to disabled veterans and their dependents. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 20, 2015, the 68th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 18, 2015

SSB 5023 Prime Sponsor, Committee on Health Care: Concerning the filing of group health benefit plans other than small group plans, stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5075 Prime Sponsor, Senator Baumgartner: Making nonsubstantive changes to procurement law. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5176 Prime Sponsor, Senator Keiser: Concerning the capitol furnishings preservation committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 18, 2015

SSB 5293 Prime Sponsor, Committee on Health Care: Concerning the use of hydrocodone products by licensed optometrists in Washington state. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 18, 2015

SSB 5299 Prime Sponsor, Committee on Financial Institutions & Insurance: Updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

On page 29, line 18, after "means a" strike all material through "transferred" on line 20 and insert "sum of money lent at interest or for a fee or other charge"

Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5348 Prime Sponsor, Committee on Government Operations & Security: Allowing public agencies to enter into contracts providing for the joint utilization of architectural or engineering services. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 18, 2015

SSB 5485 Prime Sponsor, Committee on Financial Institutions & Insurance: Concerning debt adjusters. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.28.010 and 2012 c 56 s 1 are each reenacted and amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Debt adjuster," which includes any person known as a debt pooler, debt manager, debt consolidator, debt prorater, or credit counselor, is any person engaging in or holding himself or herself out as engaging in the business of debt adjusting for compensation. The term shall not include:

(a) Attorneys-at-law, escrow agents, accountants, broker-dealers in securities, or investment advisors in securities, while performing services solely incidental to the practice of their professions;

(b) Any person, partnership, association, or corporation doing business under and as permitted by any law of this state or of

the United States relating to banks, consumer finance businesses, consumer loan companies, trust companies, mutual savings banks, savings and loan associations, building and loan associations, credit unions, crop credit associations, development credit corporations, industrial development corporations, title insurance companies, insurance companies, or third-party account administrators;

(c) Persons who, as employees on a regular salary or wage of an employer not engaged in the business of debt adjusting, perform credit services for their employer;

(d) Public officers while acting in their official capacities and persons acting under court order;

(e) Any person while performing services incidental to the dissolution, winding up or liquidation of a partnership, corporation, or other business enterprise;

(f) Nonprofit organizations dealing exclusively with debts owing from commercial enterprises to business creditors;

(g) Nonprofit organizations engaged in debt adjusting and which do not assess against the debtor a service charge in excess of fifteen dollars per month.

(2) "Debt adjusting" means the managing, counseling, settling, adjusting, prorating, or liquidating of the indebtedness of a debtor, or receiving funds for the purpose of distributing said funds among creditors in payment or partial payment of obligations of a debtor.

(3) "Debt adjusting agency" is any partnership, corporation, or association engaging in or holding itself out as engaging in the business of debt adjusting.

(4) "Financial institution" means any person doing business under the laws of any state or the United States relating to commercial banks, bank holding companies, savings banks, savings and loan associations, trust companies, or credit unions.

(5) "Third-party account administrator" means an independent entity that holds or administers a dedicated bank account for fees and payments to creditors, debt collectors, debt adjusters, or debt adjusting agencies in connection with the renegotiation, settlement, reduction, or other alteration of the terms of payment or other terms of a debt.

(6) "Fair share" means the creditor contributions paid to nonprofit debt adjusters by the creditors whose consumers receive debt adjusting services from the nonprofit debt adjusters and pay down their debt accordingly. "Fair share" does not include grants received by nonprofit debt adjusters for services unrelated to debt adjusting.

Sec. 2. RCW 18.28.080 and 2012 c 56 s 2 are each amended to read as follows:

(1) By contract a debt adjuster may charge a reasonable fee for debt adjusting services. The total fee for debt adjusting services, including, but not limited to, any fee charged by a financial institution or a third-party account administrator, may not exceed fifteen percent of the total debt listed by the debtor on the contract. The fee retained by the debt adjuster from any one payment made by or on behalf of the debtor may not exceed fifteen percent of the payment not including fair share contributions to a nonprofit debt adjuster. The debt adjuster may make an initial charge of up to twenty-five dollars which shall be considered part of the total fee. If an initial charge is made, no additional fee may be retained which will bring the total fee retained to date to more than fifteen percent of the total payments made to date. No fee whatsoever shall be applied against rent and utility payments for housing.

In the event of cancellation or default on performance of the contract by the debtor prior to its successful completion, the debt adjuster may collect in addition to fees previously received, six percent of that portion of the remaining indebtedness listed on said contract which was due when the contract was entered into, but not to exceed twenty-five dollars.

(2) A debt adjuster who receives fair share must disclose this in writing, along with an explanation of fair share, to the debtor prior to accepting any fair share.

(3) A debt adjuster shall not be entitled to retain any fee until notifying all creditors listed by the debtor that the debtor has engaged the debt adjuster in a program of debt adjusting.

(((3))) (4) The department of financial institutions has authority to enforce compliance with this section.

Sec. 3. RCW 18.28.120 and 1999 c 151 s 106 are each amended to read as follows:

(1) A debt adjuster shall not:

(((2)))(a) Take any contract, or other instrument which has any blank spaces when signed by the debtor;

(((3)))(b) Receive or charge any fee in the form of a promissory note or other promise to pay or receive or accept any mortgage or other security for any fee, whether as to real or personal property;

(((3)))(c) Lend money or credit;

(((4)))(d) Take any confession of judgment or power of attorney to confess judgment against the debtor or appear as the debtor in any judicial proceedings;

(((5)))(e) Take, concurrent with the signing of the contract or as a part of the contract or as part of the application for the contract, a release of any obligation to be performed on the part of the debt adjuster;

(((6)))(f) Advertise services, display, distribute, broadcast or televise, or permit services to be displayed, advertised, distributed, broadcasted or televised in any manner whatsoever wherein any false, misleading or deceptive statement or representation with regard to the services to be performed by the debt adjuster, or the charges to be made therefor, is made;

(((7)))(g) Offer, pay, or give any cash, fee, gift, bonus, premiums, reward, or other compensation to any person for referring any prospective customer to the debt adjuster;

(((8)))(h) Receive any cash, fee, gift, bonus, premium, reward, or other compensation, other than fair share contributions to a nonprofit debt adjuster, from any person other than the debtor or a person in the debtor's behalf in connection with his or her activities as a debt adjuster; or

(((9)))(i) Disclose to anyone the debtors who have contracted with the debt adjuster; nor shall the debt adjuster disclose the creditors of a debtor to anyone other than: (a) The debtor; or (b) another creditor of the debtor and then only to the extent necessary to secure the cooperation of such a creditor in a debt adjusting plan.

(2) Any nonprofit organization engaged in debt adjusting in this state or exempt from this chapter pursuant to RCW 18.28.010(1)(g) shall provide the following information to the department of financial institutions in a form prescribed by the department by June 30, 2016 and again on June 30th, 2017:

(a) The number and percentage of Washington debtors for whom the debt adjuster provides or provided debt adjusting services in the previous year who became inactive in, canceled, or terminated those services without settlement of all of the debtor's debts, by year of enrollment;

(b) The total fees collected from Washington debtors during the previous year;

(c) The total fair share contributions collected from creditors of Washington debtors during the previous year;

(d) For each debtor for whom the debt adjuster provides debt adjusting services:
(i) The date of contracting;
(ii) The number of debts included in the contract between the debt adjuster and the debtor;
(iii) The principal amount of each debt at the time the contract was signed;
(iv) The source of each debtor's obligation, categorized as credit card, student loans, auto, medical, small loans under chapter 31.45 RCW, other secured debt, and other unsecured debt;
(v) Whether each debt is active, terminated, or settled;
(vi) If a debt has been settled, the settlement amount of the debt and the savings amount, calculated by subtracting the amount paid to settle the debt from the principal amount of the debt at the time the contract was signed; and
(vii) The total fees charged to the debtor and how the fees were calculated;
(e) For Washington debtors who became inactive in, canceled, or terminated debt adjuster services during the previous year, the number and percentage of debtors who, as measured by the aggregate amount of each debtor's enrolled debts:
(i) Settled zero percent of their enrolled debt;
(ii) Settled up to twenty-five percent of their enrolled debt;
(iii) Settled twenty-five percent to fifty percent of their enrolled debt;
(iv) Settled fifty-one percent to seventy-five percent of their enrolled debt;
(v) Settled seventy-six percent to ninety-nine percent of their enrolled debt;
(f) The number and percentage of Washington debtors for whom the debt adjuster provides or provided debt adjusting services in the previous three years who fully settled one hundred percent of their enrolled debt through those debt adjusting services, by year of enrollment; and
(g)(i) The nonprofit organization's form 990 submitted to the internal revenue service in the preceding year; or
(ii) A statement of previous year's base salary and other compensation of the nonprofit organization's officers, directors, trustees, and other employees and independent contractors receiving greater than one hundred fifty thousand dollars in total compensation, if the form 990 does not contain such information or if the organization did not submit a form 990 in the preceding year.
(3) The department of financial institutions shall make public and submit to the appropriate committees of the legislature a report summarizing the information received under subsection (1) of this section by December 1, 2016 and again on December 1, 2017."

Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5532 Prime Sponsor, Senator Rolfes: Modifying certain Washington gift of life award provisions. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 18, 2015

ESB 5616 Prime Sponsor, Senator Benton: Concerning pawnbroker fees and interest rates. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Stanford.

Passed to Committee on Rules for second reading.

March 17, 2015

SB 5757 Prime Sponsor, Senator Benton: Addressing credit unions' corporate governance and investments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 23, 2015, the 71st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY FIRST DAY

House Chamber, Olympia, Monday, March 23, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2201 by Representative Reykdal

AN ACT Relating to funding tuition reductions and other higher education programs; amending RCW 83.100.230; adding a new section to chapter 82.32 RCW; repealing RCW 82.04.4292; providing a contingent effective date; and providing for submission of this act to a vote of the people.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 20, 2015

SB 5020 Prime Sponsor, Senator Bailey: Concerning state agencies continuity of operations planning requirements. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

March 19, 2015

SSB 5138 Prime Sponsor, Committee on Government Operations & Security: Concerning notice and review processes for annexations, deannexations, incorporations, disincorporations, consolidations, and boundary line adjustments under Titles 35 and 35A RCW. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 68.** A new section is added to chapter 43.41 RCW to read as follows:

(1) The initiator of a proposed action regarding (a) annexation, (b) deannexation, (c) incorporation, (d) disincorporation, (e) consolidation of cities, or (f) boundary line adjustment under Titles 35 and 35A RCW must file notice of intention with the office of financial management for its review within three days of initial acceptance or approval of the proposed action by the appropriate entity, except if the initiator is the legislative body of a government unit, the notice of intention must be filed immediately following the legislative body's initial acceptance or approval of the action.

(2) The notice of intention must be submitted with the following:

(a) A legal description of the proposed annexation, deannexation, incorporation, disincorporation, consolidation, or boundary line adjustment, which must be reviewed by the office of financial management before subsequent notices regarding the proposed action are filed;

(b) A map showing the specific territory boundaries of the proposed annexation, deannexation, incorporation, disincorporation, consolidation, or boundary line adjustment;

(c) The proposed action or resolution, if applicable;

(d) Parcel numbers of affected properties, if applicable; and

(e) Street addresses of affected properties, if applicable, but excluding the names of owners and residents.

(3) Within thirty days of receipt of notice of intention, the office of financial management must review the documents submitted under the notice and provide comments to the initiator of the proposed action if any of the following occur:

(a) Except for city consolidations and boundary line adjustments, the ordinance or resolution includes any territory that is part of another city or that is already part of the city boundaries;

(b) The territory to be annexed, deannexed, or incorporated, or subject to consolidation is not contiguous to existing city boundaries;

(c) The proposed action or resolution does not include or excludes the full right-of-way when roads are being used as part of the city boundary;

(d) Except for municipal purpose annexations, the proposed action or resolution includes any territory that is outside of an urban growth area in counties that are required or choose to plan under RCW 36.70A.040; or

(e) The map of the territory to be annexed, deannexed, incorporated, disincorporated, consolidated, or subject to boundary line adjustment is not an accurate representation of the legal description.

(4) The office of financial management must post required documents as described in subsection (2) of this section on its web site and notify the department of transportation. The office of financial management must produce an annexation, deannexation, incorporation, disincorporation, city consolidation, and boundary line adjustment report thirty days prior to the commencement of each quarterly period, post the report on its web site, and notify state entities pursuant to RCW 35.13.260 and 35A.14.700.

(5) The requirements for the office of financial management to review initiated actions under this section does not affect the

authority of boundary review boards to review and approve, disapprove, or modify actions subject to their review under chapter 36.93 RCW.

(6) For purposes of this section, "contiguous" means that territory proposed to be annexed, deannexed, incorporated, or consolidated touches or is in physical contact with a city boundary, though the contact must be more than a single point. Territory connected to a city only by a public right-of-way, where the edge of the right-of-way does not constitute part of the city boundary, is not considered contiguous for purposes of this section.

PART I - INCORPORATION

Sec. 101. RCW 35.02.030 and 1994 c 216 s 3 are each amended to read as follows:

The petition for incorporation shall: (1) Indicate whether the proposed city or town shall be a noncharter code city operating under Title 35A RCW, or a city or town operating under Title 35 RCW; (2) indicate the form or plan of government the city or town is to have; (3) set forth and particularly describe the proposed boundaries of the proposed city or town; (4) state the name of the proposed city or town; (5) state the number of inhabitants therein, as ((~~nearly as may be~~)) determined by the office of financial management through use of its small area estimate program; and (6) pray that the city or town be incorporated. The petition shall conform to the requirements for form prescribed in RCW 35A.01.040. The petition shall include the identification number provided under RCW 35.02.017 and state the last date by which the petition may be filed, as determined under RCW 35.02.020.

If the proposed city or town is located in more than one county, the petition shall be prepared in such a manner as to indicate the different counties within which the signators reside.

A city or town operating under Title 35 RCW may have a mayor/council, council/manager, or commission form of government. A city operating under Title 35A RCW may have a mayor/council or council/manager plan of government.

If the petition fails to specify the matters described in subsection (1) of this section, the proposal shall be to incorporate as a noncharter code city. If the petition fails to specify the matter described in subsection (2) of this section, the proposal shall be to incorporate with a mayor/council form or plan of government.

Sec. 102. RCW 35.02.037 and 1986 c 234 s 6 are each amended to read as follows:

The county auditor who certifies the sufficiency of the petition shall notify the person or persons who submitted the petition of its sufficiency within five days of when the determination of sufficiency is made. Notice shall be by certified mail and may additionally be made by telephone. The petitioners must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. If a boundary review board or boards exists in the county or counties in which the proposed city or town is located, the petitioners ((~~shall~~)) must also file notice of the proposed incorporation with the boundary review board or boards.

Sec. 103. RCW 35.02.070 and 1994 c 216 s 17 are each amended to read as follows:

(1) If a county legislative authority holds a public hearing on a proposed incorporation, it shall establish and define the boundaries of the proposed city or town, being authorized to decrease or increase the area proposed in the petition under the same restrictions that a boundary review board may modify the proposed boundaries. The ((~~county legislative authority, or the boundary review board if it takes jurisdiction, shall~~)) office of financial management must determine the number of inhabitants within the proposed boundaries ((~~it has established~~)) through use of its small area estimate program. If the boundary review board modifies the proposed boundaries, the county legislative authority must notify the office of financial management of the modifications.

(2) A county legislative authority shall disapprove the proposed incorporation if, without decreasing the area proposed in the petition, it does not conform with RCW 35.02.010. A county legislative authority may not otherwise disapprove a proposed incorporation.

(3) A county legislative authority or boundary review board has jurisdiction only over that portion of a proposed city or town located within the boundaries of the county.

Sec. 104. RCW 35.02.100 and 1986 c 234 s 13 are each amended to read as follows:

The notice of election on the question of the incorporation shall be given as provided by RCW ((~~29.27.080~~)) 29A.52.355 but shall further describe the boundaries of the proposed city or town, its name, and the number of inhabitants ((~~ascertained by the county legislative authority or the boundary review board to reside in it~~)) as determined by the office of financial management through use of its small area estimate program.

Sec. 105. RCW 35.02.130 and 2011 c 60 s 15 are each amended to read as follows:

Subject to review of the proposed action by the office of financial management pursuant to section 1 of this act, the city or town officially shall become incorporated at a date from one hundred eighty days to three hundred sixty days after the date of the election on the question of incorporation. An interim period shall exist between the time the newly elected officials have been elected and qualified and this official date of incorporation. During this interim period, the newly elected officials are authorized to adopt ordinances and resolutions which shall become effective on or after the official date of incorporation, and to enter into contracts and agreements to facilitate the transition to becoming a city or town and to ensure a continuation of governmental services after the official date of incorporation. Periods of time that would be required to elapse between the enactment and effective date of such ordinances, including but not limited to times for publication or for filing referendums, shall commence upon the date of such enactment as though the city or town were officially incorporated.

During this interim period, the city or town governing body may adopt rules establishing policies and procedures under the state environmental policy act, chapter 43.21C RCW, and may use these rules and procedures in making determinations under the state environmental policy act, chapter 43.21C RCW.

During this interim period, the newly formed city or town and its governing body shall be subject to the following as though the city or town were officially incorporated: RCW 4.24.470 relating to immunity; chapter 42.17A RCW relating to open government; chapter 42.56 RCW relating to public records; chapter 40.14 RCW relating to the preservation and disposition of public records; chapters 42.20 and 42.23 RCW relating to ethics and conflicts of interest; chapters 42.30 and 42.32 RCW relating to open public meetings and minutes; RCW 35.22.288, 35.23.221, 35.27.300, 35A.12.160, as appropriate, and chapter 35A.65 RCW relating to the publication of notices and ordinances; RCW 35.21.875 and 35A.21.230 relating to the designation of an official newspaper; RCW 36.16.138 relating to liability insurance; RCW 35.22.620, 35.23.352, and 35A.40.210, as appropriate, and statutes referenced therein relating to public contracts and bidding; and chapter 39.34 RCW relating to interlocal cooperation. Tax anticipation or revenue anticipation notes or warrants and other short-term obligations may be issued and funds may be borrowed on the security of these instruments during this interim period, as provided in chapter 39.50 RCW. Funds also may be borrowed from federal, state, and other governmental agencies in the same manner as if the city or town were officially incorporated.

RCW 84.52.020 and 84.52.070 shall apply to the extent that they may be applicable, and the governing body of such city or town may take appropriate action by ordinance during the interim period

to adopt the property tax levy for its first full calendar year following the interim period.

The governing body of the new city or town may acquire needed facilities, supplies, equipment, insurance, and staff during this interim period as if the city or town were in existence. An interim city manager or administrator, who shall have such administrative powers and duties as are delegated by the governing body, may be appointed to serve only until the official date of incorporation. After the official date of incorporation the governing body of such a new city organized under the council manager form of government may extend the appointment of such an interim manager or administrator with such limited powers as the governing body determines, for up to ninety days. This governing body may submit ballot propositions to the voters of the city or town to authorize taxes to be collected on or after the official date of incorporation, or authorize an annexation of the city or town by a fire protection district or library district to be effective immediately upon the effective date of the incorporation as a city or town.

The boundaries of a newly incorporated city or town shall be deemed to be established for purposes of RCW 84.09.030 on the date that the results of the initial election on the question of incorporation are certified or the first day of January following the date of this election if the newly incorporated city or town does not impose property taxes in the same year that the voters approve the incorporation.

The newly elected officials shall take office immediately upon their election and qualification with limited powers during this interim period as provided in this section. They shall acquire their full powers as of the official date of incorporation and shall continue in office until their successors are elected and qualified at the next general municipal election after the official date of incorporation: PROVIDED, That if the date of the next general municipal election is less than twelve months after the date of the first election of councilmembers, those initially elected councilmembers shall serve until their successors are elected and qualified at the next following general municipal election as provided in RCW ((~~29A.20.040~~)) 29A.60.280. For purposes of this section, the general municipal election shall be the date on which city and town general elections are held throughout the state of Washington, pursuant to RCW 29A.04.330.

In any newly incorporated city that has adopted the council-manager form of government, the term of office of the mayor, during the interim period only, shall be set by the council, and thereafter shall be as provided by law.

The official date of incorporation shall be on a date from one hundred eighty to three hundred sixty days after the date of the election on the question of incorporation, as specified in a resolution adopted by the governing body during this interim period. A copy of the resolution shall be filed with the county legislative authority of the county in which all or the major portion of the newly incorporated city or town is located. If the governing body fails to adopt such a resolution, the official date of incorporation shall be three hundred sixty days after the date of the election on the question of incorporation. The county legislative authority of the county in which all or the major portion of the newly incorporated city or town is located shall file a notice with the county assessor that the city or town has been authorized to be incorporated immediately after the favorable results of the election on the question of incorporation have been certified. The county legislative authority shall file a notice with the secretary of state and the office of financial management that the city or town is incorporated as of the official date of incorporation.

PART II - DISINCORPORATION

Sec. 201. RCW 35.07.020 and 1965 c 7 s 35.07.020 are each amended to read as follows:

The petition for disincorporation must be signed by a majority of the registered voters thereof and filed with the city or town council. The petitioners must also file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 202. RCW 35.07.040 and 1997 c 361 s 4 are each amended to read as follows:

The council shall cause an election to be called upon the proposition of disincorporation. The council must also file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. If the city or town has any indebtedness or outstanding liabilities, it shall order the election of a receiver at the same time.

Sec. 203. RCW 35.07.230 and 1995 c 301 s 34 are each amended to read as follows:

If any town fails for two successive years to hold its regular municipal election, or if the officers elected at the regular election of any town fail for two successive years to qualify and the government of the town ceases to function by reason thereof, the state auditor may petition the superior court of the county for an order((,)) dissolving the town. The state auditor must also file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. In addition to stating the facts which would justify the entry of such an order, the petition shall set forth a detailed statement of the assets and liabilities of the town insofar as they can be ascertained.

Sec. 204. RCW 35A.15.010 and 1990 c 259 s 11 are each amended to read as follows:

Any noncharter code city may be disincorporated. Proceedings may be initiated by the filing with the county auditor of a petition for disincorporation signed by a majority of the registered voters resident in such city, or the legislative body of the city may provide by resolution for an election on the proposition of disincorporation. The legislative body of the city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 205. RCW 35A.15.040 and 1994 c 223 s 39 are each amended to read as follows:

been subject to review by the office of financial management pursuant to section 1 of this act, the legislative body shall adopt an ordinance providing for the annexation or annexation and adoption of the comprehensive plan or annexation and creation of a community municipal corporation including the assumption of all or of any portion of indebtedness. If the propositions were submitted and only the annexation or annexation and adoption of the comprehensive plan or annexation and creation of a community municipal corporation proposition was approved, and the proposed action has been subject to review by the office of financial management pursuant to section 1 of this act, the legislative body may, if it deems it wise or expedient, adopt an ordinance providing for the annexation or adopt ordinances providing for the annexation and adoption of the comprehensive plan, or adopt ordinances providing for the annexation and creation of a community municipal corporation, as the case may be.

Sec. 404. RCW 35.13.130 and 2009 c 60 s 3 are each amended to read as follows:

A petition for annexation of an area contiguous, as defined in section 1(6) of this act, to a city or town may be made in writing addressed to and filed with the legislative body of the municipality to which annexation is desired. When the petition for annexation is filed with the legislative body, the legislative body must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. Except where all the property sought to be annexed is property of a school district, and the school directors thereof file the petition for annexation as in RCW 28A.335.110 authorized, the petition must be signed by the owners of not less than sixty percent in value according to the assessed valuation for general taxation of the property for which annexation is petitioned: PROVIDED, That in cities and towns with populations greater than one hundred sixty thousand located east of the Cascade mountains, the owner of tax exempt property may sign an annexation petition and have the tax exempt property annexed into the city or town, but the value of the tax exempt property shall not be used in calculating the sufficiency of the required property owner signatures unless only tax exempt property is proposed to be annexed into the city or town. The petition shall set forth a description of the property according to government legal subdivisions or legal plats which is in compliance with RCW 35.02.170, and shall be accompanied by a plat which outlines the boundaries of the property sought to be annexed. If the legislative body has required the assumption of all or of any portion of city or town indebtedness by the area annexed, and/or the adoption of a comprehensive plan for the area to be annexed, these facts, together with a quotation of the minute entry of such requirement or requirements shall be set forth in the petition.

Sec. 405. RCW 35.13.150 and 1975 1st ex.s. c 220 s 9 are each amended to read as follows:

Following the hearing and review of the proposed action by the office of financial management pursuant to section 1 of this act, the council or commission shall determine by ordinance whether annexation shall be made. Subject to RCW 35.02.170, they may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.

Sec. 406. RCW 35.13.180 and 1994 c 81 s 11 are each amended to read as follows:

City and town councils of second-class cities and towns may by a majority vote annex new unincorporated territory outside the city or town limits, whether contiguous or noncontiguous for park, cemetery, or other municipal purposes when such territory is owned by the city or town or all of the owners of the real property in the territory give their written consent to the annexation. The city or town council must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 407. RCW 35.13.182 and 1998 c 286 s 1 are each amended to read as follows:

(1) The legislative body of a city or town planning under chapter 36.70A RCW ((~~as of June 30, 1994,~~)) may resolve to annex territory to the city or town if there is, within the city or town, unincorporated territory containing residential property owners within the same county and within the same urban growth area designated under RCW 36.70A.110 as the city or town:

(a) Containing less than one hundred acres and having at least eighty percent of the boundaries of such area contiguous to the city or town; or

(b) Of any size and having at least eighty percent of the boundaries of the area contiguous to the city ((~~if the area existed before June 30, 1994~~)).

(2) The resolution shall describe the boundaries of the area to be annexed, state the number of voters residing in the area as nearly as may be, and set a date for a public hearing on the resolution for annexation. The legislative body of the city or town must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. Notice of the hearing shall be given by publication of the resolution at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the city or town and one or more newspapers of general circulation within the area to be annexed.

(3) For purposes of subsection (1)(b) of this section, territory bounded by a river, lake, or other body of water is considered contiguous to a city that is also bounded by the same river, lake, or other body of water.

Sec. 408. RCW 35.13.1822 and 1998 c 286 s 3 are each amended to read as follows:

On the date set for hearing as provided in RCW 35.13.182(2), residents or property owners of the area included in the resolution for annexation shall be afforded an opportunity to be heard. Subject to review of the proposed action by the office of financial management pursuant to section 1 of this act, the legislative body may provide by ordinance for annexation of the territory described in the resolution, but the effective date of the ordinance shall be not less than forty-five days after the passage thereof. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the area to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of such requirements.

Sec. 409. RCW 35.13.185 and 1965 c 7 s 35.13.185 are each amended to read as follows:

Any unincorporated area contiguous, as defined in section 1(6) of this act, to a first-class city may be annexed thereto by an ordinance accepting a gift, grant, lease, or cession of jurisdiction from the government of the United States of the right to occupy or control it. The first-class city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 410. RCW 35.13.190 and 1994 c 81 s 12 are each amended to read as follows:

Any unincorporated area contiguous, as defined in section 1(6) of this act, to a second-class city or town may be annexed thereto by an ordinance accepting a gift, grant, or lease from the government of the United States of the right to occupy, control, improve it or

sublet it for commercial, manufacturing, or industrial purposes: PROVIDED, That this shall not apply to any territory more than four miles from the corporate limits existing before such annexation. The second-class city or town must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 411. RCW 35.13.238 and 2013 2nd sp.s. c 27 s 3 are each amended to read as follows:

(1)(a) An annexation by a city or town that is proposing to annex territory served by one or more fire protection districts may be accomplished by ordinance after entering into an interlocal agreement as provided in chapter 39.34 RCW with the county and the fire protection district or districts that have jurisdiction over the territory proposed for annexation.

(b) A city or town proposing to annex territory shall initiate the interlocal agreement process by sending notice to the fire protection district representative and county representative stating the city's or town's interest to enter into an interlocal agreement negotiation process. The parties have forty-five days to respond in the affirmative or negative. A negative response must state the reasons the parties do not wish to participate in an interlocal agreement negotiation. A failure to respond within the forty-five day period is deemed an affirmative response and the interlocal agreement negotiation process may proceed. The interlocal agreement process may not proceed if any negative responses are received within the forty-five day period.

(c) The interlocal agreement must describe the boundaries of the territory proposed for annexation and must be consistent with the boundaries identified in an ordinance describing the boundaries of the territory proposed for annexation and setting a date for a public hearing on the ordinance. If the boundaries of the territory proposed for annexation are agreed to by all parties, a notice of intention must be filed with the boundary review board created under RCW 36.93.030 and the office of financial management. However, the jurisdiction of the board may not be invoked as described in RCW 36.93.100 for annexations that are the subject of such agreement.

(2) An interlocal annexation agreement under this section must include the following:

(a) A statement of the goals of the agreement. Goals must include, but are not limited to:

(i) The transfer of revenues and assets between the fire protection districts and the city or town;

(ii) A consideration and discussion of the impact to the level of service of annexation on the unincorporated area, and an agreement that the impact on the ability of fire protection and emergency medical services within the incorporated area must not be negatively impacted at least through the budget cycle in which the annexation occurst

entitled as an employee of the fire protection district, including rights to:

(i) Compensation at least equal to the level of compensation at the time of transfer, unless the employee's rank and duties have been reduced as a result of the transfer. If the transferring employee is placed in a position with reduced rank and duties, the employee's compensation may be adjusted, but the adjustment may not result in a decrease of greater than fifty percent of the difference between the employee's compensation before the transfer and the compensation level for the position that the employee is transferred to;

(ii) Retirement, vacation, sick leave, and any other accrued benefit;

(iii) Promotion and service time accrual; and

(iv) The length or terms of probationary periods, including no requirement for an additional probationary period if one had been completed before the transfer date.

(b) (a) of this subsection does not apply if upon transfer an agreement for different terms of transfer is reached between the collective bargaining representatives of the transferring employees and the participating fire protection jurisdictions.

(7) If upon transfer, the transferring employee receives the rights, benefits, and privileges established under subsection (6)(a)(i) through (iv) of this section, those rights, benefits, and privileges are subject to collective bargaining at the end of the current bargaining period for the jurisdiction to which the employee has transferred.

(8) Such bargaining must take into account the years of service the transferring employee accumulated before the transfer and must be treated as if those years of service occurred in the jurisdiction to which the employee has transferred.

Sec. 412. RCW 35.13.260 and 2011 c 342 s 1 are each amended to read as follows:

(1) Whenever any territory is annexed to or deannexed from a city or town, any territory is subject to boundary line adjustment, or cities are consolidated pursuant to chapter 35.10 RCW:

(a) A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the territory or consolidated area must be submitted immediately after the city or town's adoption. Within two days of receipt of the ordinance, the office of financial management must post a digital copy on the internet or transmit digital copies via email to the departments of transportation and revenue. The requirement to notify the department of revenue of a tax rate change under RCW 82.14.055(1) is met when the office of financial management receives the documents required under this subsection (1)(a); and

(b) A certificate as hereinafter provided ((~~shall~~)) must be submitted ((~~in triplicate~~)) to the office of financial management((~~, hereinafter in this section referred to as "the office",~~)) within thirty days of the effective date of ((~~annexation~~)) the action specified in the relevant ordinance. After approval of the certificate, the office ((~~shall~~)) of financial management must retain the original copy in its files((~~,~~)) and transmit ((~~the second~~)) a digital copy to ((~~the department of transportation and return the third copy to~~)) the city or town via email. ((~~Such~~)) The certificate((~~s shall~~)) must be in ((~~such~~)) a form and contain ((~~such~~)) information as ((~~shall be~~)) prescribed by the office of financial management. ((~~A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the annexed territory shall be attached to each of the three copies of the certificate.~~)) The certificate ((~~shall~~)) must be signed by the mayor and attested by the city clerk. Upon request, the office ((~~shall~~)) of financial management must furnish certification forms to any city or town.

(2)(a) The resident population of the ((~~annexed~~)) territory ((~~shall~~)) or consolidated area must be determined by, or under the direction of, the mayor of the city or town.

(b) If the ((~~annexing~~)) city or town has a population of ten thousand or less, the ((~~annexed~~)) territory or consolidated area consists entirely of one or more partial federal census blocks, or 2010 federal decennial census data has not been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of an actual enumeration of the population.

(c) In any circumstance, the city or town may choose to have the population determination of the entire ((~~annexed~~)) territory or consolidated area consist of an actual enumeration. However, if the city or town does not use actual enumeration for determining population, the ((~~annexed~~)) territory or consolidated area includes or consists of one or more complete federal census blocks, and 2010 federal decennial census data has been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of:

(i) Relevant 2010 federal decennial census data pertaining to the complete block or blocks, as such data has been updated by the most recent official population estimate released by the office of financial management pursuant to RCW 43.62.030;

(ii) An actual enumeration of any population located within the ((~~annexed~~)) territory or consolidated area but outside the complete federal census block or blocks; and

(iii) If the office of financial management, at least two weeks prior to the date of ((~~annexation~~)) the action, confirms the existence of a known census error within a complete federal census block and identifies a structure or complex listed in (c)(iii)(A) through (E) of this subsection (2) as a likely source of the error, an actual enumeration of one or more of the block's identified:

(A) Group quarters;

(B) Mobile home parks;

(C) Apartment buildings that are composed of at least fifty units and are certified for occupancy between January 1, 2010, and April 1, 2011;

(D) Missing subdivisions; and

(E) Closures of any of the categories in (c)(iii)(A) through (D) of this subsection.

(d) Whenever an actual enumeration is used, it shall be made in accordance with the practices and policies of, and subject to the approval of, the office of financial management.

(e) The city or town ((~~shall be~~)) is responsible for the full cost of the population determination.

(3) The population ((~~shall~~)) must be determined as of the effective date of ((~~annexation~~)) the action as specified in the relevant ordinance.

Until ((~~an annexation~~)) a certificate is filed and approved ((~~as provided herein, such annexed~~)), the territory ((~~shall~~)) or consolidated area must not be considered by the office of financial management in determining the population of such city or town.

Upon approval of the ((~~annexation~~)) certificate, the office ((~~shall~~)) of financial management must forward to each state official or department responsible for making allocations or payments to cities or towns, a revised certificate reflecting the increase in population due to ((~~such annexation~~)) the action. Upon and after the date of the commencement of the next quarterly period, the population determination indicated in ((~~such~~)) the revised certificate ((~~shall~~)) must be used as the basis for the allocation and payment of state funds to such city or town.

For the purposes of this section, each quarterly period ((~~shall~~)) commences on the first day of the months of January, April, July, and October. Whenever a revised certificate is forwarded by the office of financial management thirty days or less prior to the commencement of the next quarterly period, the population of the ((~~annexed~~)) territory ((~~shall~~)) or consolidated area must not be considered until the commencement of the following quarterly period.

Sec. 413. RCW 35.13.300 and 1989 c 84 s 12 are each amended to read as follows:

The purpose of this section and RCW ((~~35.13.300~~)) 35.13.310 through ((~~35.13.330~~)) 35.13.340 is to establish a process for the adjustment of existing or proposed city boundary lines to avoid a situation where a common boundary line is or would be located within a right-of-way of a public street, road, or highway, or a situation where two cities are separated or would be separated by only the right-of-way of a public street, road, or highway, other than situations where a boundary line runs from one edge of the right-of-way to the other edge of the right-of-way. Boundary line adjustments under RCW 35.13.310 through 35.13.340 are subject to review by the office of financial management pursuant to section 1 of this act.

As used in this section and RCW ((~~35.13.300~~)) 35.13.310 through 35.13.330, "city" includes every city or town in the state, including a code city operating under Title 35A RCW.

Sec. 414. RCW 35.13.420 and 2003 c 331 s 3 are each amended to read as follows:

(1) A petition for annexation of an area contiguous, as defined in section 1(6) of this act, to a city or town may be made in writing addressed to and filed with the legislative body of the municipality to which annexation is desired. Except where all the property sought to be annexed is property of a school district, and the school directors thereof file the petition for annexation as in RCW 28A.335.110, the petition must be signed by the owners of a majority of the acreage for which annexation is petitioned and a majority of the registered voters residing in the area for which annexation is petitioned.

(2) If no residents exist within the area proposed for annexation, the petition must be signed by the owners of a majority of the acreage for which annexation is petitioned.

(3) The petition shall set forth a legal description of the property proposed to be annexed that complies with RCW 35.02.170, and shall be accompanied by a drawing that outlines the boundaries of the property sought to be annexed. If the petition for annexation is approved by the legislative body, the legislative body must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. If the legislative body has required the assumption of all or any portion of city or town indebtedness by the area annexed, and/or the adoption of a comprehensive plan for the area to be annexed, these facts, together with a quotation of the minute entry of such requirement or requirements, shall be set forth in the petition.

Sec. 415. RCW 35.13.440 and 2003 c 331 s 5 are each amended to read as follows:

Following the hearing and review of the proposed action by the office of financial management pursuant to section 1 of this act, the council or commission shall determine by ordinance whether annexation shall be made. Subject to the provisions of RCW 35.13.410, 35.13.460, and 35.21.005, ((~~they~~)) the council or commission may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the ordinance, a certified copy ((~~shall~~)) must be filed with the board of county commissioners of the county in which the annexed property is located and a copy must be filed with the office of financial management.

Sec. 416. RCW 35.13.480 and 2006 c 344 s 23 are each amended to read as follows:

(1) The legislative body of any county planning under chapter 36.70A RCW and subject to the requirements of RCW 36.70A.215 may initiate an annexation process with the legislative body of any other cities or towns that are contiguous, as defined in section 1(6) of this act, to the territory proposed for annexation in RCW 35.13.470 if:

(a) The county legislative body initiated an annexation process as provided in RCW 35.13.470; and

(b) The affected city or town legislative body adopted a responsive resolution rejecting the proposed annexation or declined to create the requested interlocal agreement with the county; or

(c) More than one hundred eighty days have passed since adoption of a county resolution as provided for in RCW 35.13.470 and the parties have not adopted or executed an interlocal agreement providing for the annexation of unincorporated territory. The legislative body for either the county or an affected city or town may, however, pass a resolution extending the negotiation period for one or more six-month periods if a public hearing is held and findings of fact are made prior to each extension.

(2) Any county initiating the process provided for in subsection (1) of this section must do so by adopting a resolution commencing negotiations for an interlocal agreement as provided in chapter 39.34 RCW between the county and any city or town within the county. The annexation area must be within an urban growth area designated under RCW 36.70A.110 and at least sixty percent of the boundaries of the territory to be annexed must be contiguous, as defined in section 1(6) of this act, to one or more cities or towns.

(3) The agreement shall describe the boundaries of the territory to be annexed and be submitted to the office of financial management for its review pursuant to section 1 of this act. A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation.

(4) Following adoption and execution of the agreement by both legislative bodies and its review by the office of financial management pursuant to section 1 of this act, the city or town legislative body shall adopt an ordinance providing for the annexation. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the territory to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of the requirements. Any area to be annexed through an ordinance adopted under this section is annexed and becomes a part of the city or town upon the date fixed in the ordinance of annexation, which date may not be less than forty-five days after adoption of the ordinance.

(5) The annexation ordinances provided for in RCW 35.13.470(4) and subsection (4) of this section are subject to referendum for forty-five days after passage. Upon the filing of a timely and sufficient referendum petition with the legislative body, signed by registered voters in number equal to not less than fifteen percent of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to the voters of the area in a general election if one is to be held within ninety days or at a special election called for that purpose according to RCW 29A.04.330. Notice of the election shall be given as provided in RCW 35.13.080 and the election shall be conducted as provided in the general election law. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the city or town upon the date fixed in the ordinance of annexation.

(6) If more than one city or town adopts interlocal agreements providing for annexation of the same unincorporated territory as

is required by RCW 35A.14.040 to be published, of its approval or rejection of the proposed action. If approved, the legislative body must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. In approving the proposed action, the legislative body may require that there also be submitted to the electorate of the territory to be annexed, a proposition that all property within the area to be annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property of such annexing city is assessed and taxed to pay for all or any portion of the then-outstanding indebtedness of the city to which said area is annexed, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the date of annexation. Only after the legislative body has completed preparation and filing of a proposed zoning regulation for the area to be annexed as provided for in RCW 35A.14.330 and 35A.14.340, the legislative body in approving the proposed action, may require that the proposed zoning regulation be simultaneously adopted upon the approval of annexation by the electorate of the area to be annexed. The approval of the legislative body shall be a condition precedent to further proceedings upon the petition. The costs of conducting the election called for in the petition shall be a charge against the city concerned. The proposition or questions provided for in this section may be submitted to the voter either separately or as a single proposition.

Sec. 422. RCW 35A.14.090 and 1979 ex.s. c 124 s 6 are each amended to read as follows:

Upon filing of the certified copy of the finding of the county legislative authority, the clerk shall transmit it to the legislative body of the city at the next regular meeting or as soon thereafter as practicable. If only a proposition relating to annexation or to annexation and adoption of a proposed zoning regulation was submitted to the voters and ((~~such proposition was~~)) approved, and the proposed action has been subject to review by the office of financial management pursuant to section 1 of this act, the legislative body shall adopt an ordinance providing for the annexation or adopt ordinances providing for the annexation and adoption of a proposed zoning regulation, as the case may be. If a proposition for annexation or for annexation and adoption of a proposed zoning regulation((~~,~~)) and a proposition for assumption of all or any portion of indebtedness were both submitted((~~,~~)) and ((~~both were~~)) approved, and the proposed action has been subject to review by the office of financial management pursuant to section 1 of this act, the legislative body shall adopt an ordinance providing for the annexation or for annexation and adoption of the proposed zoning regulation, including the assumption of the portion of indebtedness that was approved by the voters. If both propositions were submitted and only the annexation or the annexation and adoption of the proposed zoning regulation was approved, and the proposed action has been subject to review by the office of financial management pursuant to section 1 of this act, the legislative body may adopt an ordinance providing for the annexation or adopt ordinances providing for the annexation and adoption of the proposed zoning regulation, as the case may be, or the legislative body may refuse to annex when a proposal for assumption of the portion of indebtedness has been disapproved by the voters.

Sec. 423. RCW 35A.14.130 and 1967 ex.s. c 119 s 35A.14.130 are each amended to read as follows:

Whenever such a petition for annexation is filed with the legislative body of a code city, which petition meets the requirements herein specified and is sufficient according to the rules set forth in RCW 35A.01.040, the legislative body may entertain the same, fix a date for a public hearing thereon, and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city. The legislative body must also file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. The notice ((~~shall~~)) of the hearing must also be posted in three public places within the territory proposed for annexation, ((~~and shall~~)) specify the time and place of hearing, and invite interested persons to appear and voice approval or disapproval of the annexation.

Sec. 424. RCW 35A.14.140 and 1986 c 234 s 31 are each amended to read as follows:

Following the hearing and review of the proposed action by the office of financial management pursuant to section 1 of this act, if the legislative body determines to effect the annexation, they shall do so by ordinance. Subject to RCW 35.02.170, the ordinance may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the annexation ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.

Sec. 425. RCW 35A.14.295 and 2013 2nd sp.s. c 27 s 1 are each amended to read as follows:

(1) The legislative body of a code city may resolve to annex territory to the city if there is within the city, unincorporated territory:

(a) Containing less than one hundred seventy-five acres and having all of the boundaries of such area contiguous to the code city; or

(b) Of any size containing residential property owners and having at least eighty percent of the boundaries of such area contiguous to the city. Territory annexed under this subsection (1)(b) must be within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city must plan under chapter 36.70A RCW.

(2) The resolution ((~~shall~~)) must describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and set a date for a public hearing on such resolution for annexation. The legislative body of the code city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. Notice of the hearing ((~~shall~~)) must be given by publication of the resolution at least once a week for two weeks prior to the date of the hearing, in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the area to be annexed.

(3) For purposes of subsection (1)(b) of this section, territory bounded by a river, lake, or other body of water is considered contiguous to a city that is also bounded by the same river, lake, or other body of water.

Sec. 426. RCW 35A.14.297 and 1967 ex.s. c 119 s 35A.14.297 are each amended to read as follows:

On the date set for hearing as provided in RCW 35A.14.295, residents or property owners of the area included in the resolution for annexation shall be afforded an opportunity to be heard. Subject to review of the proposed action by the office of financial management pursuant to section 1 of this act, the legislative body may provide by ordinance for annexation of the territory described in the resolution, but the effective date of the ordinance shall be not less than forty-five days after the passage thereof. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the area to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of such requirements. Such annexation ordinance shall be subject to referendum for forty-five days after the passage thereof. Upon the filing of a timely and sufficient referendum petition as provided in RCW 35A.14.299 below, a referendum election shall be

held as provided in RCW 35A.14.299, and the annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto. After the expiration of the forty-fifth day from, but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, as provided by RCW 35A.14.299 below, the area annexed shall become a part of the code city upon the date fixed in the ordinance of annexation.

Sec. 427. RCW 35A.14.300 and 1981 c 332 s 7 are each amended to read as follows:

Legislative bodies of code cities may by a majority vote annex territory outside the limits of such city whether contiguous or noncontiguous for any municipal purpose when such territory is owned by the city. The legislative body of a code city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 428. RCW 35A.14.310 and 1985 c 105 s 1 are each amended to read as follows:

A code city may annex an unincorporated area contiguous, as defined in section 1(6) of this act, to the city that is owned by the federal government by adopting an ordinance providing for the annexation and which ordinance either acknowledges an agreement of the annexation by the government of the United States, or accepts a gift, grant, or lease from the government of the United States of the right to occupy, control, improve it or sublet it for commercial, manufacturing, or industrial purposes: PROVIDED, That this right of annexation shall not apply to any territory more than four miles from the corporate limits existing before such annexation. Whenever a code city proposes to annex territory under this section, the city ((~~shall~~)) must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act and provide written notice of the proposed ((~~annexation~~)) action to the legislative authority of the county within which such territory is located. The notice ((~~shall~~)) to the legislative authority of the county must be provided at least thirty days before the city proposes to adopt the annexation ordinance. The city shall not adopt the annexation ordinance, and the annexation shall not occur under this section, if within twenty-five days of receipt of the notice, the county legislative authority adopts a resolution opposing the annexation, which resolution makes a finding that the proposed annexation will have an adverse fiscal impact on the county or road district.

Sec. 429. RCW 35A.14.430 and 2003 c 331 s 11 are each amended to read as follows:

When a petition for annexation is filed with the legislative body of a code city, that meets the requirements of RCW 35A.01.040 and 35A.14.420, the legislative body may entertain the same, fix a date for a public hearing thereon and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city. The legislative body must also file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act. The notice ((~~shall~~)) of the hearing must also be posted in three public places within the territory proposed for annexation, ((~~and shall~~)) specify the time and place of hearing, and invite interested persons to appear and voice approval or disapproval of the annexation.

Sec. 430. RCW 35A.14.440 and 2003 c 331 s 12 are each amended to read as follows:

Following the hearing and review of the proposed action by the office of financial management pursuant to section 1 of this act, if the legislative body determines to effect the annexation, ((~~they shall~~)) it must do so by ordinance. Subject to RCW 35A.14.410, the ordinance may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the annexation ordinance, a certified copy ((~~shall~~)) must be filed with the board of county commissioners of the county in which the annexed property is located and a copy must be filed with the office of financial management.

Sec. 431. RCW 35A.14.460 and 2003 c 299 s 3 are each amended to read as follows:

(1) The legislative body of a county or code city planning under chapter 36.70A RCW and subje.t to Rat(1)-13.7(47.7(47. 9 -8(be)11)13.6(dee

and the parties have not adopted or executed an interlocal agreement providing for the annexation of unincorporated territory. The legislative body for either the county or an affected city may, however, pass a resolution extending the negotiation period for one or more six-month periods if a public hearing is held and findings of fact are made prior to each extension.

(2) Any county initiating the process provided for in subsection (1) of this section must do so by adopting a resolution commencing negotiations for an interlocal agreement as provided in chapter 39.34 RCW between the county and any city or town within the county. The annexation area must be within an urban growth area designated under RCW 36.70A.110 and at least sixty percent of the boundaries of the territory to be annexed must be contiguous, as defined in section 1(6) of this act, to one or more cities or towns.

(3) The agreement shall describe the boundaries of the territory to be annexed and be submitted to the office of financial management for its review pursuant to section 1 of this act. A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation.

(4) Following adoption and execution of the agreement by both legislative bodies and its review by the office of financial management pursuant to section 1 of this act, the city or town legislative body shall adopt an ordinance providing for the annexation. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the territory to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of the requirements. Any area to be annexed through an ordinance adopted under this section is annexed and becomes a part of the city or town upon the date fixed in the ordinance of annexation, which date may not be less than forty-five days after adoption of the ordinance.

(5) The annexation ordinances provided for in RCW 35A.14.460(4) and subsection (4) of this section are subject to referendum for forty-five days after passage. Upon the filing of a timely and sufficient referendum petition with the legislative body, signed by registered voters in number equal to not less than fifteen percent of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to the voters of the area in a general election if one is to be held within ninety days or at a special election called for that purpose according to RCW 29A.04.330. Notice of the election shall be given as provided in RCW 35A.14.070 and the election shall be conducted as provided in the general election law. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the city or town upon the date fixed in the ordinance of annexation.

(6) If more than one city or town adopts interlocal agreements providing for annexation of the same unincorporated territory as provided by this section, an election shall be held in the area to be annexed pursuant to RCW 35A.14.070. In addition to the provisions of RCW 35A.14.070, the ballot shall also contain a separate proposition allowing voters to cast votes in favor of annexation to any one city or town participating in an interlocal agreement as provided by this section. If a majority of voters voting on the proposition vote against annexation, the proposition is defeated. If, however, a majority of voters voting in the election approve annexation, the area shall be annexed to the city or town receiving the highest number of votes among those cast in favor of annexation.

(7) Costs for an election required under subsection (6) of this section shall be borne by the county.

Sec. 433. RCW 35A.14.480 and 2013 2nd sp.s. c 27 s 2 are each amended to read as follows:

(1)(a) An annexation by a code city proposing to annex territory served by one or more fire protection districts may be accomplished by ordinance after entering into an interlocal agreement as provided in chapter 39.34 RCW with the county and the fire protection district or districts that have jurisdiction over the territory proposed for annexation.

(b) A code city proposing to annex territory shall initiate the interlocal agreement process by sending notice to the fire protection district representative and county representative stating the code city's interest to enter into an interlocal agreement negotiation process. The parties have forty-five days to respond in the affirmative or negative. A negative response must state the reasons the parties do not wish to participate in an interlocal agreement negotiation. A failure to respond within the forty-five day period is deemed an affirmative response and the interlocal agreement negotiation process may proceed. The interlocal agreement process may not proceed if any negative responses are received within the forty-five day period.

(c) The interlocal agreement must describe the boundaries of the territory proposed for annexation and must be consistent with the boundaries identified in an ordinance describing the boundaries of the territory proposed for annexation and setting a date for a public hearing on the ordinance. If the boundaries of the territory proposed for annexation are agreed to by all parties, a notice of intention must be filed with the boundary review board created under RCW 36.93.030 and the office of financial management. However, the jurisdiction of the board may not be invoked as described in RCW 36.93.100 for annexations that are the subject of such agreement.

(2) An interlocal annexation agreement under this section must include the following:

(a) A statement of the goals of the agreement. Goals must include, but are not limited to:

(i) The transfer of revenues and assets between the fire protection district and the code city;

(ii) A consideration and discussion of the impact to the level of service of annexation on the unincorporated area, and an agreement that the impact on the ability of fire protection and emergency medical services within the incorporated area must not be negatively impacted at least through the budget cycle in which the annexation occurs;

(iii) A discussion with fire protection districts regarding the division of assets and its impact to citizens inside and outside the newly annexed area;

(iv) Community involvement, including an agreed upon schedule of public meetings in the area or areas proposed for annexation;

(v) Revenue sharing, if any;

(vi) Debt distribution;

(vii) Capital facilities obligations of the code city, county, and fire protection districts;

(viii) An overall schedule or plan on the timing of any annexations covered under this agreement; and

(ix) A description of which of the annexing code cities' development regulations will apply and be enforced in the area.

(b) The subject areas and policies and procedures the parties agree to undertake in annexations. Subject areas may include, but are not limited to:

(i) Roads and traffic impact mitigation;

(ii) Surface and storm water management;

(iii) Coordination and timing of comprehensive plan and development regulation updates;

(iv) Outstanding bonds and special or improvement district assessments;

(v) Annexation procedures;

(vi) Distribution of debt and revenue sharing for annexation proposals, code enforcement, and inspection services;

(vii) Financial and administrative services; and

(viii) Consultation with other service providers, including water-sewer districts, if applicable.

(c) A term of at least five years, which may be extended by mutual agreement of the code city, the county, and the fire protection district.

(3) If the fire protection district, annexing code city, and county reach an agreement on the enumerated goals, or ((~~if~~)) only the annexing code city and county reach an agreement on the enumerated goals, the code city may adopt an annexation ordinance, but the annexation ordinance provided for in this section is subject to review by the office of financial management pursuant to section 1 of this act and referendum for forty-five days after its passage, provided that no referendum shall be allowed for an annexation under this section if the fire protection district, annexing code city, and the county reach agreement on an annexation for which a code city has initiated the interlocal agreement process by sending notice to the fire protection district representative and county representative prior to July 28, 2013. Upon the filing of a timely and sufficient referendum petition with the legislative body of the code city, signed by qualified electors in a number not less than ten percent of the votes cast in the last general state election in the area to be annexed, the question of annexation must be submitted to the voters of the area in a general election if one is to be held within ninety days or at a special election called for that purpose according to RCW 29A.04.330. Notice of the election must be given as provided in RCW 35A.14.070, and the election must be conducted as provided in the general election laws under Title 29A RCW. The annexation must be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition to the annexation.

After the expiration of the forty-fifth day from, but excluding, the date of passage of the annexation ordinance, if a timely and sufficient referendum petition has not been filed, the area annexed becomes a part of the code city upon the date fixed in the ordinance of annexation.

Sec. 434. RCW 35A.14.490 and 2009 c 402 s 5 are each amended to read as follows:

(1) Territory owned by a county and used for an agricultural fair as provided in chapter 15.76 ((~~RCW~~)) or ((~~chapter~~)) 36.37 RCW may only be annexed to a code city through the method prescribed in this section.

(a) The legislative body of the city proposing the annexation must submit a request for annexation and a legal description of the subject territory to the legislative authority of the county within which the territory is located.

(b) Upon receipt of the request and description, the county legislative authority has thirty days to review the proposal and determine if the annexation proceedings will continue. As a condition of approval, the county legislative authority may modify the proposal, but it may not add territory that was not included in the request and description. Approval of the county legislative authority is a condition precedent to further proceedings upon the request and there is no appeal of the county legislative authority's decision.

(c) If the county legislative authority determines that the proceedings may continue, it must, within thirty days of the determination, fix a date for a public hearing on the proposal, and cause notice of the hearing to be published at least once a week for two weeks prior to the hearing in one or more newspapers of general circulation in the territory proposed for annexation. The notice must also be posted in three public places within the subject territory, specify the time and place of the hearing, and invite interested persons to appear and voice approval or disapproval of the annexation. If the annexation proposal provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice must include a statement of these requirements.

(d) If, following the conclusion of the hearing, a majority of the county legislative authority deems the annexation proposal to be in the best interest of the county, it may adopt a resolution approving of the annexation. The county legislative authority must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

(e) If, following the county legislative authority's adoption of the annexation approval resolution and review of the proposed action by the office of financial management pursuant to section 1 of this act, the legislative body of the city proposing annexation determines to effect the annexation, it must do so by ordinance. The ordinance: (i) May only include territory approved for annexation in the resolution adopted under (d) of this subsection; and (ii) must not exclude territory approved for annexation in the resolution adopted under (d) of this subsection. Upon passage of the annexation ordinance, a certified copy must be filed with the applicable county legislative authority.

(2) Any territory annexed through an ordinance adopted under this section is annexed and becomes a part of the code city upon the date fixed in the ordinance.

Sec. 435. RCW 35A.14.700 and 2011 c 342 s 2 are each amended to read as follows:

(1) Whenever any territory is annexed to or deannexed from a code city, any territory is subject to boundary line adjustment, or cities are consolidated pursuant to chapter 35.10 RCW:

(a) A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the territory or consolidated area must be submitted immediately after the city or town's adoption. Within two days of receipt of the ordinance, the office of financial management must post a digital copy on the internet or transmit digital copies via email to the departments of transportation and revenue. The requirement to notify the department of revenue of a tax rate change under RCW 82.14.055(1) is met when the office of financial management receives the documents required under this subsection (1)(a); and

(b) A certificate as hereinafter provided ((~~shall~~)) must be submitted ((~~in triplicate~~)) to the office of financial management within thirty days of the effective date of ((~~annexation~~)) the action specified in the relevant ordinance. After approval of the certificate, the office of financial management ((~~shall~~)) must retain the original copy in its files((~~,~~)) and transmit ((~~the second~~)) a digital copy to ((~~the department of transportation and return the third copy to~~)) the code city via email. ((~~Such~~)) The certificate((~~s shall~~)) must be in ((~~such~~)) a form and contain ((~~such~~)) information as ((~~shall be~~)) prescribed by the office of financial management. ((~~A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the annexed territory shall be attached to each of the three copies of the certificate.~~)) The certificate ((~~shall~~)) must be signed by the mayor and attested by the city clerk. Upon request, the office of financial management ((~~shall~~)) must furnish certification forms to any code city.

(2)(a) The resident population of the ((~~annexed~~)) territory ((~~shall~~)) or consolidated area must be determined by, or under the direction of, the mayor of the code city.

(b) If the ((~~annexing~~)) code city has a population of ten thousand or less, the ((~~annexed~~)) territory or consolidated area consists entirely of one or more partial federal census blocks, or 2010 federal decennial census data has not been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of an actual enumeration of the population.

(c) In any circumstance, the code city may choose to have the population determination of the entire ((~~annexed~~)) territory or consolidated area consist of an actual enumeration. However, if the code city does not use actual enumeration for determining population, the ((~~annexed~~)) territory or consolidated area includes or consists of one or more complete federal census blocks, and 2010 federal decennial census data has been released within twelve months immediately prior to the date of ((~~annexation~~)) the action, the population determination ((~~shall~~)) must consist of:

(i) Relevant 2010 federal decennial census data pertaining to the complete block or blocks, as such data has been updated by the most recent official population estimate released by the office of financial management pursuant to RCW 43.62.030;

(ii) An actual enumeration of any population located within the ((~~annexed~~)) territory or consolidated area but outside the complete federal census block or blocks; and

(iii) If the office of financial management, at least two weeks prior to the date of ((~~annexation~~)) the action, confirms the existence of a known census error within a complete federal census block and identifies a structure or complex listed in (c)(iii)(A) through (E) of this subsection (2) as a likely source of the error, an actual enumeration of one or more of the block's identified:

(A) Group quarters;

(B) Mobile home parks;

(C) Apartment buildings that are composed of at least fifty units and are certified for occupancy between January 1, 2010, and April 1, 2011;

(D) Missing subdivisions; and

(E) Closures of any of the categories in (c)(iii)(A) through (D) of this subsection.

(d) Whenever an actual enumeration is used, it shall be made in accordance with the practices and policies of, and subject to the approval of, the office of financial management.

(e) The code city ((~~shall be~~)) is responsible for the full cost of the population determination.

(3) Upon approval of the ((~~annexation~~)) certificate, the office of financial management ((~~shall~~)) must forward to each state official or department responsible for making allocations or payments to cities or towns, a revised certificate reflecting the increase in population due to ((~~such annexation~~)) the action. Upon and after the date of the commencement of the next quarterly period, the population determination indicated in ((~~such~~)) the revised certificate ((~~shall~~)) must be used as the basis for the allocation and payment of state funds to such city or town.

For the purposes of this section, each quarterly period ((~~shall~~)) commences on the first day of the months of January, April, July, and October. Whenever a revised certificate is forwarded by the office of financial management thirty days or less prior to the commencement of the next quarterly period, the population of the ((~~annexed~~)) territory ((~~shall~~)) or consolidated area must not be considered until the commencement of the following quarterly period.

(4) Until ((~~an annexation~~)) a certificate is filed and approved ((~~as provided herein, such annexed~~)), the territory ((~~shall~~)) or consolidated area must not be considered by the office of financial management in determining the population of such code city.

Sec. 436. RCW 35A.16.010 and 1967 ex.s. c 119 s 35A.16.010 are each amended to read as follows:

Upon the filing of a petition which is sufficient as determined by RCW 35A.01.040 praying for the exclusion from the boundaries of a code city of an area described by metes and bounds or by reference to a recorded plat or government survey, signed by qualified voters of the city in number equal to not less than ten percent of the number of votes cast at the last general municipal election, the legislative body of the code city shall cause the question to be submitted to the voters. As an alternate method, such a proposal for exclusion from the code city of a described area may be submitted to the voters by resolution of the legislative body. The question shall be submitted at the next general municipal election if one is to be held within one hundred and eighty days or at a special election called for that purpose not less than ninety days nor more than one hundred and eighty days after the certification of sufficiency of the petition or the passage of the resolution. The petition or resolution shall set out and describe the territory to be excluded from the code city, together with the boundaries of the code city as it will exist after such change is made. The legislative body of the code city must file notice of the proposed action with the office of financial management for its review pursuant to section 1 of this act.

Sec. 437. RCW 35A.16.040 and 1967 ex.s. c 119 s 35A.16.040 are each amended to read as follows:

Promptly after the filing of the abstract of votes with the secretary of state and subject to review of the proposed action by the office of financial management pursuant to section 1 of this act, the legislative body shall adopt an ordinance defining and fixing the corporate limits after excluding the area as determined by the election. The ordinance shall also describe the excluded territory by metes and bounds or by reference to a recorded plat or government survey and declare it no longer a part of the code city."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5164 Prime Sponsor, Senator Hobbs: Concerning transient lodging for military service members in armories. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5174 Prime Sponsor, Senator Bailey: Increasing the number of district court judges in Skagit county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Referred to Committee on General Government & Information Technology.

March 19, 2015

SB 5238 Prime Sponsor, Senator Angel: Concerning public water systems' public participation notice provisions. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

March 20, 2015

SB 5270 Prime Sponsor, Senator Roach: Concerning a nonoperating advisory board reporting to the state patrol. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 18, 2015

SB 5300 Prime Sponsor, Senator Benton: Updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative Hunt, G..

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5307 Prime Sponsor, Senator O'Ban: Concerning deficit reimbursement agreements with counties owning and operating ferry systems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 438.** RCW 47.56.725 and 1999 c 269 s 12 are each amended to read as follows:

(1) The department is hereby authorized to enter into a continuing agreement with Pierce, Skagit, and Whatcom counties pursuant to which the department shall, from time to time, direct the distribution to each of the counties the amounts authorized in subsection (2) of this section in accordance with RCW 46.68.090.

(2) The department is authorized to include in each agreement a provision for the distribution of funds to each county to reimburse the county for fifty percent of the deficit incurred during each previous fiscal year in the operation and maintenance of the ferry system owned and operated by the county. The total amount to be reimbursed to Pierce, Skagit, and Whatcom counties collectively shall not exceed one million eight hundred thousand dollars in ((~~any~~)) the 2015-2017 biennium. For subsequent biennia, the amount authorized in this section must increase by the fiscal growth factor as defined in RCW 43.135.025. Each county agreement shall contain a requirement that the county shall maintain tolls on its ferries at least equal to ((~~tolls~~)) published fares in place on January 1, ((~~1990~~)) 2015, excluding surcharges.

(3) The annual fiscal year operating and maintenance deficit, if any, shall be determined by Pierce, Skagit, and Whatcom counties subject to review and approval of the department. The annual fiscal year operating and maintenance deficit is defined as the total of operations and maintenance expenditures less the sum of ferry toll revenues and that portion of fuel tax revenue distributions which are attributable to the county ferry as determined by the department. Distribution of the amounts authorized by subsection (2) of this section by the state treasurer shall be directed by the department upon the receipt of properly executed vouchers from each county.

(4) The county road administration board may evaluate requests by Pierce, Skagit, Wahkiakum, and Whatcom counties for county ferry capital improvement funds. The board shall evaluate the requests and, if approved by a majority of the board, submit the requests to the legislature for funding out of the amounts available under RCW 46.68.090(((~~(1)(j)~~))) (2)(h). Any county making a request under this subsection shall first seek funding through the public works trust fund, or any other available revenue source, where appropriate."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Kochmar; Pike; Shea and Wilson.

MINORITY recommendation: Without recommendation. Signed by Representatives Hayes and Rodne.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5322 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning conservation districts' rates and charges. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Referred to Committee on Finance.

March 19, 2015

ESB 5424 Prime Sponsor, Senator King: Allowing public utility districts to produce and distribute renewable natural gas. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; Fey; Harmsworth; Hudgins; Nealey; Ryu; Santos; Wylie and Young.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5455 Prime Sponsor, Committee on Government Operations & Security: Addressing the delivery of basic firefighter training and testing. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 439.** RCW 43.43.934 and 2012 c 229 s 818 are each amended to read as follows:

The director of fire protection shall:

(1)(a)(i) With the state board for community and technical colleges, provide academic, vocational, and field training programs for the fire service; and (ii) with the state colleges and universities, provide instructional programs requiring advanced training, especially in command and management skills;

(b) Cooperate with the common schools, technical and community colleges, institutions of higher education, and any department or division of the state, or of any county or municipal corporation in establishing and maintaining instruction in fire service training and education in accordance with any act of congress and legislation enacted by the legislature in pursuance thereof and in establishing, building, and operating training and education facilities.

Industrial fire departments and private fire investigators may participate in training and education programs under this chapter for a reasonable fee established by rule;

(c) Develop and adopt a master plan for constructing, equipping, maintaining, and operating necessary fire service training and education facilities subject to the provisions of chapter 43.19 RCW;

(d) Develop and adopt a master plan for the purchase, lease, or other acquisition of real estate necessary for fire service training and education facilities in a manner provided by law; and

(e)(i) Develop and adopt a plan ((~~with a goal of providing firefighter one and wildland training to all firefighters in the state. Wildland training reimbursement will be provided if a fire protection district or a city fire department has and is fulfilling their interior attack policy or if they do not have an interior attack policy. The plan will include a reimbursement for fire protection districts and city fire departments of not less than three dollars for every hour of firefighter one or wildland training. The Washington state patrol shall not provide reimbursement for more than two hundred hours of firefighter one or wildland training for each firefighter trained~~)) for the Washington state patrol fire training academy to deliver basic firefighter training and testing to all city fire departments, fire protection districts, regional fire protection service authorities, and other public fire agencies in the state. The plan required by this subsection (1)(e) must specify that the delivery of training and testing services will be provided:

(A) To recipients in the following order of priority:

(I) Volunteer departments;

(II) Combination departments; and

(III) Fire agencies that employ only career firefighters and fire officers; and

(B) By personnel of the fire training academy, either at the academy's facilities in North Bend, Washington, or regionally at local fire agencies.

(ii)(A) In lieu of receiving training and testing services from the fire training academy, city fire departments, fire protection districts, regional fire protection service authorities, and other public fire agencies in the state may seek reimbursement for their firefighter I training expenses. The amount of reimbursement will be calculated on a per capita basis. The per capita amount is equal to the three-year statewide firefighter per capita average for the regional direct delivery of training by the fire training academy. The three-year statewide firefighter per capita average is calculated by dividing the total cost of providing regional direct delivery during the three-year period by the number of firefighters trained through the regional direct delivery program during the same three-year period. The regional direct delivery costs used for the basis of these calculations does not include the costs of the fire training academy personnel used to coordinate the direct delivery programs, the state's indirect costs, or any other indirect costs.

(B) Prior to the implementation of the reimbursement provisions in (e)(ii)(A) of this subsection, the amount of reimbursement for city fire departments, fire protection districts, regional fire protection service authorities, and other public fire agencies must be not less than three dollars for every one hour of firefighter I training, and may not exceed two hundred hours per firefighter.

(iii) Subject to approval by the director of fire protection, and in accordance with the plan required by this subsection (1)(e), the fire training academy facilities and programs must be made available at no cost to fire service youth programs. The goal of making these facilities and programs available is to increase enrollment of volunteer firefighters, and to improve gender, cultural, and ethnic diversity within the fire service.

(iv) For purposes of this subsection (1)(e), the following definitions apply:

(A) "Basic firefighter training and testing" means training and testing for firefighters that is up to and includes the requirements of firefighter I, as identified by the national fire protection association standard 1001;

(B) "Combination department" means a fire department with emergency service personnel comprising less than eighty-five percent of either volunteer or career membership;

(C) "Delivery of training" includes all resources, personnel, and equipment necessary to deliver training at the fire academy in North Bend, Washington, or regionally at local fire agencies; and

(D) "Volunteer department" means a fire department with volunteer emergency service personnel comprising eighty-five percent or greater of its department membership.

(2)(a) Promote mutual aid and disaster planning for fire services in this state;

(b) Assure the dissemination of information concerning the amount of fire damage including that damage caused by arson, and its causes and prevention; and

(c) Implement any legislation enacted by the legislature to meet the requirements of any acts of congress that apply to this section.

(3) In carrying out its statutory duties, the office of the state fire marshal shall give particular consideration to the appropriate

roles to be played by the state and by local jurisdictions with fire protection responsibilities. Any determinations on the division of responsibility shall be made in consultation with local fire officials and their representatives.

To the extent possible, the office of the state fire marshal shall encourage development of regional units along compatible geographic, population, economic, and fire risk dimensions. Such regional units may serve to: (a) Reinforce coordination among state and local activities in fire service training, reporting, inspections, and investigations; (b) identify areas of special need, particularly in smaller jurisdictions with inadequate resources; (c) assist the state in its oversight responsibilities; (d) identify funding needs and options at both the state and local levels; and (e) provide models for building local capacity in fire protection programs."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5458 Prime Sponsor, Senator Angel: Concerning health district banking. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

March 18, 2015

ESB 5471 Prime Sponsor, Senator Angel: Addressing electronic notices and document delivery of insurance products. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 440.** The definitions in this subsection apply throughout this chapter unless the context clearly requires otherwise.

(1)(a)(i) "Delivered by electronic means" includes:

(A) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(B) Posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any othel

confirmation of consent of the party in accordance with subsection (4)(c)(ii) of this section.

(8)(a) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective.

(b) A withdrawal of consent by a party is effective within a reasonable period of time, not to exceed thirty days, after receipt of the withdrawal by the insurer.

(c) Failure by an insurer to comply with subsections (4)(d) and (10) of this section may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

(9) This section does not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this section to a party who, before that date, has consented to receive a notice or document in an electronic form otherwise allowed by law.

(10) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this section, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or documents electronically, the insurer shall:

(a) Provide the party with a statement that describes:

(i) The notices or documents that shall be delivered by electronic means under this section that were not previously delivered electronically; and

(ii) The party's right to withdraw consent to have notices or documents delivered by electronic means, without the imposition of any condition or consequence that was not disclosed at the time of initial consent; and

(b) Comply with subsection (4)(b) of this section.

(11) An insurer shall deliver a notice or document by any other delivery method permitted by law other than electronic means if:

(a) The insurer attempts to deliver the notice or document by electronic means and has a reasonable basis for believing that the notice or document has not been received by the party; or

(b) The insurer becomes aware that the electronic mail address provided by the party is no longer valid.

(12) A producer shall not be subject to civil liability for any harm or injury that occurs as a result of a party's election to receive any notice or document by electronic means or by an insurer's failure to deliver a notice or document by electronic means.

(13) This section does not modify, limit, or supersede the provisions of the federal electronic signatures in global and national commerce act (E-SIGN), P.L. 106-229, as amended.

NEW SECTION. **Sec. 441.** (1) Notwithstanding any other provisions of this chapter, standard property and casualty insurance policy forms and endorsements that do not contain personally identifiable information may be mailed, delivered, or posted on the insurer's web site. If the insurer elects to post insurance policy forms and endorsements on its web site in lieu of mailing or delivering them to the insured, it must comply with all of the following conditions:

(a) The policy forms and endorsements must be accessible to the insured and the producer of record and remain that way for as long as the policy is in force;

(b) After the expiration of the policy, the insurer must archive its expired policy forms and endorsements for a period of six years or other period required by law, and make them available upon request;

(c) The policy forms and endorsements must be posted in a manner that enables the insured and producer of record to print and save the policy form and endorsements using programs or applications that are widely available on the internet and free to use;

(d) The insurer must provide the following information in, or simultaneous with, each declarations page provided at the time of issuance of the initial policy and any renewals of that policy:

(i) A description of the exact policy and endorsement forms purchased by the insured;

(ii) A description of the insured's right to receive, upon request and without charge, a paper copy of the policy and endorsements by mail;

(iii) The internet address where their policy and endorsements are posted;

(iv) The insurer, upon request and without charge, mails a paper copy of the insured's policy and endorsements to the insured; and

(v) Notice, in the manner in which the insurer customarily communicates with the insured, of any changes to the forms or endorsements, the insured's right to obtain, upon request and without charge, a paper copy of such forms or endorsements, and the internet address where such forms or endorsements are posted.

(2) Nothing in this section affects the timing or content of any disclosure or other document required to be provided or made available to any insured under applicable law.

NEW SECTION. **Sec. 442.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 443.** Sections 1 and 2 of this act constitute a new chapter in Title 48 RCW."

Correct the title.

Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5633 Prime Sponsor, Committee on Ways & Means: Creating a coordinator for the helmets to hardhats program in the department of veterans affairs. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 444.** A new section is added to chapter 43.60A RCW to read as follows:

The coordinator for the helmets to hardhats program is created in the department of veterans affairs, subject to the availability of amounts appropriated for this specific purpose. The department shall establish procedures for coordinating with the national helmets to hardhats program and other opportunities for veterans to obtain skilled training and employment in the construction industry."

Correct the title.

Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Referred to Committee on Appropriations.

March 19, 2015

SB 5760 Prime Sponsor, Senator Brown: Concerning contracts for materials or work required by joint operating agencies. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; Fey; Hudgins; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Harmsworth and Young.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5768 Prime Sponsor, Senator Cleveland: Concerning county electronic public auctions. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5795 Prime Sponsor, Committee on Government Operations & Security: Authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Peterson.

Passed to Committee on Rules for second reading.

March 19, 2015

ESB 5871 Prime Sponsor, Senator Angel: Creating appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 19, 2015

ESB 5923 Prime Sponsor, Senator Brown: Promoting economic recovery in the construction industry. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 445.** The great recession had a significant impact on the national and state economy. No industry suffered economic setbacks as significant as the residential construction sector. Residential construction jobs essentially vanished from the economy. New housing starts in Washington slipped to levels not seen since the early 1980s, even though the state's population has doubled since that time. While a broader economic recovery has begun, single-family residential housing continues to lag behind other sectors. It is in the economic interest of the state to spark economic growth by increasing single-family residential construction. The jobs, wages, and local taxes generated by home construction benefit the state's economy, increase family wage jobs and broaden the state's tax base.

Sec. 446. RCW 82.02.050 and 1994 c 257 s 24 are each amended to read as follows:

(1) It is the intent of the legislature:

(a) To ensure that adequate facilities are available to serve new growth and development;

(b) To promote orderly growth and development by establishing standards by which counties, cities, and towns may require, by ordinance, that new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development; and

(c) To ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

(2) Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

(3)(a) Counties, cities, and towns collecting impact fees must adopt a permanent system for the collection of impact fees from applicants for residential building permits issued for single-family detached or attached residential construction that includes:

(i)(A) A process by which an applicant for any development permit that requires payment of an impact fee must record a covenant against title to the lot or unit subject to the impact fee obligation. A covenant under this subsection (3)(a)(i) must also serve as a lien binding on all successors in title after the recordation. The covenant must require payment equal to one hundred percent of the impact fee applicable to the lot or unit at the rates in effect at the time of final payment of the impact fee, less a credit for any deposits paid.

(B) Covenants recorded in accordance with this subsection (3)(a)(i) must provide for payment of the impact fee at the earlier of the following: The time of closing of sale of the applicable lot or unit; or in accordance with the applicable county, city, or town ordinance, eighteen or more months after the building permit is

issued. Payment of impact fees due at closing of a sale must, unless an agreement to the contrary is reached between buyer and seller, be made from the seller's proceeds. In the absence of an agreement to the contrary, the seller bears strict liability for the payment of the impact fees.

(C) The seller must provide written disclosure of the covenant authorized under this subsection (3)(a)(i) as required by chapter 64.06 RCW.

(D) Upon receiving payment of impact fees due, the applicable county, city, or town must remove the covenant recorded in accordance with this subsection (3)(a)(i); or

(ii) A process by which an applicant may apply for a deferral of the impact fee payment until final inspection or certificate of occupancy, or equivalent certification. Cities utilizing the deferral process established by this subsection (3)(a)(ii) may withhold certification of final inspection, certificate of occupancy, or equivalent certification until the impact fee payment has been made in full.

(b) Counties, cities, and towns may adopt local systems for the collection of impact fees that differ from the requirements of this subsection (3) if the payment timing provisions are consistent with those of this subsection.

(c) A county, city, or town with an impact fee deferral process on or before July 1, 2016, is exempt from the requirements of this subsection (3) if the deferral process delays all impact fees and remains in effect after July 1, 2016.

(d) Each applicant for a single-family residential construction permit, in accordance with his or her contractor registration number or other unique identification number, is entitled to annually receive deferrals under this subsection (3) for the first twenty single-family residential construction building permits per county or city. However, a county, city, or town may, by ordinance, elect to defer more than twenty single-family residential construction building permits for an applicant as required by this subsection (3)(d) if:

(i) The county, city, or town collects impact fees on behalf of the jurisdiction or jurisdictions for which the collection of impact fees would be delayed; and

(ii) The county, city, or town and the jurisdiction or jurisdictions for which the collection of impact fees would be delayed agree to the additional deferrals.

(4) The impact fees:

(a) Shall only be imposed for system improvements that are reasonably related to the new development;

(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and

(c) Shall be used for system improvements that will reasonably benefit the new development.

(((~~(4)~~))) (5)(a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and expend impact fees ((~~shall be~~)) is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

(((~~(a)~~))) (i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminaed wh(a)6 (r)1.6(e)6ae~~s~~ae

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after the county or city receives full payment of all impact fees due.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

NEW SECTION. **Sec. 448.** This act takes effect September 1, 2016."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and McCaslin.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5958 Prime Sponsor, Senator Roach: Providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee.

Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 449.** RCW 43.60A.080 and 1995 c 25 s 1 are each amended to read as follows:

(1) There is hereby created a veterans affairs advisory committee which shall serve in an advisory capacity to the governor and the director of the department of veterans affairs. The committee shall appoint members to serve as liaisons to each of the state veterans' homes, unless the home has a representative appointed to the committee. This liaison must share information on committee meetings and business with the resident council of the states veterans' homes, as well as bring information back for the committee's consideration to ensure veterans' home resident issues are included at regular committee meetings. The committee shall be composed of seventeen members to be appointed by the governor, and shall consist of the following:

(a) One representative of the Washington soldiers' home and colony at Orting and one representative of the Washington veterans' home at Retsil. Each home's resident council may nominate up to three individuals whose names are to be forwarded by the director to the governor. In making the appointments, the governor shall consider these recommendations or request additional nominations. If the resident council does not provide any nomination, the governor may appoint a member at large in place of the home's representative.

(b) One representative each from the three congressionally chartered or nationally recognized veterans service organizations as listed in the current "Directory of Veterans Service Organizations" published by the United States department of veterans affairs with the largest number of active members in the state of Washington as determined by the director. The organizations' state commanders may each submit a list of three names to be forwarded to the governor by the director. In making the appointments, the governor shall consider these recommendations or request additional nominations.

(c) Ten members shall be chosen to represent those congressionally chartered or nationally recognized veterans service organizations listed in the directory under (b) of this subsection and having at least one active chapter within the state of Washington. Up to three nominations may be forwarded from each organization to the governor by the director. In making the appointments, the governor shall consider these recommendations or request additional nominations.

(d) Two members shall be veterans at large, as well as any other at large member appointed pursuant to (a) of this subsection. Any individual or organization may nominate a veteran for an at-large position. Organizational affiliation shall not be a prerequisite for nomination or appointment. All nominations for the at-large positions shall be forwarded by the director to the governor.

(e) No organization shall have more than one official representative on the committee at any one time.

(f) In making appointments to the committee, care shall be taken to ensure that members represent all geographical portions of the state and minority viewpoints, and that the issues and views of concern to women veterans are represented.

(2) All members shall have terms of four years. In the case of a vacancy, appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member may serve more than two consecutive terms, with vacancy appointments to an unexpired term not considered as a term. Members appointed before June 11, 1992, shall continue to serve until the expiration of their current terms; and then, subject to the conditions contained in this section, are eligible for reappointment.

(3) The committee shall adopt an order of business for conducting its meetings.

(4) The committee shall have the following powers and duties:

(a) To serve in an advisory capacity to the governor and the director on matters pertaining to the department of veterans affairs;

(b) To acquaint themselves fully with the operations of the department and recommend such changes to the governor and the director as they deem advisable.

(5) Members of the committee shall receive no compensation for the performance of their duties but shall receive a per diem allowance and mileage expense according to the provisions of chapter 43.03 RCW."

Correct the title.

Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2015

SJM 8008

March 19, 2015

SB 5031 Prime Sponsor, Senator Pedersen: Permitting advance action regarding business opportunities under the business corporation act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5032 Prime Sponsor, Senator Pedersen: Specifying when a transaction in the form of a lease does not create a security interest for purposes of the uniform commercial code. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 19, 2015

ESSB 5048 Prime Sponsor, Committee on Government Operations & Security: Subjecting a resolution or ordinance adopted by the legislative body of a city or town to assume a water-sewer district to a referendum. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 450.** A new section is added to chapter 35.13A RCW to read as follows:

(1) Except as provided otherwise by subsection (4) of this section, a resolution or ordinance adopted by the legislative body of a city to assume jurisdiction of all or part of a water-sewer district under this chapter is subject to a referendum. Any referendum petition to repeal the assumption resolution or ordinance must be filed with the county auditor within ten days of passage of the resolution or ordinance. Within ten days of the filing of a petition, the county auditor must confer with the petitioner concerning the form and style of the petition, issue an identification number for the petition, and write a ballot title for the measure. The ballot title must be posed as a question so that an affirmative answer to the question and a majority affirmative vote on the measure results in approval of the proposed assumption, and a negative answer to the question and a majority negative vote on the measure results in the assumption being barred. The petitioner must be notified of the identification number and ballot title within this ten-day period. After this notification, the petitioner has forty-five days in which to secure on petition forms the signatures of at least ten percent of the number of voters residing in the part of the water-sewer district subject to the assumption resolution or ordinance who voted in the most recent general election, and file the signed petitions with the county auditor. Each petition form must contain the ballot title and full text of the measure to be referred. The county auditor must verify the sufficiency of the signatures on the petitions.

(2) If sufficient valid signatures on the petitions are properly submitted, the county auditor must submit the referendum measure to the registered voters residing in the part of the water-sewer district subject to the assumption resolution or ordinance in a general or special election no later than one hundred twenty days after the signed petition has been filed with the county auditor. Elections must be conducted in accordance with general election law, and the cost of the election must be borne by the city seeking approval to assume jurisdiction of all or part of the water-sewer district.

(3) When a referendum petition is filed with the county auditor, the assumption resolution or ordinance sought to be referred to the voters, and any proceedings before a boundary review board under chapter 36.93 RCW, are suspended from taking effect. Such suspension terminates when: (a) There is a final determination of insufficiency or untimeliness of the referendum petition; or (b) the assumption resolution or ordinance so referred is approved by the voters at a referendum election.

(4) If a city legislative authority assumes jurisdiction of all or part of a water-sewer district through a contract with a water-sewer district, or through an interlocal agreement with a water-sewer district under chapter 39.34 RCW, the provisions of this section do not apply.

NEW SECTION. **Sec. 451.** A new section is added to chapter 35.13A RCW to read as follows:

A resolution or ordinance adopted by a city in accordance with this chapter to assume jurisdiction of all or part of a district may not take effect until ninety or more days after its adoption."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

Passed to Committee on Rules for second reading.

March 20, 2015

SB 5104 Prime Sponsor, Senator Padden: Concerning the possession or use of alcohol and controlled substances in sentencing provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 19, 2015

SB 5107 Prime Sponsor, Senator Padden: Encouraging the establishment of therapeutic courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority

Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Referred to Committee on Appropriations.

March 19, 2015

E2SSB 5269 Prime Sponsor, Committee on Ways & Means: Concerning court review of detention decisions under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 452.** This act may be known and cited as Joel's Law.

NEW SECTION. **Sec. 453.** A new section is added to chapter 71.05 RCW to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2)(a) The petition must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

(3) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information collected during the investigation.

(4) Following the filing of the petition and before the court reaches a decision, any person may submit a sworn declaration to the court in support of or in opposition to initial detention.

(5) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(6) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(7) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency, which shall execute the order without delay. An order for initial detention under this section expires one hundred eighty days from issuance.

(8) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(9) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

NEW SECTION. **Sec. 454.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The department and each regional support network or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under section 2 of this act.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under section 2 of this act. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under section 2 of this act.

Sec. 455. RCW 71.05.130 and 1998 c 297 s 7 are each amended to read as follows:

In any judicial proceeding for involuntary commitment or detention except under section 2 of this act, or in any proceeding challenging ((~~such~~)) involuntary commitment or detention, the prosecuting attorney for the county in which the proceeding was initiated shall represent the individuals or agencies petitioning for commitment or detention and shall defend all challenges to such commitment or detention((~~: PROVIDED~~)), except that the attorney general shall represent and provide legal services and advice to state hospitals or institutions with regard to all provisions of and proceedings under this chapter ((~~except in~~)) other than proceedings initiated by such hospitals and institutions seeking fourteen day detention."

Correct the title.

EFFECT: The striking amendment makes the following changes:

(1) Makes changes to the petition requirements:

(a) Provides that the petitioner's description of the reason that the person should be detained may include certain historical information about the person;

(b) Removes specific authorization for a petition to contain a declaration in support of detention by a mental health professional; and

(c) Requires the court to review the petition within one judicial day.

(2) Modifies the process under which the court receives information from the designated mental health professional (DMHP):

(a) Requires the DMHP, in response to the court's order requesting information, to provide the court with a copy of all information collected during the investigation (along with a written statement); and

(b) Removes the requirement that the court provide the DMHP with any information accompanying the petition.

(3) Provides that orders expire 180 days from issuance, rather than "within 180 days."

(4) Removes the requirement that a DMHP prepare and submit a supplemental petition after the person is placed in the facility.

(5) Requires DMHP agencies to provide notice of the petition process to persons who requested an investigation if the DMHP decides not to detain the person (in addition to when 48 hours have elapsed and the person has not been detained).

(6) Changes references to "business day" to "judicial day."

(7) Removes the null and void clause.

(8) Reorganizes provisions and makes wording changes for clarity, and removes redundant language.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

(((~~(10)~~))) (11) "Jurisdiction" means and includes a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a foreign country, and a state or province of a foreign country.

(((~~(11)~~))) (12) "Motor carrier" means an entity engaged in the transportation of goods or persons. ((~~The term~~)) "Motor carrier" includes a for-hire motor carrier, private motor carrier, ((~~contract motor carrier, or~~)) exempt motor carrier((~~. The term includes a~~)), registrant licensed under this chapter, ((~~a~~)) motor vehicle lessor, and ((~~a~~)) motor vehicle lessee.

(((~~(12)~~))) (13) "Owner" means a person or business ((~~firm~~)) who holds the legal title to a vehicle, or if a vehicle is the subject of an agreement for its conditional sale with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, or if a vehicle is subject to a lease, contract, or other legal arrangement vesting right of possession or control, for security or otherwise, or if a mortgagor of a vehicle is entitled to possession, then the owner is deemed to be the person or business ((~~firm~~)) in whom is vested right of possession or control.

(13) ((~~"Preceding year" means the period of twelve consecutive months immediately before July 1st of the year immediately before the commencement of the registration or license year for which apportioned registration is sought.~~)) "Person" means any individual, partnership, association, public or private corporation, limited liability company, or other type of legal or commercial entity, including its members, managers, partners, directors, or officers.

(14) "Prorate percentage" is the factor ((~~that is~~)) applied to the total proratable fees and taxes to determine the apportionable ((~~or prorate~~)) fees required for registration in a ((~~particular~~)) jurisdiction. It is determined by dividing the in-jurisdiction ((~~miles~~)) distance for a particular jurisdiction by the total ((~~miles. This term is synonymous with the term "mileage percentage."~~)) distance.

(15) "Registrant" means a person, business ((~~firm~~)), or corporation in whose name or names a vehicle or fleet of vehicles is registered.

(16) "Registration year" means the twelve-month period during which the ((~~registration plates~~)) credentials issued by the base jurisdiction are valid ((~~according to the laws of the base jurisdiction~~)).

(17) "Reporting period" means the period of twelve consecutive months immediately prior to July 1st of the calendar year immediately preceding the beginning of the registration year for which apportioned registration is sought. If the fleet registration period commences in October, November, or December, the reporting period is the period of twelve consecutive months immediately preceding July 1st of the current calendar year.

(18) "Total ((~~miles~~)) distance" means ((~~the total number of miles accumulated in all jurisdictions during the preceding year by all vehicles of the fleet while they were a part of the fleet. Mileage~~)) all distance operated by a fleet of apportioned vehicles. "Total distance" includes the full distance traveled in all vehicle movements, both interjurisdictional and intrajurisdictional, including loaded, unladen, deadhead, and bobtail distances. Distance traveled by a vehicle while under a trip lease is considered to have been traveled by the lessor's fleet. All distance, both interstate and intrastate, accumulated by vehicles of the fleet ((~~that did not engage in interstate operations~~)) is ((~~not~~)) included in the fleet ((~~miles~~)) distance.

Sec. 458. RCW 46.87.022 and 1990 c 250 s 74 are each amended to read as follows:

Owners of rental trailers and semitrailers over six thousand pounds gross vehicle weight((~~, and converter gears~~)) used solely in pool fleets ((~~shall~~)) must fully register a portion of the pool fleet in this state. To determine the percentage of total fleet vehicles that must be registered in this state, divide the gross revenue received in the ((~~preceding year~~)) reporting period for the use of the rental vehicles arising from rental transactions occurring in this state by the total revenue received in the ((~~preceding year~~)) reporting period for the use of the rental vehicles arising from rental transactions in all jurisdictions in which the vehicles are operated. Apply the resulting percentage to the total number of vehicles that ((~~shall~~)) must be registered in this state. Vehicles registered in this state ((~~shall~~)) must be representative of the vehicles in the fleet according to age, size, and value.

Sec. 459. RCW 46.87.025 and 1990 c 250 s 75 are each amended to read as follows:

All vehicles being added to ((~~an existing~~)) a Washington((~~-based~~)) fleet or those vehicles that make up a new Washington((~~-based~~)) fleet ((~~shall~~)) must be titled in the name of the owner at time of registration((~~, or evidence of filing application for title for such vehicles in the name of the owner shall accompany the application for proportional registration~~)).

Sec. 460. RCW 46.87.030 and 2010 c 161 s 1142 are each amended to read as follows:

(1) When application to register ((~~an apportionable~~)) a vehicle in an existing fleet is made, the Washington ((~~prorated~~)) apportioned fees ((~~may~~)) must be reduced by one-twelfth for each full ((~~registration~~)) month that has elapsed ((~~at~~)) from the time ((~~a temporary authorization permit (TAP) was issued or if no TAP was issued, at such time as~~)) an application for registration is received in the department. ((~~If a vehicle is being added to a currently registered fleet,~~)) The prorate percentage previously established for the fleet ((~~for such registration year shall~~)) must be used in the computation of the ((~~proportional~~)) apportionable fees and taxes due.

(2) If ((~~any~~)) a vehicle is withdrawn from a ((~~proportionally registered~~)) fleet during the period ((~~for which~~)) it is registered under this chapter, the registrant of the fleet ((~~shall~~)) must notify the department on ((~~appropriate~~)) forms prescribed by the department. The department may require the registrant to surrender credentials ((~~that were~~)) issued to the vehicle. If a ((~~motor~~)) vehicle is ((~~permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold, or otherwise~~)) completely removed from the service of the fleet ((~~registrant~~)), the unused portion of the license fee paid under RCW 46.17.355 ((~~with respect to the vehicle~~)), reduced by one-twelfth for each ((~~calendar~~)) month and fraction thereof elapsing between the first day of the month of the current registration year ((~~in which the vehicle was registered~~)) and the date the notice of ((~~withdrawal, accompanied by such credentials as may be required,~~)) removal is received in the department, ((~~shall~~)) must be credited to the registrant's fleet proportional registration account ((~~of the registrant~~)). Credit ((~~shall~~)) must be applied against the license fee liability for subsequent additions of ((~~motor~~)) vehicles to ((~~be proportionally registered in~~)) the fleet during ((~~such~~)) the registration year or for additional license fees due under RCW 46.17.355 or ((~~to~~)) be due upon audit under RCW 46.87.310. If any credit is less than fifteen dollars, ((~~no~~)) the credit ((~~will~~)) must not be entered. In lieu of credit, the registrant may ((~~choose to~~)) transfer the unused portion of the license fee for the ((~~motor~~)) vehicle to the new owner, in which case it ((~~shall~~)) must remain with the ((~~motor~~)) vehicle for which it was originally paid. ((~~In no event may any~~)) An amount

may not be credited against fees other than those for the registration year from which the credit was obtained ((~~nor is any~~)) and an amount ((~~subject to refund~~)) may not be refunded.

Sec. 461. RCW 46.87.040 and 1994 c 262 s 13 are each amended to read as follows:

Additional gross weight may be purchased ((~~for proportionally registered motor vehicles~~)) to the limits authorized under chapter 46.44 RCW. ((~~Reregistration at the higher gross weight (maximum gross weights under this chapter are fifty-four thousand pounds for a solo three-axle truck or one hundred five thousand five hundred pounds for a combination)~~)) Registration must be for the ((~~balance~~)) remainder of the registration year, including the full registration month in which the vehicle is initially ((~~licensed~~)) registered at the higher gross weight. The apportionable ((~~or proportional~~)) fee initially paid to the state of Washington, reduced ((~~for~~)) by the number of full registration months the license was in effect, ((~~will~~)) must be deducted from the total fee ((~~to be paid to this state for licensing at the higher gross weight for the balance of the registration year~~)) due. ((~~No~~)) A credit or refund ((~~will~~)) may not be given for a reduction of gross weight.

Sec. 462. RCW 46.87.050 and 2005 c 194 s 4 are each amended to read as follows:

Each day the department ((~~shall~~)) must forward to the state treasurer the fees collected under this chapter((~~,~~)) and, within ten days of the end of each registration quarter, a detailed report identifying the amount to be deposited to each account for which fees are required ((~~for the licensing of proportionally registered vehicles~~)). Such fees ((~~shall~~)) must be deposited pursuant to RCW 46.68.035 ((~~and 82.44.170~~)).

Sec. 463. RCW 46.87.060 and 1987 c 244 s 21 are each amended to read as follows:

The apportionment of fees to IRP member jurisdictions ((~~shall~~)) must be in accordance with the provisions of the IRP agreement ((~~based on the apportionable fee multiplied by the prorate percentage for each jurisdiction in which the fleet will be registered or is currently registered~~)).

Sec. 464. RCW 46.87.070 and 2005 c 194 s 5 are each amended to read as follows:

Trailers, semitrailers, and pole trailers ((~~that are~~)) properly based in jurisdictions other than Washington((~~,~~)) and ((~~that display~~)) displaying currently registered license plates ((~~from such~~)) issued by the jurisdictions ((~~will be~~)) are granted vehicle ((~~license~~)) registration reciprocity in this state ((~~without the need of further vehicle license registration~~)). Unless registered under the provisions of the IRP as a pool fleet, such trailers, semitrailers, and pole trailers must be operated in combination with an apportioned power unit to qualify for reciprocity. If pole trailers are not required to be licensed separately by a member jurisdiction, ((~~such vehicles~~)) they may be operated in this state without displaying a ((~~current~~)) base license plate.

Sec. 465. RCW 46.87.080 and 2013 c 225 s 609 are each amended to read as follows:

(1) Upon making satisfactory application and payment of ((~~applicable~~)) fees and taxes for proportional registration under this chapter, the department must issue ((~~a cab card and validation tab for each vehicle, and to vehicles of Washington-based fleets, two distinctive apportionable license plates for each motor vehicle~~)) credentials. License plates must be displayed ((~~on vehicles~~)) as required ((~~by~~)) under RCW 46.16A.200(5). The ((~~number and~~)) license plates must be of a design((~~, size, and color~~)) determined by the department. The license plates must be treated with reflectorized material and clearly marked with the words "WASHINGTON" and "APPORTIONED," both words to appear in full and without abbreviation.

(2) The cab card ((~~serves as~~)) is the certificate of registration for ((~~a proportionally registered~~)) the vehicle. The ((~~face of the~~)) cab card must contain the name and address of the registrant as ((~~contained~~)) maintained in the records of the department, the license plate number assigned to the vehicle ((~~by the base jurisdiction~~)), the vehicle identification number, and ((~~such~~)) other ((~~description of the vehicle and data as~~)) information the department may require. The cab card must be signed by the registrant, or a designated person if the registrant is a business ((~~firm~~)), and must ((~~at all times~~)) always be carried in ((~~or on~~)) the vehicle ((~~to which it was issued~~)).

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changes and the vehicle remains in the fleet of the registrant, the department ((~~shall~~)) must only charge those fees prescribed for the issuance of new apportioned license plates, validation tabs, and cab card.

(c) Multiply the total, ((~~proratable~~)) apportionable fees or taxes for each ((~~motor~~)) vehicle by the prorate percentage applicable to ((~~the desired~~)) each jurisdiction and round the results to the nearest cent.

(d) Add the total fees and taxes determined in (c) of this subsection for each vehicle to the ((~~nonproratable~~)) nonapportionable fees and taxes required under the laws of ((~~the~~)) each jurisdiction ((~~for which fees are being calculated~~)). ((~~Nonproratable~~)) Nonapportionable fees required for vehicles of Washington((~~-based~~)) fleets are the administrative fee required ((~~by~~)) under RCW 82.38.075, ((~~if applicable, and~~)) the vehicle transaction fee pursuant to ((~~the provisions of~~)) RCW 46.87.130, and the commercial vehicle safety inspection fee in RCW 46.17.315.

(e) The amount due and payable ((~~for the application~~)) is the sum of the fees and taxes calculated for each ((~~member~~)) jurisdiction in which ((~~registration of~~)) the fleet is ((~~desired~~)) registered.

(3) All assessments for ((~~proportional registration~~)) taxes and fees are due and payable in United States funds on the date presented or mailed to the registrant at the address listed in the proportional registration records of the department. The registrant may petition for reassessment of the fees or taxes due ((~~under this section~~)) within thirty days of the date of original service ((~~as provided for in this chapter~~)).

Sec. 470. RCW 46.87.150 and 1996 c 91 s 1 are each amended to read as follows:

((~~Whenever~~)) If a person ((~~has been required to~~)) pays a fee or tax ((~~pursuant to this chapter~~)) that amounts to an overpayment of ten dollars or more, the person is entitled to a refund of the entire amount of ((~~such~~)) the overpayment, regardless of whether or not a refund ((~~of the overpayment~~)) has been requested. ((~~Nothing in~~)) This subsection does not preclude((~~s anyone~~)) a person from applying for a refund of ((~~such~~)) an overpayment if the overpayment is less than ten dollars. ((~~Conversely,~~)) If the department or its agents ((~~has failed to charge~~)) fail to assess and collect the full amount of fees or taxes ((~~pursuant to this chapter~~)) owed, which underpayment is ((~~in the amount of~~)) ten dollars or more, the department ((~~shall charge and~~)) must collect ((~~such~~)) the additional amount ((~~as will constitute full payment of the fees and taxes due~~)) owed.

Sec. 471. RCW 46.87.190 and 2005 c 194 s 10 are each amended to read as follows:

The department may suspend or cancel the exemptions, benefits, or privileges granted under chapter 46.85 RCW or this chapter to any person ((~~or business firm~~)) who violates any of the conditions or terms of the IRP or who violates the laws or rules of this state relating to the operation or registration of vehicles ((~~or rules lawfully adopted thereunder~~)).

Sec. 472. RCW 46.87.200 and 1987 c 244 s 33 are each amended to read as follows:

The department ((~~may~~)) must refuse registration of a vehicle if the applicant has failed to furnish proof, acceptable to the department, that the federal heavy vehicle use tax imposed ((~~by section 4481 of the internal revenue code of 1954~~)) under 26 U.S.C. Sec. 4481 has been suspended or paid. ((~~The department may adopt rules as deemed necessary to administer this section.~~))

Sec. 473. RCW 46.87.220 and 2010 c 161 s 1144 are each amended to read as follows:

The gross weight ((~~in the case of a motor truck, tractor, or truck tractor~~)) of a vehicle is the scale weight of the ((~~motor truck, tractor, or truck tractor~~)) vehicle, plus the scale weight of any trailer, semitrailer, converter gear, or pole trailer to be towed by it, to which ((~~shall~~)) must be added the maximum weight of the ((~~maximum~~)) load to be carried on it or towed by it as ((~~set forth~~)) declared by the licensee ((~~in the application providing~~)) as long as it does not exceed the weight limitations prescribed ((~~by~~)) under chapter 46.44 RCW.

The gross weight in the case of a bus, auto stage, or passenger-carrying for hire vehicle((~~, except a taxicab,~~)) with a seating capacity over six, is the scale weight of the bus, auto stage, or passenger-carrying for hire vehicle plus the seating capacity, including the operator's seat, computed at one hundred ((~~and~~)) fifty pounds per seat.

If the resultant gross weight, according to this section, is not listed in RCW 46.17.355, it ((~~will~~)) must be increased to the next higher gross weight ((~~so~~)) listed pursuant to chapter 46.44 RCW.

A ((~~motor~~)) vehicle or combination of vehicles found to be loaded beyond the licensed gross weight of the ((~~motor~~)) vehicle ((~~registered under this chapter shall~~)) or combination of vehicles must be cited and handled under RCW 46.16A.540 and 46.16A.545.

Sec. 474. RCW 46.87.230 and 2011 c 171 s 99 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful under chapter 46.12, 46.16A, or 46.44 RCW or this chapter, and ((~~if~~)) the operator of the vehicle is not the owner or lessee of the vehicle but is ((~~so~~)) operating or moving the vehicle with the express or implied permission of the owner or lessee, ((~~then~~)) the operator and the owner or lessee are both subject to this chapter, with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or the lessee of the vehicle, that person is fully authorized to accept the citation or notice of infraction and execute the promise to appear on behalf of the owner or lessee.

Sec. 475. RCW 46.87.240 and 1987 c 244 s 37 are each amended to read as follows:

((~~Under~~)) To administer the provisions of the IRP, the department may act in a quasi-agency relationship with other jurisdictions. The department may collect and forward applicable registration fees and taxes ((~~and applications~~)) to other jurisdictions on behalf of the applicant or another jurisdiction and may take other action that facilitates the administration of the ((~~plan~~)) IRP.

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Sec. 476. RCW 46.87.250 and 1987 c 244 s 38 are each amended to 1(r)6.ead as follows:ml75.

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must assess and collect any unpaid fees and taxes ((~~found to be~~)) due ((~~the state~~)) affected jurisdictions and provide credits ((~~or refunds~~)) for any overpayments of ((~~Washington~~)) apportionable fees and taxes ((~~as determined in accordance with formulas and other requirements prescribed in this chapter~~)) to the jurisdictions affected. If the records produced by the owner for the audit fail to meet the criteria for adequate records, or are not produced within thirty calendar days after a written request by the department, the department must impose on the owner an assessment in the amount of twenty percent of the total apportionable fees paid or found due because of appropriate adjustment for the registration of the fleet in the registration year to which records pertain. In the instance of a second offense, the department must impose upon the owner an assessment in the amount of fifty percent of the total apportionable fees paid or found due because of appropriate adjustment for the registration of the fleet in the registration year to which records pertain. In the instance of a third or any subsequent offense, the department must impose upon the owner an assessment in the amount of one hundred percent of the total apportionable fees paid or found due because of appropriate adjustment for the registration of the fleet in the registration year to which records pertain. The department must distribute the amount of assessments it collects under this section on a pro rata basis to the other jurisdictions in which the fleet was registered or required to be registered.

If the owner fails to maintain complete records as required ((~~by~~)) under this section, the department ((~~shall~~)) may attempt to reconstruct or reestablish such records. ((~~However, if the department is unable to do so and the missing or incomplete records involve mileages accrued by vehicles while they are part of the fleet, the department may assess an amount not to exceed the difference between the Washington proportional fees and taxes paid and one hundred percent of the fees and taxes. Further, if the owner fails to maintain complete records as required by this section, or if the department determines that the owner should have registered more vehicles in this state under this chapter, the department may deny the owner the right of any further benefits provided by this chapter until any final audit or assessment made under this chapter has been satisfied.~~))

The department may ((~~audit the records of any owner and may make arrangements with agencies of other jurisdictions administering motor vehicle registration laws for joint audits of any such owner~~)) conduct joint audits of any owner with other jurisdictions. ((~~No~~)) An assessment for deficiency or claim for credit may not be made for any period for which records are no longer required. Any fees, taxes, penalties, or interest ((~~found to be~~)) due and owing the state upon audit ((~~shall~~)) bear interest at the rate of one percent per month, or fraction thereof, from the first day of the calendar month after the amount should have been paid until the date of payment. If the audit discloses a deliberate and willful intent to evade the requirements of payment under RCW 46.87.140, a penalty of ten percent ((~~shall also~~)) of the amount owed, in addition to any other assessments authorized under this chapter, must be assessed.

If the audit discloses that an overpayment ((~~to the state~~)) in excess of ten dollars has been made, the department ((~~shall certify~~)) must refund the overpayment to the ((~~state treasurer who shall issue a warrant for the overpayment to the vehicle operator~~)) owner. Overpayments ((~~shall~~)) must bear interest at the rate of eight percent per annum from the date on which the overpayment ((~~is~~)) was incurred until the date of payment.

Sec. 484. RCW 46.87.320 and 1987 c 244 s 45 are each amended to read as follows:

The department may initiate and conduct audits and investigations ((~~as may be reasonably necessary~~)) to establish the existence of any alleged violations of or noncompliance with this chapter or any rules adopted under it.

For the purpose of any audit, investigation, or proceeding under this chapter, the director or any designee of the director may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, paper, correspondence, memoranda, agreements, or other documents or records that the department deems relevant or material to the inquiry.

In case of contumacy or refusal to obey a subpoena issued to any person, any court of competent jurisdiction ((~~upon application by the department,~~)) may issue an order requiring that person to appear before the director or the officer designated by the director to produce testimony or other evidence touching the matter under audit, investigation, or in question. Failure to obey an order of the court may be punishable by contempt.

Sec. 485. RCW 46.87.330 and 1996 c 91 s 3 are each amended to read as follows:

An owner of ((~~proportionally registered~~)) vehicles against whom an assessment is made under RCW 46.87.310 may petition for reassessment ((~~thereof~~)) within thirty days after service of notice of the assessment upon the owner ((~~of the proportionally registered vehicles~~)). If the petition is not filed within the thirty-day period, the amount of the assessment becomes final ((~~at the expiration of that time period~~)).

If a petition for reassessment is filed within the thirty-day period, the department ((~~shall~~)) must reconsider the assessment and, if the petitioner has ((~~so~~)) requested in the petition, ((~~shall~~)) grant the petitioner an oral hearing and give the petitioner ten days notice of the time and place of the hearing. The department may continue the hearing from time to time. The decision of the department upon a petition for reassessment becomes final thirty days after service upon the petitioner of notice of the decision.

Every assessment made under RCW 46.87.310 becomes due and payable at the time it is served on the owner. If the assessment is not paid in full when it becomes final, the department ((~~shall~~)) must add a penalty of ten percent of the amount of the assessment.

Any notice of assessment, reassessment, oral hearing, or decision required ((~~by~~)) under this section ((~~shall~~)) must be served personally or by mail. If served by mail, service is deemed to have been accomplished on the date the notice was deposited in the United States mail((~~, postage prepaid, addressed to the owner of the proportionally registered vehicles at~~)) and mailed to the owner's address as it appears in the proportional registration records of the department.

((~~No~~)) An injunction or writ of mandate or other legal or equitable process may not be issued in any suit, action, or proceeding in any court against any officer of the state to prevent or enjoin the collection under this chapter of any fee or tax or any amount of fee or tax required to be collected, except as specifically provided for in chapter 34.05 RCW.

Sec. 486. RCW 46.87.335 and 1994 c 262 s 15 are each amended to read as follows:

Except in the case of violations of filing a false or fraudulent application, if the department deems mitigation of penalties, fees, and interest to be reasonable ((~~and in the best interests of carrying out the purpose of this chapter~~)), it may mitigate such assessments ((~~upon whatever terms the department deems proper,~~)) giving consideration to the degree and extent of the lack of records and reporting errors. The department may ascertain the facts regarding recordkeeping and payment penalties in lieu of more elaborate proceedings under this chapter.

Sec. 487. RCW 46.87.340 and 1993 c 307 s 16 are each amended to read as follows:

((~~If an owner of proportionally registered vehicles liable for the remittance of fees and taxes imposed by this chapter fails to pay the fees and taxes, the amount thereof, including any interest, penalty, or addition to the fees and taxes together with any additional costs that may accrue, constitutes a lien in favor of the state upon all franchises, property, and rights to property, whether the property is employed by the person for personal or business use or is in the hands of a trustee, receiver, or assignee for the benefit of creditors, from the date the fees and taxes were due and payable until the amount of the lien is paid or the property is sold to pay the lien. The lien has priority over any lien or encumbrance whatsoever, except the lien of other state taxes having priority by law, and except that the lien is not valid as against any bona fide mortgagee, pledgee, judgment creditor, or purchaser whose rights have attached before the time the department has filed and recorded notice of the lien as provided in this chapter.~~

~~In order to avail itself of the lien created by this section, the department shall file with any county auditor a statement of claim and lien specifying the amount of delinquent fees and taxes, penalties, and interest claimed by the department. From the time of filing for record, the amount required to be paid constitutes a lien upon all franchises, property, and rights to property, whether real or personal, then belonging to or thereafter acquired by the person in the county. Any lien as provided in this section may also be filed in the office of the secretary of state. Filing in the office of the secretary of state is of no effect, however, until the lien or a copy of it has been filed with the county auditor in the county where the property is located. When a lien is filed in compliance with this section and with the secretary of state, the filing has the same effect as if the lien had been duly filed for record in the office of each county auditor of this state.~~)) (1) If a person liable for the payment of fees and taxes fails to pay the amount, including any interest and penalty, together with costs incurred, there must be a lien in favor of the state upon all franchises, property, and rights to property, whether real or personal, belonging to or acquired, whether the property is employed by such person for personal or business use or is in the control of a trustee, receiver, or assignee. The lien is effective from the date fees and taxes were due and payable until the amount is satisfied. The lien has priority over any lien or encumbrance except liens of other fees and taxes having priority by law.

(2) The department must file with any county auditor or other agent a statement of claim and lien specifying the amount of delinquent fees, taxes, penalties, and interest owed.

Sec. 488. RCW 46.87.350 and 1994 c 262 s 16 are each amended to read as follows:

If ((~~an owner of proportionally registered vehicles for which an assessment has become final~~)) a person is delinquent in the payment of ((~~an~~)) any obligation ((~~imposed under this chapter~~)), the department may give notice of the amount of the delinquency ((~~by registered or certified~~)), in person or by mail, to ((~~all~~)) persons having ((~~in their~~)) possession or ((~~under their~~)) control ((~~any~~)) of credits or ((~~other~~)) personal and real property belonging to the ((~~vehicle owner~~)) person, or owing any debts to the ((~~owner, at the time of the receipt by them of the notice~~)) person. ((~~Thereafter, a~~)) Any person ((~~so~~)) notified ((~~shall neither~~)) may not transfer ((~~nor make other disposition~~)) or dispose of ((~~those~~)) credits, personal and real property, or debts ((~~until~~)) without the consent of the department ((~~consents to a transfer or other disposition~~)). A person ((~~so~~)) notified ((~~shall~~)) must, within twenty days after receipt of the notice, advise the department of any ((~~and all such~~)) credits, personal and real property, or debts in ((~~their~~)) his or her possession, under ((~~their~~)) his or her control or owing by ((~~them, as the case may be~~)) him or her, and ((~~shall forthwith~~)) must immediately deliver ((~~such~~)) the credits, personal and real property, or debts to the department ((~~or its duly authorized representative to be applied to the indebtedness involved~~)).

If a person fails to timely answer the notice ((~~within the time prescribed by this section, it is lawful for the court upon application of the department and after the time to answer the notice has expired, to~~)), a court may render judgment by default against the person ((~~for the full amount claimed by the department in the notice to withhold and deliver, together with costs~~)).

((~~Upon service,~~)) The notice and order to withhold and deliver constitutes a continuing lien on property of the ((~~taxpayer~~)) person. The department ((~~shall~~)) must include in the ((~~caption of the~~)) notice to withhold and deliver "continuing lien." The effective date of a notice to withhold and deliver ((~~served under this section~~)) is the date of service ((~~of the notice~~)).

Sec. 489. RCW 46.87.360 and 2010 c 8 s 9101 are each amended to read as follows:

((~~Whenever the owner of proportionally registered vehicles~~)) If a person is delinquent in the payment of ((~~an~~)) any obligation ((~~imposed under this chapter~~)), and the delinquency continues after notice and demand for payment ((~~by the department~~)), the department ((~~may proceed to~~)) must collect the amount due ((~~from the owner in the following manner:~~)). The department ((~~shall~~)) must seize any property subject to the lien of the fees, taxes, penalties, and interest and sell it at public auction ((~~to pay the obligation and any and all costs that may have been incurred because of the seizure and sale~~)). Notice of the intended sale and its time and place ((~~shall~~)) must be given to the ((~~delinquent owner~~)) person and to all persons ((~~appearing of record to have~~)) with an interest in the property. ((~~The notice shall be given in writing at least ten days before the date set for the sale by registered or certified mail addressed to the owner as appearing in the proportional registration records of the department and, in the case of any person appearing of record to have an interest in such property, addressed to that person at his or her last known residence or place of business. In addition,~~)) The notice ((~~shall~~)) must be published at least ten days before the date set for the sale in a newspaper of general circulation published in the county in which the property ((~~seized is to~~)) will be sold. If there is no newspaper of general circulation in the county, the notice ((~~shall~~)) must be posted in three public places in the county for a period of ten days. The notice ((~~shall~~)) must contain a description of the property ((~~to be sold~~)), a statement of the amount due ((~~under this chapter~~)), the name of the ((~~owner of the proportionally registered vehicles~~)) person, and ((~~the further~~)) a statement that unless the amount due is paid on or before the time ((~~fixed~~)) in the notice the property will be sold ((~~in accordance with law~~)).

The department ((~~shall then proceed to~~)) must sell the property ((~~in accordance with law and the notice,~~)) and ((~~shall~~)) deliver to the purchaser a bill of sale or deed ((~~that vests title in the purchaser~~)). If ((~~upon any such sale~~)) the moneys received exceed the amount due ((~~to the state under this chapter~~)) from the ((~~delinquent owner~~)) person, the excess ((~~shall~~)) must be returned to the ((~~delinquent owner and his or her~~)) person with a receipt ((~~obtained for it~~)). ((~~The department may withhold payment of the excess to the delinquent owner~~)) If ((~~a~~)) any person having an interest in or lien upon the property has filed notice with the department ((~~his or her notice of the lien or interest~~)) before the sale, the department must withhold payment of any excess to the person pending determination of the rights of the respective parties ((~~thereto~~)) by a court of competent jurisdiction. If ((~~for any reason~~)) the receipt of the ((~~delinquent owner~~)) person is not

available, the department ((~~shall~~)) must deposit the excess with the state treasurer as trustee for the ((~~delinquent owner~~)) person or his or her heirs, successors, or assigns.

Sec. 490. RCW 46.87.370 and 2001 c 146 s 6 are each amended to read as follows:

((~~Whenever any~~)) When an assessment ((~~has~~)) becomes final ((~~in accordance with this chapter~~)), the department may file with the clerk of any county within ((~~this~~)) the state a warrant in the amount of fees, taxes, penalties, interest, and a filing fee under RCW 36.18.012(10). ((~~The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant the name of the delinquent owner of proportionally registered vehicles mentioned in the warrant, the amount of the fees, taxes, penalties, interest, and filing fee, and the date when the warrant was filed.~~)) The ((~~aggregate amount of the~~)) warrant ((~~as docketed~~)) constitutes a lien upon the title to, and interest in, all real and personal property of the ((~~named~~)) person against whom the warrant is issued((~~, the same as a judgment in a civil case duly docketed in the office of the clerk~~)). ((~~A~~)) The warrant ((~~so docketed~~)) is sufficient to support the issuance of writs of execution and writs of garnishment in favor of the state ((~~in the manner provided by law in the case of civil judgment wholly or partially unsatisfied. The clerk of the court is entitled to a filing fee under RCW 36.18.012(10), which shall be added to the amount of the warrant~~)).

Sec. 491. RCW 46.87.410 and 1997 c 183 s 1 are each amended to read as follows:

A ((~~proportional registration~~)) licensee((~~,~~)) who files ((~~or against whom is filed~~)) a petition in bankruptcy, ((~~shall, within ten days of the filing,~~)) or against whom a petition for bankruptcy is filed, must notify the department ((~~of the proceedings in bankruptcy~~)) within ten days of the filing, including the ((~~identity~~)) name and location of the court in which ((~~the proceedings are pending~~)) petition is filed.

Sec. 492. RCW 46.19.020 and 2014 c 124 s 3 are each amended to read as follows:

(1) The following organizations may apply for special parking privileges:

(a) Public transportation authorities;

(b) Nursing homes licensed under chapter 18.51 RCW;

(c) Assisted living facilities licensed under chapter 18.20 RCW;

(d) Senior citizen centers;

(e) Accessible van rental companies registered ((~~under RCW 46.87.023~~)) with the department;

(f) Private nonprofit corporations, as defined in RCW 24.03.005; and

(g) Cabulance companies that regularly transport persons with disabilities who have been determined eligible for special parking privileges under this section and who are registered with the department under chapter 46.72 RCW.

(2) An organization that qualifies for special parking privileges may receive, upon application, special license plates or parking placards, or both, for persons with disabilities as defined by the department.

(3) Public transportation authorities, nursing homes, assisted living facilities, senior citizen centers, accessible van rental companies, private nonprofit corporations, and cabulance services are responsible for ensuring that the parking placards and special license plates are not used improperly and are responsible for all fines and penalties for improper use.

(4) The department shall adopt rules to determine organization eligibility.

NEW SECTION. **Sec. 493.** The following acts or parts of acts are each repealed:

(1) RCW 46.87.023 (Rental car businesses) and 2011 c 171 s 96, 1994 c 227 s 2, & 1992 c 194 s 7;

(2) RCW 46.87.210 (Refusal of application from nonreciprocal jurisdiction) and 1987 c 244 s 34;

(3) RCW 46.87.270 (Gross weight on vehicle) and 1990 c 250 s 77 & 1987 c 244 s 40; and

(4) RCW 46.87.380 (Delinquent obligations—Collection by attorney general) and 1987 c 244 s 51.

NEW SECTION. **Sec. 494.** 2013 c 225 s 305 is repealed.

Sec. 495. 2013 c 225 s 650 (uncodified) is amended to read as follows:

((~~This act takes effect July 1, 2015.~~)) Section 110, chapter 225, Laws of 2013 takes effect July 1, 2015. Sections 101 through 109, 111 through 304, and 306 through 647, chapter 225, Laws of 2013 take effect July 1, 2016.

Sec. 496. 2014 c 216 s 601 (uncodified) is amended to read as follows:

((~~This act takes effect July 1, 2015.~~)) Sections 101, 202, and 207 through 501, chapter 216, Laws of 2014 take effect July 1, 2015. Sections 201 and 203 through 206, chapter 216, Laws of 2014 take effect July 1, 2016.

NEW SECTION. **Sec. 497.** Sections 1 through 27 and 29 through 38 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 498.** Sections 28 and 39 through 41 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Wilson and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Shea and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Harmsworth.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5362 Prime Sponsor, Committee on Transportation: Concerning the regulation of passenger charter and

excursion carriers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 499.** RCW 81.70.020 and 2007 c 234 s 55 are each amended to read as follows:

Unless the context otherwise requires, the definitions and general provisions in this section govern the construction of this chapter:

(1) "Commission" means the Washington utilities and transportation commission;

(2) "Person or persons" means an individual, a corporation, association, joint stock association, and partnership, their lessees, trustees, or receivers;

(3) "Public highway" includes every public street, road, or highway in this state;

(4) "Motor vehicle" means every self-propelled vehicle with seating capacity for seven or more persons, excluding the driver;

(5) Subject to the exclusions of RCW 81.70.030, "charter party carrier" means every person engaged in the transportation over any public highways in this state of a group of persons, who, pursuant to a common purpose and under a single contract, acquire the use of a motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after leaving the place of origin;

(6) Subject to the exclusion of RCW 81.70.030, "excursion service carrier" means every person engaged in the transportation of persons for compensation over any public highway in this state from points of origin within the incorporated limits of any city or town or area, to any other location within the state of Washington and returning to that origin. The service must not pick up or drop off passengers after leaving and before returning to the area of origin. The excursions may be regularly scheduled. Compensation for the transportation offered or afforded must be computed, charged, or assessed by the excursion service company on an individual fare basis;

(7) "Customer" means a person, corporation, or other entity that prearranges for transportation services with a charter party carrier or purchases a ticket for transportation services aboard an excursion service carrier;

(8) "Double-decker bus" means a motor vehicle with more than one passenger deck. A person using a double-decker bus must comply with the maximum height vehicle requirements contained in RCW 46.44.020;

(9) Subject to the exclusions of RCW 81.70.030, "party bus" means any motor vehicle whose interior enables passengers to stand and circulate throughout the vehicle because seating is placed around the perimeter of the bus or is nonexistent and in which food, beverages, or entertainment may be provided. A motor vehicle configured in the traditional manner of forward-facing seating with a center aisle is not a party bus. A person engaged in the transportation of persons by party bus over any public highway in this state is considered engaging in the business of a charter party carrier or excursion service carrier;

(10) "Permit holder" means a holder of an appropriate special permit issued under chapter 66.20 RCW who is twenty-one years of age or older and who is responsible for compliance with the requirements of section 8 of this act and chapter 66.20 RCW during the provision of transportation services.

Sec. 500. RCW 81.70.030 and 2007 c 234 s 56 are each amended to read as follows:

This chapter does not apply to:

(1) ((~~Persons operating motor vehicles wholly within the limits of incorporated cities;~~

~~(2)~~)) Persons or their lessees, receivers, or trustees insofar as they own, control, operate, or manage taxicabs, hotel buses, or school buses, when operated as such;

(((~~(3)~~))) (2) Passenger vehicles carrying passengers on a noncommercial enterprise basis; or

(((~~(4)~~))) (3) Limousine charter party carriers of passengers under chapter 46.72A RCW.

Sec. 501. RCW 81.70.220 and 2009 c 557 s 4 are each amended to read as follows:

(1) No person may engage in the business of a charter party carrier or excursion service carrier of ((~~persons~~)) passengers over any public highway without first having obtained a certificate from the commission to do so or having registered as an interstate carrier. For the purposes of this section, "engage in the business of a charter party carrier or excursion service carrier" includes advertising or soliciting, offering, or entering into an agreement to provide such service. Each advertisement reproduced, broadcast, or displayed via a particular medium constitutes a separate violation under this chapter.

(2) Any person who engages in the business of a charter party carrier or excursion service carrier in violation of subsection (1) of this section is subject to a penalty of up to five thousand dollars per violation.

(3) An auto transportation company carrying passengers for compensation over any public highway in this state between fixed termini or over a regular route that is not required to hold an auto transportation certificate because of a commission finding under RCW 81.68.015 must obtain a certificate under this chapter.

Sec. 502. RCW 81.70.260 and 1989 c 163 s 9 are each amended to read as follows:

(1) After the cancellation or revocation of a certificate or interstate registration or during the period of its suspension, it is unlawful for a charter party carrier or excursion service carrier of passengers to conduct any operations as such a carrier. For the purposes of this section, "conduct any operations" includes advertising or soliciting, offering, or entering into an agreement to provide such service. Each advertisement reproduced, broadcast, or displayed via a particular medium constitutes a separate violation under this chapter.

(2) Any person who conducts operations as a charter party carrier or excursion service carrier of passengers in violation of subsection (1) of this section is subject to a penalty of up to five thousand dollars per violation.

Sec. 503. RCW 81.70.320 and 2007 c 234 s 61 are each amended to read as follows:

(1) An application for a certificate, amendment of a certificate, or transfer of a certificate must be accompanied by a filing fee the commission may prescribe by rule. The fee must not exceed two hundred dollars.

(2) All fees paid to the commission under this chapter must be deposited in the state treasury to the credit of the public service revolving fund.

(3) It is the intent of the legislature that all fees collected under this chapter must reasonably approximate the cost of supervising and regulating charter party carriers and excursion service carriers

subject thereto, and to that end the commission may decrease the schedule of fees provided for in RCW 81.70.350 by general order entered before ((~~November~~)) March 1st of any year in which the commission determines that the moneys, then in the charter party carrier and excursion service carrier account of the public service revolving fund, and the fees currently owed will exceed the reasonable cost of supervising and regulating such carriers during the succeeding calendar year. Whenever the cost accounting records of the commission indicate that the schedule of fees previously reduced should be increased, the increase, not to exceed the schedule set forth in this chapter, may be effected by a similar general order entered before ((~~November~~)) March 1st of any calendar year.

Sec. 504. RCW 81.70.350 and 1994 c 83 s 3 are each amended to read as follows:

(1) The commission shall collect from each charter party carrier and excursion service carrier holding a certificate issued pursuant to this chapter and from each interstate or foreign carrier subject to this chapter an annual regulatory fee, to be established by the commission but which in total shall not exceed the cost of supervising and regulating such carriers, for each bus used by such carrier.

(2) ((~~All~~)) The fee((~~s~~)) prescribed ((~~by~~)) under this section ((~~shall be~~)) is due and payable on or before ((~~December 31~~)) May 1st of each year, to cover operations during the ((~~ensuing~~)) calendar year ((~~beginning February 1~~)) in which the fee is paid.

(3) Any payment of the fee imposed by this section made after its due date shall include a late fee of two percent of the amount due. Delinquent fees shall accrue interest at the rate of one percent per month.

Sec. 505. RCW 81.70.360 and 1984 c 166 s 5 are each amended to read as follows:

No excursion service company may operate for the transportation of persons for compensation without first having obtained from the commission under the provisions of this chapter a certificate to do so. For the purposes of this section, "operate for the transportation of persons for compensation" includes advertising or soliciting, offering, or entering into an agreement to provide such service.

A certificate shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able to properly perform the services proposed and conform to the provisions of this chapter and the rules of the commission adopted under this chapter, and that such operations will be consistent with the public interest. ((~~However, a certificate shall be granted when it appears to the satisfaction of the commission that the person, firm, or corporation was actually operating in good faith that type of service for which the certificate was sought on January 15, 1983.~~)) Any right, privilege, or certificate held, owned, or obtained by an excursion service company may be sold, assigned, leased, transferred, or inherited as other property only upon authorization by the commission. For good cause shown the commission may refuse to issue the certificate, or issue it for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted by the certificate such terms and conditions as, in its judgment, the public interest may require.

NEW SECTION. **Sec. 506.** A new section is added to chapter 81.70 RCW to read as follows:

(1)(a) A charter party carrier or excursion service carrier operating a party bus must determine whether alcoholic beverages will be served or consumed in the passenger compartment of the vehicle. If it is expected that alcoholic beverages will be served or consumed in the passenger compartment, the permit holder must have obtained the appropriate liquor permit, provided a copy of the permit to the charter party carrier or excursion service carrier in advance of the trip, and be on the vehicle or reasonably proximate and available to the vehicle during the transportation service. The company must maintain the copy of the permit required with the contract of carriage.

(b) If the charter party carrier or excursion service carrier operating a party bus is the permit holder, the carrier must have a person separate from the driver be responsible for the permit holder requirements in this section and either chapter 66.20 or 66.24 RCW.

(c) The permit holder must:

(i) Be on the party bus or reasonably proximate and available to the vehicle during the transportation service;

(ii) Monitor and control party activities in a manner to prevent the driver from being distracted by the party activities; and

(iii) Assume responsibility for compliance with the terms of the special permit, if a permit is required, including compliance with RCW 66.44.270 concerning the prohibition against furnishing liquor to minors.

(2) If at any time the charter party carrier or excursion service carrier operating a party bus believes that conditions aboard the vehicle are unsafe due to party activities involving alcohol, the carrier must remove all alcoholic beverages and lock them in the party bus trunk or other locked compartment. The carrier may cancel the trip and return the passengers to the place of origin.

(3) This section does not limit the right of a charter party carrier or excursion service carrier to prohibit the consumption of alcohol aboard the vehicle.

(4) This section does not limit the right of a permit holder to seek indemnity from any person, corporation, or other entity other than the charter party carrier or excursion service carrier.

(5) This section does not relieve a passenger of legal responsibility for his or her own conduct or the permit holder of legal responsibility for compliance with Title 66 RCW.

(6) Any charter party carrier or excursion service carrier in violation of this section is subject to a penalty of up to five thousand dollars per violation.

NEW SECTION. **Sec. 507.** A new section is added to chapter 81.70 RCW to read as follows:

(1) A charter party carrier or excursion service carrier may not knowingly allow any passenger to smoke aboard a motor vehicle regulated under this chapter.

(2) For the purposes of this section, "smoke" has the same meaning as defined in RCW 70.160.020."

Correct the title.

EFFECT: Removes language that prohibited charter party carriers and excursion service carriers from serving alcohol and prohibited any alcohol on an excursion service carrier. Clarifies requirements if alcohol will be served on a party bus operated by either a charter party carrier or an excursion service carrier, including the responsibilities of the permit holder.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

March 19, 2015

ESB 5416 Prime Sponsor, Senator King: Concerning service fees on vessel-related transactions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 508.** RCW 88.02.560 and 2011 c 171 s 129 are each amended to read as follows:

(1) An application for a vessel registration must be made by the owner or the owner's authorized representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished or approved by the department. The application must contain:

(a) The name and address of each owner of the vessel;

(b) Other information the department may require; and

(c) The signature of at least one owner.

(2) The application for vessel registration must be accompanied by the:

(a) Vessel registration fee required under RCW 88.02.640(1)((~~(i)~~))(k);

(b) Derelict vessel and invasive species removal fee under RCW 88.02.640((~~(3)~~))(1)(b) and derelict vessel removal surcharge required under RCW 88.02.640((~~(4)~~))(1)(c);

(c) Filing fee required under RCW 88.02.640(1)((~~(e)~~))(f);

(d) License plate technology fee required under RCW 88.02.640(1)((~~(f)~~))(g);

(e) License service fee required under RCW 88.02.640(1)((~~(g)~~))(h); ((~~and~~))

(f) Watercraft excise tax required under chapter 82.49 RCW; and

(g) Service fee required under RCW 46.17.040.

(3) Upon receipt of an application for vessel registration and the required fees and taxes, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal must be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels required in 33 C.F.R. Part 174. A valid decal affixed as prescribed must indicate compliance with the annual registration requirements of this chapter.

(4) Vessel registrations and decals are valid for a period of one year, except that the director may extend or diminish vessel registration periods and vessel decals for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period.

(5) Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the fees and taxes described in subsection (2) of this section. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

(6) When the department issues either a notice to renew a vessel registration or a decal for a new or renewed vessel registration, it shall also provide information on the location of marine oil recycling tanks and sewage holding tank pumping stations. This information must be provided to the department by the state parks and recreation commission in a form ready for distribution. The form must be developed and prepared by the state parks and recreation commission with the cooperation of the department of ecology. The department, the state parks and recreation commission, and the department of ecology shall enter into a memorandum of agreement to implement this process.

(7) A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department, county auditor or other agent, or subagent appointed by the director for transfer of the vessel registration, and the application must be accompanied by a transfer fee as required in RCW 88.02.640(1)((~~(l)~~))(o).

Sec. 509. RCW 88.02.640 and 2013 c 291 s 1 are each amended to read as follows:

(1) In addition to any other fees and taxes required by law, the department, county auditor or other agent, or subagent appointed by the director shall charge the following vessel fees and surcharge:

FEE	AMOUNT	AUTHORITY	DISTRIBUTION
(a) Dealer temporary permit	$5.00	RCW 88.02.800(2)	General fund
(b) Derelict vessel and invasive species removal	Subsection (3) of this section	Subsection (3) of this section	Subsection (3) of this section
(c) Derelict vessel removal surcharge	$1.00	Subsection (4) of this section	Subsection (4) of this section
(d) Duplicate certificate of title	$1.25	RCW 88.02.530(1)(c)	General fund
(e) Duplicate registration	$1.25	RCW 88.02.590(1)(c)	General fund
(f) Filing	RCW 46.17.005	RCW 88.02.560(2)	RCW 46.68.400
(g) License plate technology	RCW 46.17.015	RCW 88.02.560(2)	RCW 46.68.370
(h) License service	RCW 46.17.025	RCW 88.02.560(2)	RCW 46.68.220
(i) Nonresident vessel permit	$25.00	RCW 88.02.620(3)	Subsection (5) of this section

(j) Quick title service	$50.00	RCW 88.02.540(3)	Subsection (7) of this section
(k) Registration	$10.50	RCW 88.02.560(2)	RCW 88.02.650
(l) Replacement decal	$1.25	RCW 88.02.595(1)(c)	General fund
(m) Service fee	RCW 46.17.040	RCW 88.02.515 and 88.02.560(2)	RCW 46.17.040
(n) Title application	$5.00	RCW 88.02.515	General fund
(((~~(n)~~)))(o) Transfer	$1.00	RCW 88.02.560(7)	General fund
(((~~(o)~~)))(p) Vessel visitor permit	$30.00	RCW 88.02.610(3)	Subsection (6) of this section

(2) The five dollar dealer temporary permit fee required in subsection (1) of this section must be credited to the payment of registration fees at the time application for registration is made.

(3) The derelict vessel and invasive species removal fee required in subsection (1) of this section is five dollars and must be distributed as follows:

(a) One dollar and fifty cents must be deposited in the aquatic invasive species prevention account created in RCW 77.12.879;

(b) One dollar must be deposited into the aquatic algae control account created in RCW 43.21A.667;

(c) Fifty cents must be deposited into the aquatic invasive species enforcement account created in RCW 43.43.400; and

(d) Two dollars must be deposited in the derelict vessel removal account created in RCW 79.100.100.

(4) In addition to other fees required in this section, an annual derelict vessel removal surcharge of one dollar must be charged with each vessel registration. The surcharge is to address the significant backlog of derelict vessels accumulated in Washington waters that pose a threat to the health and safety of the people and to the environment and must be deposited into the derelict vessel removal account created in RCW 79.100.100.

(5) The twenty-five dollar nonresident vessel permit fee must be paid by the vessel owner to the department for the cost of providing the identification document by the department. Any moneys remaining from the fee after the payment of costs must be allocated to counties by the state treasurer for approved boating safety programs under RCW 88.02.650.

(6) The thirty dollar vessel visitor permit fee must be distributed as follows:

(a) Five dollars must be deposited in the derelict vessel removal account created in RCW 79.100.100;

(b) The department may keep an amount to cover costs for providing the vessel visitor permit;

(c) Any moneys remaining must be allocated to counties by the state treasurer for approved boating safety programs under RCW 88.02.650; and

(d) Any fees required for licensing agents under RCW 46.17.005 are in addition to any other fee or tax due for the titling and registration of vessels.

(7)(a) The fifty dollar quick title service fee must be distributed as follows:

(i) If the fee is paid to the director, the fee must be deposited to the general fund.

(ii) If the fee is paid to the participating county auditor or other agent or subagent appointed by the director, twenty-five dollars must be deposited to the general fund. The remainder must be retained by the county treasurer in the same manner as other fees collected by the county auditor.

(b) For the purposes of this subsection, "quick title" has the same meaning as in RCW 88.02.540.

NEW SECTION. **Sec. 510.** This act applies to vessel registrations that are due or become due on or after January 1, 2016, and certificate of title transactions that are processed on or after January 1, 2016."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Kochmar; Pike; Rodne; Shea; Wilson; Young and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

Passed to Committee on Rules for second reading.

March 19, 2015

SSB 5438 Prime Sponsor, Committee on Transportation: Allowing bicycles and mopeds to stop and proceed through traffic control signals under certain conditions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Gregerson; Harmsworth; Kochmar; McBride; Pike; Riccelli; Rodne; Sells; Shea; Takko; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes and Morris.

MINORITY recommendation: Without recommendation. Signed by Representative Ortiz-Self.

Passed to Committee on Rules for second reading.

March 20, 2015

SB 5499 Prime Sponsor, Senator Roach: Allowing the filing of a special allegation of a nefarious drone

enterprise. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey; Moscoso and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Appleton and Pettigrew.

Referred to Committee on General Government & Information Technology.

March 19, 2015

SB 5555 Prime Sponsor, Senator Warnick: Concerning irrigation district review and conditioning authority. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 511.** RCW 58.17.310 and 2009 c 145 s 1 are each amended to read as follows:

(1) Whenever a city, town, or county receives an application for the approval of a plat of a subdivision, alteration of an existing subdivision, the creation of a new parcel or parcels, or modification of existing parcels, for real property that lies in whole or in part in an irrigation district organized pursuant to chapter 87.03 RCW, the responsible administrator shall give written notice of the application, including a legal description of the short subdivision and a location map, to the irrigation district. The irrigation district shall, after receiving the notice, submit to the responsible administrator who furnished the notice a statement with any information or conditions for approval that the irrigation district deems to be necessary regarding the proposed division's effect upon the structural integrity, including lateral support, of the irrigation district facilities, other risk exposures, and the safety of the public and irrigation district.

(2) In addition to any other requirements imposed by the provisions of this chapter, the legislative authority of any city, town, or county shall not approve a short plat or final plat, as defined in RCW 58.17.020, for any subdivision, short subdivision, lot, tract, parcel, or site which lies in whole or in part in an irrigation district organized pursuant to chapter 87.03 RCW unless there has been provided an irrigation water right-of-way for each parcel of land in such district. In addition, if the subdivision, short subdivision, lot, tract, parcel, or site lies within land within the district classified as irrigable, completed irrigation water distribution facilities for such land may be required by the irrigation district by resolution, bylaw, or rule of general applicability as a condition for approval of the short plat or final plat by the legislative authority of the city, town, or county. Rights-of-way shall be evidenced by the respective plats submitted for final approval to the appropriate legislative authority. In addition, if the subdivision, short subdivision, lot, tract, parcel, or site to be platted is wholly or partially within an irrigation district of two hundred thousand acres or more and has been previously platted by the United States bureau of reclamation as a farm unit in the district, the legislative authority shall not approve for such land a short plat or final plat as defined in RCW 58.17.020 without the approval of the irrigation district and the administrator or manager of the project of the bureau of reclamation, or its successor agency, within which that district lies. Compliance with the requirements of this section together with all other applicable provisions of this chapter shall be a prerequisite, within the expressed purpose of this chapter, to any sale, lease, or development of land in this state."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

Passed to Committee on Rules for second reading.

March 20, 2015

SB 5650 Prime Sponsor, Senator Padden: Modifying provisions governing inmate funds subject to deductions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 512.** RCW 72.09.480 and 2011 c 282 s 3 are each amended to read as follows:

(1) Unless the context clearly requires otherwise, the definitions in this section apply to this section.

(a) "Cost of incarceration" means the cost of providing an inmate with shelter, food, clothing, transportation, supervision, and other services and supplies as may be necessary for the maintenance and support of the inmate while in the custody of the department, based on the average per inmate costs established by the department and the office of financial management.

(b) "Minimum term of confinement" means the minimum amount of time an inmate will be confined in the custody of the department, considering the sentence imposed and adjusted for the total potential earned early release time available to the inmate.

(c) "Program" means any series of courses or classes necessary to achieve a proficiency standard, certificate, or postsecondary degree.

(2) When an inmate, except as provided in subsections (4) and (8) of this section, receives any funds in addition to his or her wages or gratuities, except settlements or awards resulting from legal action, the additional funds shall be subject to the following deductions and the priorities established in chapter 72.11 RCW:

(a) Five percent to the crime victims' compensation account provided in RCW 7.68.045;

(b) Ten percent to a department personal inmate savings account;

(c) Twenty percent for payment of legal financial obligations for all inmates who have legal financial obligations owing in any Washington state superior court;

(d) Twenty percent for any child support owed under a support order;

(e) Twenty percent to the department to contribute to the cost of incarceration; and

(f) Twenty percent for payment of any civil judgment for assault for all inmates who are subject to a civil judgment for assault in any Washington state court or federal court.

(3) When an inmate, except as provided in subsection ((~~(8)~~)) (9) of this section, receives any funds from a settlement or award

resulting from a legal action, the additional funds shall be subject to the deductions in RCW 72.09.111(1)(a) and the priorities established in chapter 72.11 RCW.

(4) When an inmate who is subject to a child support order receives funds from an inheritance, the deduction required under subsection (2)(e) and (f) of this section shall only apply after the child support obligation has been paid in full.

(5) The amount deducted from an inmate's funds under subsection (2) of this section shall not exceed the department's total cost of incarceration for the inmate incurred during the inmate's minimum or actual term of confinement, whichever is longer.

(6)(a) The deductions required under subsection (2) of this section shall not apply to funds received by the department from an offender or from a third party on behalf of an offender for payment of education or vocational programs or postsecondary education degree programs as provided in RCW 72.09.460 and 72.09.465.

(b) The deductions required under subsection (2) of this section shall not apply to funds received by the department from a third party, including but not limited to a nonprofit entity on behalf of the department's education, vocation, or postsecondary education degree programs.

(7) The deductions required under subsection (2) of this section shall not apply to any money received by the department, on behalf of an inmate, from family or other outside sources for the payment of postage expenses. Money received under this subsection may only be used for the payment of postage expenses and may not be transferred to any other account or purpose. Money that remains unused in the inmate's postage fund at the time of release shall be subject to the deductions outlined in subsection (2) of this section.

(8) ((~~When an~~)) The deductions required under subsection (2) of this section do not apply to any money received by the department on behalf of an inmate from family or other outside sources for the payment of certain medical expenses. Money received under this subsection may only be used for the payment of medical expenses associated with the purchase of eyeglasses, over-the-counter medications, and offender copayments. Funds received specifically for these purposes may not be transferred to any other account or purpose. Money that remains unused in the inmate's medical fund at the time of release is subject to deductions under subsection (2) of this section.

(9) Inmates sentenced to life imprisonment without possibility of release or sentenced to death under chapter 10.95 RCW receives funds, deductions are required under subsection (2) of this section, with the exception of a personal inmate savings account under subsection (2)(b) of this section.

((~~(9)~~)) (10) The secretary of the department of corrections, or his or her designee, may exempt an inmate from a personal inmate savings account under subsection (2)(b) of this section if the inmate's earliest release date is beyond the inmate's life expectancy.

((~~(10)~~)) (11) The interest earned on an inmate savings account created as a result of the plan in section 4, chapter 325, Laws of 1999 shall be exempt from the mandatory deductions under this section and RCW 72.09.111.

((~~(11)~~)) (12) Nothing in this section shall limit the authority of the department of social and health services division of child support, the county clerk, or a restitution recipient from taking collection action against an inmate's moneys, assets, or property pursuant to chapter 9.94A, 26.23, 74.20, or 74.20A RCW including, but not limited to, the collection of moneys received by the inmate from settlements or awards resulting from legal action."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

March 19, 2015

SSB 5694 Prime Sponsor, Committee on Government Operations & Security: Allowing assessments for nuisance abatement in cities and towns. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 513.** A new section is added to chapter 35.21 RCW to read as follows:

(1) A city or town that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to abate a nuisance which threatens health or safety must provide prior notice to the property owner that abatement is pending and a special assessment may be levied on the property for the expense of abatement. The notice must be sent by regular mail.

(2) A city or town that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to declare a nuisance, abate a nuisance, or impose fines or costs upon persons who create, continue, or maintain a nuisance may levy a special assessment on the land or premises where the nuisance is situated to reimburse the city or town for the expense of abatement. The special assessment may not exceed five thousand dollars. A city or town must, before levying a special assessment, notify the property owner and any identifiable mortgage holder that a special assessment will be levied on the property and provide the estimated amount of the special assessment. The notice must be sent by regular mail.

(3) The special assessment authorized by this section constitutes a lien against the property and is of equal rank with state, county, and municipal taxes.

(4) A city or town levying a special assessment under this section may contract with the county treasurer to collect the special assessment in accordance with RCW 84.56.035.

NEW SECTION. **Sec. 514.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) A code city that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to abate a nuisance which threatens health or safety must provide prior notice to the property owner that abatement is pending and a special assessment may be levied on the property for the expense of abatement. The notice must be sent by regular mail.

(2) A code city that exercises its authority under chapter 7.48 RCW or other applicable law to declare a nuisance, abate a nuisance, or impose fines or costs upon persons who create, continue, or maintain a nuisance may levy a special assessment on the land or premises where the nuisance is situated to reimburse the code city for the expense of abatement. The special assessment may not exceed five thousand dollars. A code city must, before levying a special assessment, notify the property owner and any identifiable mortgage holder that a special assessment will be levied on the property and provide the estimated amount of the special assessment. The notice must be sent by regular mail.

(3) The special assessment authorized by this section constitutes a lien against the property and is of equal rank with state, county, and municipal taxes.

(4) A code city levying a special assessment under this section may contract with the county treasurer to collect the special assessment in accordance with RCW 84.56.035."

Correct the title.

Signed by Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon; McBride; McCaslin; Peterson and Pike.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member Griffey, Assistant Ranking Minority Member.

Referred to Committee on Finance.

March 19, 2015

ESB 5993 Prime Sponsor, Senator King: Concerning public works contracts and projects. Reported by Committee on Labor

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 515.** RCW 39.04.320 and 2009 c 197 s 1 are each amended to read as follows:

(1)(a) Except as provided in (b) through (d) of this subsection, from January 1, 2005, and thereafter, for all public works estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(b)(i) This section does not apply to contracts advertised for bid before July 1, 2007, for any public works by the department of transportation.

(ii) For contracts advertised for bid on or after July 1, 2007, and before July 1, 2008, for all public works by the department of transportation estimated to cost five million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after July 1, 2008, and before July 1, 2009, for all public works by the department of transportation estimated to cost three million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after July 1, ((~~2009~~)) 2015, and before July 1, 2020, for all public works by the department of transportation estimated to cost ((~~two~~)) three million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(v) For contracts advertised for bid on or after July 1, 2020, for all public works by the department of transportation estimated to cost two million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(c)(i) This section does not apply to contracts advertised for bid before January 1, 2008, for any public works by a school district, or to any project funded in whole or in part by bond issues approved before July 1, 2007.

(ii) For contracts advertised for bid on or after January 1, 2008, for all public works by a school district estimated to cost three million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2009, for all public works by a school district estimated to cost two million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after January 1, 2010, for all public works by a school district estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(d)(i) For contracts advertised for bid on or after January 1, 2010, for all public works by a four-year institution of higher education estimated to cost three million dollars or more, all specifications must require that no less than ten percent of the labor hours be performed by apprentices.

(ii) For contracts advertised for bid on or after January 1, 2011, for all public works by a four-year institution of higher education estimated to cost two million dollars or more, all specifications must require that no less than twelve percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2012, for all public works by a four-year institution of higher education estimated to cost one million dollars or more, all specifications must require that no less than fifteen percent of the labor hours be performed by apprentices.

(2) Awarding entities may adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas;

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation;

(c) Participating contractors have demonstrated a good faith effort to comply with the requirements of RCW 39.04.300 and 39.04.310 and this section; or

(d) Other criteria the awarding entity deems appropriate, which are subject to review by the office of the governor.

(3) The secretary of the department of transportation shall adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas; or

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation.

(4) This section applies to public works contracts awarded by the state, to public works contracts awarded by school districts, and to public works contracts awarded by state four-year institutions of higher education. However, this section does not apply to contracts awarded by state agencies headed by a separately elected public official.

(5)(a) The department of ((~~general administration~~)) enterprise services must provide information and technical assistance to affected agencies and collect the following data from affected agencies for each project covered by this section:

(i) The name of each apprentice and apprentice registration number;

(ii) The name of each project;

(iii) The dollar value of each project;

(iv) The date of the contractor's notice to proceed;

(v) The number of apprentices and labor hours worked by them, categorized by trade or craft;

(vi) The number of journey level workers and labor hours worked by them, categorized by trade or craft; and

(vii) The number, type, and rationale for the exceptions granted under subsection (2) of this section.

(b) The department of labor and industries shall assist the department of ((~~general administration~~)) enterprise services in providing information and technical assistance.

(6) The secretary of transportation shall establish and maintain an apprenticeship utilization advisory committee, which shall include statewide geographic representation and consist of equal numbers of representatives of contractors and labor. The committee must include at least one member representing contractor businesses with less than thirty-five employees. The advisory committee shall meet regularly with the secretary of transportation to discuss implementation of this section by the department of transportation, including development of the process to be used to adjust the requirements of this section for a specific project. ((~~The committee shall provide a report to the legislature by January 1, 2008, on the effects of the apprentice labor requirement on transportation projects and on the availability of apprentice labor and programs statewide.~~))

(7) At the request of the senate labor, commerce, research and development committee, the house of representatives commerce and labor committee, or their successor committees, and the governor, the department of ((~~general administration~~)) enterprise services and the department of labor and industries shall compile and summarize the agency data and provide a joint report to both committees. The report shall include recommendations on modifications or improvements to the apprentice utilization program and information on skill shortages in each trade or craft.

Sec. 516. RCW 39.12.026 and 2003 c 363 s 206 are each amended to read as follows:

(1) In establishing the prevailing rate of wage under RCW 39.12.010, 39.12.015, and 39.12.020, all data collected by the department of labor and industries may be used only in the county for which the work was performed.

(2) ((~~This section applies only to prevailing wage surveys initiated on or after August 1, 2003.~~)) The department of labor and industries must provide registered contractors with the option of completing a wage survey electronically.

Sec. 517. RCW 39.12.015 and 1965 ex.s. c 133 s 2 are each amended to read as follows:

(1) All determinations of the prevailing rate of wage shall be made by the industrial statistician of the department of labor and industries.

(2) The industrial statistician shall establish the prevailing rate of wage by adopting the hourly wage, usual benefits, and overtime pay established in collective bargaining agreements for those trades and occupations that have collective bargaining agreements. For trades and occupations for which there are no collective bargaining agreements, the industrial statistician shall establish the prevailing rate of wage by conducting wage and hour surveys. In instances when there are no collective bargaining agreements and conducting wage and hour surveys is not feasible, the industrial statistician may employ other appropriate methods to establish the prevailing rate of wage.

NEW SECTION. **Sec. 518.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Without recommendation. Signed by Representative McCabe.

Passed to Committee on Rules for second reading.

March 20, 2015

SJM 8006 Prime Sponsor, Senator Kohl-Welles: Requesting Congress, the President, and the Departments of Education, Health and Human Services, and Justice to take action to implement the recommendations of the Government Accountability Office concerning efforts to prevent and respond to child sexual abuse by school personnel and sexual abuse between peers. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 25, 2015, the 73rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY THIRD DAY

House Chamber, Olympia, Wednesday, March 25, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2208 by Representatives Shea, Young, Taylor, Condotta, Scott, G. Hunt and McCaslin

AN ACT Relating to presidential electors; amending RCW 29A.56.310, 29A.56.320, and 29A.56.340; repealing RCW 29A.56.300; and repealing 2009 c 264 s 1 (uncodified).

Referred to Committee on State Government.

HB 2209 by Representatives G. Hunt, Young, Shea, Taylor, Scott, Condotta, Harmsworth and McCaslin

AN ACT Relating to verification that an applicant for a driver's license or identicard is lawfully within the United States; amending RCW 29A.08.350, 46.20.035, 46.20.117, 46.20.117, 46.20.155, and 46.20.181; adding new sections to chapter 46.20 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 2210 by Representatives Young, G. Hunt, Taylor, Shea, Scott, Condotta and McCaslin

AN ACT Relating to repealing the state estate tax; creating a new section; repealing RCW 83.100.040; and providing an effective date.

Referred to Committee on Finance.

HB 2211 by Representative Pollet

AN ACT Relating to vapor products, e-cigarette, and nicotine products tax and regulatory reform to support youth substance prevention; amending RCW 66.08.145, 66.44.010, 82.24.510, 82.24.550, 82.26.060, 82.26.080, 82.26.150, 82.26.220, 82.32.300, and 43.06.450; adding new sections to chapter 43.06 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 82 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 23, 2015

SB 5155 Prime Sponsor, Senator King: Modifying special occasion licenses provisions. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Blake; Kirby; Van De Wege and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta, Ranking Minority Member Holy, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 24, 2015

SB 5310 Prime Sponsor, Senator Ericksen: Addressing enforcement actions at facilities sited by the energy facility site evaluation council. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos and Wylie.

Passed to Committee on Rules for second reading.

March 24, 2015

SSB 5380 Prime Sponsor, Committee on Natural Resources & Parks: Modifying provisions of the code that deal with migratory birds. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 24, 2015

SSB 5824 Prime Sponsor, Committee on Natural Resources & Parks: Concerning certain recreational guides. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 24, 2015

SSJM 8007 Prime Sponsor, Committee on Natural Resources & Parks: Requesting Congress to provide the National Oceanic and Atmospheric Administration Fisheries with sufficient resources to expedite its endangered species act and national environmental policy act review of Puget Sound hatchery and genetic management plans and that the National Oceanic and Atmospheric Administration Fisheries prioritize and conduct immediate review and approval of Puget Sound hatchery and genetic management plans. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Dunshee; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2201, and the bill was referred to the Committee on Higher Education.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 26, 2015, the 74th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY FOURTH DAY

House Chamber, Olympia, Thursday, March 26, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 25, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1610

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 4626, by Representatives Takko and Blake

WHEREAS, The 2014-2015 Mark Morris girls' basketball team, the Mighty Monarchs, once again triumphed over all Class 2A teams in the state girls' basketball tournament; and

WHEREAS, The Mark Morris girls' basketball team dominated its opponents like no other 2A girls' teams have; and

WHEREAS, The Mark Morris girls' basketball team, since January 1, 2015, beat every opponent by 20 points; and

WHEREAS, The Mark Morris girls' basketball team was the state champions in two out of the last three state tournaments; and

WHEREAS, Ashley Coons, Karley Eaton, and Kourtney Eaton were chosen to be on the All-State 2A girls' basketball team; and

WHEREAS, The members of the Mark Morris High School girls' basketball team were proud and worthy ambassadors for their high school, their school district, and the City of Longview;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the tremendous achievement of the Mark Morris High School girls' basketball team; and

BE IT FURTHER RESOLVED, That Basketball Head Coach Steve Rookledge and Assistants Rex Giles, Chris Coffee, and Jan Karnowski be commended for their outstanding leadership in crafting their team into champions; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mark Morris High School.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4626.

HOUSE RESOLUTION NO. 4626 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4627, by Representative Goodman

WHEREAS, In 2014, many households in Washington State struggled to provide enough food for their family; and

WHEREAS, According to the United States Department of Agriculture, 14.3 percent of the population of Washington State experiences food insecurity, with 5.6 percent of those experiencing very low food security; and

WHEREAS, Children are more likely to experience hunger than the population as a whole; and

WHEREAS, In 2014, the National Association of Letter Carriers' Stamp Out Hunger Food Drive collected 72.5 million pounds of donated food nationwide, and distributed it to 10,000 cities and towns across America; and

WHEREAS, According to Food Lifeline, in 2014, 1,697,265 pounds of donated food were collected in Washington State; and

WHEREAS, The National Association of Letter Carriers continues to work to alleviate the challenges of hunger in Washington State through its 23rd annual Stamp Out Hunger Food Drive; and

WHEREAS, The food drive's 2015 motto is, "If we all work together we can deliver a whole bag full of hope!"; and

WHEREAS, On May 9, 2015, the second Saturday of May, letter carriers will collect donations to the food banks and pantries in their communities, at a time when pantries start running out of donations received during the holiday season;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives support the observation of May 9, 2015, as Letter Carriers' Stamp Out Hunger Food Drive Day in Washington, and urge all Washingtonians to join in this special observance.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4627.

HOUSE RESOLUTION NO. 4627 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4628, by Representatives Pettigrew and Santos

WHEREAS, The Honorable Garfield Bulldogs are the 2015 Washington State 3A Boys Basketball Champions, defeating the

three-time defending champions, the Rainer Beach Vikings, 66 to 51; and

WHEREAS, This championship illustrates the hard work of the student athletes at Garfield High School, as well as the effective teamwork, leadership, and discipline necessary to be a championship team; and

WHEREAS, A state championship win reflects the dedication and sacrifices of coaches and families, and the support of the entire community; and

WHEREAS, The Garfield community, including staff, parents, and fellow students, provided morale and spirit by rallying behind their Garfield Bulldogs; and

WHEREAS, The House of Representatives would like to recognize the accomplishment of Head Coach Ed Haskins and his staff, who led these young men to victory through their admirable guidance, dedication, and patience; and

WHEREAS, The House of Representatives would also like to recognize the commendable efforts and hard work of Garfield High School sophomore Mr. Jaylen Nowell, who was the 3A state tournament MVP, working alongside his teammates to achieve victory and honoring the team motto "what we can't do alone. . . we can do together";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor the Garfield Bulldogs boys basketball team for their well-earned championship title, and their incredible and distinct sense of community, pride, and student excellence; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the Washington State House of Representatives to Garfield High School.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4628.

HOUSE RESOLUTION NO. 4628 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2212 by Representatives Cody and Schmick

AN ACT Relating to exempting hospitals licensed under chapter 70.41 RCW that receive capital funds to operate new psychiatric services from certain certificate of need requirements; adding a new section to chapter 70.38 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2213 by Representatives Walsh and Kilduff

AN ACT Relating to prevocational services for individuals with developmental disabilities; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 2214 by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride and Hurst

AN ACT Relating to increasing academic rigor and streamlining assessment requirements for high school students; amending RCW 28A.655.061, 28A.230.090, 28A.655.066, 28A.655.068, 28A.655.070, 28A.230.125, 28A.320.195, and 28A.700.080; creating a new section; repealing RCW 28A.655.063, 28A.655.065, and 28A.655.066; and providing an effective date.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 23, 2015

SSB 5012 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Authorizing the growing of industrial hemp. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 519.** The legislature finds that hemp has been continuously cultivated for millennia, is accepted and available in the global marketplace, and has numerous beneficial, practical, and economic uses, including, but not limited to: High strength fiber; textiles; clothing; biofuel; paper products; protein rich food containing fatty acids and amino acids; biodegradable plastics; resins; nontoxic medicinal and cosmetic products; construction materials; rope; and value-added crafts.

The many beneficial agricultural and environmental uses of hemp include, but are not limited to: Livestock feed and bedding; carbon dioxide absorption and conversion; stream buffering; erosion control; water and soil purification; and weed control.

The hemp plant is an annual herbaceous plant that, on average, varies in height from three to nineteen feet and has a stem diameter averaging between one-quarter to one and one-half inches. The hemp plant is morphologically distinctive and readily identifiable as an agricultural crop grown for the cultivation and harvesting of its fiber and seed.

The agricultural act of 2014, known as the farm bill, passed by congress last year, authorizes the growing of hemp by institutions of higher learning and state departments of agriculture for academic or agricultural research purposes, but only in those states that have already legalized hemp production. At least eight states have passed legislation generally authorizing the production and marketing of industrial hemp and eleven others have authorized either hemp pilot studies or the production of hemp for agricultural research purposes, or both.

Hemp cultivation will enable the state of Washington to accelerate economic growth and job creation, promote environmental stewardship, and expand export opportunities.

Therefore, it is the intent of the legislature to legalize the agricultural production of industrial hemp and provide a regulatory framework that will ensure the security and safety of hemp crops while at the same time facilitate the ability of Washington farmers to successfully compete in the global hemp marketplace.

NEW SECTION. **Sec. 520.** (1) Industrial hemp is an agricultural product that may be legally grown, produced, possessed, processed, and commercially traded in accordance with the provisions of this chapter. Interstate and international commercial transactions may be conducted by state licensed industrial hemp producers and processors with respect to industrial hemp and industrial hemp products produced in this state by licensees. The department is granted the rule-making authority necessary to implement the provisions of this chapter.

(2) The department is authorized to adopt rules addressing the prevention of cross-pollination between industrial hemp plants and marijuana plants. Any rule making regarding this issue must be done in consultation with the state liquor control board in order to ensure consistency between the rules developed by the department and the state liquor control board, respectively, relating to cross-pollination issues potentially affecting licensees under this chapter and chapter 69.50 RCW.

NEW SECTION. **Sec. 521.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Cultivar" means a variation of genera *Cannabis* that has been developed through cultivation by selective breeding.

(2) "Department" means the Washington state department of agriculture.

(3) "Grower" means any person or entity growing industrial hemp and being duly licensed in accordance with the provisions of this chapter.

(4) "Hemp products" include all products made from industrial hemp including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, building materials, plastics, seed, livestock feed, seed meal, seed oil intended for consumption, seed certified for cultivation, or any other hemp product derived from industrial hemp, provided the product is derived from seeds originating from industrial hemp cultivars approved by the department in accordance with the provisions of this chapter.

(5) "Industrial hemp" means all parts and varieties of the genera *Cannabis*, cultivated or possessed by a grower, whether growing or not, that contain a tetrahydrocannabinol concentration of 0.3 percent or less by dry weight, except that the THC concentration limit of 0.3 percent may be exceeded with respect to seeds used for licensed industrial hemp research conducted in accordance with the requirements of sections 8 and 10 of this act. Industrial hemp does not include plants of the genera *Cannabis* that meet the definition of "marijuana" under RCW 69.50.101.

(6) "THC" or "tetrahydrocannabinol" means the component delta-9-tetrahydrocannibinol contained in the genera *Cannabis*, or in the resinous extractives of the genera *Cannabis*, or the synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity.

(7) "THC concentration" means percent of total THC, which is the percent of delta-9 tetrahydrocannabinol in any part of the genera *Cannabis*, regardless of moisture content.

NEW SECTION. **Sec. 522.** (1) The department shall administer and enforce the provisions of this chapter.

(2) The department is authorized to investigate compliance with this chapter, and have access, subject to the provisions of subsection (3) of this section, to all land, buildings, or places where industrial hemp is grown, kept, stored, or handled, and to all records relating to hemp production. The department may make copies of the records.

(3) The department may access properties and records specified in subsection (2) of this section during regular business hours upon the consent of the grower or when the department has probable cause to believe that any grower licensed under this chapter is otherwise in violation of this chapter or rules adopted under it.

NEW SECTION. **Sec. 523.** (1) Any person or entity wishing to engage in the production of industrial hemp must be licensed as an industrial hemp grower by the department. A department-issued license authorizes industrial hemp production only at the site or sites specified by the licensee in the licensee's license application.

(2) In order to obtain a license, a prospective licensee must file an application with the department. The department must make a determination to either grant or deny a license within sixty days of receipt of the application. A department-issued license is valid for thirty-six months and may be renewed, but may not be transferred.

(3) To qualify for a license, an applicant shall demonstrate to the satisfaction of the department, in a manner prescribed by the department, that the applicant intends to and is capable of growing industrial hemp and has adopted methods to ensure its safe production, which at a minimum include:

(a) Securing the supply of all industrial hemp seed obtained for planting in compliance with this chapter;

(b) Ensuring the integrity of the industrial hemp crop while it is in the field, which includes filing with the department the location and acreage of all parcels sown and other field reference information as may be required by the director;

(c) Agreeing to the provisions of section 4 of this act regarding inspections and records requests by the department; and

(d) Maintaining records that reflect compliance with the provisions of this chapter and with all other state law regulating the planting and cultivation of hemp.

(4)(a) Except as provided in (b) of this subsection, all licensed growers must maintain all production records for at least three years at the production site.

(b) Licensed growers who are corporate entities must maintain production records for at least three years either at the production site or at a corporate office located within the state.

(5) Every grower shall place signs at the natural access points of industrial hemp fields that communicate, at a minimum, that the crop is industrial hemp and that the THC content is insignificant. The minimum length of the signs is twenty-four inches and the minimum height is eighteen inches.

NEW SECTION. **Sec. 524.** (1) The department may deny, suspend, revoke, or refuse to renew the license of any grower that:

(a) Makes a false statement or misrepresentation on an application for a license or renewal of a license;

(b) Fails to comply with or violates any provision of this chapter or any rule adopted under it; or

(c) Fails to take any action required by the department under the provisions of this chapter.

(2) Revocation or suspension of a license may be in addition to any criminal penalties or fines imposed on a grower under other state law.

NEW SECTION. **Sec. 525.** (1) The department shall charge an annual fee for each license granted to a grower under this chapter. The fee amount charged for the first growing season after the effective date of this section is thirty dollars per acre of land under cultivation. After the first growing season, the department shall adopt by rule a fee sufficient to fully fund and administer the program, to be used beginning with the growing season following the first growing season. All fee revenue must be deposited in the dedicated industrial hemp account created in section 12 of this act.

(2) After the third growing season, the department shall report to the legislature on the fee amount, the acres of industrial hemp in production, and the revenue generated from industrial hemp.

NEW SECTION. **Sec. 526.** (1) The industrial hemp authorized for production under this chapter must be propagated through certified, conventionally bred pedigreed seeds as determined by the department through its rule-making authority. Except when grown by an accredited agricultural research institution or by a registered seed breeder developing a new Washington seed cultivar, industrial hemp must be grown only from seed types identified on a list of approved seed cultivars to be established by the department by rule.

(2) The following varieties of seed cultivars are approved by the department for industrial hemp production and are exempt from the THC testing required under section 9 of this act: Alyssa; Anka; CFX-1; CFX-2; Delores; X-59 (Hemp Nut); Crag; CRS-1; USO 14; USO 31; and Zolotonosha 11.

(3) The following varieties of seed cultivars are approved by the department for industrial hemp production but must undergo THC testing as required under section 9 of this act unless and until such time as the department determines they are exempt from THC testing: Canda; CanMa; Carmagnola; Carmen; CS; Deni; Epsilon 68; ESTA-1; Fasamo; Fedrina 74; Fedura 17; Felina 34; Ferimon; Fibranova; Fibriko; Fibrimon 24; Fibrimon 56; Finola; Futura 75; Joey; Jutta; Komplti; Kompolti Hybrid TC; Kompolti Sargaszaru; Lovrin 110; Petera; Santhica 27; Silesia; UC-RGM; Uniko B; Yvonne; and Zolotonosha 15.

(4) In addition to those approved cultivars identified in subsections (2) and (3) of this section, the department must determine and adopt by rule a list of approved seed cultivars. In establishing the list of department-approved seed cultivars, the department should consider the following:

(a) Industrial hemp seed cultivars that have been certified by or after January 1, 2013, by member organizations of the association of official seed certifying agencies, including, but not limited to, the Canadian seed growers' association; and

(b) Industrial hemp seed cultivars that have been certified by or after January 1, 2013, by the organization of economic cooperation and development.

(5) Industrial hemp seeds are subject to the provisions and requirements of RCW 15.49.370, which establishes the general regulatory authority of the department with respect to agricultural seeds. Pursuant to this authority, the department may sample, inspect, analyze, and generally regulate the industrial hemp seeds used by licensed growers in this state. The department may also charge fees and special assessments to licensed growers, as established by rule, related to the inspection, testing, and certification of industrial hemp seeds.

(6) For the purposes of this section and RCW 15.49.370, industrial hemp seed samples collected for inspection and testing purposes must be directly taken into the custody of an authorized employee of the department. Following collection, the department employee must package and transport the seeds in a manner that ensures that the integrity of the sample is maintained until delivery to the testing facility.

(7) The department is not responsible for:

(a) Determining whether a specific hemp product has been derived from approved industrial hemp cultivars; or

(b) Taking any enforcement action requiring the determination of whether a hemp product has been derived from approved industrial hemp cultivars.

NEW SECTION. **Sec. 527.** (1) Industrial hemp growers are required to annually submit plant samples to an independent, department-certified testing laboratory for the testing of THC levels in accordance with the requirements of this chapter. The annual test results must be retained by the grower for a period of three years. The samples must be from each noncontiguous, individually identifiable field, regardless of size, that is owned or controlled by the grower. The costs of the testing must be borne by the producer and the test results must be provided to the department by either the laboratory or the grower, or both, at the request of the department. The department has discretionary authority to require random testing at any time.

(2) The department may exempt a grower from the annual testing requirement established under this section if the annual test results of the hemp varieties grown by that producer prove to contain 0.3 percent THC or less for three consecutive years.

(3) The department shall adopt by rule the criteria for the certification of a testing laboratory and the testing standards and processes to be used by a laboratory under this section.

NEW SECTION. **Sec. 528.** (1) Subject to receiving federal or private funds for this purpose, Washington State University shall study the feasibility and desirability of industrial hemp production in Washington state. In conducting the study, Washington State University shall gather information from agricultural and scientific literature, consulting with experts and the public, and reviewing the best practices of other states and countries worldwide regarding the development of markets for industrial hemp and hemp products. The study must include an analysis of:

(a) The market economic conditions affecting the development of an industrial hemp industry in the state;

(b) The estimated value-added benefit that Washington's economy would obtain from having a developed industrial hemp industry in the state;

(c) Whether Washington soils and growing conditions are appropriate for economically viable levels of industrial hemp production;

(d) Issues related to the potential for cross-pollination between industrial hemp plants and marijuana plants;

(e) The threat posed to industrial hemp by agricultural pests and diseases and the potential remedies for these agricultural threats;

(f) Any potential threat to the state's hop industry posed by the agricultural production of industrial hemp and methods that might be used to mitigate such threat;

(g) The agronomy research being conducted worldwide relating to industrial hemp varieties, production, and use; and

(h) Other legislative acts, experiences, and outcomes around the world regarding industrial hemp production.

(2)(a) Washington State University shall report its findings to the legislature by January 14, 2016.

(b) The report must include recommendations for any legislative actions necessary to encourage and support the development of an industrial hemp industry in the state of Washington.

(3) This section expires August 1, 2016.

NEW SECTION. **Sec. 529.** Raw hemp seeds intended for human consumption may not be sold to the public at retail unless the processing of the seeds includes heating sufficient to kill the seed so as to ensure that the seed is incapable of germination. This requirement does not apply to retail sales of raw hemp seeds that have had the hulls removed.

NEW SECTION. **Sec. 530.** The dedicated industrial hemp account is created in the custody of the state treasurer. All receipts from license fees, seed testing fees and assessments, penalties, forfeitures, and all other moneys, income, or revenue received by the department from industrial hemp-related activities must be deposited into the account. Expenditures from the account may be used only for the purposes of this chapter in order to defray the costs of activities and expenditures related to the regulation of industrial hemp. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. **Sec. 531.** By January 15th of each year, the department must report to the relevant committees of the legislature with jurisdiction over agricultural activities regarding implementation of this chapter and on the commercialization of industrial hemp in this state and elsewhere in the world, and recommend any changes to this chapter deemed appropriate.

Sec. 532. RCW 69.50.345 and 2013 c 3 s 10 are each amended to read as follows:

The state liquor control board, subject to the provisions of chapter 3, Laws of 2013, must adopt rules ((~~by December 1, 2013,~~)) that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees;

(2) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

(a) Population distribution;

(b) Security and safety issues; and

(c) The provision of adequate access to licensed sources of useable marijuana and marijuana-infused products to discourage purchases from the illegal market;

(3) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

(4) Determining the maximum quantities of marijuana, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

(5) Determining the maximum quantities of useable marijuana and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

(6) In making the determinations required by subsections (3) through (5) of this section, the state liquor control board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(c) Economies of scale, and their impact on licensees' ability to both comply with regulatory requirements and undercut illegal market prices;

(7) Determining the nature, form, and capacity of all containers to be used by licensees to contain marijuana, useable marijuana, and marijuana-infused products, and their labeling requirements, to include but not be limited to:

(a) The business or trade name and Washington state unified business identifier number of the licensees that grew, processed, and sold the marijuana, useable marijuana, or marijuana-infused product;

(b) Lot numbers of the marijuana, useable marijuana, or marijuana-infused product;

(c) THC concentration of the marijuana, useable marijuana, or marijuana-infused product;

(d) Medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(e) Language required by RCW 69.04.480;

(8) In consultation with the department of agriculture, establishing classes of marijuana, useable marijuana, and marijuana-infused products according to grade, condition, cannabinoid profile, THC concentration, or other qualitative measurements deemed appropriate by the state liquor control board;

(9) Addressing issues relating to the prevention of cross-pollination between industrial hemp plants and marijuana plants. Any rule making on this issue must be done in consultation with the department of agriculture in order to ensure consistency between the rules developed by the department of agriculture and the state liquor control board, respectively, related to cross-pollination issues potentially affecting licensees under this chapter and chapter 15.-- RCW (the new chapter created in section 17 of this act);

(10) Establishing reasonable time, place, and manner restrictions and requirements regarding advertising of marijuana, useable marijuana, and marijuana-infused products that are not inconsistent with the provisions of chapter 3, Laws of 2013, taking into consideration:

(a) Federal laws relating to marijuana that are applicable within Washington state;

(b) Minimizing exposure of people under twenty-one years of age to the advertising; and

(c) The inclusion of medically and scientifically accurate information about the health and safety risks posed by marijuana use in the advertising;

(((~~(10)~~))) (11) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, useable marijuana, and marijuana-infused products within the state;

(((~~(11)~~))) (12) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor control board, and prescribing methods of producing, processing, and packaging marijuana, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(((~~(12)~~))) (13) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by chapter 3, Laws of 2013 or the rules of the state liquor control board.

Sec. 533. RCW 69.50.101 and 2014 c 192 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "Commission" means the pharmacy quality assurance commission.

(d) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(e)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(f) "Deliver" or "delivery," means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(n) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(o) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(p) "Isomer" means an optical isomer, but in subsection (z)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(q) "Lot" means a definite quantity of marijuana, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(r) "Lot number" shall identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, useable marijuana, or marijuana-infused product.

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(t) "Marijuana" or "marihuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include <u>industrial hemp, as defined in section 3 of this act, seeds used for licensed industrial hemp research under sections 8 and 10 of this act,</u> the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(u) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant Cannabis and having a THC concentration greater than sixty percent.

(v) "Marijuana processor" means a person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

(w) "Marijuana producer" means a person licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(x) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(y) "Marijuana retailer" means a person licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.

(z) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(aa) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(bb) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(cc) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(dd) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ee) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(ff) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(gg) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(hh) "Retail outlet" means a location licensed by the state liquor control board for the retail sale of useable marijuana and marijuana-infused products.

(ii) "Secretary" means the secretary of health or the secretary's designee.

(jj) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(kk) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ll) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(mm) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

Sec. 534. RCW 69.50.204 and 2010 c 177 s 2 are each amended to read as follows:

Unless specifically excepted by state or federal law or regulation or more specifically included in another schedule, the following controlled substances are listed in Schedule I:

(a) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol, except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(9) Benzethidine;

(10) Betacetylmethadol;

(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(12) Beta-hydroxy-3-methylfentanyl, some trade or other names: N-[1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

(13) Betameprodine;

(14) Betamethadol;

(15) Betaprodine;

(16) Clonitazene;

(17) Dextromoramide;

(18) Diampromide;

(19) Diethylthiambutene;

(20) Difenoxin;

(21) Dimenoxadol;

(22) Dimepheptanol;

(23) Dimethylthiambutene;

(24) Dioxaphetyl butyrate;

(25) Dipipanone;

(26) Ethylmethylthiambutene;

(27) Etonitazene;

(28) Etoxeridine;

(29) Furethidine;

(30) Hydroxypethidine;

(31) Ketobemidone;

(32) Levomoramide;

(33) Levophenacylmorphan;

(34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylprop anamide);

(35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(36) Morpheridine;

(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(38) Noracymethadol;

(39) Norlevorphanol;

(40) Normethadone;

(41) Norpipanone;

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);

(43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

(44) Phenadoxone;

(45) Phenampromide;

(46) Phenomorphan;

(47) Phenoperidine;

(48) Piritramide;

(49) Proheptazine;

(50) Properidine;

(51) Propiram;

(52) Racemoramide;

(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanaminde);

(54) Tilidine;

(55) Trimeperidine.

(b) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;

(2) Acetyldihydrocodeine;

(3) Benzylmorphine;

(4) Codeine methylbromide;

(5) Codeine-N-Oxide;

(6) Cyprenorphine;

(7) Desomorphine;

(8) Dihydromorphine;

(9) Drotebanol;

(10) Etorphine, except hydrochloride salt;

(11) Heroin;

(12) Hydromorphinol;

(13) Methyldesorphine;

(14) Methyldihydromorphine;

(15) Morphine methylbromide;

(16) Morphine methylsulfonate;

(17) Morphine-N-Oxide;

(18) Myrophine;

(19) Nicocodeine;

(20) Nicomorphine;

(21) Normorphine;

(22) Pholcodine;

(23) Thebacon.

(c) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers:

(1) Alpha-ethyltryptamine: Some trade or other names: Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; and AET;

(2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

(3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, nexus;

(4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;

(5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name: 2C-T-7;

(7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;

(8) 5-methoxy-3,4-methylenedioxy-amphetamine;

(9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";

(10) 3,4-methylenedioxy amphetamine;

(11) 3,4-methylenedioxymethamphetamine (MDMA);

(12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;

(13) N-hydroxy-3,4-methylenedioxyamphetamine also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine,N-hydroxy MDA;

(14) 3,4,5-trimethoxy amphetamine;

(15) Alpha-methyltryptamine: Other name: AMT;

(16) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

(17) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;

(18) Dimethyltryptamine: Some trade or other names: DMT;

(19) 5-methoxy-N,N-diisopropyltryptamine: Other name: 5-MeO-DIPT;

(20) Ibogaine: Some trade or other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyndo (1',2' 1,2) azepino (5,4-b) indole; Tabernanthe iboga;

(21) Lysergic acid diethylamide;

(22) Marihuana or marijuana;

(23) Mescaline;

(24) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;

(25) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 U.S.C. Sec. 812 (c), Schedule I (c)(12));

(26) N-ethyl-3-piperidyl benzilate;

(27) N-methyl-3-piperidyl benzilate;

(28) Psilocybin;

(29) Psilocyn;

(30)(i) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the ((~~genus~~)) genera *Cannabis* (((~~cannabis plant~~))), as well as synthetic equivalents of the substances contained in ((~~the~~)) such plant, or in the resinous extractives of the genera *Cannabis*, ((~~species,~~)) and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

((~~(i)~~)) (A) 1 - cis - or trans tetrahydrocannabinol, and their optical isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;

((~~(ii)~~)) (B) 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;

((~~(iii)~~)) (C) 3,4 - cis - or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(ii) Industrial hemp, as defined in section 3 of this act, is excepted from the categories of controlled substances identified under this section;

(31) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1phenylcyclohexalymine, (1-phenylcyclohexl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

(32) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phencyclohexyl)pyrrolidine; PCPy; PHP;

(33) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexly)-pipendine; 2-thienylanalog of phencyclidine; TPCP; TCP;

(34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other name is TCPy.

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(1) Gamma-hydroxybutyric acid: Some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate;

(2) Mecloqualone;

(3) Methaqualone.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4, 5-dihydro-5-phenly-2-oxazolamine;

(2) N-Benzylpiperazine: Some other names: BZP,1-benzylpiperazine;

(3) Cathinone, also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

(4) Fenethylline;

(5) Methcathinone: Some other names: 2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of optical isomers;

(6) (+-)cis-4-methylaminorex ((+-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

(7) N-ethylamphetamine;

(8) N,N-dimethylamphetamine: Some trade or other names: N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

The controlled substances in this section may be added, rescheduled, or deleted as provided for in RCW 69.50.201.

NEW SECTION. **Sec. 535.** Sections 2 through 9 and 11 through 13 of this act constitute a new chapter in Title 15 RCW."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Referred to Committee on Appropriations.

March 24, 2015

SB 5314 Prime Sponsor, Senator Benton: Modifying the use of local storm water charges paid by the department of transportation. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride and Pike.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Transportation.

March 24, 2015

SB 5330 Prime Sponsor, Senator Braun: Concerning stage II gasoline vapor control programs. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 536.** (1) The department of ecology, in consultation with clean air agencies, and in conjunction with the United States environmental protection agency's "Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures," published August 7, 2012, must analyze stage II gasoline vapor recovery system requirements under RCW 70.94.165. The department of ecology must cite all sources of peer-reviewed science and other sources of scientific information that it relied upon in the analysis.

(2) The analysis must include:

(a) An estimate of when stage II gasoline vapor control requirements will begin to increase emissions;

(b) Costs to businesses and time frames necessary to remove stage II gasoline vapor recovery systems;

(c) Impacts to areas required to meet United States environmental protection agency ozone standards and national ambient air quality standards;

(d) Identification of areas or regions with state implementation plans requiring approval by the United States environmental protection agency if state stage II gasoline vapor recovery system requirements are revised;

(e) The need for revisions to state implementation plans approved by the United States environmental protection agency, should state requirements change; and

(f) The applicability requirements of stage II gasoline vapor recovery systems.

(3) By December 1, 2015, the department of ecology must provide its analysis and recommendations to the legislature, in accordance with RCW 43.01.036. The recommendations must address: Assistance to businesses; cost-effective measures to ensure minimal increases in gas vapor emissions; assistance to clean air agencies required to revise state implementation plans; and necessary statutory revisions."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride and Pike.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

March 23, 2015

SSB 5463 Prime Sponsor, Committee on Ways & Means: Concerning access to and creation of cultural and heritage programs and facilities. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I
INTENT

NEW SECTION. **Sec. 101.** INTENT. (1) The legislature finds that:

(a) The cultural organizations of the state provide numerous public benefits. Providing support for the state's cultural organizations is in the public interest and will serve multiple public purposes including, among others, enhancing and extending the educational reach and offerings of cultural organizations; ensuring continued and expanded access to the facilities and programs of cultural organizations by economically and geographically underserved populations; and providing financial stability to the organizations to enable them to focus on core missions as well as to continue and extend the numerous public benefits they provide.

(b) Economic impact studies consistently confirm that cultural institutions represent a multibillion dollar segment of the state's overall economy and are directly responsible for tens of thousands of jobs.

(2) The purpose of this chapter is to authorize the cultural access program, under which counties authorize funding for public school cultural access programs and support cultural organizations.

PART II
DEFINITIONS

NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative costs" means all operating, administrative, and maintenance expenses for a program, a designated public agency, or a designated entity.

(2) "Attendance" means the total number of visits by persons in physical attendance during a year at cultural organization facilities located or cultural organization programs provided within the county creating a program, including attendance for which admission was paid, discounted, or free, consistent with and verifiable under guidelines adopted by the appropriate program.

(3) "Cultural organization" means a nonprofit corporation incorporated under the laws of the state of Washington and recognized by the internal revenue service as described in section 501(c)(3) of the internal revenue code of 1986, as amended, with its principal location or locations and conducting a majority of its activities within the state, not including: Any agency of the state or any of its political subdivisions; any municipal corporation; any organization that raises funds for redistribution to multiple cultural organizations; or any radio or television broadcasting network or station, cable communications system, internet-based communications venture or service, newspaper, or magazine. The primary purpose of the organization must be the advancement and preservation of science or technology, the visual or performing arts, zoology, botany, anthropology, heritage, or natural history and any organization must directly provide programming or experiences available to the general public. Any organization with

the primary purpose of advancing and preserving zoology such as zoos and aquariums must be or support a facility that is accredited by the association of zoos and aquariums or its functional successor. A state-related cultural organization may be a cultural organization.

(4) "Designated entity" means the entity designated by the legislative authority of a county creating the program, as required under section 601(1)(d) of this act. The entity may be a public agency, including the state arts commission established under chapter 43.46 RCW, or a Washington nonprofit corporation that is not a cultural organization eligible for funding under this chapter.

(5) "Designated public agency" means the public agency designated by the legislative authority of a county creating the program, as required under section 601(2)(h) of this act.

(6) "Program" means a cultural access program established by a county by ordinance.

(7) "Revenues" means revenues from all sources generated by a cultural organization, consistent with generally accepted accounting practices and any program guidelines, excluding: (a) Revenues associated with capital projects other than major maintenance projects including, but not limited to, capital campaign expenses; (b) funds provided under this chapter; (c) revenue that would be considered unrelated business taxable income under the internal revenue code of 1986, as amended; and (d) with respect to a state-related cultural organization, state funding received by it or for the institution it supports. Revenues include transfers from an organization's endowment or reserves and may include the value of in-kind goods and services to the extent permitted under any program guidelines.

(8) "State-related cultural organization" means an organization incorporated as a nonprofit corporation under the laws of the state of Washington and recognized by the internal revenue service as described in section 501(c)(3) of the internal revenue code of 1986, as amended, with a primary purpose and directly providing programming or experiences available to the general public consistent with the requirements for recognition as a cultural organization under this chapter operating in a facility owned and supported by the state, a state agency, or state educational institution.

PART III
CULTURAL ACCESS PROGRAM

NEW SECTION. **Sec. 301.** CREATION. (1) Any county legislative authority may create a cultural access program by ordinance.

(2) Any contiguous group of counties may create a program by entering into an interlocal agreement under chapter 39.34 RCW, approved by resolution of the county legislative authorities.

(3) A city may create a cultural access program if the county legislative authority in which the city is located adopts a resolution stating that the county forfeits its option to create a program or does not place a proposition before the people to create such a program by June 30, 2017. In the event the exception in this subsection occurs, all references in this chapter to a county must include a city that has exercised its authority under this subsection, unless the context clearly requires otherwise.

NEW SECTION. **Sec. 302.** START-UP FUNDING AND CONDITIONAL FORMATION. (1) The county creating a program may advance to the program funding for its administrative costs, including the cost of informing the public about the formation of the program, how it is proposed to be funded, and the public benefits to be realized if it is successful. However, this subsection does not authorize the preparation and distribution of information to the general public for the purpose of influencing the outcome of any election called for voter authorization of a proposed tax to support a program.

(2) The county creating a program may provide for repayment of any start-up funding advanced to a program from the proceeds of taxes authorized under sections 401 through 403 of this act and approved by voters after the taxes are first collected. The funds may be repaid to such county with interest at the internal rate of return on the invested funds of such county.

NEW SECTION. **Sec. 303.** NONSUPPLANTATION. In creating a program under this chapter, any county creating the program must affirm that any funding such county usually and customarily provides to cultural organizations similar to funding that would be available to those organizations under this chapter may not be replaced or materially diminished as a result of funding becoming available under this chapter. If an organization designated to receive funds under this chapter is a state-related cultural organization, the funds received under this chapter may not replace or materially diminish any funding usually or customarily provided by the state.

NEW SECTION. **Sec. 304.** ADVISORY COUNCILS. Each county creating a program under this chapter may establish an advisory council, the membership of which must include citizen representatives of constituencies and organizations with interests relevant to the work of the program including, but not limited to, leaders in the business, educational, and cultural communities. Advisory council members should be residents of the county creating the program. Policies concerning the size and operation of any advisory council must be established by the county that creates the program.

NEW SECTION. **Sec. 305.** ALTERNATIVE ADMINISTRATIVE ARRANGEMENTS. A county with a population of less than one million five hundred thousand may contract with the state arts commission formed under chapter 43.46 RCW for the provision of consulting, management, or other administrative services to be provided to its program created under this chapter. Any county creating a program may elect to consolidate administration of such a program with that of the entity or public agency designated by the county creating such a program to perform the functions required under section 601 of this act.

PART IV
FUNDING

NEW SECTION. **Sec. 401.** PROGRAM TO IMPOSE TAX. (1)(a) Except as provided in (b) of this subsection, a county creating a program under this chapter may impose sales and use taxes under section 402 of this act or additional regular property tax levies under section 403 of this act for the purposes authorized under this chapter.

(b) A county with a population of one million five hundred thousand or more may not impose additional regular property tax levies under section 403 of this act.

(2) If a county imposes sales and use taxes under section 402 of this act, the county may not impose an additional regular property tax levy under section 403 of this act so long as such sales and use taxes are in effect.

(3) If a county imposes an additional regular property tax levy under section 403 of this act, the county may not impose sales and use taxes under section 402 of this act so long as such property tax levy is in effect.

(4) All revenue from taxes imposed under this chapter must be credited to a special fund in the treasury of the county imposing such tax and used solely for the purpose of paying all or any part of the cost of cultural access programs as provided in this chapter.

NEW SECTION. **Sec. 402.** A new section is added to chapter 82.14 RCW to read as follows:

SALES AND USE TAXES. (1) The legislative authority of a county or a city may impose a sales and use tax of up to one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax, for the purposes authorized under chapter 36.--- RCW (the new chapter created in section 702 of this act). The legislative authority of the county or city may impose the sales and use tax by ordinance and must condition its imposition on the specific authorization of a majority of the voters voting on a proposition submitted at a special or general election held after June 30, 2016. The ordinance and ballot proposition may provide for the tax to apply for a period of up to seven consecutive years.

(2) The tax authorized in this section is in addition to any other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event.

(3) The legislative authority of a county or city may reimpose a tax imposed under this section for one or more additional periods of up to seven consecutive years. The legislative authority of the county or city may only reimpose the sales and use tax by ordinance and on the prior specific authorization of a majority of the voters voting on a proposition submitted at a special or general election.

(4) Moneys collected under this section may only be used for the purposes set forth in section 601 of this act.

(5) The department must perform the collection of taxes under this section on behalf of a county or city at no cost to the county or city, and the state treasurer must distribute those taxes as available on a monthly basis to the county or city or, upon the direction of the county or city, to its treasurer or a fiscal agent, paying agent, or trustee for obligations issued or incurred by the program.

(6) The definitions in section 201 of this act apply to this section.

NEW SECTION. **Sec. 403.** A new section is added to chapter 84.52 RCW to read as follows:

PROPERTY TAX. (1) The legislative authority of a county or city may impose an additional regular property tax levy for the purposes authorized under chapter 36.--- RCW (the new chapter created in section 702 of this act). The legislative authority of the county or city may impose the additional levy by ordinance and must condition its imposition of the levy upon prior specific authorization of a majority of the voters voting on a proposition submitted at a special or general election held after June 30, 2016. The ordinance and the ballot proposition must set forth the total dollar amount to be collected in the first year of the levy and the estimated levy rate for the first year and may provide for a levy for a period of up to seven consecutive years. The total dollar amount to be set forth in the ordinance and the ballot proposition may not exceed an amount equal to: The total taxable retail sales and taxable uses in the county or the city levying the property tax for the most recent calendar year as reported by the department multiplied by one-tenth of one percent. Any county or city levying the property tax in this section must calculate the total dollar amount to be collected using the most recent calendar year publicly available data of taxable retail sales published on the department's web site.

(2) The legislative authority of a county or city may reimpose an additional regular property tax levy imposed under subsection (1) of this section for one or more additional periods of up to seven consecutive years. The legislative authority of the county or city may only reimpose the regular property tax levy by ordinance and on the prior specific authorization of a majority of the voters voting on a proposition submitted at a special or general election. The ordinance and the ballot proposition must set forth the total dollar amount to be collected in the first year and the estimated levy rate for the first year of the reimposed levy. The total dollar amount to be set forth in the ordinance and the ballot proposition may not exceed an amount equal to: The total taxable retail sales and taxable uses in the county or the city levying the property tax for the most recent calendar year as reported by the department multiplied by one-tenth of one percent. Any county or city levying the property tax in this section must calculate the total dollar amount to be collected using the most recent calendar year publicly available data of taxable retail sales published on the department's web site.

(3) In the event a county or city is levying property taxes under this section that, in combination with property taxes levied by other taxing districts, exceed the limitation in RCW 84.52.050 or 84.52.043(2), the county's or city's property tax levy under this section must be reduced or eliminated consistent with RCW 84.52.010.

(4) The limitation in RCW 84.55.010 does not apply to the first levy imposed under subsection (1) of this section or to the first levy reimposed under subsection (2) of this section.

(5) The limitations in RCW 84.52.043(1) do not apply to the tax levy authorized in this section.

(6) Moneys collected under this section may only be used for the purposes set forth in section 601 of this act.

(7) The definitions in section 201 of this act apply to this section.

Sec. 404. RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW

36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under section 403 of this act must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

((~~(ii) Second~~)) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

((~~(iii) Third~~)) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

((~~(iv) Fourth~~)) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

((~~(v) Fifth~~)) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

((~~(vi) Sixth~~)) (vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 405. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes ((~~shall~~)) must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor ((~~shall~~)) must recompute and establish a consolidated levy in the following manner:

(((~~(1)~~))) (a) The full certified rates of tax levy for state, county, county road district, and city or town purposes ((~~shall~~)) must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy ((~~shall~~)) takes precedence over all other levies and ((~~shall~~)) may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies ((~~shall~~)) must be reduced as follows:

(((~~(a)~~))) (i) The levy imposed by a county under RCW 84.52.140 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(b)~~))) (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(c)~~))) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(d)~~))) (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(e)~~))) (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(f)~~))) (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, ((~~shall~~)) must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated; and

(((~~(g)~~))) (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(((~~(2)~~))) (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property ((~~shall~~)) must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(((~~(a) First,~~))) (i) First, the certified property tax levy authorized under section 403 of this act must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(b) Second~~))) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(c) Third~~))) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(d) Fourth~~))) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(e) Fifth~~))) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) ((~~shall~~)) must be reduced on a pro rata basis or eliminated; and

(((~~(f) Sixth~~))) (vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, ((~~shall~~)) must be reduced on a pro rata basis or eliminated.

PART V
PUBLIC BENEFITS AND PUBLIC SCHOOL CULTURAL ACCESS PROGRAM

NEW SECTION. **Sec. 501.** PUBLIC BENEFITS. (1) A program created under this chapter must provide or continue to provide funding authorized under this chapter only to cultural organizations that provide discernible public benefits. Each program created under this chapter must identify a range of public benefits that cultural organizations may provide or continue to provide in satisfaction of this requirement for eligibility to receive funding authorized under this chapter. The public benefits include, without limitation: Reasonable opportunities for access to facilities, programs, and services on a reduced or no admission fee basis, particularly for diverse and underserved populations and communities; providing, through technological and other means, services or programs in locations other than an organization's own facilities; providing educational programs and experiences both at an organization's own facilities and in schools and other venues; broadening cultural programs, performances, and exhibitions for

the enlightenment and entertainment of the public; supporting collaborative relationships with other cultural organizations in order to extend the reach and impact of the collaborating organizations for the benefit of the public; and, in the case of community-based cultural organizations, organizational capacity-building projects or activities that an organization can demonstrate, to the reasonable satisfaction of the designated entity, will enhance the ability of the organization to provide or continue to provide meaningful public benefits not otherwise achievable.

(2) Each program created under this chapter must adopt guidelines establishing a baseline standard of continuous performance with respect to the provision of public benefits required under this chapter and for evaluating the eligibility of any cultural organization to receive funds under this chapter based on the continuous performance of the organization in the provision of the public benefits. The guidelines must include: (a) Procedures for notifying any organization at risk of losing its eligibility to receive funds under this chapter for failure to achieve the program's baseline standard of performance with respect to the continuous provision of public benefits; and (b) measures or procedures available to the organization for either retaining or recovering eligibility, as appropriate.

NEW SECTION. **Sec. 502.** PUBLIC SCHOOL CULTURAL ACCESS PROGRAM. (1) A program created under this chapter must develop and provide a public school cultural access program, as provided in section 601 of this act.

(2) To the extent practicable consistent with available resources, the public school cultural access element of a program of a county described in section 601(2) of this act must include the following attributes:

(a) Provide benefits designed to increase public school student access to the programming offered and facilities operated by regional and community-based cultural organizations receiving funding under this chapter, giving priority to the activities in the order described in (c) of this subsection;

(b) Offer benefits to every public school in the county while scaling the range of benefits available to and the frequency of opportunities to participate by any particular school to coincide with the relative percentage of students attending the school who participate in the national free or reduced-price school meals program;

(c) Benefits provided under the public school cultural access program must include, without limitation:

(i) Providing directly or otherwise funding and arranging for transportation for all public school students at participating schools to attend and participate annually in the age appropriate programs and activities offered by such organizations;

(ii) Should funding available under this program for student transportation be inadequate in any one year due to more demand for student transportation than can be funded, the subsequent annual percentage allocation to the public school cultural access program must be increased up to two percent so as to provide sufficient funds to ensure adequate funding of student transportation;

(iii) Establishing and operating, within funding provided to support the public school cultural access program under this subsection, of a centralized service available to regional and community-based cultural organizations receiving funding under this chapter and public schools in the county to coordinate opportunities for public school student access to the programs and activities offered by the organizations both at the facilities and venues operated by the organizations and through programs and experiences provided by the organizations at schools and elsewhere;

(iv) In consultation with cultural organizations located within the county, preparing and maintaining a readily accessible and current guide cataloging access opportunities and facilitating scheduling;

(v) Coordinating closely with cultural organizations to maximize student utilization of available opportunities in a cost-efficient manner including possible scheduling on a single day opportunities for different grade levels at any one school and participation in multiple programs or activities in the same general area for which program-funded transportation is provided;

(vi) Supporting the development of tools, materials, and media by cultural organizations to ensure that school access programs and activities correlate with school curricula and extend the reach of access programs and activities for classroom use with or without direct on-site participation, to the extent practicable;

(vii) Building meaningful partnerships with public schools and cultural organizations in order to maximize participation in school access programs and activities and ensure their relevance and effectiveness;

(d) When a program determines that its program element required under (c)(i) through (vii) of this subsection has achieved sufficient scale and participation among public schools located within its boundaries and that it has resources remaining to devote to additional public school cultural access programs without diminishing such participation, the county may develop and financially support other public school cultural access activities in conjunction with cultural organizations receiving funds under this chapter; public school districts; and other public or nonprofit organizations that support cultural access. Any funding for development and support of such activities provided to cultural organizations receiving funds under this subsection must only be used to supplement the public benefits provided by such organizations as required under this chapter and may not be used by such organizations to replace or diminish funding for such required public benefits;

(e) Preparation of an annual public school cultural access plan for review and adoption prior to implementation; and

(f) Compilation of an annual report documenting the reach and evaluating the effectiveness of program-funded public school cultural access efforts, including information about the numbers and types of students who participated in the program and recommendations to the county for improvements.

PART VI
USE OF FUNDS

NEW SECTION. **Sec. 601.** ALLOCATION. (1) A program in a county with a population of less than one million five hundred thousand must allocate the proceeds of taxes authorized under sections 402 and 403 of this act as follows:

(a) If any start-up funding has been provided to the program under section 302 of this act with the expectation that the funding will be repaid, the program must annually reserve from total funds available funding sufficient to provide for repayment of such start-up funding until any such start-up funding has been fully repaid;

(b) The funding determined by the county forming such a program to be reserved for program costs, including direct administrative costs, and repaying any start-up funding provided under section 303 of this act. Information disclosing the amount of funding to be reserved for program administrative costs must be included in any proposition submitted to voters under section 402 or 403 of this act;

(c) The county must determine the percentage of total funds available annually to be reserved for a public school cultural access program established and managed by the county to increase access

to cultural activities and programming for public school students resident in the county. The activities and programming need not be located or provided within the county. In developing its program, the county may consider the attributes prescribed for a public school cultural access program required to be undertaken under section 502(2) of this act and may also consider providing funding for music and arts education in public schools that is in addition to that provided for in the program of basic education funding;

(d) Remaining funds available annually, including all funds not initially reserved under (a), (b), and (c) of this subsection as well as funds not distributed by the county from the reserved funds must be distributed by the county to the entity designated by the legislative authority of the county creating the program. The county must determine:

(i) Guidelines, consistent with the requirements of this chapter, it deems necessary or appropriate for determining the eligibility of cultural organizations to receive funding under this chapter;

(ii) Criteria for the award of funds to eligible cultural organizations, including the public benefits to be derived from projects submitted for funding;

(iii) The amount of funding to be allocated to support designated entity administrative costs;

(iv) Criteria for the identification by the county or, if so directed by the county, by the designated entity of any cultural organization or organizations that would receive annual distributions of funds in such amounts determined by the county or, if so directed by the county, the designated entity; and

(v) Procedures to be used by the designated entity in awarding funding to other cultural organizations that may, but are not required to include a periodic competitive process for awarding funds for particular purposes or projects proposed by eligible cultural organizations;

(e) In evaluating requests for funding authorized under this chapter, the designated entity responsible for the distribution of the funds must consider the public benefits that any cultural organizations represented will be derived from proposed projects. At the conclusion of a project approved for funding, such organization is required to report to the designated entity on the public benefits realized;

(f) Funds distributed to cultural organizations may be used to support cultural and educational activities, programs, and initiatives; public benefits and communications; and basic operations. Funds may also be used for: (i) Capital expenditures or acquisitions including, but not limited to, the acquisition of or construction of improvements to real property; and (ii) technology, equipment, and supplies reasonably related to or necessary for a project otherwise eligible for funding under this chapter. Program guidelines may also determine the circumstances under which funds may be used to fund start-up expenses of new community-based cultural organizations;

(g) If the county or designated entity determine the eligibility of a cultural organization to receive funding or the relative magnitude of the funding it receives on the basis of its budget, revenues, or expenses, any determination with respect to a qualifying state-related cultural organization must exclude any state funding received by the organization or for the institution it supports.

(2) A county with a population of more than one million five hundred thousand must allocate the proceeds of the taxes authorized under section 402 of this act as follows:

(a) If any start-up funding has been provided to the program under section 302 of this act with the expectation that the funding will be repaid, the program must annually reserve from total funds available annually funding sufficient to provide for repayment of such start-up funding until any such start-up funding has been fully repaid;

(b) After allocating any funds as required in (a) of this subsection, up to one and one-fourth percent of total funds available annually may be used for program administrative costs;

(c) After allocating funds as required in (a) and (b) of this subsection, ten percent of remaining funds available annually must be used to fund a public school cultural access program to be administered by the program, subject to section 502(2) of this act;

(d) Seventy-five percent of total remaining funds available annually excluding funds initially reserved under (a), (b), and (c) of this subsection must be reserved for distribution by the program to regional cultural organizations that are cultural organizations that own, operate, or support cultural facilities or provide performances, exhibits, educational programs, experiences, or entertainment that widely benefit and are broadly attended by the public, subject to further definition under guidelines adopted by the program. A regional cultural organization may also generally be characterized under program guidelines as a financially stable, substantial organization with full-time support and program staff, maintaining a broad-based membership, having year-round or enduring seasonal operations, being a substantial financial contributor to the development, operation, and maintenance of the organization's principal venue or venues, and providing substantial public benefits. The funding must be provided only to those regional cultural organizations that the program determines, on an annual basis, to have met the following guidelines:

(i) For at least the preceding three years, the organization has been continuously in good standing as a nonprofit corporation under the laws of the state of Washington;

(ii) The organization has its principal location or locations and conducts the majority of its activities within the county area primarily for the benefit of county residents;

(iii) The organization has not declared bankruptcy or suspended or substantially curtailed operations for a period longer than six months during the preceding two years;

(iv) The organization provided to the program audited annual financial statements for at least its two most recent fiscal years;

(v) Over the three preceding years, the organization has minimum average annual revenues of at least one million two hundred fifty thousand dollars. The program must annually and cumulatively adjust the minimum revenues by the annual percentage change in the consumer price index for the prior year for the Seattle-Tacoma-Bellevue, Washington metropolitan statistical area for all urban consumer, all goods, as published by the United States department of labor, bureau of labor statistics. The minimum revenues requirement, adjusted for inflation as provided in this section, remains effective through the date on which the initial tax authorized by the voters under section 402 or 403 of this act expires. Thereafter, the program must, at the beginning of each subsequent period of funding as approved by the voters, establish initial minimum average annual revenues of not less than the amount of the minimum revenues required during the final year of the immediately preceding period of funding;

(vi) For purposes of determining the eligibility of a regional organization to receive funding or the relative magnitude of the funding it receives on the basis of its revenues, any determination with respect to a qualifying state-related cultural organization must exclude any state funding received by the organization or for the institution it supports; and

(vii) Any additional guidelines, consistent with section 201 of this act and this section, as the program deems necessary or appropriate for determining the eligibility of prospective regional cultural organizations to receive funding under this section and for establishing the amount of funding any organization may receive;

(e) Funds available under (d) of this subsection must be distributed among eligible regional cultural organizations based on an annual ranking of eligible organizations by the combined size of

their average annual revenues and their average annual attendance, both over the three preceding years. However, an organization's attendance must have twice the weight of the organization's revenues in determining its relative ranking. Available funds must be distributed proportionally among eligible organizations, consistent with the ranking, such that the organization with the largest combined revenues and weighted attendance would receive the most funding and the organization with the smallest combined revenues and weighted attendance would receive the least funding. However, no organization may receive funds in excess of fifteen percent of its average annual revenues over the three preceding years. Any funds available under (d) of this subsection not distributed to regional cultural organizations as a result of application of the formula provided under this subsection (2)(e) must be allocated by the program for distribution under (g) of this subsection;

(f) Funds distributed to regional cultural organizations under (d) of this subsection must be used to support cultural and educational activities, programs and initiatives, public benefits and communications, and basic operations. No funds distributed to regional cultural organizations under (d) of this subsection may be used for capital expenditures or acquisitions including, but not limited to, the acquisition of or the construction of improvements to real property;

(g) In addition to providing or continuing to provide public benefits identified by the program under this section, regional cultural organizations receiving funding under this subsection (2) must participate in good faith in the program's public school cultural access program required under section 502 of this act. The regional cultural organizations must provide or continue to provide public benefits under this section in addition to participating in the public school cultural access program. Each regional cultural organization receiving funds authorized under this chapter pursuant to a program allocation formula must annually, prior to year end, preview for the program public benefits the organization's plans to provide or continue to provide in the following year and report on public benefits it provided or continued to provide during the current year;

(h) Remaining funds available annually, including funds not initially reserved under (a) through (d) of this subsection as well as funds not distributed by the program from the reserved funds must be distributed by the program to the public agency designated by the legislative authority of the county creating such a program;

(i) Funds distributed by the designated public agencies under (h) of this subsection must be applied as follows:

(i) Not more than eight percent of such funds must be used for administrative costs of the public agency designated by a county creating the program; and

(ii) The balance must be used to fund community-based cultural organizations that are cultural organizations or a community preservation and development authority formed under chapter 43.167 RCW prior to January 1, 2011, that primarily function, focus their activities, and are supported or patronized within a local community and are not a regional cultural organization, subject to further definition under guidelines adopted by the designated public agency. Designated public agencies must adopt:

(A) Guidelines, consistent with the requirements of this chapter, it deems necessary or appropriate for determining the eligibility of community-based cultural organizations to receive funding under this chapter and for establishing the amount of funding any organization may receive;

(B) Criteria for the award of funds to eligible community-based cultural organizations, including the public benefits to be derived from projects submitted for funding; and

(C) Procedures for conducting, at least annually, a competitive process for the award of available funding;

(j) Funds distributed to community-based cultural organizations may be used to support cultural and educational activities, programs, and initiatives; public benefits and communications; and basic operations. Funds may also be used for: (i) Capital expenditures or acquisitions including, but not limited to, the acquisition of or construction of improvements to real property; and (ii) technology, equipment, and supplies reasonably related to or necessary for a project otherwise eligible for funding under this chapter. Program guidelines may also determine the circumstances under which funds may be used to fund start-up expenses of new community-based cultural organizations.

PART VII
MISCELLANEOUS

NEW SECTION. **Sec. 701.** No direct or collateral attack on any program purported to be authorized or created in conformance with this chapter may be commenced more than thirty days after creation.

NEW SECTION. **Sec. 702.** Sections 101 through 305, 401, 501, 502, and 601 of this act constitute a new chapter in Title 36 RCW.

NEW SECTION. **Sec. 703.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 704.** The provisions of this act must be liberally construed to effectuate the policies and purposes of this act.

NEW SECTION. **Sec. 705.** Section 404 of this act expires January 1, 2018.

NEW SECTION. **Sec. 706.** Section 405 of this act takes effect January 1, 2018."

Correct the title.

Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 24, 2015

2SSB 5486 Prime Sponsor, Committee on Ways & Means: Creating the parents for parents program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

March 24, 2015

ESB 5577 Prime Sponsor, Senator Braun: Concerning pharmaceutical waste. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Fey; Goodman; Harris; McBride; Pike and Taylor.

Passed to Committee on Rules for second reading.

March 25, 2015

SSB 5705 Prime Sponsor, Committee on Natural Resources & Parks: Establishing a mineral prospecting and mining advisory committee. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew and Schmick.

Referred to Committee on General Government & Information Technology.

March 24, 2015

ESSB 5743 Prime Sponsor, Committee on Financial Institutions & Insurance: Addressing insurance producers, insurers, and title insurance agents activities with customers and potential customers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 24, 2015

SSB 5887 Prime Sponsor, Committee on Government Operations & Security: Authorizing longer leases for property at the former Northern State Hospital site. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

March 25, 2015

SJM 8013 Prime Sponsor, Senator Honeyford: Concerning aquatic invasive species. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Kretz; Orcutt; Pettigrew and Schmick.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 27, 2015, the 75th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY FIFTH DAY

House Chamber, Olympia, Friday, March 27, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2215 by Representatives Taylor, DeBolt, Scott, Shea, Rodne, G. Hunt, Schmick, Holy and Condotta

AN ACT Relating to prohibiting most state land purchases until the state satisfies its constitutional requirement to fully fund education; amending RCW 77.12.037, 77.12.220, 79.71.040, 79.70.030, 79.155.040, 79A.25.020, 79A.25.120, 79A.25.260, and 43.88.030; reenacting and amending RCW 79A.05.030; adding a new section to chapter 79A.15 RCW; and adding a new chapter to Title 43 RCW.

Referred to Committee on Capital Budget.

HB 2216 by Representatives Taylor, G. Hunt, Shea and Scott

AN ACT Relating to requiring a signed search warrant prior to deploying a radar device; and adding a new section to chapter 10.79 RCW.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 24, 2015

ESSB 5083 Prime Sponsor, Committee on Early Learning & K-12 Education: Enacting the sudden cardiac arrest awareness act. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Kilduff; Lytton; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and McCaslin.

Passed to Committee on Rules for second reading.

March 24, 2015

SB 5203 Prime Sponsor, Senator Warnick: Modifying certain job order contracting requirements. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

March 24, 2015

SSB 5294 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning school library and technology programs. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

March 23, 2015

ESB 5504 Prime Sponsor, Senator Hewitt: Allowing additional liquor distributor employees to stock liquor under certain circumstances. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott and Vick.

MINORITY recommendation: Do not pass. Signed by Representative Van De Wege.

Passed to Committee on Rules for second reading.

March 23, 2015

SSB 5596 Prime Sponsor, Committee on Commerce & Labor: Creating a special permit for a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

On page 4, beginning on line 22, after "use." insert "No more than twelve events per year may be held by a single manufacturer under this subsection."

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 25, 2015

SB 5840 Prime Sponsor, Senator Dammeier: Concerning reimbursement to eligible providers for medicaid ground emergency medical transportation services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Hunt, G. and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Condotta and Schmick.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 30, 2015, the 78th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY EIGHTH DAY

House Chamber, Olympia, Monday, March 30, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 25, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1559

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2217 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to the juvenile offender basic training camp program; and amending RCW 13.40.320.

Referred to Committee on Appropriations.

HB 2218 by Representatives Hunter and Carlyle

AN ACT Relating to repealing the state expenditure limit; creating a new section; and repealing RCW 43.135.025.

Referred to Committee on Appropriations.

HB 2219 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to removing the exception for expenditures related to legislatively enacted basic education enhancements from the four-year balanced budget requirement; amending RCW 43.88.055; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2220 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to promoting self-sufficiency in families receiving temporary assistance for needy families by increasing amounts families may retain from earned income and child support payments; amending RCW 26.23.035 and 74.08A.230; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2221 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to improving responses to high priority violations at long-term care facilities; amending RCW 43.190.070; and adding a new section to chapter 43.190 RCW.

Referred to Committee on Appropriations.

HB 2222 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to implementing the state's basic education obligation by revising state funding allocations, including for staffing and for class size reduction, and by providing cost-of-living adjustments and benefits as part of state basic education allocations; amending RCW 28A.150.261, 28A.400.205, 28A.150.250, and 28A.150.410; amending 2015 c 2 s 5 (uncodified); reenacting and amending RCW 28A.150.260; adding new sections to chapter 28A.150 RCW; creating a new section; recodifying RCW 28A.400.205; and providing effective dates.

Referred to Committee on Appropriations.

HB 2223 by Representatives Hunter, Sullivan and Carlyle

AN ACT Relating to directing the treasurer to transfer into the general fund in the 2017-2019 fiscal biennium the entire budget stabilization account deposit attributable to extraordinary revenue growth; and creating a new section.

Referred to Committee on Appropriations.

HB 2224 by Representatives Carlyle and Hunter

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system by enacting an excise tax on capital gains, narrowing or eliminating tax preferences, reinstating a previously expired business and occupation surtax while increasing the small business tax credit, and implementing marketplace fairness in Washington; amending RCW 82.04.29002, 82.04.4451, 82.08.0293, 82.12.0293, 82.08.0273, 82.12.0263, 82.04.2907, 82.04.066, 82.04.067, 82.08.050, 82.12.040, 82.45.010, 82.45.080, and 82.04.440; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; adding a new section to chapter 43.135 RCW; adding a new section to chapter 39.42 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.04.272 and 82.04.424; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 26, 2015

SSB 5004 Prime Sponsor, Committee on Law & Justice: Establishing the position and authority of warrant officers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 707.** A new section is added to chapter 35.21 RCW to read as follows:

(1) Any city or town may establish the position of warrant officer.

(2) If any city or town establishes the position of warrant officer, the position shall be maintained by the city or town within the city or town police department. The number and qualifications of warrant officers shall be fixed by ordinance and their compensation shall be paid by the city or town. The chief of police of the city or town must establish training requirements consistent with the job description of warrant officer established in that city or town.

(3) Warrant officers shall be vested only with the special authority identified in ordinance, which may include the authority to make arrests authorized by warrants and other authority related to service of civil and criminal process.

(4) Process issuing from any court that is directed to a police department in which a warrant officer position is maintained may be served or enforced by the warrant officer, if within the warrant officer's authority as identified in ordinance.

(5) Warrant officers shall not be entitled to death, disability, or retirement benefits pursuant to chapter 41.26 RCW on the basis of service as a warrant officer as described in this section.

NEW SECTION. **Sec. 708.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) Any code city may establish the position of warrant officer.

(2) If any code city establishes the position of warrant officer, the position shall be maintained by the city within the city police department. The number and qualifications of warrant officers shall be fixed by ordinance, and their compensation shall be paid by the city. The chief of police of the city must establish training requirements consistent with the job description of warrant officer established in that city.

(3) Warrant officers shall be vested only with the special authority identified in ordinance, which may include the authority to make arrests authorized by warrants and other authority related to service of civil and criminal process.

(4) Process issuing from any court that is directed to a police department in which a warrant officer position is maintained may be served or enforced by the warrant officer, if within the warrant officer's authority as identified in ordinance.

(5) Warrant officers shall not be entitled to death, disability, or retirement benefits pursuant to chapter 41.26 RCW on the basis of service as a warrant officer as described in this section.

Sec. 709. RCW 35.20.270 and 1992 c 99 s 1 are each amended to read as follows:

(1) ((~~The position of warrant officer is hereby created and shall be maintained by the city within the city police department. The number and qualifications of warrant officers shall be fixed by ordinance, and their compensation shall be paid by the city.~~

~~(2) Warrant officers shall be vested only with the special authority to make arrests authorized by warrants and other arrests as are authorized by ordinance.~~

~~(3)~~)) All criminal and civil process issuing out of courts created under this title shall be directed to the chief of police of the city served by the court and/or to the sheriff of the county in which the court is held and/or the warrant officers and be by them executed according to law in any county of this state.

(((~~(4)~~))) (2) No process of courts created under this title shall be executed outside the corporate limits of the city served by the court unless the person authorized by the process first contacts the applicable law enforcement agency in whose jurisdiction the process is to be served.

(((~~(5)~~))) (3) Upon a defendant being arrested in another city or county the cost of arresting or serving process thereon shall be borne by the court issuing the process including the cost of returning the defendant from any county of the state to the city.

(((~~(6) Warrant officers shall not be entitled to death, disability, or retirement benefits pursuant to chapter 41.26 RCW on the basis of service as a warrant officer as described in this section.~~)))"

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Muri; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Klippert and Stokesbary.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5037 Prime Sponsor, Committee on Law & Justice: Modifying organized retail theft provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 710.** RCW 9A.56.350 and 2009 c 431 s 15 are each amended to read as follows:

(1) A person is guilty of organized retail theft if he or she:

(a) Commits theft of property with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice;

(b) Possesses stolen property, as defined in RCW 9A.56.140, with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice; ((~~or~~))

(c) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from one or more mercantile establishments within a period of up to one hundred eighty days; or

(d) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from a mercantile establishment with no less than six accomplices and makes or receives at least one electronic communication seeking participation in the theft in the course of planning or commission of the theft. For the purposes of this subsection, "electronic communication" has the same meaning as defined in RCW 9.61.260(5).

(2) A person is guilty of organized retail theft in the first degree if the property stolen or possessed has a value of five thousand

dollars or more. Organized retail theft in the first degree is a class B felony.

(3) A person is guilty of organized retail theft in the second degree if the property stolen or possessed has a value of at least seven hundred fifty dollars, but less than five thousand dollars. Organized retail theft in the second degree is a class C felony.

(4) For purposes of this section, a series of thefts committed by the same person from one or more mercantile establishments over a period of one hundred eighty days may be aggregated in one count and the sum of the value of all the property shall be the value considered in determining the degree of the organized retail theft involved. Thefts committed by the same person in different counties that have been aggregated in one county may be prosecuted in any county in which any one of the thefts occurred. For purposes of subsection (1)(d) of this section, thefts committed by the principal and accomplices may be aggregated into one count and the value of all the property shall be the value considered in determining the degree of organized retail theft involved.

(5) The mercantile establishment or establishments whose property is alleged to have been stolen may request that the charge be aggregated with other thefts of property about which the mercantile establishment or establishments is aware. In the event a request to aggregate the prosecution is declined, the mercantile establishment or establishments shall be promptly advised by the prosecuting jurisdiction making the decision to decline aggregating the prosecution of the decision and the reasons for such decision."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5070 Prime Sponsor, Senator Pearson: Requiring the department of corrections to supervise domestic violence offenders who have a conviction and were sentenced for a domestic violence felony offense that was plead and proven. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 711.** RCW 9.94A.501 and 2013 2nd sp.s. c 35 s 15 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) Offenders convicted of:

(i) Sexual misconduct with a minor second degree;

(ii) Custodial sexual misconduct second degree;

(iii) Communication with a minor for immoral purposes; and

(iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been plead and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been plead and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been plead and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence ((~~has been~~)) was plead and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to the effective date of this section;

(ii) Has a conviction for a domestic violence felony offense where domestic violence was plead and proven and that was committed after the effective date of this section. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or 9.94A.670;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(6) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

March 26, 2015

SB 5120 Prime Sponsor, Senator Parlette: Concerning school district dissolutions. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Muri, Assistant Ranking Minority Member;

Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Magendanz, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 24, 2015

SB 5121 Prime Sponsor, Senator Kohl-Welles: Establishing a marijuana research license. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 712.** A new section is added to chapter 69.50 RCW to read as follows:

(1) There shall be a marijuana research license that permits a licensee to produce and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the life sciences discovery fund authority a description of the research that is intended to be conducted. The life sciences discovery fund authority must review the project and determine that it meets the requirements of subsection (1) of this section. If the life sciences discovery fund authority determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The state liquor control board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects must be approved by the life sciences discovery fund authority and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the state liquor control board may adopt rules on the following:

(a) Application requirements;

(b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;

(c) Conditions for license revocation;

(d) Security measures to ensure marijuana is not diverted to purposes other than research;

(e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;

(f) Licensee reporting requirements;

(g) Conditions under which marijuana grown by marijuana processors may be donated to marijuana research licensees; and

(h) Additional requirements deemed necessary by the state liquor control board.

(6) The production, possession, delivery, donation, and sale of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license shall be issued in the name of the applicant, shall specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. Fifty percent of the application fee, the issuance fee and the renewal fee must be deposited to the life sciences discovery fund under RCW 43.350.070.

Sec. 713. RCW 69.50.331 and 2013 c 3 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, or sell marijuana, or for the renewal of a license to produce, process, research, or sell marijuana, the state liquor control board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor control board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor control board and a criminal history record information check. The state liquor control board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor control board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to these cases. Subject to the provisions of this section, the state liquor control board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (9) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor control board to any staff member the board designates in writing. Conditions for granting this authority shall be adopted by rule. No license of any kind may be issued to:

(a) A person under the age of twenty-one years;

(b) A person doing business as a sole proprietor who has not lawfully resided in the state for at least three months prior to applying to receive a license;

(c) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(d) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor control board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching or

selling marijuana, useable marijuana, marijuana concentrates or marijuana-infused products thereunder shall be suspended or terminated, as the case may be.

(b) The state liquor control board shall immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license shall be automatic upon the state liquor control board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor control board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor control board may adopt.

(d) Witnesses shall be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor control board or a subpoena issued by the state liquor control board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the state liquor control board. Where the license has been suspended only, the state liquor control board shall return the license to the licensee at the expiration or termination of the period of suspension. The state liquor control board shall notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter ((~~3, Laws of 2013~~)) shall be subject to all conditions and restrictions imposed by this chapter ((~~3, Laws of 2013~~)) or by rules adopted by the state liquor control board to implement and enforce this chapter ((~~3, Laws of 2013~~)). All conditions and restrictions imposed by the state liquor control board in the issuance of an individual license shall be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee shall employ any person under the age of twenty-one years.

(7)(a) Before the state liquor control board issues a new or renewed license to an applicant it shall give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the state liquor control board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor control board may extend the time period for submitting written objections.

(c) The written objections shall include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor control board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor control board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor control board representatives shall present and defend the state liquor control board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor control board shall send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8) The state liquor control board shall not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor control board shall give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 714. RCW 28B.20.502 and 2011 c 181 s 1002 are each amended to read as follows:

(1) The University of Washington and Washington State University may conduct scientific research on the efficacy and safety of administering ((~~cannabis~~)) marijuana as part of medical treatment. As part of this research, the University of Washington and Washington State University may develop and conduct studies to ascertain the general medical safety and efficacy of ((~~cannabis~~)) marijuana, and may develop medical guidelines for the appropriate administration and use of ((~~cannabis~~)) marijuana.

(2) The University of Washington and Washington State University may, in accordance with section 1 of this act, contract with marijuana research licensees to conduct research permitted under this section and section 1 of this act.

Sec. 715. RCW 43.350.030 and 2005 c 424 s 4 are each amended to read as follows:

In addition to other powers and duties prescribed in this chapter, the authority is empowered to:

(1) Use public moneys in the life sciences discovery fund, leveraging those moneys with amounts received from other public and private sources in accordance with contribution agreements, to promote life sciences research;

(2) Solicit and receive gifts, grants, and bequests, and enter into contribution agreements with private entities and public entities other than the state to receive moneys in consideration of the authority's promise to leverage those moneys with amounts received through appropriations from the legislature and contributions from other public entities and private entities, in order to use those moneys to promote life sciences research. Nonstate moneys received by the authority for this purpose shall be deposited in the life sciences discovery fund created in RCW 43.350.070;

(3) Hold funds received by the authority in trust for their use pursuant to this chapter to promote life sciences research;

(4) Manage its funds, obligations, and investments as necessary and as consistent with its purpose including the segregation of revenues into separate funds and accounts;

(5) Make grants to entities pursuant to contract for the promotion of life sciences research to be conducted in the state. Grant agreements shall specify deliverables to be provided by the recipient pursuant to the grant. The authority shall solicit requests for funding and evaluate the requests by reference to factors such as: (a) The quality of the proposed research; (b) its potential to improve health outcomes, with particular attention to the likelihood that it will also lower health care costs, substitute for a more costly diagnostic or treatment modality, or offer a breakthrough treatment for a particular disease or condition; (c) its potential for leveraging additional funding; (d) its potential to provide health care benefits or benefit human learning and development; (e) its potential to stimulate the health care delivery, biomedical manufacturing, and life sciences related employment in the state; (f) the geographic diversity of the grantees within Washington; (g) evidence of potential royalty income and contractual means to recapture such income for purposes of this chapter; and (h) evidence of public and private collaboration;

(6) Create one or more advisory boards composed of scientists, industrialists, and others familiar with life sciences research; ((~~and~~))

(7) Review and approve or disapprove marijuana research license applications under section 1 of this act;

(8) Review any reports made by marijuana research licensees under state liquor control board rule and provide the state liquor control board with its determination on whether the research project continues to meet research qualifications under section 1(1) of this act; and

(9) Adopt policies and procedures to facilitate the orderly process of grant application, review, and reward.

NEW SECTION. **Sec. 716.** A new section is added to chapter 42.56 RCW to read as follows:

Reports submitted by marijuana research licensees in accordance with rules adopted by the state liquor control board under section 1 of this act that contain proprietary information are exempt from disclosure under this chapter."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Referred to Committee on Appropriations.

March 26, 2015

SB 5122 Prime Sponsor, Senator Kohl-Welles: Concerning precollege placement measures. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5163 Prime Sponsor, Committee on Early Learning & K-12 Education: Providing for educational data on students from military families. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 717.** (1) The legislature finds that, nationally, nearly two million students are from military families, where one or more parent or guardian serves in the United States armed forces, reserves, or national guard. There are approximately one hundred thirty-six thousand military families in Washington state.

(2) The legislature further finds that a United States government accountability office study in 2011 identified that it is not possible to monitor educational outcomes for students from military families due to the lack of a student identifier in state educational data systems. Such an identifier is needed to allow educators and policymakers to monitor critical elements of education success, including academic progress and proficiency, special and advanced program participation, mobility and dropout rates, and patterns over time across states and school districts. Reliable information about student performance will assist educators in more effectively transitioning students to a new school and enable school districts to discover and implement best practices.

Sec. 718. RCW 28A.300.505 and 2007 c 401 s 5 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop standards for school data systems that focus on validation and verification of data entered into the systems to ensure accuracy and compatibility of data. The standards shall address but are not limited to the following topics:

(a) Date validation;

(b) Code validation, which includes gender, race or ethnicity, and other code elements;

(c) Decimal and integer validation; and

(d) Required field validation as defined by state and federal requirements.

(2) The superintendent of public instruction shall develop a reporting format and instructions for school districts to collect and submit data that must include:

(a) Data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups so that analyses may be conducted on student achievement using the disaggregated data; and

(b) Starting no later than the 2016-17 school year, data on students from military families. The K-12 data governance group established in RCW 28A.300.507 must develop best practice guidelines for the collection and regular updating of this data on students from military families. Collection and updating of this data must use the United States department of education 2007 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(i) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(ii) Further disaggregation of countries of origin for Asian students;

(iii) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(iv) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(3) For the purposes of this section, "students from military families" means the following categories of students, with data to be collected and submitted separately for each category:

(a) Students with a parent or guardian who is a member of the active duty United States armed forces; and

(b) Students with a parent or guardian who is a member of the reserves of the United States armed forces or a member of the Washington national guard.

NEW SECTION. **Sec. 719.** Using the definitions in RCW 28A.300.505, the office of the superintendent of public instruction shall conduct an analysis of the average number of students from military families who are special education students. The data reported must include state, district, and school-level information. To protect the privacy of students, the data from schools and districts that have fewer than ten students from military families who are special education students shall not be reported. The office of the superintendent of public instruction shall report its analysis to the appropriate committees of the legislature by December 31, 2017."

Correct the title.

Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Hargrove; Hunt, S.; Kilduff; Klippert; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey; Hayes and McCaslin.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5202 Prime Sponsor, Committee on Early Learning & K-12 Education: Regarding the financial education public-private partnership. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 720.** RCW 28A.300.450 and 2011 c 262 s 1 are each amended to read as follows:

(1) A financial education public-private partnership is established, composed of the following members:

(a) Four members of the legislature, with one member from each caucus of the house of representatives appointed for a two-year term of service by the speaker of the house of representatives, and one member from each caucus of the senate appointed for a two-year term of service by the president of the senate;

(b) Four representatives from the private for-profit and nonprofit financial services sector, including at least one representative from the jumpstart coalition, to be appointed for a staggered two-year term of service by the governor;

(c) Four teachers to be appointed for a staggered two-year term of service by the superintendent of public instruction, with one each representing the elementary, middle, secondary, and postsecondary education sectors;

(d) A representative from the department of financial institutions to be appointed for a two-year term of service by the director;

(e) Two representatives from the office of the superintendent of public instruction, with one involved in curriculum development and one involved in teacher professional development, to be appointed for a staggered two-year term of service by the superintendent; and

(f) The state treasurer or the state treasurer's designee.

(2) The chair of the partnership shall be selected by the members of the partnership from among the legislative members.

(3) One-half of the members appointed under subsection (1)(b), (c), and (e) of this section shall be appointed for a one-year term beginning August 1, 2011, and a two-year term thereafter.

(4) To the extent funds are appropriated or are available for this purpose, the partnership may hire a staff person who shall reside in the office of the superintendent of public instruction for administrative purposes. Additional technical and logistical support may be provided by the office of the superintendent of public instruction, the department of financial institutions, the organizations composing the partnership, and other participants in the financial education public-private partnership.

(5) The initial members of the partnership shall be appointed by August 1, 2011.

(6) Legislative members of the partnership shall receive per diem and travel under RCW 44.04.120.

(7) Travel and other expenses of members of the partnership shall be provided by the agency, association, or organization that member represents. Teachers appointed as members by the superintendent of public instruction may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060 from funds available in the Washington financial education public-private partnership account. If the attendance of a teacher member at an official meeting of the partnership results in a need for a school district to employ a substitute, payment for the substitute may be made by the superintendent of public instruction from

funds available in the Washington financial education public-private partnership account. A school district must release a teacher member to attend an official meeting of the partnership if the partnership pays the district for a substitute or pays the travel expenses of the teacher member.

(8) This section shall be implemented to the extent funds are available.

Sec. 721. RCW 28A.300.460 and 2009 c 443 s 2 are each amended to read as follows:

(1) The task of the financial education public-private partnership is to seek out and determine the best methods of equipping students with the knowledge and skills they need, before they become self-supporting, in order for them to make critical decisions regarding their personal finances. The components of personal financial education shall include the achievement of skills and knowledge necessary to make informed judgments and effective decisions regarding earning, spending, and the management of money and credit.

(2) In carrying out its task, and to the extent funds are available, the partnership shall:

(a) Communicate to school districts the financial education standards adopted under RCW 28A.300.462, other important financial education skills and content knowledge, and strategies for expanding the provision and increasing the quality of financial education instruction;

(b) Review on an ongoing basis financial education curriculum that is available to school districts, including instructional materials and programs, online instructional materials and resources, and school-wide programs that include the important financial skills and content knowledge;

(c) Develop evaluation standards and a procedure for endorsing financial education curriculum that the partnership determines should be recommended for use in school districts;

(d) ((~~Identify assessments and outcome measures that schools and communities may use to determine whether students have met the financial education standards adopted under RCW 28A.300.462~~)) Work with the office of the superintendent of public instruction to integrate financial education skills and content knowledge into the state learning standards;

(e) Monitor and provide guidance for professional development for educators regarding financial education, including ways that teachers at different grade levels may integrate financial skills and content knowledge into mathematics, social studies, and other course content areas;

(f) Work with the office of the superintendent of public instruction and the professional educator standards board to create professional development ((~~that could lead to a certificate endorsement or other certification of competency~~)) in financial education;

(g) Develop academic guidelines and standards-based protocols for use by classroom volunteers who participate in delivering financial education to students in the public schools; and

(h) Provide an annual report beginning December 1, 2009, as provided in RCW 28A.300.464, to the governor, the superintendent of public instruction, and the committees of the legislature with oversight over K-12 education and higher education.

(3) The partnership may seek federal and private funds to support the school districts in providing access to the materials listed pursuant to section 4(1) of this act, as well as related professional development opportunities for certificated staff.

Sec. 722. RCW 28A.655.070 and 2013 2nd sp.s. c 22 s 5 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW

28A.655.061 and for assessing student career and college readiness.

(iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

(14) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

NEW SECTION. **Sec. 723.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of materials that align with the financial education standards integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d).

(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students who successfully complete financial education courses.

NEW SECTION. **Sec. 724.** A new section is added to chapter 28A.300 RCW to read as follows:

Standards in K-12 personal finance education developed by a national coalition for personal financial literacy that includes partners from business, finance, government, academia, education, and state affiliates are adopted as the state financial education learning standards."

Correct the title.

Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and McCaslin.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5227 Prime Sponsor, Senator Baumgartner: Creating the international commercial arbitration act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 23, 2015

SSB 5280 Prime Sponsor, Committee on Commerce & Labor: Concerning the sale of beer and cider by grocery store licensees. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Blake; Kirby and Vick.

MINORITY recommendation: Do not pass. Signed by Representatives Scott and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta, Ranking Minority Member Holy, Assistant Ranking Minority Member.

Referred to Committee on General Government & Information Technology.

March 26, 2015

SSB 5292 Prime Sponsor, Committee on Law & Justice: Protecting children and youth from powdered alcohol. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 725.** The legislature finds that powdered alcohol poses a risk to the public health and safety of children and youth. The legislature intends to minimize this risk by banning the use, purchase, sale, and possession of powdered alcohol, except for bona fide research purposes.

NEW SECTION. **Sec. 726.** A new section is added to chapter 66.44 RCW to read as follows:

(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered alcohol.

(2) Any person who violates this section is guilty of a misdemeanor.

(3) This section does not apply to the use of powdered alcohol for bona fide research purposes by a:

(a) Health care provider that operates primarily for the purposes of conducting scientific research;

(b) State institution of higher education, as defined in RCW 28B.10.016;

(c) Private college or university; or

(d) Pharmaceutical or biotechnology company.

Sec. 727. RCW 66.04.010 and 2012 c 117 s 264 are each amended to read as follows:

In this title, unless the context otherwise requires:

(1) "Alcohol" is that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilutions and mixtures of this substance. The term "alcohol" does not include alcohol in the possession of a manufacturer or distiller of alcohol fuel, as described in RCW 66.12.130, which is intended to be denatured and used as a fuel for use in motor vehicles, farm implements, and machines or implements of husbandry.

(2) "Authorized representative" means a person who:

(a) Is required to have a federal basic permit issued pursuant to the federal alcohol administration act, 27 U.S.C. Sec. 204;

(b) Has its business located in the United States outside of the state of Washington;

(c) Acquires ownership of beer or wine for transportation into and resale in the state of Washington; and which beer or wine is produced by a brewery or winery in the United States outside of the state of Washington; and

(d) Is appointed by the brewery or winery referenced in (c) of this subsection as its authorized representative for marketing and selling its products within the United States in accordance with a written agreement between the authorized representative and such brewery or winery pursuant to this title.

(3) "Beer" means any malt beverage, flavored malt beverage, or malt liquor as these terms are defined in this chapter.

(4) "Beer distributor" means a person who buys beer from a domestic brewery, microbrewery, beer certificate of approval holder, or beer importers, or who acquires foreign produced beer from a source outside of the United States, for the purpose of selling the same pursuant to this title, or who represents such brewer or brewery as agent.

(5) "Beer importer" means a person or business within Washington who purchases beer from a beer certificate of approval holder or who acquires foreign produced beer from a source outside of the United States for the purpose of selling the same pursuant to this title.

(6) "Board" means the liquor control board, constituted under this title.

(7) "Brewer" or "brewery" means any person engaged in the business of manufacturing beer and malt liquor. Brewer includes a brand owner of malt beverages who holds a brewer's notice with the federal bureau of alcohol, tobacco, and firearms at a location outside the state and whose malt beverage is contract-produced by a licensed in-state brewery, and who may exercise within the state, under a domestic brewery license, only the privileges of storing, selling to licensed beer distributors, and exporting beer from the state.

(8) "Club" means an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic, or social purposes, and not for pecuniary gain.

(9) "Confection" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, dairy products, or flavorings, in the form of bars, drops, or pieces.

(10) "Consume" includes the putting of liquor to any use, whether by drinking or otherwise.

(11) "Contract liquor store" means a business that sells liquor on behalf of the board through a contract with a contract liquor store manager.

(12) "Craft distillery" means a distillery that pays the reduced licensing fee under RCW 66.24.140.

(13) "Dentist" means a practitioner of dentistry duly and regularly licensed and engaged in the practice of his or her profession within the state pursuant to chapter 18.32 RCW.

(14) "Distiller" means a person engaged in the business of distilling spirits.

(15) "Domestic brewery" means a place where beer and malt liquor are manufactured or produced by a brewer within the state.

(16) "Domestic winery" means a place where wines are manufactured or produced within the state of Washington.

(17) "Drug store" means a place whose principal business is, the sale of drugs, medicines, and pharmaceutical preparations and maintains a regular prescription department and employs a registered pharmacist during all hours the drug store is open.

(18) "Druggist" means any person who holds a valid certificate and is a registered pharmacist and is duly and regularly engaged in carrying on the business of pharmaceutical chemistry pursuant to chapter 18.64 RCW.

((~~(18) "Drug store" means a place whose principal business is, the sale of drugs, medicines, and pharmaceutical preparations and maintains a regular prescription department and employs a registered pharmacist during all hours the drug store is open.~~))

(19) "Employee" means any person employed by the board.

(20) "Flavored malt beverage" means:

(a) A malt beverage containing six percent or less alcohol by volume to which flavoring or other added nonbeverage ingredients are added that contain distilled spirits of not more than forty-nine percent of the beverage's overall alcohol content; or

(b) A malt beverage containing more than six percent alcohol by volume to which flavoring or other added nonbeverage ingredients are added that contain distilled spirits of not more than one and one-half percent of the beverage's overall alcohol content.

(21) "Fund" means 'liquor revolving fund.'

(22) "Hotel" means buildings, structures, and grounds, having facilities for preparing, cooking, and serving food, that are kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which twenty or more rooms are used for the sleeping accommodation of such transient guests. The buildings, structures, and grounds must be located on adjacent property either owned or leased by the same person or persons.

(23) "Importer" means a person who buys distilled spirits from a distillery outside the state of Washington and imports such spirituous liquor into the state for sale to the board or for export.

(24) "Imprisonment" means confinement in the county jail.

(25) "Liquor" includes the four varieties of liquor herein defined (alcohol, spirits, wine, and beer), and all fermented, spirituous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous or malt liquor, or otherwise intoxicating; and every liquid or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine, or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquid, semisolid, solid, or other substance, which contains more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating. Liquor does not include confections or food products that contain one percent or less of alcohol by weight.

(26) "Malt beverage" or "malt liquor" means any beverage such as beer, ale, lager beer, stout, and porter obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water containing not more than eight percent of alcohol by weight, and not less than one-half of one percent of alcohol by volume. For the purposes of this title, any such beverage containing more than eight percent of alcohol by weight shall be referred to as "strong beer."

(27) "Manufacturer" means a person engaged in the preparation of liquor for sale, in any form whatsoever.

(28) "Nightclub" means an establishment that provides entertainment and has as its primary source of revenue (a) the sale of alcohol for consumption on the premises, (b) cover charges, or (c) both.

(29) "Package" means any container or receptacle used for holding liquor.

(30) "Passenger vessel" means any boat, ship, vessel, barge, or other floating craft of any kind carrying passengers for compensation.

(31) "Permit" means a permit for the purchase of liquor under this title.

(32) "Person" means an individual, copartnership, association, or corporation.

(33) "Physician" means a medical practitioner duly and regularly licensed and engaged in the practice of his or her profession within the state pursuant to chapter 18.71 RCW.

(34) "Powdered alcohol" means any powder or crystalline substance containing alcohol that is produced for direct use or reconstitution.

(35) "Prescription" means a memorandum signed by a physician and given by him or her to a patient for the obtaining of liquor pursuant to this title for medicinal purposes.

(((~~(35)~~))) (36) "Public place" includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theatres, stores, garages and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

(((~~(36)~~))) (37) "Regulations" means regulations made by the board under the powers conferred by this title.

(((~~(37)~~))) (38) "Restaurant" means any establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains.

(((~~(38)~~))) (39) "Sale" and "sell" include exchange, barter, and traffic; and also include the selling or supplying or distributing, by any means whatsoever, of liquor, or of any liquid known or described as beer or by any name whatever commonly used to describe malt or brewed liquor or of wine, by any person to any person; and also include a sale or selling within the state to a foreign consignee or his or her agent in the state. "Sale" and "sell" shall not include the giving, at no charge, of a reasonable amount of liquor by a person not licensed by the board to a person not licensed by the board, for personal use only. "Sale" and "sell" also does not include a raffle authorized under RCW 9.46.0315: PROVIDED, That the nonprofit organization conducting the raffle has obtained the appropriate permit from the board.

(((~~(39)~~))) (40) "Service bar" means a fixed or portable table, counter, cart, or similar work station primarily used to prepare, mix, serve, and sell alcohol that is picked up by employees or customers. Customers may not be seated or allowed to consume food or alcohol at a service bar.

(((~~(40)~~))) (41) "Soda fountain" means a place especially equipped with apparatus for the purpose of dispensing soft drinks, whether mixed or otherwise.

(((~~(41)~~))) (42) "Spirits" means any beverage which contains alcohol obtained by distillation, except flavored malt beverages, but including wines exceeding twenty-four percent of alcohol by volume.

(((~~(42)~~))) (43) "Store" means a state liquor store established under this title.

(((~~(43)~~))) (44) "Tavern" means any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer, as herein defined.

(((~~(44)~~))) (45) "VIP airport lounge" means an establishment within an international airport located beyond security checkpoints that provides a special space to sit, relax, read, work, and enjoy beverages where access is controlled by the VIP airport lounge operator and is generally limited to the following classifications of persons:

(a) Airline passengers of any age whose admission is based on a first-class, executive, or business class ticket;

(b) Airline passengers of any age who are qualified members or allowed guests of certain frequent flyer or other loyalty incentive programs maintained by airlines that have agreements describing the conditions for access to the VIP airport lounge;

(c) Airline passengers of any age who are qualified members or allowed guests of certain enhanced amenities programs maintained by companies that have agreements describing the conditions for access to the VIP airport lounge;

(d) Airport and airline employees, government officials, foreign dignitaries, and other attendees of functions held by the airport authority or airlines related to the promotion of business objectives such as increasing international air traffic and enhancing foreign trade where access to the VIP airport lounge will be controlled by the VIP airport lounge operator; and

(e) Airline passengers of any age or airline employees whose admission is based on a pass issued or permission given by the airline for access to the VIP airport lounge.

(((~~(45)~~))) (46) "VIP airport lounge operator" means an airline, port district, or other entity operating a VIP airport lounge that: Is accountable for compliance with the alcohol beverage control act under this title; holds the license under chapter 66.24 RCW issued to the VIP airport lounge; and provides a point of contact for addressing any licensing and enforcement by the board.

(((~~(46)~~))) (47)(a) "Wine" means any alcoholic beverage obtained by fermentation of fruits (grapes, berries, apples, et cetera) or other agricultural product containing sugar, to which any saccharine substances may have been added before, during or after fermentation, and containing not more than twenty-four percent of alcohol by volume, including sweet wines fortified with wine spirits, such as port, sherry, muscatel, and angelica, not exceeding twenty-four percent of alcohol by volume and not less than one-half of one percent of alcohol by volume. For purposes of this title, any beverage containing no more than fourteen percent of alcohol by volume when bottled or packaged by the manufacturer shall be referred to as "table wine," and any beverage containing alcohol in an amount more than fourteen percent by volume when bottled or packaged by the manufacturer shall be referred to as "fortified wine." However, "fortified wine" shall not include: (i) Wines that are both sealed or capped by cork closure and aged two years or more; and (ii) wines that contain more than fourteen percent alcohol by volume solely as a result of the natural fermentation process and that have not been produced with the addition of wine spirits, brandy, or alcohol.

(b) This subsection shall not be interpreted to require that any wine be labeled with the designation "table wine" or "fortified wine."

(((~~(47)~~))) (48) "Wine distributor" means a person who buys wine from a domestic winery, wine certificate of approval holder, or wine importer, or who acquires foreign produced wine from a source outside of the United States, for the purpose of selling the same not in violation of this title, or who represents such vintner or winery as agent.

(((~~(48)~~))) (49) "Wine importer" means a person or business within Washington who purchases wine from a wine certificate of approval holder or who acquires foreign produced wine from a source outside of the United States for the purpose of selling the same pursuant to this title.

(((~~(49)~~))) (50) "Winery" means a business conducted by any person for the manufacture of wine for sale, other than a domestic winery.

NEW SECTION. **Sec. 728.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5295 Prime Sponsor, Senator Kohl-Welles: Concerning the display of campus information on the statewide public four-year dashboard. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 24, 2015

ESSB 5321 Prime Sponsor, Committee on Financial Institutions & Insurance: Concerning licensure of persons providing debt settlement services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

On page 4, beginning on line 10, after "relationship" strike all material through "business" on line 12 and insert "while performing services solely incidental to the practice of their professions"

Beginning on page 12, line 40, after "debt." strike all material through "payment." on page 13, line 6

On page 13, line 7, after "(6)" insert "The sum of all fees charged pursuant to either subsection (5)(c)(i) or (ii) of this section may not exceed thirty percent of the principal amount of the debt.

(7)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 22, at the beginning of line 32, strike "((~~or~~)) and" and insert "or"

On page 22, line 34, after "debtor." insert ""Debt adjusting" does not include services provided by a debt settlement company licensed under chapter 18.--- RCW (the new chapter created in section 38 of this act) and acting as an intermediary between an individual and one or more unsecured creditors of the individual for the purpose of (a) obtaining negotiated concessions involving a reduction in principal of the individual's unsecured debt, and (b) securing the discharge of such debt upon the individual's performance of the negotiated concessions."

Signed by Representatives Kirby, Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hunt, G.; Hurst; Kochmar; McCabe and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Ryu, Vice Chair.

MINORITY recommendation: Without recommendation. Signed by Representative Stanford.

Referred to Committee on Appropriations.

March 26, 2015

2SSB 5404 Prime Sponsor, Committee on Ways & Means: Concerning homeless youth prevention and protection. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

MINORITY recommendation: Without recommendation. Signed by Representative Hawkins.

Referred to Committee on Appropriations.

March 26, 2015

ESB 5419 Prime Sponsor, Senator Litzow: Enacting the student user privacy in education rights act. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

March 23, 2015

SSB 5433 Prime Sponsor, Committee on Early Learning & K-12 Education: Requiring Washington's tribal history, culture, and government to be taught in the common schools. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 24, 2015

SB 5442 Prime Sponsor, Senator Warnick: Concerning eligibility criteria for the community economic revitalization board programs. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Magendanz; Nealey; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Hudgins.

MINORITY recommendation: Without recommendation. Signed by Representative Fey.

Referred to Committee on Capital Budget.

March 26, 2015

SSB 5451 Prime Sponsor, Committee on Commerce & Labor: Addressing vocational rehabilitation by making certain recommendations from the vocational rehabilitation subcommittee permanent and creating certain incentives for employers to employ injured workers with permanent disabilities. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Referred to Committee on Appropriations.

March 26, 2015

SSB 5501 Prime Sponsor, Committee on Law & Justice: Preventing animal cruelty. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 729.** A new section is added to chapter 16.52 RCW to read as follows:

(1) It is a class 2 civil infraction under RCW 7.80.120 to leave or confine any animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed by exposure to excessive heat, cold, lack of ventilation, or lack of necessary water.

(2) To protect the health and safety of an animal, an animal control officer or law enforcement officer who reasonably believes that an animal is suffering or is likely to suffer harm from exposure to excessive heat, cold, lack of ventilation, or lack of necessary water is authorized to enter a vehicle or enclosed space to remove an animal by any means reasonable under the circumstances if no other person is present in the immediate area who has access to the vehicle or enclosed space and who will immediately remove the animal. An animal control officer, law enforcement officer, or the department or agency employing such an officer is not liable for any damage to property resulting from actions taken under this section.

(3) Nothing in this section prevents the person who has confined the animal in the vehicle or enclosed space from being convicted of separate offenses for animal cruelty under RCW 16.52.205 or 16.52.207.

Sec. 730. RCW 16.52.011 and 2011 c 172 s 1 and 2011 c 67 s 3 are each reenacted and amended to read as follows:

(1) Principles of liability as defined in chapter 9A.08 RCW apply to this chapter.

(2) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Abandons" means the knowing or reckless desertion of an animal by its owner or the causing of the animal to be deserted by its owner, in any place, without making provisions for the animal's adequate care.

(b) "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

(c) "Animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, and any corporation organized under RCW 16.52.020 that contracts with a city or county to enforce the city or county ordinances governing animal care and control.

(d) "Animal control officer" means any individual employed, contracted, or appointed pursuant to RCW 16.52.025 by an animal care and control agency or humane society to aid in the enforcement of ordinances or laws regulating the care and control of animals. For purposes of this chapter, the term "animal control officer" shall be interpreted to include "humane officer" as defined in (g) of this subsection and RCW 16.52.025.

(e) "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes

painless loss of consciousness, and death during the loss of consciousness.

(f) "Food" means food or feed appropriate to the species for which it is intended.

(g) "Humane officer" means any individual employed, contracted, or appointed by an animal care and control agency or humane society as authorized under RCW 16.52.025.

(h) "Law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(i) "Livestock" includes, but is not limited to, horses, mules, cattle, sheep, swine, goats, and bison.

(j) "Necessary food" means the provision at suitable intervals of wholesome foodstuff suitable for the animal's age ((~~and~~)), species, and condition, and that is sufficient to provide a reasonable level of nutrition for the animal and is easily accessible to the animal or as directed by a veterinarian for medical reasons.

(k) "Necessary water" means water that is in sufficient quantity and of appropriate quality for the species for which it is intended and that is accessible to the animal or as directed by a veterinarian for medical reasons.

(l) "Owner" means a person who has a right, claim, title, legal share, or right of possession to an animal or a person having lawful control, custody, or possession of an animal.

(m) "Person" means individuals, corporations, partnerships, associations, or other legal entities, and agents of those entities.

(n) "Similar animal" means: (i) For a mammal, another animal that is in the same taxonomic order; or (ii) for an animal that is not a mammal, another animal that is in the same taxonomic class.

(o) "Substantial bodily harm" means substantial bodily harm as defined in RCW 9A.04.110.

(p) "Malice" has the same meaning as provided in RCW 9A.04.110, but applied to acts against animals.

Sec. 731. RCW 16.52.117 and 2006 c 287 s 1 are each amended to read as follows:

(1) A person commits the crime of animal fighting if the person knowingly does any of the following or causes a minor to do any of the following:

(a) Owns, possesses, keeps, breeds, trains, buys, sells, or advertises or offers for sale any animal with the intent that the animal shall be engaged in an exhibition of fighting with another animal;

(b) ((~~Knowingly~~)) Promotes, organizes, conducts, participates in, is a spectator of, advertises, prepares, or performs any service in the furtherance of, an exhibition of animal fighting, transports spectators to an animal fight, or provides or serves as a stakeholder for any money wagered on an animal fight ((~~at any place or building~~));

(c) Keeps or uses any place for the purpose of animal fighting, or manages or accepts payment of admission to any place kept or used for the purpose of animal fighting;

(d) Suffers or permits any place over which the person has possession or control to be occupied, kept, or used for the purpose of an exhibition of animal fighting; or

(e) Takes, leads away, possesses, confines, sells, transfers, or receives ((~~a stray animal or a pet animal, with the intent to deprive the owner of the pet animal, and~~)) an animal with the intent of using the ((~~stray~~)) animal ((~~or pet animal~~)) for animal fighting, or for training or baiting for the purpose of animal fighting.

(2) A person who violates this section is guilty of a class C felony punishable under RCW 9A.20.021.

(3) Nothing in this section prohibits the following:

(a) The use of dogs in the management of livestock, as defined by chapter 16.57 RCW, by the owner of the livestock or the owner's employees or agents or other persons in lawful custody of the livestock;

(b) The use of dogs in hunting as permitted by law; or

(c) The training of animals or the use of equipment in the training of animals for any purpose not prohibited by law.

(((~~(4) For the purposes of this section, "animal" means dogs or male chickens.~~)))

Sec. 732. RCW 16.52.320 and 2011 c 67 s 1 are each amended to read as follows:

(1) It is unlawful for a person to, with malice, kill or cause substantial bodily harm to livestock belonging to another person.

(2) A violation of this section constitutes a class C felony.

(((~~(3) For the purposes of this section, "malice" has the same meaning as provided in RCW 9A.04.110, but applied to acts against livestock.~~)))

Sec. 733. RCW 9.08.070 and 2003 c 53 s 9 are each amended to read as follows:

(1) Any person who, with intent to deprive or defraud the owner thereof, does any of the following shall be guilty of a gross misdemeanor punishable according to chapter 9A.20 RCW and by a mandatory fine of not less than five hundred dollars per pet animal, except as provided by subsection (2) of this section:

(a) Takes, leads away, confines, secretes or converts any pet animal, except in cases in which the value of the pet animal exceeds ((~~two~~)) seven hundred fifty dollars;

(b) Conceals the identity of any pet animal or its owner by obscuring, altering, or removing from the pet animal any collar, tag, license, tattoo, or other identifying device or mark;

(c) Willfully or recklessly kills or injures any pet animal, unless excused by law.

(2) Nothing in this section shall prohibit a person from also being convicted of separate offenses under RCW 9A.56.030, 9A.56.040, or 9A.56.050 for theft ((~~or~~)), under RCW 9A.56.150, 9A.56.160, or 9A.56.170 for possession of stolen property, or under chapter 16.52 RCW for animal cruelty.

Sec. 734. RCW 16.52.205 and 2006 c 191 s 1 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the first degree when, except as authorized in law, he or she intentionally (a) inflicts substantial pain on, (b) causes physical injury to, or (c) kills an animal by a means causing undue suffering or while manifesting an extreme indifference to life, or forces a minor to inflict unnecessary pain, injury, or death on an animal.

(2) A person is guilty of animal cruelty in the first degree when, except as authorized by law, he or she, with criminal negligence, starves, dehydrates, or suffocates an animal and as a result causes: (a) Substantial and unjustifiable physical pain that extends for a period sufficient to cause considerable suffering; or (b) death.

(3) A person is guilty of animal cruelty in the first degree when he or she:

(a) Knowingly engages in any sexual conduct or sexual contact with an animal;

(b) Knowingly causes, aids, or abets another person to engage in any sexual conduct or sexual contact with an animal;

(c) Knowingly permits any sexual conduct or sexual contact with an animal to be conducted on any premises under his or her charge or control;

(d) Knowingly engages in, organizes, promotes, conducts, advertises, aids, abets, participates in as an observer, or performs any service in the furtherance of an act involving any sexual conduct or sexual contact with an animal for a commercial or recreational purpose; or

(e) Knowingly photographs or films, for purposes of sexual gratification, a person engaged in a sexual act or sexual contact with an animal.

(4) Animal cruelty in the first degree is a class C felony.

(5) In addition to the penalty imposed in subsection (4) of this section, the court may order that the convicted person do any of the following:

(a) Not harbor or own animals or reside in any household where animals are present;

(b) Participate in appropriate counseling at the defendant's expense;

(c) Reimburse the animal shelter or humane society for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter or humane society as a result of conduct proscribed in subsection (3) of this section.

(6) Nothing in this section may be considered to prohibit accepted animal husbandry practices or accepted veterinary medical practices by a licensed veterinarian or certified veterinary technician.

(7) If the court has reasonable grounds to believe that a violation of this section has occurred, the court may order the seizure of all animals involved in the alleged violation as a condition of bond of a person charged with a violation.

(8) For purposes of this section:

(a) "Animal" means every creature, either alive or dead, other than a human being.

(b) "Sexual conduct" means any touching or fondling by a person, either directly or through clothing, of the sex organs or anus of an animal or any transfer or transmission of semen by the person upon any part of the animal, for the purpose of sexual gratification or arousal of the person.

(c) "Sexual contact" means any contact, however slight, between the mouth, sex organ, or anus of a person and the sex organ or anus of an animal, or any intrusion, however slight, of any part of the body of the person into the sex organ or anus of an animal, or any intrusion of the sex organ or anus of the person into the mouth of the animal, for the purpose of sexual gratification or arousal of the person.

(d) "Photographs" or "films" means the making of a photograph, motion picture film, videotape, digital image, or any other recording, sale, or transmission of the image."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Haler; Klippert and Muri.

MINORITY recommendation: Without recommendation. Signed by Representative Stokesbary.

Passed to Committee on Rules for second reading.

March 26, 2015

ESB 5510 Prime Sponsor, Senator Braun: Simplifying and adding certainty to the calculation of workers' compensation benefits. (REVISED FOR ENGROSSED: Simplifying and adding certainty to the calculation of workers' compensation benefits by creating a working group to develop recommendations.) Reported by Committee on Labor

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 735.** The department of labor and industries shall convene, no later than August 1, 2015, a benefit accuracy working group under the industrial insurance program. The director must appoint members to the working group as follows: Two members representing labor, two members representing employers, and at least two members representing the department of labor and industries. Members must serve without compensation but are entitled to travel expenses as provided in RCW 43.03.050 and 43.03.060. All expenses of this working group must be paid by the department. The working group must focus on improving the accuracy, simplicity, fairness, and consistency of calculating and providing wage replacement benefits and shall not consider overall reductions in existing worker benefit levels. The working group must report back to the appropriate committees of the legislature by February 1, 2016, and September 1, 2016. This section expires December 31, 2016."

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member; McCabe; Moeller and Ormsby.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5518 Prime Sponsor, Committee on Higher Education: Creating procedures to address campus sexual violence. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 26, 2015

E2SSB 5564 Prime Sponsor, Committee on Ways & Means: Concerning the sealing of juvenile records and fines imposed in juvenile cases. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 736.** The legislature finds that requiring juvenile offenders to pay all legal financial obligations before being eligible to have a juvenile record administratively sealed disproportionately affects youth based on their socioeconomic status. Juveniles who cannot afford to pay their legal financial obligations cannot seal their juvenile records once they turn eighteen and oftentimes struggle to find employment. By eliminating most nonrestitution legal financial obligations for juveniles convicted of less serious crimes, juvenile offenders will be better able to find employment and focus on making restitution payments first to the actual victim. This legislation is intended to help juveniles understand the consequences of their actions and the harm that those actions have caused others without placing insurmountable burdens on juveniles attempting to become productive members of society. Depending on the juvenile's ability to pay, and upon the consent of the victim, courts should also strongly consider ordering community restitution in lieu of paying restitution where appropriate.

Sec. 737. RCW 13.50.010 and 2014 c 175 s 2 and 2014 c 117 s 5 are each reenacted and amended to read as follows:

(1) For purposes of this chapter:

(a) "Good faith effort to pay" means a juvenile offender has either (i) paid the principal amount in full; (ii) made at least eighty percent of the value of full monthly payments within the period from disposition or deferred disposition until the time the amount of restitution owed is under review; or (iii) can show good cause why he or she paid an amount less than eighty percent of the value of full monthly payments;

(b) "Juvenile justice or care agency" means any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the legislative children's oversight committee, the office of the family and children's ombuds, the department of social and health services and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415;

((~~(b)~~)) (c) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, findings of the court, and court orders;

((~~(c)~~)) (d) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;

((~~(d)~~)) (e) "Social file" means the juvenile court file containing the records and reports of the probation counselor.

(2) Each petition or information filed with the court may include only one juvenile and each petition or information shall be filed under a separate docket number. The social file shall be filed separately from the official juvenile court file.

(3) It is the duty of any juvenile justice or care agency to maintain accurate records. To this end:

(a) The agency may never knowingly record inaccurate information. Any information in records maintained by the department of social and health services relating to a petition filed pursuant to chapter 13.34 RCW that is found by the court to be false or inaccurate shall be corrected or expunged from such records by the agency;

(b) An agency shall take reasonable steps to assure the security of its records and prevent tampering with them; and

(c) An agency shall make reasonable efforts to insure the completeness of its records, including action taken by other agencies with respect to matters in its files.

(4) Each juvenile justice or care agency shall implement procedures consistent with the provisions of this chapter to facilitate inquiries concerning records.

(5) Any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency and who has been denied access to those records by the agency may make a motion to the court for an order authorizing that person to inspect the juvenile justice or care agency record concerning that person. The court shall grant the motion to examine records unless it finds that in the interests of justice or in the best interests of the juvenile the records or parts of them should remain confidential.

(6) A juvenile, or his or her parents, or any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency may make a motion to the court challenging the accuracy of any information concerning the moving party in the record or challenging the continued possession of the record by the agency. If the court grants the motion, it shall order the record or information to be corrected or destroyed.

(7) The person making a motion under subsection (5) or (6) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.

(8) The court may permit inspection of records by, or release of information to, any clinic, hospital, or agency which has the subject person under care or treatment. The court may also permit inspection by or release to individuals or agencies, including juvenile justice advisory committees of county law and justice councils, engaged in legitimate research for educational, scientific, or public purposes. Each person granted permission to inspect juvenile justice or care agency records for research purposes shall present a notarized statement to the court stating that the names of juveniles and parents will remain confidential.

(9) The court shall release to the caseload forecast council the records needed for its research and data-gathering functions. Access to caseload forecast data may be permitted by the council for research purposes only if the anonymity of all persons mentioned in the records or information will be preserved.

(10) Juvenile detention facilities shall release records to the caseload forecast council upon request. The commission shall not disclose the names of any juveniles or parents mentioned in the records without the named individual's written permission.

(11) Requirements in this chapter relating to the court's authority to compel disclosure shall not apply to the legislative children's oversight committee or the office of the family and children's ombuds.

(12) For the purpose of research only, the administrative office of the courts shall maintain an electronic research copy of all records in the judicial information system related to juveniles. Access to the research copy is restricted to the Washington state center for court research. The Washington state center for court research shall maintain the confidentiality of all confidential records and shall preserve the anonymity of all persons identified in the research copy. The research copy may not be subject to any records retention schedule and must include records destroyed or removed from the judicial information system pursuant to RCW 13.50.270 and 13.50.100(3).

(13) The court shall release to the Washington state office of public defense records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.70.020. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of public defense. The Washington state office of public defense shall maintain the confidentiality of all confidential information included in the records.

Sec. 738. RCW 13.50.260 and 2014 c 175 s 4 are each amended to read as follows:

(1)(a) The court shall hold regular sealing hearings. During these regular sealing hearings, the court shall administratively seal an individual's juvenile ((~~court~~)) record pursuant to the requirements of this subsection unless the court receives an objection to sealing or the court notes a compelling reason not to seal, in which case, the court shall set a contested hearing to be conducted on the record to address sealing. ((~~The respondent and his or her attorney shall be given at least eighteen days' notice of any contested sealing hearing and the opportunity to respond to any objections, but the respondent's presence is not required at any sealing hearing pursuant to this subsection.~~)) Although the juvenile record shall be sealed, the social file may be available to any juvenile justice or care agency when an investigation or case involving the juvenile subject of the records is being prosecuted by the juvenile justice or care agency or when the juvenile justice or care agency is assigned the responsibility of supervising the juvenile. The contested hearing shall be set no sooner than eighteen days after notice of the hearing and the opportunity to

object has been sent to the juvenile, the victim, and juvenile's attorney. The juvenile respondent's presence is not required at a sealing hearing pursuant to this subsection.

(b) At the disposition hearing of a juvenile offender, the court shall schedule an administrative sealing hearing to take place during the first regularly scheduled sealing hearing after the latest of the following events that apply:

(i) The respondent's eighteenth birthday;

(ii) Anticipated completion of a respondent's probation, if ordered;

(iii) Anticipated release from confinement at the juvenile rehabilitation administration, or the completion of parole, if the respondent is transferred to the juvenile rehabilitation administration.

(c) A court shall enter a written order sealing an individual's juvenile court record pursuant to this subsection if:

(i) One of the offenses for which the court has entered a disposition is not at the time of commission of the offense:

(A) A most serious offense, as defined in RCW 9.94A.030;

(B) A sex offense under chapter 9A.44 RCW; or

(C) A drug offense, as defined in RCW 9.94A.030; and

(ii) The respondent has completed the terms and conditions of disposition, including affirmative conditions and ((~~financial obligations~~)) has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

(d) Following a contested sealing hearing on the record after an objection is made pursuant to (a) of this subsection, the court shall enter a written order sealing the juvenile court record unless the court determines that sealing is not appropriate.

(2) The court shall enter a written order immediately sealing the official juvenile court record upon the acquittal after a fact finding or upon the dismissal of charges with prejudice, subject to the state's right, if any, to appeal the dismissal.

(3) If a juvenile court record has not already been sealed pursuant to this section, in any case in which information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and, subject to RCW 13.50.050(13), order the sealing of the official juvenile court record, the social file, and records of the court and of any other agency in the case.

(4)(a) The court shall grant any motion to seal records for class A offenses made pursuant to subsection (3) of this section if:

(i) Since the last date of release from confinement, including full-time residential treatment, if any, or entry of disposition, the person has spent five consecutive years in the community without committing any offense or crime that subsequently results in an adjudication or conviction;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense;

(v) The person has not been convicted of rape in the first degree, rape in the second degree, or indecent liberties that was actually committed with forcible compulsion; and

(vi) ((~~Full restitution has been paid~~)) The person has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

(b) The court shall grant any motion to seal records for class B, ((~~[class]~~)) class C, gross misdemeanor, and misdemeanor offenses and diversions made under subsection (3) of this section if:

(i) Since the date of last release from confinement, including full-time residential treatment, if any, entry of disposition, or completion of the diversion agreement, the person has spent two consecutive years in the community without being convicted of any offense or crime;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense; and

(v) ((~~Full restitution has been paid~~)) The person has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

(c) Notwithstanding the requirements in (a) or (b) of this subsection, the court shall grant any motion to seal records of any deferred disposition vacated under RCW 13.40.127(9) prior to June 7, 2012, if restitution has been paid and the person is eighteen years of age or older at the time of the motion.

(5) The person making a motion pursuant to subsection (3) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose records are sought to be sealed.

(6)(a) If the court enters a written order sealing the juvenile court record pursuant to this section, it shall, subject to RCW 13.50.050(13), order sealed the official juvenile court record, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(b) In the event the subject of the juvenile records receives a full and unconditional pardon, the proceedings in the matter upon which the pardon has been granted shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events upon which the pardon was received. Any agency shall reply to any inquiry concerning the records pertaining to the events for which the subject received a pardon that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(c) The department of licensing may release information related to records the court has ordered sealed only to the extent necessary to comply with federal law and regulation.

(7) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(13).

(8)(a) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying a sealing order; however, the court may order the juvenile court record resealed upon disposition of the subsequent matter if the case meets the sealing criteria under this section and the court record has not previously been resealed.

(b) Any charging of an adult felony subsequent to the sealing has the effect of nullifying the sealing order.

(c) The administrative office of the courts shall ensure that the superior court judicial information system provides prosecutors access to information on the existence of sealed juvenile records.

(d) The Washington state patrol shall ensure that the Washington state identification system provides criminal justice agencies access to sealed juvenile records information.

(9) If the juvenile court record has been sealed pursuant to this section, the record of an employee is not admissible in an action for liability against the employer based on the former juvenile offender's conduct to show that the employer knew or should have known of the juvenile record of the employee. The record may be admissible, however, if a background check conducted or authorized by the employer contained the information in the sealed record.

(10) County clerks may interact or correspond with the respondent, his or her parents, and any holders of potential assets or wages of the respondent for the purposes of collecting an outstanding legal financial obligation after juvenile court records have been sealed pursuant to this section.

(11) Persons and agencies that obtain sealed juvenile records information pursuant to this section may communicate about this information with the respondent, but may not disseminate or be compelled to release the information to any person or agency not specifically granted access to sealed juvenile records in this section.

Sec. 739. RCW 46.52.130 and 2012 c 74 s 6 and 2012 c 73 s 1 are each reenacted and amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

(i) The total number of vehicles involved;

(ii) Whether the vehicles were legally parked or moving;

(iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.** (i)(A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the information is necessary for purposes related to driving by the individual at the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

(C) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **City attorneys and county prosecuting attorneys.** An abstract of the full driving record maintained by the department, including whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys or county prosecuting attorneys. City attorneys and county prosecuting attorneys may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. Fifty percent of the fee must be deposited in the highway safety fund, and fifty percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

(6) The contents of a driving abstract pursuant to this section shall not include any information related to sealed juvenile records unless that information is required by federal law or regulation.

NEW SECTION. **Sec. 740.** A new section is added to chapter 13.40 RCW to read as follows:

Cities, towns, and counties may not impose any legal financial obligations, fees, fines, or costs associated with juvenile offenses unless there is express statutory authority for those legal financial obligations, fees, fines, or costs.

Sec. 741. RCW 13.40.190 and 2014 c 175 s 7 are each amended to read as follows:

(1)(a) In its dispositional order, the court shall require the respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. In addition, restitution may be ordered for loss or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which, pursuant to a plea agreement, are not prosecuted.

(b) Restitution may include the costs of counseling reasonably related to the offense.

(c) The payment of restitution shall be in addition to any punishment which is imposed pursuant to the other provisions of this chapter.

(d) The court may determine the amount, terms, and conditions of the restitution including a payment plan extending up to ten years if the court determines that the respondent does not have the means to make full restitution over a shorter period. If the court determines that a juvenile has insufficient funds to pay and upon agreement of the victim, the court may order performance of a number of hours of community restitution in lieu of monetary penalty, at the rate of the then state minimum wage per hour. The court shall allow the victim to determine the nature of the community restitution to be completed when it is practicable and appropriate to do so. For the purposes of this section, the respondent shall remain under the court's jurisdiction for a maximum term of ten years after the respondent's eighteenth birthday and, during this period, the restitution portion of the dispositional order may be modified as to amount, terms, and conditions at any time. Prior to the expiration of the ten-year period, the juvenile court may extend the judgment for the payment of restitution for an additional ten years. If the court grants a respondent's petition pursuant to RCW 13.50.260, the court's jurisdiction under this subsection shall terminate.

(e) Nothing in this section shall prevent a respondent from petitioning the court pursuant to RCW 13.50.260 if the respondent has paid the full restitution amount stated in the court's order and has met the statutory criteria.

(f) If the respondent participated in the crime with another person or other persons, ((~~all such participants shall be jointly and~~

~~severally responsible for the payment of restitution~~)) the court may either order joint and several restitution or may divide restitution equally among the respondents. In determining whether restitution should be joint and several or equally divided, the court shall consider the interest and circumstances of the victim or victims, the circumstances of the respondents, and the interest of justice.

(g) At any time, the court may determine that the respondent is not required to pay, or may relieve the respondent of the requirement to pay, full or partial restitution to any insurance provider authorized under Title 48 RCW if the respondent reasonably satisfies the court that he or she does not have the means to make full or partial restitution to the insurance provider ((~~and could not reasonably acquire the means to pay the insurance provider the restitution over a ten-year period~~)).

(2) Regardless of the provisions of subsection (1) of this section, the court shall order restitution in all cases where the victim is entitled to benefits under the crime victims' compensation act, chapter 7.68 RCW. If the court does not order restitution and the victim of the crime has been determined to be entitled to benefits under the crime victims' compensation act, the department of labor and industries, as administrator of the crime victims' compensation program, may petition the court within one year of entry of the disposition order for entry of a restitution order. Upon receipt of a petition from the department of labor and industries, the court shall hold a restitution hearing and shall enter a restitution order.

(3) If an order includes restitution as one of the monetary assessments, the county clerk shall make disbursements to victims named in the order. The restitution to victims named in the order shall be paid prior to any payment for other penalties or monetary assessments. The county clerk shall make restitution disbursements to victims prior to payments to any insurance provider under Title 48 RCW.

(4) For purposes of this section, "victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the offense charged. "Victim" may also include a known parent or guardian of a victim who is a minor child or is not a minor child but is incapacitated, incompetent, disabled, or deceased.

(5) A respondent under obligation to pay restitution may petition the court for modification of the restitution order for good cause shown, including inability to pay.

Sec. 742. RCW 13.40.192 and 1997 c 121 s 7 are each amended to read as follows:

(1) If a juvenile is ordered to pay legal financial obligations, including fines, penalty assessments, attorneys' fees, court costs, and restitution, the money judgment remains enforceable for a period of ten years. When the juvenile reaches the age of eighteen years or at the conclusion of juvenile court jurisdiction, whichever occurs later, the superior court clerk must docket the remaining balance of the juvenile's legal financial obligations in the same manner as other judgments for the payment of money. The judgment remains valid and enforceable until ten years from the date of its imposition. The clerk of the superior court may seek extension of the judgment for legal financial obligations, including crime victims' assessments, in the same manner as RCW 6.17.020 for purposes of collection as allowed under RCW 36.18.190.

(2) A respondent under obligation to pay legal financial obligations other than restitution, the victim penalty assessment set forth in RCW 7.68.035, or the crime laboratory analysis fee set forth in RCW 43.43.690 may petition the court for modification or relief from those legal financial obligations and interest accrued on those obligations for good cause shown, including inability to pay. The court shall consider factors such as, but not limited to incarceration and a respondent's other debts, including restitution, when determining a respondent's ability to pay.

Sec. 743. RCW 7.68.035 and 2011 c 336 s 246 are each amended to read as follows:

(1)(a) When any person is found guilty in any superior court of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be five hundred dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and two hundred fifty dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(b) When any juvenile is adjudicated of ((~~any offense in any juvenile offense disposition under Title 13 RCW, except as provided in subsection (2) of this section~~)) an offense that is a most serious offense as defined in RCW 9.94A.030, or a sex offense under chapter 9A.44 RCW, there shall be imposed upon the juvenile offender a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be one hundred dollars for each case or cause of action ((~~that includes one or more adjudications for a felony or gross misdemeanor and seventy-five dollars for each case or cause of action that includes adjudications of only one or more misdemeanors~~)).

(c) When any juvenile is adjudicated of an offense which has a victim, and which is not a most serious offense as defined in RCW 9.94A.030 or a sex offense under chapter 9A.44 RCW, the court shall order up to seven hours of community restitution, unless the court finds that such an order is not practicable for the offender. This community restitution must be imposed consecutively to any other community restitution the court imposes for the offense.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61.520, 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.61.502, 46.61.504, 46.52.101, 46.20.410, 46.52.020, 46.10.495, 46.09.480, 46.61.5249, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.490(2), and 46.09.470(2).

(3) When any person accused of having committed a crime posts bail in superior court pursuant to the provisions of chapter 10.19 RCW and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the crime.

(4) Such penalty assessments shall be paid by the clerk of the superior court to the county treasurer who shall monthly transmit the money as provided in RCW 10.82.070. Each county shall deposit fifty percent of the money it receives per case or cause of action under subsection (1) of this section and retains under RCW 10.82.070, not less than one and seventy-five one-hundredths percent of the remaining money it retains under RCW 10.82.070 and the money it retains under chapter 3.62 RCW, and all money it receives under subsection (7) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. A program shall be considered "comprehensive" only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict

services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his or her surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) Upon submission to the department of a letter of intent to adopt a comprehensive program, the prosecuting attorney shall retain the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the department. Approval of the comprehensive plan by the department must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the money deposited under subsection (4) of this section until approval of a comprehensive plan by the department. If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the county treasurer shall monthly transmit one hundred percent of the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the state general fund.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.50.100 and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section.

NEW SECTION. **Sec. 744.** A new section is added to chapter 13.50 RCW to read as follows:

(1) Courts and judicial agencies that maintain a database of juvenile records may provide those records, whether sealed or not, to government agencies for the purpose of carrying out research or data gathering functions. This data may also be linked with records from other agencies or research organizations, provided that any agency receiving or using records under this subsection maintain strict confidentiality of the identity of the juveniles who are the subjects of such records.

(2) Juvenile records, whether sealed or not, can be provided without personal identifiers to researchers conducting legitimate research for educational, scientific, or public purposes, so long as the data is not used by the recipients of the records to identify an individual with a juvenile record.

Sec. 745. RCW 9.08.070 and 2003 c 53 s 9 are each amended to read as follows:

(1) Any person who, with intent to deprive or defraud the owner thereof, does any of the following shall be guilty of a gross misdemeanor punishable according to chapter 9A.20 RCW and ((~~by~~)), for adult offenders, a mandatory fine of not less than five hundred dollars per pet animal shall be imposed, except as provided by subsection (2) of this section:

(a) Takes, leads away, confines, secretes or converts any pet animal, except in cases in which the value of the pet animal exceeds two hundred fifty dollars;

(b) Conceals the identity of any pet animal or its owner by obscuring, altering, or removing from the pet animal any collar, tag, license, tattoo, or other identifying device or mark;

(c) Willfully or recklessly kills or injures any pet animal, unless excused by law.

(2) Nothing in this section shall prohibit a person from also being convicted of separate offenses under RCW 9A.56.030, 9A.56.040, or 9A.56.050 for theft or under RCW 9A.56.150, 9A.56.160, or 9A.56.170 for possession of stolen property.

Sec. 746. RCW 9.08.072 and 2003 c 53 s 10 are each amended to read as follows:

(1) It is unlawful for any person to receive with intent to sell to a research institution in the state of Washington, or sell or otherwise directly transfer to a research institution in the state of Washington, a pet animal that the person knows or has reason to know has been stolen or fraudulently obtained. This section does not apply to U.S.D.A. licensed dealers.

(2) The first conviction under this section is a gross misdemeanor punishable according to chapter 9A.20 RCW and ((~~by~~)), for adult offenders, a mandatory fine of not less than five hundred dollars per pet animal shall be imposed.

(3) A second or subsequent conviction under this section is a class C felony punishable according to chapter 9A.20 RCW and ((~~by~~)), for adult offenders, a mandatory fine of not less than one thousand dollars per pet animal shall be imposed.

(4) Nothing in this section shall prohibit a person from also being convicted of separate offenses under RCW 9A.56.030, 9A.56.040, or 9A.56.050 for theft or under RCW 9A.56.150, 9A.56.160, or 9A.56.170 for possession of stolen property.

Sec. 747. RCW 9.46.1961 and 2002 c 253 s 2 are each amended to read as follows:

(1) A person is guilty of cheating in the first degree if he or she engages in cheating and:

(a) Knowingly causes, aids, abets, or conspires with another to engage in cheating; or

(b) Holds a license or similar permit issued by the state of Washington to conduct, manage, or act as an employee in an authorized gambling activity.

(2) Cheating in the first degree is a class C felony subject to the penalty set forth in RCW 9A.20.021. In addition to any other penalties imposed by law for a conviction of a violation of this section the court may impose an additional penalty of up to twenty thousand dollars on adult offenders.

Sec. 748. RCW 9.68A.105 and 2013 c 121 s 4 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 9.68A.100, 9.68A.101, and 9.68A.102, ((~~a person~~)) an adult offender who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory

diversion agreement as a result of an arrest for violating RCW 9.68A.100, 9.68A.101, or 9.68A.102, or a comparable county or municipal ordinance shall be assessed a five thousand dollar fee.

(b) The court may not reduce, waive, or suspend payment of all or part of the fee assessed unless it finds, on the record, that the ((~~person~~)) adult offender does not have the ability to pay in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(((~~(c) When a minor has been adjudicated a juvenile offender or has entered into a statutory or nonstatutory diversion agreement for an offense which, if committed by an adult, would constitute a violation of RCW 9.68A.100, 9.68A.101, or 9.68A.102, or a comparable county or municipal ordinance, the court shall assess the fee under (a) of this subsection. The court may not reduce, waive, or suspend payment of all or part of the fee assessed unless it finds, on the record, that the minor does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.~~))

(2) Fees assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(a) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(b) Two percent of the revenue from fees imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(c) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(3) For the purposes of this section:

(a) "Statutory or nonstatutory diversion agreement" means an agreement under RCW 13.40.080 or any written agreement between a person accused of an offense listed in subsection (1) of this section and a court, county or city prosecutor, or designee thereof, whereby the person agrees to fulfill certain conditions in lieu of prosecution.

(b) "Deferred sentence" means a sentence that will not be carried out if the defendant meets certain requirements, such as complying with the conditions of probation.

Sec. 749. RCW 9.68A.106 and 2013 c 9 s 1 are each amended to read as follows:

(1) In addition to all other penalties under this chapter, ((~~a person~~)) an adult offender convicted of an offense under RCW 9.68A.100, 9.68A.101, or 9.68A.102 shall be assessed an additional fee of five thousand dollars per offense when the court finds that an internet advertisement in which the victim of the crime was described or depicted was instrumental in facilitating the commission of the crime.

(2) For purposes of this section, an "internet advertisement" means a statement in electronic media that would be understood by a reasonable person to be an implicit or explicit offer for sexual contact or sexual intercourse, both as defined in chapter 9A.44 RCW, in exchange for something of value.

(3) Amounts collected as penalties under this section shall be deposited in the account established under RCW 43.63A.740.

Sec. 750. RCW 9.94A.550 and 2003 c 53 s 59 are each amended to read as follows:

Unless otherwise provided by a statute of this state, on all sentences under this chapter the court may impose fines on adult offenders according to the following ranges:

Class A felonies	$0 - 50,000
Class B felonies	$0 - 20,000
Class C felonies	$0 - 10,000

Sec. 751. RCW 9A.20.021 and 2011 c 96 s 13 are each amended to read as follows:

(1) Felony. Unless a different maximum sentence for a classified felony is specifically established by a statute of this state, no person convicted of a classified felony shall be punished by confinement or fine exceeding the following:

(a) For a class A felony, by confinement in a state correctional institution for a term of life imprisonment, or by a fine in an amount fixed by the court of fifty thousand dollars, or by both such confinement and fine;

(b) For a class B felony, by confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of twenty thousand dollars, or by both such confinement and fine;

(c) For a class C felony, by confinement in a state correctional institution for five years, or by a fine in an amount fixed by the court of ten thousand dollars, or by both such confinement and fine.

(2) Gross misdemeanor. Every person convicted of a gross misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of up to three hundred sixty-four days, or by a fine in an amount fixed by the court of not more than five thousand dollars, or by both such imprisonment and fine.

(3) Misdemeanor. Every person convicted of a misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine.

(4) This section applies to only those crimes committed on or after July 1, 1984.

(5) The fines in this section apply to adult offenders only.

Sec. 752. RCW 9A.50.030 and 1993 c 128 s 4 are each amended to read as follows:

(1) A violation of RCW 9A.50.020 is a gross misdemeanor. A person convicted of violating RCW 9A.50.020 shall be punished as follows:

(((~~(1)~~))) (a) For a first offense, a fine of not less than two hundred fifty dollars and a jail term of not less than twenty-four consecutive hours;

(((~~(2)~~))) (b) For a second offense, a fine of not less than five hundred dollars and a jail term of not less than seven consecutive days; and

(((~~(3)~~))) (c) For a third or subsequent offense, a fine of not less than one thousand dollars and a jail term of not less than thirty consecutive days.

(2) The fines imposed by this section apply to adult offenders only.

Sec. 753. RCW 9A.56.060 and 2009 c 431 s 10 are each amended to read as follows:

(1) Any person who shall with intent to defraud, make, or draw, or utter, or deliver to another person any check, or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing, or delivery, that he or she has not sufficient funds in, or credit with the bank or other depository, to meet the check or draft, in full upon its presentation, is guilty of unlawful issuance of bank check. The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or other depository for the payment of such check or draft, and the uttering or delivery of such a check or draft to another person without such fund or credit to meet the same shall be prima facie evidence of an intent to defraud.

(2) Any person who shall with intent to defraud, make, or draw, or utter, or deliver to another person any check, or draft on a bank or other depository for the payment of money and who issues a stop-payment order directing the bank or depository on which the check is drawn not to honor the check, and who fails to make payment of money in the amount of the check or draft or otherwise arrange a settlement agreed upon by the holder of the check within twenty days of issuing the check or draft is guilty of unlawful issuance of a bank check.

(3) When any series of transactions which constitute unlawful issuance of a bank check would, when considered separately, constitute unlawful issuance of a bank check in an amount of seven hundred fifty dollars or less because of value, and the series of transactions are a part of a common scheme or plan, the transactions may be aggregated in one count and the sum of the value of all of the transactions shall be the value considered in determining whether the unlawful issuance of a bank check is to be punished as a class C felony or a gross misdemeanor.

(4) Unlawful issuance of a bank check in an amount greater than seven hundred fifty dollars is a class C felony.

(5) Unlawful issuance of a bank check in an amount of seven hundred fifty dollars or less is a gross misdemeanor and shall be punished as follows:

(a) The court shall order the defendant to make full restitution;

(b) The defendant need not be imprisoned, but the court shall impose a fine of up to one thousand one hundred twenty-five dollars for adult offenders. Of the fine imposed, at least three hundred seventy-five dollars or an amount equal to one hundred fifty percent of the amount of the bank check, whichever is greater, shall not be suspended or deferred. Upon conviction for a second offense within any twelve-month period, the court may not suspend or defer any portion of the fine.

Sec. 754. RCW 9A.56.085 and 2003 c 53 s 76 are each amended to read as follows:

(1) Whenever ((~~a person~~)) an adult offender is convicted of a violation of RCW 9A.56.080 or 9A.56.083, the convicting court shall order the person to pay the amount of two thousand dollars for each animal killed or possessed.

(2) For the purpose of this section, the term "convicted" includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, or the levying of a fine.

(3) If two or more persons are convicted of any violation of this section, the amount required under this section shall be imposed upon them jointly and severally.

(4) The fine in this section shall be imposed in addition to and regardless of any penalty, including fines or costs, that is provided for any violation of this section. The amount imposed by this section shall be included by the court in any pronouncement of sentence and may not be suspended, waived, modified, or deferred in any respect. Nothing in this section may be construed to abridge or alter alternative rights of action or remedies in equity or under common law or statutory law, criminal or civil.

(5) A defaulted payment or any installment payment may be collected by any means authorized by law for the enforcement of orders of the court or collection of a fine or costs, including vacation of a deferral of sentencing or of a suspension of sentence.

(6) The two thousand dollars additional penalty shall be remitted by the county treasurer to the state treasurer as provided under RCW 10.82.070.

Sec. 755. RCW 9A.88.120 and 2013 c 121 s 5 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 9A.88.010 and 9A.88.030, ((~~a person~~)) an adult offender who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.010, 9A.88.030, or comparable county or municipal ordinances shall be assessed a fifty dollar fee.

(b) In addition to penalties set forth in RCW 9A.88.090, ((~~a person~~)) an adult offender who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.090 or comparable county or municipal ordinances shall be assessed a fee in the amount of:

(i) One thousand five hundred dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Two thousand five hundred dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Five thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(c) In addition to penalties set forth in RCW 9A.88.110, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.110 or a comparable county or municipal ordinance shall be assessed a fee in the amount of:

(i) One thousand five hundred dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Two thousand five hundred dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Five thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(d) In addition to penalties set forth in RCW 9A.88.070 and 9A.88.080, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.070, 9A.88.080, or comparable county or municipal ordinances shall be assessed a fee in the amount of:

(i) Three thousand dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Six thousand dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Ten thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(2) ((~~When a minor has been adjudicated a juvenile offender or has entered into a statutory or nonstatutory diversion agreement for an offense which, if committed by an adult, would constitute a violation under this chapter or comparable county or municipal ordinances, the court shall assess the fee as specified under subsection (1) of this section.~~

(~~3~~))) The court shall not reduce, waive, or suspend payment of all or part of the assessed fee in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(a) A superior court may, as described in RCW 9.94A.760, set a sum that the offender is required to pay on a monthly basis towards satisfying the fee imposed in this section.

(b) A district or municipal court may enter into a payment plan with the defendant, in which the fee assessed in this section is paid through scheduled periodic payments. The court may assess the defendant a reasonable fee for administrative services related to the operation of the payment plan.

(((~~(4)~~))) (3) Fees assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(a) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(b) Two percent of the revenue from fees imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(c) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(((~~(5)~~))) (4) For the purposes of this section:

(a) "Statutory or nonstatutory diversion agreement" means an agreement under RCW 13.40.080 or any written agreement between a person accused of an offense listed in subsection (1) of this section and a court, county, or city prosecutor, or designee thereof, whereby the person agrees to fulfill certain conditions in lieu of prosecution.

(b) "Deferred sentence" means a sentence that will not be carried out if the defendant meets certain requirements, such as complying with the conditions of probation.

Sec. 756. RCW 9A.88.140 and 2013 c 121 s 6 are each amended to read as follows:

(1)(a) Upon an arrest for a suspected violation of patronizing a prostitute, promoting prostitution in the first degree, promoting prostitution in the second degree, promoting travel for prostitution, the arresting law enforcement officer may impound the person's vehicle if (i) the motor vehicle was used in the commission of the crime; (ii) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465; and (iii) either (A) the person arrested has previously been convicted of one of the offenses listed in this subsection or (B) the offense was committed within an area designated under (b) of this subsection.

(b) A local governing authority may designate areas within which vehicles are subject to impoundment under this section regardless of whether the person arrested has previously been convicted of any of the offenses listed in (a) of this subsection.

(i) The designation must be based on evidence indicating that the area has a disproportionately higher number of arrests for the offenses listed in (a) of this subsection as compared to other areas within the same jurisdiction.

(ii) The local governing authority shall post signs at the boundaries of the designated area to indicate that the area has been designated under this subsection.

(2) Upon an arrest for a suspected violation of commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor, the arresting law enforcement officer shall impound the person's vehicle if (a) the motor vehicle was used in the commission of the crime; and (b) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465.

(3) Impoundments performed under this section shall be in accordance with chapter 46.55 RCW and the impoundment order must clearly state "prostitution hold."

(4)(a) Prior to redeeming the impounded vehicle, and in addition to all applicable impoundment, towing, and storage fees paid to the towing company under chapter 46.55 RCW, ((~~the~~)) an adult owner of ((~~the~~)) an impounded vehicle must pay a fine to the impounding agency. The fine shall be five hundred dollars for the offenses specified in subsection (1) of this section, or two thousand five hundred dollars for the offenses specified in subsection (2) of this section.

(b) Upon receipt of the fine paid under (a) of this subsection, the impounding agency shall issue a written receipt to the owner of the impounded vehicle.

(c) Fines assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fines must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(i) At least fifty percent of the revenue from fines imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(ii) Two percent of the revenue from fines imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(iii) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(5)(a) In order to redeem a vehicle impounded under this section, the owner must provide the towing company with the written receipt issued under subsection (4)(b) of this section.

(b) The written receipt issued under subsection (4)(b) of this section authorizes the towing company to release the impounded vehicle upon payment of all impoundment, towing, and storage fees.

(c) A towing company that relies on a forged receipt to release a vehicle impounded under this section is not liable to the impounding authority for any unpaid fine under subsection (4)(a) of this section.

(6)(a) In any proceeding under chapter 46.55 RCW to contest the validity of an impoundment under this section where the claimant substantially prevails, the claimant is entitled to a full refund of the impoundment, towing, and storage fees paid under chapter 46.55 RCW and the five hundred dollar fine paid under subsection (4) of this section.

(b) If the person is found not guilty at trial for a crime listed under subsection (1) of this section, the person is entitled to a full refund of the impoundment, towing, and storage fees paid under chapter 46.55 RCW and the fine paid under subsection (4) of this section.

(c) All refunds made under this section shall be paid by the impounding agency.

(d) Prior to receiving any refund under this section, the claimant must provide proof of payment.

Sec. 757. RCW 10.73.160 and 1995 c 275 s 3 are each amended to read as follows:

(1) The court of appeals, supreme court, and superior courts may require an adult ((~~or a juvenile~~)) offender convicted of an offense ((~~or the parents or another person legally obligated to support a juvenile offender~~)) to pay appellate costs.

(2) Appellate costs are limited to expenses specifically incurred by the state in prosecuting or defending an appeal or collateral attack from a criminal conviction ((~~or sentence or a juvenile offender conviction or disposition~~)). Appellate costs shall not include expenditures to maintain and operate government agencies that must be made irrespective of specific violations of the law. Expenses incurred for producing a verbatim report of proceedings and clerk's papers may be included in costs the court may require a convicted defendant ((~~or juvenile offender~~)) to pay.

(3) Costs, including recoupment of fees for court-appointed counsel, shall be requested in accordance with the procedures contained in Title 14 of the rules of appellate procedure and in Title 9 of the rules for appeal of decisions of courts of limited jurisdiction. An award of costs shall become part of the trial court judgment and sentence. ((~~An award of costs in juvenile cases shall also become part of any order previously entered in the trial court pursuant to RCW 13.40.145.~~))

(4) A defendant ((~~or juvenile offender~~)) who has been sentenced to pay costs and who is not in contumacious default in the payment may at any time petition the court that sentenced the defendant or juvenile offender for remission of the payment of costs or of any unpaid portion. If it appears to the satisfaction of the sentencing court that payment of the amount due will impose manifest hardship on the defendant((~~,~~)) or the defendant's immediate family((~~, or the juvenile offender~~)), the sentencing court may remit all or part of the amount due in costs, or modify the method of payment under RCW 10.01.170.

(5) The parents or another person legally obligated to support a juvenile offender who has been ordered to pay appellate costs ((~~pursuant to RCW 13.40.145~~)) and who is not in contumacious default in the payment may at any time petition the court that sentenced the juvenile offender for remission of the payment of costs or of any unpaid portion. If it appears to the satisfaction of the sentencing court that payment of the amount due will impose manifest hardship on the parents or another person legally obligated to support a juvenile offender or on their immediate families, the sentencing court may remit all or part of the amount due in costs, or may modify the method of payment.

Sec. 758. RCW 10.82.090 and 2011 c 106 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, financial obligations imposed in a judgment shall bear interest from the date of the judgment until payment, at the rate applicable to civil judgments. All nonrestitution interest retained by the court shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

(2) The court may, on motion by the offender, following the offender's release from total confinement, reduce or waive the interest on legal financial obligations levied as a result of a criminal conviction as follows:

(a) The court shall waive all interest on the portions of the legal financial obligations that are not restitution that accrued during the term of total confinement for the conviction giving rise to the financial obligations, provided the offender shows that the interest creates a hardship for the offender or his or her immediate family;

(b) The court may reduce interest on the restitution portion of the legal financial obligations only if the principal has been paid in full;

(c) The court may otherwise reduce or waive the interest on the portions of the legal financial obligations that are not restitution if the offender shows that he or she has personally made a good faith effort to pay and that the interest accrual is causing a significant hardship. For purposes of this section, "good faith effort" means that the offender has either (i) paid the principal amount in full; or (ii) made at least fifteen monthly payments within an eighteen-month period, excluding any payments mandatorily deducted by the department of corrections;

(d) For purposes of (a) through (c) of this subsection, the court may reduce or waive interest on legal financial obligations only as an incentive for the offender to meet his or her legal financial obligations. The court may grant the motion, establish a payment schedule, and retain jurisdiction over the offender for purposes of reviewing and revising the reduction or waiver of interest.

(3) This section only applies to ((~~persons convicted as adults or adjudicated in juvenile court~~)) adult offenders.

Sec. 759. RCW 10.99.080 and 2004 c 15 s 2 are each amended to read as follows:

(1) All superior courts, and courts organized under Title 3 or 35 RCW, may impose a penalty assessment not to exceed one hundred dollars on any ((~~person~~)) adult offender convicted of a crime involving domestic violence. The assessment shall be in addition to, and shall not supersede, any other penalty, restitution, fines, or costs provided by law.

(2) Revenue from the assessment shall be used solely for the purposes of establishing and funding domestic violence advocacy and domestic violence prevention and prosecution programs in the city or county of the court imposing the assessment. Revenue from the assessment shall not be used for indigent criminal defense. If the city or county does not have domestic violence advocacy or domestic violence prevention and prosecution programs, cities and counties may use the revenue collected from the assessment to contract with recognized community-based domestic violence program providers.

(3) The assessment imposed under this section shall not be subject to any state or local remittance requirements under chapter 3.46, 3.50, 3.62, 7.68, 10.82, or 35.20 RCW.

(4) For the purposes of this section, "convicted" includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, or the levying of a fine. For the purposes of this section, "domestic violence" has the same meaning as that term is defined under RCW 10.99.020 and includes violations of equivalent local ordinances.

(5) When determining whether to impose a penalty assessment under this section, judges are encouraged to solicit input from the victim or representatives for the victim in assessing the ability of the convicted offender to pay the penalty, including information regarding current financial obligations, family circumstances, and ongoing restitution.

Sec. 760. RCW 13.40.080 and 2014 c 128 s 5 are each amended to read as follows:

(1) A diversion agreement shall be a contract between a juvenile accused of an offense and a diversion unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor, or probation counselor pursuant to this chapter, has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it. Such agreements shall be entered into as expeditiously as possible.

(2) A diversion agreement shall be limited to one or more of the following:

(a) Community restitution not to exceed one hundred fifty hours, not to be performed during school hours if the juvenile is attending school;

(b) Restitution limited to the amount of actual loss incurred by any victim;

(c) Attendance at up to ten hours of counseling and/or up to twenty hours of educational or informational sessions at a community agency. The educational or informational sessions may include sessions relating to respect for self, others, and authority; victim awareness; accountability; self-worth; responsibility; work ethics; good citizenship; literacy; and life skills. If an assessment identifies mental health or chemical dependency needs, a youth may access up to thirty hours of counseling. The counseling sessions may include services demonstrated to improve behavioral health and reduce recidivism. For purposes of this section, "community agency" may also mean a community-based nonprofit organization, a physician, a counselor, a school, or a treatment provider, if approved by the diversion unit. The state shall not be liable for costs resulting from the diversion unit exercising the option to permit diversion agreements to mandate attendance at up to thirty hours of counseling and/or up to twenty hours of educational or informational sessions;

(d) ((~~A fine, not to exceed one hundred dollars;~~

~~(e)~~)) Requirements to remain during specified hours at home, school, or work, and restrictions on leaving or entering specified geographical areas; and

(((~~(f)~~))) (e) Upon request of any victim or witness, requirements to refrain from any contact with victims or witnesses of offenses committed by the juvenile.

(3) Notwithstanding the provisions of subsection (2) of this section, youth courts are not limited to the conditions imposed by subsection (2) of this section in imposing sanctions on juveniles pursuant to RCW 13.40.630.

(4) In assessing periods of community restitution to be performed and restitution to be paid by a juvenile who has entered into a diversion agreement, the court officer to whom this task is assigned shall consult with the juvenile's custodial parent or parents or guardian. To the extent possible, the court officer shall advise the victims of the juvenile offender of the diversion process, offer victim impact letter forms and restitution claim forms, and involve members of the community. Such members of the community shall meet with the juvenile and advise the court officer as to the terms of the diversion agreement and shall supervise the juvenile in carrying out its terms.

(5)(a) A diversion agreement may not exceed a period of six months and may include a period extending beyond the eighteenth birthday of the divertee.

(b) If additional time is necessary for the juvenile to complete restitution to a victim, the time period limitations of this subsection may be extended by an additional six months.

(c) If the juvenile has not paid the full amount of restitution by the end of the additional six-month period, then the juvenile shall be referred to the juvenile court for entry of ((~~an~~)) a civil order establishing the amount of restitution still owed to the victim. In this order, the court shall also determine the terms and conditions of the restitution, including a payment plan extending up to ten years if the court determines that the juvenile does not have the means to make full restitution over a shorter period. For the purposes of this subsection (5)(c), the juvenile shall remain under the court's jurisdiction for a maximum term of ten years after the juvenile's eighteenth birthday. Prior to the expiration of the initial ten-year period, the juvenile court may extend the judgment for restitution an additional ten years. The court may relieve the juvenile of the requirement to pay full or partial restitution if the juvenile reasonably satisfies the court that he or she does not have the means to make full or partial restitution and could not reasonably acquire the means to pay the restitution over a ten-year period. If the court relieves the juvenile of the requirement to pay full or partial restitution, the court may order an amount of community restitution that the court deems appropriate. The county clerk shall make disbursements to victims named in the order. The restitution to victims named in the order shall be paid prior to any payment for other penalties or monetary assessments. A juvenile under obligation to pay restitution may petition the court for modification of the restitution order.

(6) The juvenile shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(7) Divertees and potential divertees shall be afforded due process in all contacts with a diversion unit regardless of whether the juveniles are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No divertee may be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the divertee;

(d) The hearing shall be conducted by the juvenile court and shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the divertee has substantially violated the terms of his or her diversion agreement;

(e) The prosecutor may file an information on the offense for which the divertee was diverted:

(i) In juvenile court if the divertee is under eighteen years of age; or

(ii) In superior court or the appropriate court of limited jurisdiction if the divertee is eighteen years of age or older.

(8) The diversion unit shall, subject to available funds, be responsible for providing interpreters when juveniles need interpreters to effectively communicate during diversion unit hearings or negotiations.

(9) The diversion unit shall be responsible for advising a divertee of his or her rights as provided in this chapter.

(10) The diversion unit may refer a juvenile to a restorative justice program, community-based counseling, or treatment programs.

(11) The right to counsel shall inure prior to the initial interview for purposes of advising the juvenile as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The juvenile may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The juvenile shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews mean all interviews regarding the diversion agreement process.

The juvenile shall be advised that a diversion agreement shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020((~~(7)~~)) (8). A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the diversion unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

(12) When a juvenile enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

(a) The fact that a charge or charges were made;

(b) The fact that a diversion agreement was entered into;

(c) The juvenile's obligations under such agreement;

(d) Whether the alleged offender performed his or her obligations under such agreement; and

(e) The facts of the alleged offense.

(13) A diversion unit may refuse to enter into a diversion agreement with a juvenile. When a diversion unit refuses to enter a diversion agreement with a juvenile, it shall immediately refer such juvenile to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversion unit shall also immediately refer the case to the prosecuting attorney for action if such juvenile violates the terms of the diversion agreement.

(14) A diversion unit may, in instances where it determines that the act or omission of an act for which a juvenile has been referred to it involved no victim, or where it determines that the juvenile referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a juvenile without entering into a diversion agreement. A diversion unit's authority to counsel and release a juvenile under this subsection includes the authority to refer the juvenile to community-based counseling or treatment programs or a restorative justice program. Any juvenile released under this subsection shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020((~~(7)~~)) (8). A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the unit, and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language. A juvenile determined to be eligible by a diversion unit for release as provided in this subsection shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other juvenile referred to the unit.

(15) A diversion unit may supervise the fulfillment of a diversion agreement entered into before the juvenile's eighteenth birthday and which includes a period extending beyond the divertee's eighteenth birthday.

(16) If ((~~a fine~~)) restitution required by a diversion agreement cannot reasonably be paid due to a change of circumstance, the diversion agreement may be modified at the request of the divertee and with the concurrence of the diversion unit to convert ((~~an~~)) unpaid ((~~fine~~)) restitution into community restitution. The modification of the diversion agreement shall be in writing and signed by the divertee and the diversion unit. The number of hours of community restitution in lieu of a monetary penalty shall be converted at the rate of the prevailing state minimum wage per hour.

(((~~(17) Fines imposed under this section shall be collected and paid into the county general fund in accordance with procedures established by the juvenile court administrator under RCW 13.04.040 and may be used only for juvenile services. In the expenditure of funds for juvenile services, there shall be a maintenance of effort whereby counties exhaust existing resources before using amounts collected under this section.~~))

Sec. 761. RCW 13.40.127 and 2014 c 175 s 6 and 2014 c 117 s 2 are each reenacted and amended to read as follows:

(1) A juvenile is eligible for deferred disposition unless he or she:

(a) Is charged with a sex or violent offense;

(b) Has a criminal history which includes any felony;

(c) Has a prior deferred disposition or deferred adjudication; or

(d) Has two or more adjudications.

(2) The juvenile court may, upon motion at least fourteen days before commencement of trial and, after consulting the juvenile's custodial parent or parents or guardian and with the consent of the juvenile, continue the case for disposition for a period not to exceed one year from the date the juvenile is found guilty. The court shall consider whether the offender and the community will benefit from a deferred disposition before deferring the disposition. The court may waive the fourteen-day period anytime before the commencement of trial for good cause.

(3) Any juvenile who agrees to a deferral of disposition shall:

(a) Stipulate to the admissibility of the facts contained in the written police report;

(b) Acknowledge that the report will be entered and used to support a finding of guilt and to impose a disposition if the juvenile fails to comply with terms of supervision;

(c) Waive the following rights to: (i) A speedy disposition; and (ii) call and confront witnesses; and

(d) Acknowledge the direct consequences of being found guilty and the direct consequences that will happen if an order of disposition is entered.

The adjudicatory hearing shall be limited to a reading of the court's record.

(4) Following the stipulation, acknowledgment, waiver, and entry of a finding or plea of guilt, the court shall defer entry of an order of disposition of the juvenile.

(5) Any juvenile granted a deferral of disposition under this section shall be placed under community supervision. The court may impose any conditions of supervision that it deems appropriate including posting a probation bond. Payment of restitution under RCW 13.40.190 shall be a condition of community supervision under this section.

The court may require a juvenile offender convicted of animal cruelty in the first degree to submit to a mental health evaluation to determine if the offender would benefit from treatment and such intervention would promote the safety of the community. After consideration of the results of the evaluation, as a condition of community supervision, the court may order the offender to attend treatment to address issues pertinent to the offense.

The court may require the juvenile to undergo a mental health or substance abuse assessment, or both. If the assessment identifies a need for treatment, conditions of supervision may include treatment for the assessed need that has been demonstrated to improve behavioral health and reduce recidivism.

The court shall require a juvenile granted a deferral of disposition for unlawful possession of a firearm in violation of RCW 9.41.040 to participate in a qualifying program as described in RCW 13.40.193(2)(b), when available, unless the court makes a written finding based on the outcome of the juvenile court risk assessment that participation in a qualifying program would not be appropriate.

(6) A parent who signed for a probation bond has the right to notify the counselor if the juvenile fails to comply with the bond or conditions of supervision. The counselor shall notify the court and surety of any failure to comply. A surety shall notify the court of the juvenile's failure to comply with the probation bond. The state shall bear the burden to prove, by a preponderance of the evidence, that the juvenile has failed to comply with the terms of community supervision.

(7)(a) Anytime prior to the conclusion of the period of supervision, the prosecutor or the juvenile's juvenile court community supervision counselor may file a motion with the court requesting the court revoke the deferred disposition based on the juvenile's lack of compliance or treat the juvenile's lack of compliance as a violation pursuant to RCW 13.40.200.

(b) If the court finds the juvenile failed to comply with the terms of the deferred disposition, the court may:

(i) Revoke the deferred disposition and enter an order of disposition; or

(ii) Impose sanctions for the violation pursuant to RCW 13.40.200.

(8) At any time following deferral of disposition the court may, following a hearing, continue supervision for an additional one-year period for good cause.

(9)(a) At the conclusion of the period of supervision, the court shall determine whether the juvenile is entitled to dismissal of the deferred disposition only when the court finds:

(i) The deferred disposition has not been previously revoked;

(ii) The juvenile has completed the terms of supervision;

(iii) There are no pending motions concerning lack of compliance pursuant to subsection (7) of this section; and

(iv) The juvenile has either paid the full amount of restitution, or, made a good faith effort to pay the full amount of restitution during the period of supervision.

(b) If the court finds the juvenile is entitled to dismissal of the deferred disposition pursuant to (a) of this subsection, the juvenile's conviction shall be vacated and the court shall dismiss the case with prejudice, except that a conviction under RCW 16.52.205 shall not be vacated. Whenever a case is dismissed with restitution still owing, the court shall enter a restitution order pursuant to RCW ((~~13.40.190~~)) 7.80.130 for any unpaid restitution. Jurisdiction to enforce payment and modify terms of the restitution order shall be the same as those set forth in RCW ((~~13.40.190~~)) 7.80.130.

(c) If the court finds the juvenile is not entitled to dismissal of the deferred disposition pursuant to (a) of this subsection, the court shall revoke the deferred disposition and enter an order of disposition. A deferred disposition shall remain a conviction unless the case is dismissed and the conviction is vacated pursuant to (b) of this subsection or sealed pursuant to RCW 13.50.260.

(10)(a)(i) Any time the court vacates a conviction pursuant to subsection (9) of this section, if the juvenile is eighteen years of age or older and the full amount of restitution ((~~ordered~~)) owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW has been paid, the court shall enter a written order sealing the case.

(ii) Any time the court vacates a conviction pursuant to subsection (9) of this section, if the juvenile is not eighteen years of age or older and full restitution ordered has been paid, the court shall schedule an administrative sealing hearing to take place no later than thirty days after the respondent's eighteenth birthday, at which time the court shall enter a written order sealing the case. The respondent's presence at the administrative sealing hearing is not required.

(iii) Any deferred disposition vacated prior to June 7, 2012, is not subject to sealing under this subsection.

(b) Nothing in this subsection shall preclude a juvenile from petitioning the court to have the records of his or her deferred dispositions sealed under RCW 13.50.260.

(c) Records sealed under this provision shall have the same legal status as records sealed under RCW 13.50.260.

Sec. 762. RCW 36.18.016 and 2009 c 417 s 2 are each amended to read as follows:

(1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of thirty dollars. The clerk of the superior court shall transmit monthly twenty-four dollars of the thirty dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based services within the county for victims of domestic violence, except for five percent of the six dollars, which may be retained by the court for administrative purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed thirty dollars per hour.

(12) For processing ex parte orders, the clerk may collect a fee of thirty dollars.

(13) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audio tape and twenty-five dollars for each video tape or other electronic storage medium.

(14) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(15) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(16) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(17) For filing ((~~a water rights statement~~)) an adjudication claim under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(18) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(19) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(20) A service fee of five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(21) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(22) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(23) Investment service charge and earnings under RCW 36.48.090 must be charged.

(24) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(25) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred twenty dollars as established by authority of local ordinance. This charge shall be used solely to offset the cost of the mandatory arbitration program.

(26) For filing a request for trial de novo of an arbitration award, a fee not to exceed two hundred fifty dollars as established by authority of local ordinance must be charged.

(27) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(28) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(29) For the collection of an adult offender's unpaid legal financial obligations, the clerk may impose an annual fee of up to one hundred dollars, pursuant to RCW 9.94A.780.

(30) A surcharge of up to twenty dollars may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

Sec. 763. RCW 36.18.020 and 2013 2nd sp.s. c 7 s 3 are each amended to read as follows:

(1) Revenue collected under this section is subject to division with the state under RCW 36.18.025 and with the county or regional law library fund under RCW 27.24.070, except as provided in subsection (5) of this section.

(2) Clerks of superior courts shall collect the following fees for their official services:

(a) In addition to any other fee required by law, the party filing the first or initial document in any civil action, including, but not limited to an action for restitution, adoption, or change of name, and any party filing a counterclaim, cross-claim, or third-party claim in any such civil action, shall pay, at the time the document is filed, a fee of two hundred dollars except, in an unlawful detainer action under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a case initiating filing fee of forty-five dollars, or in proceedings filed under RCW 28A.225.030 alleging a violation of the compulsory attendance laws where the petitioner shall not pay a filing fee. The forty-five dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(b) Any party, except a defendant in a criminal case, filing the first or initial document on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when the document is filed, a fee of two hundred dollars.

(c) For filing of a petition for judicial review as required under RCW 34.05.514 a filing fee of two hundred dollars.

(d) For filing of a petition for unlawful harassment under RCW 10.14.040 a filing fee of fifty-three dollars.

(e) For filing the notice of debt due for the compensation of a crime victim under RCW 7.68.120(2)(a) a fee of two hundred dollars.

(f) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first document therein, a fee of two hundred dollars.

(g) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96A.220, there shall be paid a fee of two hundred dollars.

(h) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmance of a conviction by a court of limited jurisdiction, ((~~a~~)) an adult defendant in a criminal case shall be liable for a fee of two hundred dollars.

(i) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972. However, no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(3) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

(4) No fee shall be collected when an abstract of judgment is filed by the county clerk of another county for the purposes of collection of legal financial obligations.

(5)(a) Until July 1, 2017, in addition to the fees required to be collected under this section, clerks of the superior courts must collect surcharges as provided in this subsection (5) of which seventy-five percent must be remitted to the state treasurer for deposit in the judicial stabilization trust account and twenty-five percent must be retained by the county.

(b) On filing fees required to be collected under subsection (2)(b) of this section, a surcharge of thirty dollars must be collected.

(c) On all filing fees required to be collected under this section, except for fees required under subsection (2)(b), (d), and (h) of this section, a surcharge of forty dollars must be collected.

(j) For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, thirty dollars;

(k) For making copies of papers when sufficient copies are not furnished, one dollar for first page and fifty cents per each additional page;

(l) For the service of any other document and supporting papers for which no other fee is provided for herein, twelve dollars;

(m) For posting a notice of sale, or postponement, ten dollars besides mileage;

(n) For certificate or bill of sale of property, or certificate of redemption, thirty dollars;

(o) For conducting a sale of property, thirty dollars per hour spent at a sheriff's sale;

(p) For notarizing documents, five dollars for each document;

(q) For fingerprinting for noncriminal purposes, ten dollars for each person for up to two sets, three dollars for each additional set;

(r) For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;

(s) For an internal criminal history records check, ten dollars;

(t) For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost including personnel time.

(2) Fees allowable under this section may be recovered by the prevailing party incurring the same as court costs. Nothing contained in this section permits the expenditure of public funds to defray costs of private litigation. Such costs shall be borne by the party seeking action by the sheriff, and may be recovered from the proceeds of any subsequent judicial sale, or may be added to any judgment upon proper application to the court entering the judgment.

(3) Notwithstanding subsection (1) of this section, a county legislative authority may set the amounts of fees that shall be collected by the sheriff under subsection (1) of this section to cover the costs of administration and operation.

(4) The fines imposed by this section do not apply to juvenile offenders.

Sec. 764. RCW 36.18.040 and 1992 c 164 s 1 are each amended to read as follows:

(1) Sheriffs shall collect the following fees for their official services:

(a) For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on one defendant at any location, ten dollars, and on two or more defendants at the same residence, twelve dollars, besides mileage;

(b) For making a return, besides mileage actually traveled, seven dollars;

(c) For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, thirty dollars per hour;

(d) For filing copy of writ of attachment or writ of execution with auditor, ten dollars plus auditor's filing fee;

(e) For serving writ of possession or restitution without aid of the county, besides mileage, twenty-five dollars;

(f) For serving writ of possession or restitution with aid of the county, besides mileage, forty dollars plus thirty dollars for each hour after one hour;

(g) For serving an arrest warrant in any action or proceeding, besides mileage, thirty dollars;

(h) For executing any other writ or process in a civil action or proceeding, besides mileage, thirty dollars per hour;

(i) For each mile actually and necessarily traveled in going to or returning from any place of service, or attempted service, thirty-five cents;

Sec. 765. RCW 43.43.690 and 1992 c 129 s 2 are each amended to read as follows:

(1) When ((~~a person~~)) an adult offender has been adjudged guilty of violating any criminal statute of this state and a crime laboratory analysis was performed by a state crime laboratory, in addition to any other disposition, penalty, or fine imposed, the court shall levy a crime laboratory analysis fee of one hundred dollars for each offense for which the person was convicted. Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay the fee.

(2) ((~~When a minor has been adjudicated a juvenile offender for an offense which, if committed by an adult, would constitute a violation of any criminal statute of this state and a crime laboratory analysis was performed, in addition to any other disposition imposed, the court shall assess a crime laboratory analysis fee of one hundred dollars for each adjudication. Upon a verified petition by a minor assessed the fee, the court may suspend payment of all or part of the fee [if] it finds that the minor does not have the ability to pay the fee.~~

~~(3)~~)) All crime laboratory analysis fees assessed under this section shall be collected by the clerk of the court and forwarded to the state general fund, to be used only for crime laboratories. The clerk may retain five dollars to defray the costs of collecting the fees.

Sec. 766. RCW 43.43.7541 and 2011 c 125 s 1 are each amended to read as follows:

Every sentence imposed for a crime specified in RCW 43.43.754 must include a fee of one hundred dollars. The fee is a court-ordered legal financial obligation as defined in RCW 9.94A.030 and other applicable law. For a sentence imposed under chapter 9.94A RCW, the fee is payable by the offender after payment of all other legal financial obligations included in the sentence has been completed. For all other sentences, the fee is payable by the offender in the same manner as other assessments imposed. The clerk of the court shall transmit eighty percent of the fee collected to the state treasurer for deposit in the state DNA database account created under RCW 43.43.7532, and shall transmit twenty percent of the fee collected to the agency responsible for collection of a biological sample from the offender as required under RCW 43.43.754. This fee shall not be imposed on juvenile offenders if the state has previously collected the juvenile offender's DNA as a result of a prior conviction.

Sec. 767. RCW 46.61.5054 and 2011 c 293 s 12 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 46.61.5051 through 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a two hundred dollar fee shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(b) Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.

((~~(c) When a minor has been adjudicated a juvenile offender for an offense which, if committed by an adult, would constitute a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, the court shall assess the two hundred dollar fee under (a) of this subsection. Upon a verified petition by a minor assessed the fee, the court may suspend payment of all or part of the fee if it finds that the minor does not have the ability to pay the fee.~~))

(2) The fee assessed under subsection (1) of this section shall be collected by the clerk of the court and, subject to subsection (4) of this section, one hundred seventy-five dollars of the fee must be distributed as follows:

(a) Forty percent shall be subject to distribution under RCW 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

(b) The remainder of the fee shall be forwarded to the state treasurer who shall, through June 30, 1997, deposit: Fifty percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and fifty percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. Effective July 1, 1997, the remainder of the fee shall be forwarded to the state treasurer who shall deposit: Fifteen percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and eighty-five percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(3) Twenty-five dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety ((~~account [fund]~~)) fund to be used solely for funding Washington traffic safety commission grants to reduce statewide collisions caused by persons driving under the influence of alcohol or drugs. Grants awarded under this subsection may be for projects that encourage collaboration with other community, governmental, and private organizations, and that utilize innovative approaches based on best practices or proven strategies supported by research or rigorous evaluation. Grants recipients may include, for example:

(a) DUI courts; and

(b) Jurisdictions implementing the victim impact panel registries under RCW 46.61.5152 and 10.01.230.

(4) If the court has suspended payment of part of the fee pursuant to subsection (1)(b) ((~~or (c)~~)) of this section, amounts collected shall be distributed proportionately.

(5) This section applies to any offense committed on or after July 1, 1993, and only to adult offenders.

Sec. 768. RCW 46.61.5055 and 2014 c 100 s 1 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring. The offender shall pay the cost of

electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory minimum term of sixty days electronic home monitoring, the court may order at least an additional four days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ninety days electronic home monitoring, the court may order at least an additional six days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two or three prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two or three prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the

offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Four or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.**

(a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **Ignition interlock device substituted for 24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive and proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (ii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; and (iii) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), or (iii) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(3).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040 or an equivalent local ordinance;

(v) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(vii) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(viii) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ix) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(x) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xi) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (viii), (ix), or (x) of this subsection if committed in this state;

(xii) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xiii) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiv) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xv) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means alcohol or drug treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 769. RCW 69.50.401 and 2013 c 3 s 19 are each amended to read as follows:

(1) Except as authorized by this chapter, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.

(2) Any person who violates this section with respect to:

(a) A controlled substance classified in Schedule I or II which is a narcotic drug or flunitrazepam, including its salts, isomers, and salts of isomers, classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine;

(b) Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine. Three thousand dollars of the fine may not be suspended. As collected, the first three thousand dollars of the fine must be deposited with the law enforcement agency having responsibility for cleanup of laboratories, sites, or substances used in the manufacture of the methamphetamine, including its salts, isomers, and salts of isomers. The fine moneys deposited with that law enforcement agency must be used for such clean-up cost;

(c) Any other controlled substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(d) A substance classified in Schedule IV, except flunitrazepam, including its salts, isomers, and salts of isomers, is guilty of a class C felony punishable according to chapter 9A.20 RCW; or

(e) A substance classified in Schedule V, is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(3) The production, manufacture, processing, packaging, delivery, distribution, sale, or possession of marijuana in compliance with the terms set forth in RCW 69.50.360, 69.50.363, or 69.50.366 shall not constitute a violation of this section, this chapter, or any other provision of Washington state law.

(4) The fines in this section apply to adult offenders only.

Sec. 770. RCW 69.50.425 and 2002 c 175 s 44 are each amended to read as follows:

A person who is convicted of a misdemeanor violation of any provision of this chapter shall be punished by imprisonment for not less than twenty-four consecutive hours, and adult offenders shall be punished by a fine of not less than two hundred fifty dollars. On a second or subsequent conviction, the fine shall not be less than five hundred dollars for adult offenders. These fines shall be in addition to any other fine or penalty imposed on adult offenders. Unless the court finds that the imposition of the minimum imprisonment will pose a substantial risk to the defendant's physical or mental well-being or that local jail facilities are in an overcrowded condition, the minimum term of imprisonment shall not be suspended or deferred. If the court finds such risk or overcrowding exists, it shall sentence the defendant to a minimum of forty hours of community restitution. If a minimum term of imprisonment is suspended or deferred, the court shall state in writing the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. Unless the court finds the person to be indigent, the minimum fine shall not be suspended or deferred.

Sec. 771. RCW 69.50.430 and 2003 c 53 s 345 are each amended to read as follows:

(1) Every ((~~person~~)) adult offender convicted of a felony violation of RCW 69.50.401 through 69.50.4013, 69.50.4015, 69.50.402, 69.50.403, 69.50.406, 69.50.407, 69.50.410, or 69.50.415 shall be fined one thousand dollars in addition to any other fine or penalty imposed. Unless the court finds the ((~~person~~)) adult offender to be indigent, this additional fine shall not be suspended or deferred by the court.

(2) On a second or subsequent conviction for violation of any of the laws listed in subsection (1) of this section, the ((~~person~~)) adult offender shall be fined two thousand dollars in addition to

any other fine or penalty imposed. Unless the court finds the ((~~person~~)) adult offender to be indigent, this additional fine shall not be suspended or deferred by the court.

Sec. 772. RCW 69.50.435 and 2003 c 53 s 346 are each amended to read as follows:

(1) Any person who violates RCW 69.50.401 by manufacturing, selling, delivering, or possessing with the intent to manufacture, sell, or deliver a controlled substance listed under RCW 69.50.401 or who violates RCW 69.50.410 by selling for profit any controlled substance or counterfeit substance classified in schedule I, RCW 69.50.204, except leaves and flowering tops of marihuana to a person:

(a) In a school;

(b) On a school bus;

(c) Within one thousand feet of a school bus route stop designated by the school district;

(d) Within one thousand feet of the perimeter of the school grounds;

(e) In a public park;

(f) In a public housing project designated by a local governing authority as a drug-free zone;

(g) On a public transit vehicle;

(h) In a public transit stop shelter;

(i) At a civic center designated as a drug-free zone by the local governing authority; or

(j) Within one thousand feet of the perimeter of a facility designated under (i) of this subsection, if the local governing authority specifically designates the one thousand foot perimeter

may be punished by a fine of up to twice the fine otherwise authorized by this chapter, but not including twice the fine authorized by RCW 69.50.406, or by imprisonment of up to twice the imprisonment otherwise authorized by this chapter, but not including twice the imprisonment authorized by RCW 69.50.406, or by both such fine and imprisonment. The provisions of this section shall not operate to more than double the fine or imprisonment otherwise authorized by this chapter for an offense.

(2) It is not a defense to a prosecution for a violation of this section that the person was unaware that the prohibited conduct took place while in a school or school bus or within one thousand feet of the school or school bus route stop, in a public park, in a public housing project designated by a local governing authority as a drug-free zone, on a public transit vehicle, in a public transit stop shelter, at a civic center designated as a drug-free zone by the local governing authority, or within one thousand feet of the perimeter of a facility designated under subsection (1)(i) of this section, if the local governing authority specifically designates the one thousand foot perimeter.

(3) It is not a defense to a prosecution for a violation of this section or any other prosecution under this chapter that persons under the age of eighteen were not present in the school, the school bus, the public park, the public housing project designated by a local governing authority as a drug-free zone, or the public transit vehicle, or at the school bus route stop, the public transit vehicle stop shelter, at a civic center designated as a drug-free zone by the local governing authority, or within one thousand feet of the perimeter of a facility designated under subsection (1)(i) of this section, if the local governing authority specifically designates the one thousand foot perimeter at the time of the offense or that school was not in session.

(4) It is an affirmative defense to a prosecution for a violation of this section that the prohibited conduct took place entirely within a private residence, that no person under eighteen years of age or younger was present in such private residence at any time during the commission of the offense, and that the prohibited conduct did not involve delivering, manufacturing, selling, or possessing with the intent to manufacture, sell, or deliver any controlled substance in RCW 69.50.401 for profit. The affirmative defense established in this section shall be proved by the defendant by a preponderance of the evidence. This section shall not be construed to establish an affirmative defense with respect to a prosecution for an offense defined in any other section of this chapter.

(5) In a prosecution under this section, a map produced or reproduced by any municipality, school district, county, transit authority engineer, or public housing authority for the purpose of depicting the location and boundaries of the area on or within one thousand feet of any property used for a school, school bus route stop, public park, public housing project designated by a local governing authority as a drug-free zone, public transit vehicle stop shelter, or a civic center designated as a drug-free zone by a local governing authority, or a true copy of such a map, shall under proper authentication, be admissible and shall constitute prima facie evidence of the location and boundaries of those areas if the governing body of the municipality, school district, county, or transit authority has adopted a resolution or ordinance approving the map as the official location and record of the location and boundaries of the area on or within one thousand feet of the school, school bus route stop, public park, public housing project designated by a local governing authority as a drug-free zone, public transit vehicle stop shelter, or civic center designated as a drug-free zone by a local governing authority. Any map approved under this section or a true copy of the map shall be filed with the clerk of the municipality or county, and shall be maintained as an official record of the municipality or county. This section shall not be construed as precluding the prosecution from introducing or relying upon any other evidence or testimony to establish any element of the offense. This section shall not be construed as precluding the use or admissibility of any map or diagram other than the one which has been approved by the governing body of a municipality, school district, county, transit authority, or public housing authority if the map or diagram is otherwise admissible under court rule.

(6) As used in this section the following terms have the meanings indicated unless the context clearly requires otherwise:

(a) "School" has the meaning under RCW 28A.150.010 or 28A.150.020. The term "school" also includes a private school approved under RCW 28A.195.010;

(b) "School bus" means a school bus as defined by the superintendent of public instruction by rule which is owned and operated by any school district and all school buses which are privately owned and operated under contract or otherwise with any school district in the state for the transportation of students. The term does not include buses operated by common carriers in the urban transportation of students such as transportation of students through a municipal transportation system;

(c) "School bus route stop" means a school bus stop as designated by a school district;

(d) "Public park" means land, including any facilities or improvements on the land, that is operated as a park by the state or a local government;

(e) "Public transit vehicle" means any motor vehicle, streetcar, train, trolley vehicle, or any other device, vessel, or vehicle which is owned or operated by a transit authority and which is used for the purpose of carrying passengers on a regular schedule;

(f) "Transit authority" means a city, county, or state transportation system, transportation authority, public transportation benefit area, public transit authority, or metropolitan municipal corporation within the state that operates public transit vehicles;

(g) "Stop shelter" means a passenger shelter designated by a transit authority;

(h) "Civic center" means a publicly owned or publicly operated place or facility used for recreational, educational, or cultural activities;

(i) "Public housing project" means the same as "housing project" as defined in RCW 35.82.020.

(7) The fines imposed by this section apply to adult offenders only.

Sec. 773. RCW 77.15.420 and 2014 c 48 s 16 are each amended to read as follows:

(1) If ((~~a person~~)) an adult offender is convicted of violating RCW 77.15.410 and that violation results in the death of wildlife listed in this section, the court shall require payment of the following amounts for each animal taken or possessed. This shall be a criminal wildlife penalty assessment that shall be paid to the clerk of the court and distributed each month to the state treasurer for deposit in the fish and wildlife enforcement reward account created in RCW 77.15.425.

(a)	Moose, mountain sheep, mountain goat, and all wildlife species classified as endangered by rule of the commission, except for mountain caribou and grizzly bear as listed under (d) of this subsection.....	$4,000
(b)	Elk, deer, black bear, and cougar	$2,000
(c)	Trophy animal elk and deer	$6,000
(d)	Mountain caribou, grizzly bear, and trophy animal mountain sheep.....	$12,000

(2)(a) For the purpose of this section a "trophy animal" is:

(i) A buck deer with four or more antler points on both sides, not including eyeguards;

(ii) A bull elk with five or more antler points on both sides, not including eyeguards; or

(iii) A mountain sheep with a horn curl of three-quarter curl or greater.

(b) For purposes of this subsection, "eyeguard" means an antler protrusion on the main beam of the antler closest to the eye of the animal.

(3) If two or more persons are convicted of illegally possessing wildlife in subsection (1) of this section, the criminal wildlife penalty assessment shall be imposed on them jointly and severally.

(4) The criminal wildlife penalty assessment shall be imposed regardless of and in addition to any sentence, fines, or costs otherwise provided for violating any provision of this title. The criminal wildlife penalty assessment shall be included by the court in any pronouncement of sentence and may not be suspended, waived, modified, or deferred in any respect. This section may not be construed to abridge or alter alternative rights of action or remedies in equity or under common law or statutory law, criminal or civil.

(5) A defaulted criminal wildlife penalty assessment may be collected by any means authorized by law for the enforcement of orders of the court or collection of a fine or costs, including but not limited to vacation of a deferral of sentencing or vacation of a suspension of sentence.

(6) A person assessed a criminal wildlife penalty assessment under this section shall have his or her hunting license revoked and all hunting privileges suspended until the penalty assessment is paid through the registry of the court in which the penalty assessment was assessed.

(7) The criminal wildlife penalty assessments provided in subsection (1) of this section shall be doubled in the following instances:

(a) When a person is convicted of spotlighting big game under RCW 77.15.450;

(b) When a person commits a violation that requires payment of a wildlife penalty assessment within five years of a prior gross misdemeanor or felony conviction under this title;

(c) When the trier of fact determines that the person took or possessed the animal in question with the intent of bartering, selling, or otherwise deriving economic profit from the animal or the animal's parts; or

(d) When the trier of fact determines that the person took the animal under the supervision of a licensed guide.

NEW SECTION. **Sec. 774.** The following acts or parts of acts are each repealed:

(1)RCW 13.40.145 (Payment of fees for legal services by publicly funded counsel—Hearing—Order or decree—Entering and enforcing judgments) and 1997 c 121 s 6, 1995 c 275 s 4, & 1984 c 86 s 1; and

(2)RCW 13.40.085 (Diversion services costs—Fees—Payment by parent or legal guardian) and 1993 c 171 s 1."

Correct the title.

Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representative Hawkins.

Referred to Committee on General Government & Information Technology.

March 26, 2015

SSB 5593 Prime Sponsor, Committee on Ways & Means: Concerning delivery and payment for health care services by hospitals for inmates and persons detained by law enforcement. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 775.** Any individual in custody for a violent offense or a sex offense as those terms are defined in RCW 9.94A.030 who is brought by, or accompanied by, an officer to a hospital must continue to be accompanied or otherwise secured by an officer during the time that the individual is receiving care at the hospital. However, this section does not apply to an individual being supervised by the department of corrections if the individual's custody is the result solely of a sanction imposed by the department of corrections, the indeterminate sentence review board, or the court, in response to a violation of conditions.

NEW SECTION. **Sec. 776.** (1) An individual receiving medical care under this section need not continue to be accompanied or otherwise secured if:

(a) The individual's medical care provider so indicates; or

(b) The officer determines, using his or her best judgment, that:

(i) The individual does not present an imminent and significant risk of causing physical harm to themselves or another person;

(ii) There is no longer sufficient evidentiary basis to maintain the individual in custody; or

(iii) In the interest of public safety, the presence of the officer is urgently required at another location and the officer determines, using his or her best judgment and in consultation with his or her supervisor, if available on duty, that the public safety interest outweighs the need to accompany or secure the individual in the hospital.

(2)(a) In the event that a medical care provider determines the individual need not be accompanied or otherwise secured pursuant to subsection (1)(a) of this section, the officer has no ongoing duty to accompany or otherwise secure the individual for the duration of their treatment by the hospital. When a medical care provider indicates that a person need not be accompanied or otherwise secured, the hospital must notify the officer or the officer's designee when the individual is expected to be released by the hospital.

(b) If, after a medical provider indicates that the individual need not be accompanied or otherwise secured pursuant to subsection (1)(a) of this section, the individual demonstrates behavior that presents an imminent and significant risk of causing physical harm to themselves or others and the physical condition of the individual renders the individual capable of causing physical harm to themselves or others, the hospital may request the presence of an officer to guard or otherwise accompany the individual, in which case subsection (1)(a) and (b) of this section still apply.

(3) In the event the officer determines the individual need not be accompanied or otherwise secured pursuant to subsection (1)(b)(i) or (ii) of this section, the officer must notify the medical care provider that the officer is leaving the individual unattended or unsecured, in which case the hospital has no duty to notify the officer when the individual is, or expected to be, released from the hospital.

(4) In the event that the officer is urgently required at another location pursuant to subsection (1)(b)(iii) of this section, the officer must notify the medical care provider or, if an immediate departure is required, other hospital staff member that the officer is leaving the individual unattended or unsecured and make a reasonable effort to ensure a replacement officer or other means of accompanying or securing the individual as soon as reasonably possible under the circumstances. The hospital must notify the officer or the officer's designee if the individual is, or is expected to be, released from the hospital prior to the officer or a replacement officer returning to resume accompanying or otherwise securing the individual.

(5) Except for actions or omissions constituting gross negligence or willful misconduct, the hospital and health care providers as defined in chapter 18.130 RCW are immune from liability, including civil liability, professional conduct sanctions, and administrative actions resulting from the individual not being accompanied or secured.

NEW SECTION. **Sec. 777.** In a case where an individual accompanied or otherwise secured by an officer pursuant to this act is waiting for treatment in a hospital emergency department, the hospital shall see the patient in as expeditious a manner as possible, while taking into consideration best triage practices and federal and state legal obligations regarding appropriate screening and treatment of patients.

NEW SECTION. **Sec. 778.** The provisions of this act do not constitute a special relationship exception to the public duty doctrine. Officers and their employing departments and agencies and representatives are immune from civil liability arising out of the failure to comply with this act, unless it is shown that, in the totality of the circumstances, the officer, employing department, agency, or representative acted with gross negligence or bad faith.

NEW SECTION. **Sec. 779.** Nothing in this chapter changes the standards of care with regard to the use of restraints on pregnant women or youth in custody as codified in chapters 70.48 and 72.09 RCW.

NEW SECTION. **Sec. 780.** For purposes of this chapter, "officer" means a law enforcement officer, corrections officer, or guard supplied by a law enforcement or corrections agency.

Sec. 781. RCW 70.02.200 and 2014 c 220 s 7 are each amended to read as follows:

(1) In addition to the disclosures authorized by RCW 70.02.050 and 70.02.210, a health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization, to:

(a) Any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;

(b) Immediate family members of the patient, including a patient's state registered domestic partner, or any other individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;

(c) A health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;

(d) A person who obtains information for purposes of an audit, if that person agrees in writing to:

(i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and

(ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;

(e) Provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;

(f) Fire, police, sheriff, or other public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;

(g) Federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor;

(h) Another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(17) (a) and (b); ((~~and~~))

(i) An official of a penal or other custodial institution in which the patient is detained; and

(j) Any law enforcement officer, corrections officer, or guard supplied by a law enforcement or corrections agency who is accompanying a patient pursuant to section 1 of this act, only to the extent the disclosure is incidental to the fulfillment of the role of the law enforcement officer, corrections officer, or guard under section 1 of this act.

(2) In addition to the disclosures required by RCW 70.02.050 and 70.02.210, a health care provider shall disclose health care information, except for information related to sexually transmitted diseases and information related to mental health services which are addressed by RCW 70.02.220 through 70.02.260, about a patient without the patient's authorization if the disclosure is:

(a) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;

(b) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:

(i) The name of the patient;

(ii) The patient's residence;

(iii) The patient's sex;

(iv) The patient's age;

(v) The patient's condition;

(vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;

(vii) Whether the patient was conscious when admitted;

(viii) The name of the health care provider making the determination in (b)(v), (vi), and (vii) of this subsection;

(ix) Whether the patient has been transferred to another facility; and

(x) The patient's discharge time and date;

(c) Pursuant to compulsory process in accordance with RCW 70.02.060.

Sec. 782. RCW 70.48.130 and 2011 1st sp.s. c 15 s 85 are each amended to read as follows:

(1) It is the intent of the legislature that all jail inmates receive appropriate and cost-effective emergency and necessary medical care. Governing units, the health care authority, and medical care providers shall cooperate to achieve the best rates consistent with adequate care.

(2) Payment for emergency or necessary health care shall be by the governing unit, except that the health care authority shall directly reimburse the provider pursuant to chapter 74.09 RCW, in accordance with the rates and benefits established by the authority, if the confined person is eligible under the authority's medical care programs as authorized under chapter 74.09 RCW. After payment by the authority, the financial responsibility for any remaining balance, including unpaid client liabilities that are a condition of eligibility or participation under chapter 74.09 RCW, shall be borne by the medical care provider and the governing unit as may be mutually agreed upon between the medical care provider and the governing unit. In the absence of mutual agreement between the medical care provider and the governing unit, the financial responsibility for any remaining balance shall be borne equally between the medical care provider and the governing unit. Total payments from all sources to providers for care rendered to confined persons eligible under chapter 74.09 RCW shall not exceed the amounts that would be paid by the authority for similar services provided under Title XIX medicaid, unless additional resources are obtained from the confined person.

(3) For inpatient, outpatient, and ancillary services for confined persons that are not paid by the medicaid program pursuant to subsection (2) of this section, unless other rates are agreed to by the governing unit and the hospital, providers of hospital services that are hospitals licensed under chapter 70.41 RCW must accept as payment in full by the governing units the applicable facility's percent of allowed charges rate or fee schedule as determined, maintained, and posted by the Washington state department of labor and industries pursuant to chapter 51.04 RCW.

(4) As part of the screening process upon booking or preparation of an inmate into jail, general information concerning the inmate's ability to pay for medical care shall be identified, including insurance or other medical benefits or resources to which an inmate is entitled. The inmate may also be evaluated for medicaid eligibility and, if deemed potentially eligible, enrolled in medicaid. This information shall be made available to the authority, the governing unit, and any provider of health care services. To the extent that federal law allows, a jail or the jail's designee is authorized to act on behalf of a confined person for purposes of applying for medicaid.

(((~~(4)~~))) (5) The governing unit or provider may obtain reimbursement from the confined person for the cost of health care services not provided under chapter 74.09 RCW, including reimbursement from any insurance program or from other medical benefit programs available to the confined person. Nothing in this chapter precludes civil or criminal remedies to recover the costs of medical care provided jail inmates or paid for on behalf of inmates by the governing unit. As part of a judgment and sentence, the courts are authorized to order defendants to repay all or part of the medical costs incurred by the governing unit or provider during confinement.

(((~~(5)~~))) (6) To the extent that a confined person is unable to be financially responsible for medical care and is ineligible for the authority's medical care programs under chapter 74.09 RCW, or for coverage from private sources, and in the absence of an interlocal agreement or other contracts to the contrary, the governing unit may obtain reimbursement for the cost of such medical services from the unit of government whose law enforcement officers initiated the charges on which the person is being held in the jail: PROVIDED, That reimbursement for the cost of such services shall be by the state for state prisoners being held in a jail who are accused of either escaping from a state facility or of committing an offense in a state facility.

(((~~(6)~~))) (7) There shall be no right of reimbursement to the governing unit from units of government whose law enforcement officers initiated the charges for which a person is being held in the jail for care provided after the charges are disposed of by sentencing or otherwise, unless by intergovernmental agreement pursuant to chapter 39.34 RCW.

(((~~(7)~~))) (8) Under no circumstance shall necessary medical services be denied or delayed because of disputes over the cost of medical care or a determination of financial responsibility for payment of the costs of medical care provided to confined persons.

(((~~(8)~~))) (9) Nothing in this section shall limit any existing right of any party, governing unit, or unit of government against the person receiving the care for the cost of the care provided.

NEW SECTION. **Sec. 783.** Sections 1 through 6 of this act constitute a new chapter in Title 10 RCW."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5600 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Modifying certain definitions concerning the abuse of vulnerable adults. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 784.** RCW 74.34.020 and 2013 c 263 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and personal exploitation of a vulnerable adult, and improper use of restraint against a vulnerable adult which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual ((~~contact~~)) conduct, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse also includes any sexual ((~~contact~~)) conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, or prodding((~~, or the use of chemical restraints or physical restraints unless the restraints are consistent with licensing requirements, and includes restraints that are otherwise being used inappropriately~~)).

(c) "Mental abuse" means ((~~any willful action or inaction of mental or verbal abuse. Mental abuse includes, but is not limited to, coercion, harassment, inappropriately isolating a vulnerable adult from family, friends, or regular activity, and verbal assault that includes ridiculing, intimidating,~~)) a willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

(d) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(e) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

(3) "Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

(4) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(((~~(4)~~))) (5) "Department" means the department of social and health services.

(((~~(5)~~))) (6) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department.

(((~~(6)~~))) (7) "Financial exploitation" means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

(((~~(7)~~))) (8) "Financial institution" has the same meaning as in RCW ((~~30.22.040 and 30.22.041~~)) 30A.22.040 and 30A.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(((~~(8)~~))) (9) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW and any employee, agent, officer, director, or independent contractor thereof.

(10) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

(((~~(9)~~))) (11) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

(((~~(10)~~))) (12) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(((~~(11)~~))) (13) "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional

school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

((~~(12)~~)) (14) "Mechanical restraint" means any device attached or adjacent to the vulnerable adult's body that he or she cannot easily remove that restricts freedom of movement or normal access to his or her body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW.

(15) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

((~~(13)~~)) (16) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

((~~(14)~~)) (17) "Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding without undue force a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

(18) "Protective services" means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement, arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

((~~(15)~~)) (19) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

((~~(16)~~)) (20) "Social worker" means:

(a) A social worker as defined in RCW 18.320.010(2); or

(b) Anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of vulnerable adults, or providing social services to vulnerable adults, whether in an individual capacity or as an employee or agent of any public or private organization or institution.

((~~(17)~~)) (21) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5601 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5638 Prime Sponsor, Senator Hasegawa: Changing state need grant eligibility provisions. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Passed to Committee on Rules for second reading.

March 24, 2015

ESB 5673 Prime Sponsor, Senator Padden: Concerning the distribution of synthetic cannabinoids and bath salts. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 785.** A new section is added to chapter 69.50 RCW to read as follows:

(1) It is an unfair or deceptive practice under RCW 19.86.020 for any person or entity to distribute, dispense, manufacture, display for sale, offer for sale, attempt to sell, or sell to a purchaser

any product that contains any amount of any synthetic cannabinoid, cathinone, or methcathinone as identified in RCW 69.50.204(e) (3) and (5). The legislature finds that practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this section are not reasonable in relation to the development and preservation of business.

(2) "Synthetic cannabinoid" includes any chemical compound identified in RCW 69.50.204(c)(30) or by the pharmacy quality assurance commission under RCW 69.50.201.

Sec. 786. RCW 69.50.204 and 2010 c 177 s 2 are each amended to read as follows:

Unless specifically excepted by state or federal law or regulation or more specifically included in another schedule, the following controlled substances are listed in Schedule I:

(a) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol, except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(9) Benzethidine;

(10) Betacetylmethadol;

(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(12) Beta-hydroxy-3-methylfentanyl, some trade or other names: N-[1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

(13) Betameprodine;

(14) Betamethadol;

(15) Betaprodine;

(16) Clonitazene;

(17) Dextromoramide;

(18) Diampromide;

(19) Diethylthiambutene;

(20) Difenoxin;

(21) Dimenoxadol;

(22) Dimepheptanol;

(23) Dimethylthiambutene;

(24) Dioxaphetyl butyrate;

(25) Dipipanone;

(26) Ethylmethylthiambutene;

(27) Etonitazene;

(28) Etoxeridine;

(29) Furethidine;

(30) Hydroxypethidine;

(31) Ketobemidone;

(32) Levomoramide;

(33) Levophenacylmorphan;

(34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylprop anamide);

(35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(36) Morpheridine;

(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(38) Noracymethadol;

(39) Norlevorphanol;

(40) Normethadone;

(41) Norpipanone;

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);

(43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

(44) Phenadoxone;

(45) Phenampromide;

(46) Phenomorphan;

(47) Phenoperidine;

(48) Piritramide;

(49) Proheptazine;

(50) Properidine;

(51) Propiram;

(52) Racemoramide;

(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanaminde);

(54) Tilidine;

(55) Trimeperidine.

(b) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;

(2) Acetyldihydrocodeine;

(3) Benzylmorphine;

(4) Codeine methylbromide;

(5) Codeine-N-Oxide;

(6) Cyprenorphine;

(7) Desomorphine;

(8) Dihydromorphine;

(9) Drotebanol;

(10) Etorphine, except hydrochloride salt;

(11) Heroin;

(12) Hydromorphinol;

(13) Methyldesorphine;

(14) Methyldihydromorphine;

(15) Morphine methylbromide;

(16) Morphine methylsulfonate;

(17) Morphine-N-Oxide;

(18) Myrophine;

(19) Nicocodeine;

(20) Nicomorphine;

(21) Normorphine;

(22) Pholcodine;

(23) Thebacon.

(c) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers:

(1) Alpha-ethyltryptamine: Some trade or other names: Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; and AET;

(2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

(3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, nexus;

(4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;

(5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name: 2C-T-7;

(7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;

(8) 5-methoxy-3,4-methylenedioxy-amphetamine;

(9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";

(10) 3,4-methylenedioxy amphetamine;

(11) 3,4-methylenedioxymethamphetamine (MDMA);

(12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;

(13) N-hydroxy-3,4-methylenedioxyamphetamine also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine,N-hydroxy MDA;

(14) 3,4,5-trimethoxy amphetamine;

(15) Alpha-methyltryptamine: Other name: AMT;

(16) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

(17) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;

(18) Dimethyltryptamine: Some trade or other names: DMT;

(19) 5-methoxy-N,N-diisopropyltryptamine: Other name: 5-MeO-DIPT;

(20) Ibogaine: Some trade or other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyndo (1',2' 1,2) azepino (5,4-b) indole; Tabernanthe iboga;

(21) Lysergic acid diethylamide;

(22) Marihuana or marijuana;

(23) Mescaline;

(24) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;

(25) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 U.S.C. Sec. 812 (c), Schedule I (c)(12));

(26) N-ethyl-3-piperidyl benzilate;

(27) N-methyl-3-piperidyl benzilate;

(28) Psilocybin;

(29) Psilocyn;

(30) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, species, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

(i) 1 - cis - or trans tetrahydrocannabinol, and their optical isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;

(ii) 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;

(iii) 3,4 - cis - or trans tetrahydrocannabinol, and its optical isomers; or

(iv) That is chemically synthesized and either:

(a) Has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(b) Is a chemical analog or isomer of a compound that has been demonstrated to have binding activity at one or more cannabinoid receptors;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(31) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1phenylcyclohexalymine, (1-phenylcyclohexl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

(32) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phencyclohexyl)pyrrolidine; PCPy; PHP;

(33) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexly)-pipendine; 2-thienylanalog of phencyclidine; TPCP; TCP;

(34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other name is TCPy.

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(1) Gamma-hydroxybutyric acid: Some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate;

(2) Mecloqualone;

(3) Methaqualone.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4, 5-dihydro-5-phenly-2-oxazolamine;

(2) N-Benzylpiperazine: Some other names: BZP,1-benzylpiperazine;

(3) Cathinone, also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

(4) Fenethylline;

(5) Methcathinone: Some other names: 2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of optical isomers;

(6) (+-)cis-4-methylaminorex ((+-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

(7) N-ethylamphetamine;

(8) N,N-dimethylamphetamine: Some trade or other names: N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

The controlled substances in this section may be added, rescheduled, or deleted as provided for in RCW 69.50.201.

Sec. 787. RCW 69.50.430 and 2003 c 53 s 345 are each amended to read as follows:

(1) Every person convicted of a felony violation of RCW 69.50.401 through 69.50.4013, 69.50.4015, 69.50.402, 69.50.403, 69.50.406, 69.50.407, 69.50.410, or 69.50.415 shall be fined one thousand dollars in addition to any other fine or penalty imposed. Unless the court finds the person to be indigent, this additional fine shall not be suspended or deferred by the court.

(2) On a second or subsequent conviction for violation of any of the laws listed in subsection (1) of this section, the person shall be fined two thousand dollars in addition to any other fine or penalty imposed. Unless the court finds the person to be indigent, this additional fine shall not be suspended or deferred by the court.

(3) In addition to any other civil or criminal penalty, every person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling to a purchaser any product that contains any amount of any synthetic cannabinoid, cathinone, or methcathinone, as identified in RCW 69.50.204, shall be fined not less than ten thousand dollars and not more than five hundred thousand dollars. If, however, the person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling any product that contains any amount of any synthetic cannabinoid, cathinone, or methcathinone, as identified in RCW 69.50.204, to a purchaser under the age of eighteen, the minimum penalty shall be twenty-five thousand dollars if the person is at least two years older than the minor. Unless the court finds the person to be indigent, this additional fine shall not be suspended or deferred by the court."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Referred to Committee on General Government & Information Technology.

March 26, 2015

E2SSB 5688 Prime Sponsor, Committee on Ways & Means: Providing students with skills that promote mental health and well-being and increase academic performance. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 788.** The education of children is critically important. In order for children to be ready to learn and ready to ultimately enter the workforce prepared, they need to have academic, social, and emotional skills.

Responsible decision making, self management, healthy relationship skills, and self and social awareness are among the tools students need. These essential skills help improve school climate and reduce bullying, discipline issues, dropout rates, and the educational opportunity gap at the same time as they increase mental well-being, student engagement, and academic performance.

Schools teaching developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning see large increases in academic performance.

Students today experience unfathomable stresses. Over thirty thousand K-12 students are homeless. Thousands experience bullying, depression, abuse, or have witnessed domestic violence or other violence in their communities. Many have lost a parent or suffered a traumatic experience.

Emotions and relationships directly affect how students learn and how they use that learning in other contexts. If a student is anxious, afraid, or worried about other stresses in his or her life, those emotions will interfere with attention, memory, and positive behaviors. By developing social and emotional skills, students will be equipped with tools to overcome barriers to their learning and even find solace in education and going to school.

The legislature is committed to investing in preventative strategies in schools to increase student mental health and well-being in order to support the education of our state's children.

NEW SECTION. **Sec. 789.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The department of student support services and the department of teaching and learning in the office of the superintendent of public instruction shall convene a work group to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning for grades kindergarten through high school that build upon what is being done in early learning. These benchmarks must include, at every grade level, competencies for at least the following:

(a) Self management. Regulating one's emotions to handle stress, control impulses, and persevere in overcoming obstacles; achieving personal and academic goals; and expressing emotions appropriately;

(b) Self awareness. Accurately assessing one's feelings, interests, and strengths; maintaining a well-grounded sense of self-confidence;

(c) Social awareness. Being able to empathize with others; appreciating individual and group similarities and differences; effectively using family, school, and community resources;

(d) Relationship skills. Interacting cooperatively with others; resisting inappropriate social pressure; dealing effectively with interpersonal conflict; seeking help when needed; and

(e) Responsible decision making. Making decisions based on factors such as ethical standards, safety concerns, social norms, respect for others, and likely consequences; applying decision-making skills to daily situations;

(2) The work group shall also develop:

(a) Guidance for schools, school districts, and educators in promoting developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning that:

(i) Is culturally competent;

(ii) Is linguistically appropriate;

(iii) Provides a positive learning environment for students;

(iv) Is inclusive of parental involvement;

(v) Promotes school safety and a positive school climate;

(vi) Includes best practices in assisting students through school transitions between elementary, middle, and high school; and

(vii) Incorporates best practices to address the mental health continuum of children, from mental well-being and mental health to mental illness, and acknowledges research around adverse childhood experiences;

(b) Technical advice on how developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning fits within existing teacher and principal evaluations particularly as it relates to school safety and school climate; and

(c) An implementation plan that provides a framework for incorporating developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning and is aligned with other Washington state education initiatives including college and career readiness, STEM education,

twenty-first century skills, and the Washington state learning standards.

(3) To inform the work of the work group, the office of the superintendent of public instruction shall conduct a survey of schools to ascertain how many schools in the state are teaching interpersonal and decision-making knowledge and skills of social and emotional learning and to understand individual districts' capacity to implement these frameworks.

(4) The work group must include persons with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning; child development; job readiness; and mental health; and the following:

(a) One representative from the department of early learning;

(b) One representative each from the student support services and teaching and learning departments within the office of the superintendent of public instruction;

(c) One representative from the educational opportunity gap oversight and accountability committee;

(d) One representative from the office of the education ombuds;

(e) One higher education faculty member with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning;

(f) One currently employed K-12 educator and one currently employed K-12 administrator;

(g) One school counselor, one school psychologist, and one social worker;

(h) One mental health counselor; and

(i) One representative from a school parent organization.

(5) To the greatest extent possible, the members of the work group must reflect the cultural, racial, ethnic, gender, and geographic diversity of Washington state.

(6) The work group may also include one member from each of the two largest caucuses of the senate, appointed by the president of the senate and one member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives. Each of the two largest caucuses of the senate and the two largest caucuses of the house of representatives may determine whether or not a member from that caucus will be appointed.

(7) The work group shall consult with: School districts; educational service districts; school administrators; principals; teachers; paraeducators; school counselors; community organizations serving youth; a statewide organization with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning; a statewide organization with expertise in multitiered systems of support; federally recognized tribes; the state's four ethnic commissions representing the following populations: African-Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans; and community organizations representing communities of color, immigrant and refugee communities, parents and students, and homeless children and youth.

(8) By October 1, 2016, the work group shall submit a report to the education committees of the legislature, the governor, and the superintendent of public instruction that includes its recommendations for benchmarks, guidance, technical advice, and an implementation plan. The office of the superintendent of public instruction shall make the report available to school districts by including it on the web site.

Sec. 790. RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2) Each educational service district shall develop and maintain the capacity to serve as a convener, trainer, and mentor for educators and other school district staff on social and emotional learning. An educational service district may work with school districts to create a training model that works best for each school district and educational service district. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training shall be offered at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources."

Correct the title.

Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hunt, S.; Kilduff; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes; Klippert and McCaslin.

Referred to Committee on Appropriations.

March 26, 2015

SB 5692 Prime Sponsor, Senator Hargrove: Addressing permanency plans of care for dependent children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 791.** RCW 13.34.136 and 2014 c 163 s 2 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional

outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, ((~~until~~)) if the child is between ages sixteen and eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. Although a permanency plan of care may only identify long-term relative or foster care for children between ages sixteen and eighteen, children under sixteen may remain placed with relatives or in foster care. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(A) If the parent is incarcerated, the plan must address how the parent will participate in the case conference and permanency planning meetings and, where possible, must include treatment that reflects the resources available at the facility where the parent is confined. The plan must provide for visitation opportunities, unless visitation is not in the best interests of the child.

(B) If a parent has a developmental disability according to the definition provided in RCW 71A.10.020, and that individual is eligible for services provided by the developmental disabilities administration, the department shall make reasonable efforts to consult with the developmental disabilities administration to create an appropriate plan for services. For individuals who meet the definition of developmental disability provided in RCW 71A.10.020 and who are eligible for services through the developmental disabilities administration, the plan for services must be tailored to correct the parental deficiency taking into consideration the parent's disability and the department shall also determine an appropriate method to offer those services based on the parent's disability.

(ii)(A) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(B) Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation.

(C) Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. When a parent or sibling has been identified as a suspect in an active criminal investigation for a violent crime that, if the allegations are true, would impact the safety of the child, the department shall make a concerted effort to consult with the assigned law enforcement officer in the criminal case before recommending any changes in parent/child or child/sibling contact. In the event that the law enforcement officer has information pertaining to the criminal case that may have serious implications for child safety or well-being, the law enforcement officer shall provide this information to the department during the consultation. The department may only use the information provided by law enforcement during the consultation to inform family visitation plans and may not share or otherwise distribute the information to any person or entity. Any information provided to the department by law enforcement during the consultation is considered investigative information and is exempt from public inspection pursuant to RCW 42.56.240. The results of the consultation shall be communicated to the court.

(D) The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii)(A) The department, court, or caregiver in the out-of-home placement may not limit visitation or contact between a child and sibling as a sanction for a child's behavior or as an incentive to the child to change his or her behavior.

(B) Any exceptions, limitation, or denial of contacts or visitation must be approved by the supervisor of the department caseworker and documented. The child, parent, department, guardian ad litem, or court-appointed special advocate may challenge the denial of visits in court.

(iv) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(v) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

(vi) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vii) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of the most recent twenty-two months, and the court has not made a good cause exception, the court shall require the department or supervising agency to file a petition seeking termination of parental rights in accordance with RCW

13.34.145(4)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings. To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department of social and health services or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

Sec. 792. RCW 13.34.145 and 2013 c 332 s 3, 2013 c 206 s 1, and 2013 c 173 s 3 are each reenacted and amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age seventeen years but not older than seventeen years and six months, the department shall provide the youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age eighteen years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate. The court shall find, as of the date of the hearing, that the child's placement and plan of care is the best permanency plan for the child and provide compelling reasons why it continues to not be in the child's best interest to (i) return home; (ii) be placed for adoption; (iii) be placed with a legal guardian; or (iv) be placed with a fit and willing relative. If the child is present at the hearing, the court should ask the child about his or her desired permanency outcome.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the

child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

(5) Following this inquiry, at the permanency planning hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child.

(a) For purposes of this subsection, "good cause exception" includes but is not limited to the following:

(i) The child is being cared for by a relative;

(ii) The department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home;

(iii) The department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests; ((~~or~~))

(iv) The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for fifteen of the last twenty-two months, the parent maintains a meaningful role in the child's life, and the department has not documented another reason why it would be otherwise appropriate to file a petition pursuant to this section;

(v) Until June 30, 2015, where a parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals; or

(vi) Until June 30, 2015, where a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home.

(b) The court's assessment of whether a parent who is incarcerated maintains a meaningful role in the child's life may include consideration of the following:

(i) The parent's expressions or acts of manifesting concern for the child, such as letters, telephone calls, visits, and other forms of communication with the child;

(ii) The parent's efforts to communicate and work with the department or supervising agency or other individuals for the purpose of complying with the service plan and repairing, maintaining, or building the parent-child relationship;

(iii) A positive response by the parent to the reasonable efforts of the department or the supervising agency;

(iv) Information provided by individuals or agencies in a reasonable position to assist the court in making this assessment, including but not limited to the parent's attorney, correctional and mental health personnel, or other individuals providing services to the parent;

(v) Limitations in the parent's access to family support programs, therapeutic services, and visiting opportunities, restrictions to telephone and mail services, inability to participate in foster care planning meetings, and difficulty accessing lawyers and participating meaningfully in court proceedings; and

(vi) Whether the continued involvement of the parent in the child's life is in the child's best interest.

(c) The constraints of a parent's current or prior incarceration and associated delays or barriers to accessing court-mandated services may be considered in rebuttal to a claim of aggravated circumstances under RCW 13.34.132(4)(((~~g~~))) (h) for a parent's failure to complete available treatment.

(6)(a) If the permanency plan identifies independent living as a goal, the court at the permanency planning hearing shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

(b) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(c) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(7) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(a) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(b) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

(8) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

(9) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

(10) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

(11) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

(12) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b)

the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

(13) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection (12) of this section are met.

(14) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

(15) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

(16) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter."

Correct the title.

Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5733 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning livestock transaction reporting. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 793.** A new section is added to chapter 16.57 RCW to read as follows:

(1)(a) The director may establish an electronic cattle transaction reporting system as a mechanism for reporting transactions involving unbranded dairy cattle to the department. The system may be used as an alternative to mandatory inspections under RCW 16.57.160. However, it may only be used as an alternative for unbranded dairy cattle that are individually identified through an identification method authorized by the department. All other livestock transactions are subject to the provisions of RCW 16.57.160.

(b) Pursuant to criteria established by the director by rule, a cattle transaction described in (a) of this subsection, that would otherwise trigger a mandatory inspection under rules adopted pursuant to RCW 16.57.160, is eligible to report electronically under this section.

(c) Transactions that may be reported electronically include any sale, trade, gift, barter, or any other transaction that constitutes a change of ownership of unbranded dairy cattle.

(2) A person may not electronically report transactions involving unbranded dairy cattle under this section without first obtaining an electronic cattle transaction reporting license from the director. Applicants for an electronic cattle transaction reporting license must submit an application to the department on a form provided by the department and must include an application fee. The amount of the application fee must be established by the director by rule consistent with subsection (8) of this section.

(3) All holders of an electronic cattle transaction reporting license must transmit to the department a record of each transaction containing the unique identification of each individual animal included in the transaction as assigned through a department-authorized identification method. The transmission required under this subsection must be completed no more than twenty-four hours after a qualifying transaction involving unbranded dairy cattle.

(4) All holders of an electronic cattle transaction reporting license must keep accurate records of all transactions involving unbranded dairy cattle and make those records available for inspection by the department upon reasonable request during normal business hours. All records of the licensed property must be retained for at least three years.

(5)(a) The director may enter the property of the holder of an electronic cattle transaction reporting license at any reasonable time to conduct examinations and inspections of cattle and any associated records for movement verification purposes.

(b) It is unlawful for any person to interfere with an examination and inspection of cattle and records performed under this subsection.

(c) If the director is denied access to a property or cattle for the purposes of this subsection, or a person fails to comply with an order of the director, the director may apply to a court of competent jurisdiction for a search warrant. To show that access is denied, the director must file with the court an affidavit or declaration containing a description of all attempts to notify and locate the owner or owner's agent and secure consent.

(6)(a) The director may deny, suspend, or revoke an electronic cattle transaction reporting license issued under this section if the director finds that an electronic cattle transaction reporting license holder:

(i) Fails to satisfy the reporting requirements as provided in this section;

(ii) Knowingly makes false or inaccurate statements;

(iii) Has previously had an electronic cattle transaction reporting license revoked;

(iv) Denies entry to property, cattle, or records as provided in subsection (5) of this section; or

(v) Violates any other provision of this chapter or any rules adopted under this chapter.

(b) Any action taken under this subsection must be consistent with the provisions of chapter 34.05 RCW, the administrative procedure act.

(c) If an electronic cattle transaction reporting license is denied, suspended, or revoked, then the mandatory cattle inspection requirements under RCW 16.57.160 apply to any future transactions.

(7) The department must submit an annual report to the legislature, consistent with RCW 43.01.036, that documents all examinations and inspections of cattle and records of electronic cattle transaction reporting license holders performed by the department either since the department's last report or since the adoption of the electronic cattle transaction reporting system. The

annual report must also include details regarding any actions the department took following the examinations and inspections. All reports required under this section must be submitted by July 31st of each year.

(8)(a) The director may adopt rules:

(i) Designating the conditions of licensure under this section and the use of the electronic cattle transaction reporting system authorized by this section;

(ii) Establishing an initial application fee and a license renewal fee applicable to the electronic cattle transaction reporting license; and

(iii) Establishing any fees that must be paid by the holder of an electronic cattle transaction reporting license for reporting cattle transactions through the electronic cattle transaction reporting system.

(b) All fees established under this section must, as closely as practicable, cover the cost of the development, maintenance, fee collection, and audit and administrative oversight of the electronic cattle transaction reporting system.

Sec. 794. RCW 16.57.160 and 2013 c 313 s 1 are each amended to read as follows:

(1) The director may adopt rules:

(a) Designating any point for mandatory inspection of cattle or horses or the furnishing of proof that cattle or horses passing or being transported through the point have been inspected or identified and are lawfully being transported;

(b) Providing for issuance of individual horse and cattle identification certificates or other means of horse and cattle identification;

(c) Designating the documents that constitute other satisfactory proof of ownership for cattle and horses. A bill of sale may not be designated as documenting satisfactory proof of ownership for cattle; and

(d) Designating when inspection certificates, certificates of permit, or other transportation documents required by law or rule must designate a physical address of a destination. Cattle and horses must be delivered or transported directly to the physical address of that destination.

(2) The director may establish a process to electronically report transactions involving unbranded dairy cattle under section 1 of this act as an alternative to the mandatory cattle inspections required by department rule adopted pursuant to this section.

(3) A self-inspection certificate may be accepted as satisfactory proof of ownership for cattle if the director determines that the self-inspection certificate, together with other available documentation, sufficiently establishes ownership. Self-inspection certificates completed after June 10, 2010, are not satisfactory proof of ownership for cattle.

(((~~(3)~~))) (4)(a) Upon request by a milk producer licensed under chapter 15.36 RCW, the department must issue an official individual identification tag to be placed by the producer before the first point of sale on bull calves and free-martins (infertile female calves) under thirty days of age. The fee for each tag is the cost to the department for manufacture, purchase, and distribution of the tag plus the applicable beef commission assessment. As used in this subsection (((~~(3)~~))) (4), "green tag" means the official individual identification issued by the department.

(b) Transactions involving unbranded dairy breed bull calves or free-martins (infertile female calves) not being moved or transported out of Washington are exempt from inspection requirements under this chapter only if:

(i) The animal is under thirty days old and has not been previously bought or sold;

(ii) The seller holds a valid milk producer's license under chapter 15.36 RCW;

(iii) The sale does not take place at or through a public livestock market or special sale authorized by chapter 16.65 RCW;

(iv) Each animal is officially identified as provided in (a) of this subsection; and

(v) A certificate of permit and a bill of sale listing each animal's green tag accompanies the animal to the buyer's location. These documents do not constitute proof of ownership under this chapter.

(c) All fees received under (a) of this subsection, except for the beef commission assessment, must be deposited in the animal disease traceability account in the agricultural local fund created in RCW 43.23.230."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5740 Prime Sponsor, Committee on Ways & Means: Concerning extended foster care services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 795.** RCW 13.34.267 and 2014 c 122 s 1 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court, upon the agreement of the youth to participate in the extended foster care program, shall maintain the dependency proceeding for any youth who is dependent in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday, is:

(a) Enrolled in a secondary education program or a secondary education equivalency program;

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program;

(c) Participating in a program or activity designed to promote employment or remove barriers to employment; ((~~or~~))

(d) ((~~Within amounts appropriated specifically for this purpose,~~)) Engaged in employment for eighty hours or more per month; or

(e) Not able to engage in any of the activities described in (a) through (d) of this subsection due to a documented medical condition.

(2) If the court maintains the dependency proceeding of a youth pursuant to subsection (1) of this section, the youth is eligible to receive extended foster care services pursuant to RCW 74.13.031, subject to the youth's continuing eligibility and agreement to participate.

(3) A dependent youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian must be dismissed from the dependency proceeding when the youth reaches the age of eighteen.

(4) The court shall dismiss the dependency proceeding for any youth who is a dependent in foster care and who, at the age of eighteen years, does not meet any of the criteria described in

subsection (1)(a) through (((~~(d)~~))) (e) of this section or does not agree to participate in the program.

(5) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services. The department's placement and care authority over a youth receiving extended foster care services is solely for the purpose of providing services and does not create a legal responsibility for the actions of the youth receiving extended foster care services.

(6) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

(7) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

(a) Whether the youth is safe in his or her placement;

(b) Whether the youth continues to be eligible for extended foster care services;

(c) Whether the current placement is developmentally appropriate for the youth;

(d) The youth's development of independent living skills; and

(e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

(8) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

Sec. 796. RCW 74.13.020 and 2013 c 332 s 8 and 2013 c 162 s 5 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Medical condition" means, for the purposes of qualifying for extended foster care services, a physical or mental health condition as documented by any licensed health care provider regulated by a disciplining authority under RCW 18.130.040.

(11) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(((~~(11)~~))) (12) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(((~~(12)~~))) (13) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(((~~(13)~~))) (14) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(((~~(14)~~))) (15) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(((~~(15)~~))) (16) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

(((~~(16)~~))) (17) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(((~~(17)~~))) (18) "Unsupervised" has the same meaning as in RCW 43.43.830.

(((~~(18)~~))) (19) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 797. RCW 74.13.031 and 2014 c 122 s 2 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11)(a) The department and supervising agencies shall provide continued extended foster care services to nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program;

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment; ((~~or~~))

(iv) ((~~Within amounts appropriated specifically for this purpose,~~)) Engaged in employment for eighty hours or more per month; or

(v) Not able to engage in any of the activities described in (a)(i) through (iv) of this subsection due to a documented medical condition.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent and in foster care at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under RCW 74.13.336 or pursuant to an order of dependency issued by the court under RCW 13.34.268. A nonminor dependent whose dependency case was dismissed by the court must have requested extended foster care services before reaching age nineteen years.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(d) The department shall make efforts to ensure that extended foster care services maximize medicaid reimbursements. This must include the department ensuring that health and mental health extended foster care providers participate in medicaid, unless the condition of the extended foster care youth requires specialty care that is not available among participating medicaid providers or there are no participating medicaid providers in the area. The department shall coordinate other services to maximize federal resources and the most cost-efficient delivery of services to extended foster care youth.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order. The purchase of such care is exempt from the requirements of chapter 74.13B RCW and may be purchased from the federally recognized Indian tribe or tribally licensed child-placing agency, and shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

NEW SECTION. **Sec. 798.** A new section is added to chapter 74.13 RCW to read as follows:

With respect to youth who will be aging out of foster care, the children's administration shall invite representatives from the division of behavioral health and recovery, the disability services administration, the economic services administration, and the juvenile justice and rehabilitation administration to the youth's shared planning meeting that occurs between age seventeen and seventeen and one-half that is used to develop a transition plan. It is the responsibility of the children's administration to include these agencies in the shared planning meeting. If foster youth who are the subject of this meeting may qualify for developmental disability services pursuant to Title 71A RCW, the children's administration shall direct these youth to apply for these services and provide assistance in the application process.

NEW SECTION. **Sec. 799.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 800.** This act takes effect July 1, 2016."

Correct the title.

Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representative Scott, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

March 26, 2015

SB 5805 Prime Sponsor, Senator Rivers: Concerning conflict resolution programs in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

March 26, 2015

2SSB 5851 Prime Sponsor, Committee on Ways & Means: Concerning recommendations of the college bound scholarship program work group. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

On page 3, line 9, after "(4)" insert the following:

"Annually in March, with the assistance of the office of the superintendent of public instruction, distribute to tenth grade college bound scholarship students and their families: (a) notification that, to qualify for the scholarship, a student's family income may not exceed sixty-five percent of the state median family income at graduation from high school; (b) the current year's value for sixty-five percent of the state median family income; and (c) a statement that a student should consult their school counselor if their family makes, or is projected to make, more than this value before the student graduates;

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 26, 2015

2SSB 5888 Prime Sponsor, Committee on Ways & Means: Concerning near fatality incidents of children who have received services from the department of social and health services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

On page 4, line 8, after "neglect" insert "that is screened in and open for investigation"

On page 4, line 13, after "supervisor's" insert "case"

Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Referred to Committee on Appropriations.

March 26, 2015

SSB 5897 Prime Sponsor, Committee on Ways & Means: Concerning funding for medical evaluations of suspected victims of child abuse. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Dent; Hawkins; Kilduff; McCaslin; Ortiz-Self; Sawyer and Senn.

Referred to Committee on Appropriations.

March 26, 2015

SSB 5933 Prime Sponsor, Committee on Law & Justice: Establishing a statewide training program on human trafficking laws for criminal justice personnel. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

March 26, 2015

SB 5941 Prime Sponsor, Senator Rivers: Concerning certification of adjunct faculty as common school substitute teachers. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1559
SUBSTITUTE HOUSE BILL NO. 1610

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 31, 2015, the 79th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY NINTH DAY

House Chamber, Olympia, Tuesday, March 31, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2225 by Representative Smith

AN ACT Relating to a comprehensive study of the costs and benefits of accelerated retirement of certain coal-fired generation units; and adding new sections to chapter 80.82 RCW.

Referred to Committee on Technology & Economic Development.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 26, 2015

SSB 5027 Prime Sponsor, Committee on Health Care: Providing access to the prescription drug monitoring database for clinical laboratories. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 801.** RCW 70.225.040 and 2011 1st sp.s. c 15 s 87 are each amended to read as follows:

(1) Prescription information submitted to the department ((~~shall~~)) must be confidential, in compliance with chapter 70.02 RCW and federal health care information privacy requirements and not subject to disclosure, except as provided in subsections (3) and (4) of this section.

(2) The department ((~~shall~~)) must maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted, and maintained is not disclosed to persons except as in subsections (3) and (4) of this section.

(3) The department may provide data in the prescription monitoring program to the following persons:

(a) Persons authorized to prescribe or dispense controlled substances, for the purpose of providing medical or pharmaceutical care for their patients;

(b) An individual who requests the individual's own prescription monitoring information;

(c) Health professional licensing, certification, or regulatory agency or entity;

(d) Appropriate local, state, and federal law enforcement or prosecutorial officials who are engaged in a bona fide specific investigation involving a designated person;

(e) Authorized practitioners of the department of social and health services and the health care authority regarding medicaid program recipients;

(f) The director or director's designee within the department of labor and industries regarding workers' compensation claimants;

(g) The director or the director's designee within the department of corrections regarding offenders committed to the department of corrections;

(h) Other entities under grand jury subpoena or court order; ((~~and~~))

(i) Personnel of the department for purposes of administration and enforcement of this chapter or chapter 69.50 RCW; and

(j) Personnel of a test site that meet the standards under section 2 of this act pursuant to an agreement between the test site and a person identified in (a) of this subsection to provide assistance in determining which medications are being used by an identified patient who is under the care of that person.

(4) The department may provide data to public or private entities for statistical, research, or educational purposes after removing information that could be used to identify individual patients, dispensers, prescribers, and persons who received prescriptions from dispensers.

(5) A dispenser or practitioner acting in good faith is immune from any civil, criminal, or administrative liability that might otherwise be incurred or imposed for requesting, receiving, or using information from the program.

NEW SECTION. **Sec. 802.** A new section is added to chapter 70.225 RCW to read as follows:

(1) Test sites that may receive access to data in the prescription monitoring program under RCW 70.225.040 must be:

(a) Licensed by the department as a test site under chapter 70.42 RCW; and

(b) Certified as a drug testing laboratory by the United States department of health and human services, substance abuse and mental health services administration.

(2) Test sites may not:

(a) Charge a fee for accessing the prescription monitoring program;

(b) Store data accessed from the prescription drug monitoring program in any form, including, but not limited to, hard copies, electronic copies, or web/digital based copies of any kind. Such data may be used only to transmit to those entities listed in RCW 70.255.040(3)(a).

NEW SECTION. **Sec. 803.** A new section is added to chapter 70.225 RCW to read as follows:

(1) Access to data in the qualifying laboratory must be under the supervision of the responsible person as designated by the United States department of health and human services, substance abuse and mental health services administration certification program.

(2) Such data cannot be gathered, shared, sold, or used in any manner other than as designated under RCW 70.255.040, section 2 of this act, or this section."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5028 Prime Sponsor, Committee on Health Care: Raising licensure limits to allow assisted living facilities to serve a higher acuity resident population. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 804.** RCW 18.20.020 and 2012 c 10 s 2 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult day services" means care and services provided to a nonresident individual by the assisted living facility on the assisted living facility premises, for a period of time not to exceed ten continuous hours, and does not involve an overnight stay.

(2) "Assisted living facility" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care, consistent with chapter 142, Laws of 2004, to seven or more residents after July 1, 2000. However, an assisted living facility that is licensed for three to six residents prior to or on July 1, 2000, may maintain its assisted living facility license as long as it is continually licensed as an assisted living facility. "Assisted living facility" shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the department of housing and urban development.

(3) "Basic services" means housekeeping services, meals, nutritious snacks, laundry, and activities.

(4) "Continuing nursing services" means the resident has been assessed with a condition or diagnosis that is expected to require the frequent presence and supervision of a licensed registered nurse.

(5) "Department" means the state department of social and health services.

(((~~(5)~~))) (6) "Domiciliary care" means: Assistance with activities of daily living provided by the assisted living facility either directly or indirectly; or health support services, if provided directly or indirectly by the assisted living facility; or intermittent nursing services, if provided directly or indirectly by the assisted living facility; or continuing nursing services, if provided directly or indirectly by the assisted living facility.

(((~~(6)~~))) (7) "General responsibility for the safety and well-being of the resident" means the provision of the following: Prescribed general low sodium diets; prescribed general diabetic diets; prescribed mechanical soft foods; emergency assistance; monitoring of the resident; arranging health care appointments with outside health care providers and reminding residents of such appointments as necessary; coordinating health care services with outside health care providers consistent with RCW 18.20.380; assisting the resident to obtain and maintain glasses, hearing aids, dentures, canes, crutches, walkers, wheelchairs, and assistive communication devices; observation of the resident for changes in overall functioning; blood pressure checks as scheduled; responding appropriately when there are observable or reported changes in the resident's physical, mental, or emotional functioning; or medication assistance as permitted under RCW 69.41.085 and as defined in RCW 69.41.010.

(((~~(7)~~))) (8) "Legal representative" means a person or persons identified in RCW 7.70.065 who may act on behalf of the resident pursuant to the scope of their legal authority. The legal representative shall not be affiliated with the licensee, assisted living facility, or management company, unless the affiliated person is a family member of the resident.

(((~~(8)~~))) (9) "Nonresident individual" means a person who resides in independent senior housing, independent living units in continuing care retirement communities, or in other similar living environments or in an unlicensed room located within an assisted living facility. Nothing in this chapter prohibits nonresidents from receiving one or more of the services listed in RCW 18.20.030(5) or requires licensure as an assisted living facility when one or more of the services listed in RCW 18.20.030(5) are provided to nonresidents. A nonresident individual may not receive domiciliary care, as defined in this chapter, directly or indirectly by the assisted living facility and may not receive the items and services listed in subsection (((~~(6)~~))) (7) of this section, except during the time the person is receiving adult day services as defined in this section.

(((~~(9)~~))) (10) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

(((~~(10)~~))) (11) "Resident" means an individual who is not related by blood or marriage to the operator of the assisted living facility, and by reason of age or disability, chooses to reside in the assisted living facility and receives basic services and one or more of the services listed under general responsibility for the safety and well-being of the resident and may receive domiciliary care or respite care provided directly or indirectly by the assisted living facility and shall be permitted to receive hospice care through an outside service provider when arranged by the resident or the resident's legal representative under RCW 18.20.380.

(((~~(11)~~))) (12) "Resident applicant" means an individual who is seeking admission to a licensed assisted living facility and who has completed and signed an application for admission, or such application for admission has been completed and signed in their behalf by their legal representative if any, and if not, then the designated representative if any.

(((~~(12)~~))) (13) "Resident's representative" means a person designated voluntarily by a competent resident, in writing, to act in the resident's behalf concerning the care and services provided by the assisted living facility and to receive information from the assisted living facility, if there is no legal representative. The resident's competence shall be determined using the criteria in RCW 11.88.010(1)(e). The resident's representative may not be affiliated with the licensee, assisted living facility, or management company, unless the affiliated person is a family member of the resident. The

resident's representative shall not have authority to act on behalf of the resident once the resident is no longer competent.

(((~~(13)~~))) (14) "Secretary" means the secretary of social and health services.

NEW SECTION. **Sec. 805.** A new section is added to chapter 18.20 RCW to read as follows:

(1) An assisted living facility may provide continuing nursing services if it secures a designation on its license from the department.

(2) At least sixty days prior to the anticipated designation to provide continuing nursing services, the applicant must submit to the department a completed application on a form developed by the department.

(3) Prior to granting an initial continuing nursing services designation, the department shall make an inspection visit to the assisted living facility applicant to determine the facility's compliance with the continuing nursing services rules. At least once every eighteen months, the department shall inspect the assisted living facility to determine the facility's compliance with the applicable rules to determine whether the designation may be continued.

(4) The department shall establish fees to be paid by assisted living facilities prior to the issuance of an initial or renewal designation under this section. The department shall establish the fee at a level that covers the cost of the administration of the designation program.

NEW SECTION. **Sec. 806.** A new section is added to chapter 18.20 RCW to read as follows:

(1) If an assisted living facility chooses to provide continuing nursing services and admits a person who requires the frequent presence and evaluation of a registered nurse, the facility must have a registered nurse available to assure the safe delivery of the required care and services in accordance with applicable rules developed by the department.

(2) An assisted living facility that is unable to assure that a registered nurse is available to provide or direct the safe delivery of the required care and services may not admit or retain a person who requires the frequent presence and evaluation of a registered nurse. Persons who are receiving hospice care or have a short-term illness that is expected to be resolved within fourteen days may remain or be admitted in the facility provided that the facility is able to assure that sufficient numbers and appropriately qualified and trained staff or outside service providers under RCW 18.20.380 are available to meet the needs of such persons.

(3) If the assisted living facility license has the designation required under section 2 of this act, the facility may provide continuing nursing services, as defined by the department in rule, to meet the needs of residents whose needs could not be met through intermittent nursing services under RCW 18.20.330.

(4) On the disclosure form, the assisted living facility shall describe any limitations, additional services, or conditions that may apply under this section.

(5) In providing continuing nursing services, the assisted living facility shall observe the resident for changes in overall functioning and respond appropriately when there are observable or reported changes in the resident's physical, mental, or emotional functioning that exceed the licensee's licensure limitations and any limitations described in the disclosure form.

(6) If an assisted living facility with a continuing nursing services designation determines, or has reason to believe, that a resident needs continuing nursing services or rehabilitative therapy services, then the facility must provide the resident, the resident's legal representative, if any, and, if not, the resident representative, with a department-approved written notice informing the client that he or she may be eligible for complete or partial coverage of those services through medicare, medicaid, veterans' benefits, long-term care insurance, or other benefit programs. The department shall develop the written notice with input from stakeholders. The notice must inform residents of possible coverage under the benefit programs at reduced fee or no cost to the resident, and provide contact information for those programs. The notice must be signed and dated by the resident, or his or her representative if the resident lacks capacity. The facility must retain a copy of the signed notice. If the resident chooses to use his or her benefits under medicare, medicaid, veterans' benefits, long-term care insurance, or other programs, the resident may elect to receive the nursing or rehabilitative therapy services offered through an outside health care provider under RCW 18.20.380, or from the assisted living facility if the facility is an authorized provider under the relevant benefit program. An assisted living facility that fails to give the notice required under this subsection and charges residents privately for the provision of continuing nursing or rehabilitative services and such services were otherwise eligible for medicare, veterans' benefits, long-term care insurance, or other third-party coverage, commits an act that constitutes financial exploitation under chapter 74.34 RCW.

(7) An assisted living facility that chooses to provide continuing nursing services, and has residents whose care is paid for in whole or in part by medicaid, may not use the continuing nursing services designation, or any physical plant alterations or application process necessary for such designation, as a basis for the permanent discharge of any of the facility's current medicaid residents. An assisted living facility that receives an initial continuing nursing services designation may not, for one year following the initial designation, reduce the number of medicaid residents that the facility accepts or retains below the highest number of medicaid residents living at the facility within one year prior to the application for an initial continuing nursing services designation. Any subsequent reduction must be made in accordance with this chapter and chapter 70.129 RCW. An assisted living facility with a designation to provide continuing nursing services that participates in the medicaid program may not involuntarily transfer, discharge, or otherwise refuse residence and services to a resident who was not enrolled in medicaid at the time of admission and subsequently enrolled in medicaid to finance their care, in whole or in part, following a change in health status that requires continuing nursing services.

Sec. 807. RCW 18.20.030 and 2012 c 10 s 3 are each amended to read as follows:

(1) After January 1, 1958, no person shall operate or maintain an assisted living facility as defined in this chapter within this state without a license under this chapter.

(2) An assisted living facility license is not required for the housing, or services, that are customarily provided under landlord tenant agreements governed by the residential landlord-tenant act, chapter 59.18 RCW, or when housing nonresident individuals who chose to participate in programs or services under subsection (5) of this section, when offered by the assisted living facility licensee or the licensee's contractor. This subsection does not prohibit the licensee from furnishing written information concerning available community resources to the nonresident individual or the individual's family members or legal representatives. The licensee may not require the use of any particular service provider.

(3) Residents receiving domiciliary care, directly or indirectly by the assisted living facility, are not considered nonresident individuals for the purposes of this section.

(4) An assisted living facility license is required when any person other than an outside service provider, under RCW 18.20.380, or family member:

(a) Assumes general responsibility for the safety and well-being of a resident;

(b) Provides assistance with activities of daily living, either directly or indirectly;

(c) Provides health support services, either directly or indirectly; ((~~or~~))

(d) Provides intermittent nursing services, either directly or indirectly; or

(e) Provides continuing nursing services, either directly or indirectly.

(5) An assisted living facility license is not required for one or more of the following services that may, upon the request of the nonresident, be provided to a nonresident individual: (a) Emergency assistance provided on an intermittent or nonroutine basis; (b) systems, including technology-based monitoring devices, employed by independent senior housing, or independent living units in continuing care retirement communities, to respond to the potential need for emergency services; (c) scheduled and nonscheduled blood pressure checks; (d) nursing assessment services to determine whether referral to an outside health care provider is recommended; (e) making and reminding the nonresident of health care appointments; (f) preadmission assessment for the purposes of transitioning to a licensed care setting; (g) medication assistance which may include reminding or coaching the nonresident, opening the nonresident's medication container, using an enabler, and handing prefilled insulin syringes to the nonresident; (h) falls risk assessment; (i) nutrition management and education services; (j) dental services; (k) wellness programs; (l) prefilling insulin syringes when performed by a nurse licensed under chapter 18.79 RCW; or (m) services customarily provided under landlord tenant agreements governed by the residential landlord-tenant act, chapter 59.18 RCW.

Sec. 808. RCW 18.20.090 and 2012 c 10 s 5 are each amended to read as follows:

(1) The department shall adopt, amend, and promulgate such rules, regulations, and standards with respect to all assisted living facilities and operators thereof to be licensed hereunder as may be designed to further the accomplishment of the purposes of this chapter in promoting safe and adequate care of individuals in assisted living facilities and the sanitary, hygienic, and safe conditions of the assisted living facility in the interest of public health, safety, and welfare.

(2) The department shall also amend and adopt rules regarding the provision of continuing nursing services, including rules that define:

(a) The process for designation of assisted living facilities, including required notices to be provided to residents and their legal representative if any, and if not, the resident's representative;

(b) The extent to which continuing nursing services may be provided in assisted living facilities;

(c) Staffing requirements; and

(d) Physical plant requirements.

Sec. 809. RCW 18.20.160 and 2012 c 10 s 11 are each amended to read as follows:

((~~No person operating an assisted living facility licensed under this chapter shall admit to or retain in the assisted living facility any aged person requiring nursing or medical care of a type provided by institutions licensed under chapters 18.51, 70.41 or 71.12 RCW, except that when registered nurses are available, and upon a doctor's order that a supervised medication service is needed, it may be provided. Supervised medication services, as defined by the department and consistent with chapters 69.41 and 18.79 RCW, may include an approved program of self-medication or self-directed medication. Such medication service shall be provided only to residents who otherwise meet all requirements for residency in an assisted living facility. No assisted living facility shall admit or retain a person who requires the frequent presence and frequent evaluation of a registered nurse, excluding persons who are receiving hospice care or persons who have a short-term illness that is expected to be resolved within fourteen days.~~)) The assisted living facility licensed under this chapter must assume general responsibility for each resident and must promote each resident's health, safety, and well-being consistent with the resident negotiated care plan. In addition, the assisted living facility may provide assistance with activities of daily living, health support services, intermittent nursing services, and continuing nursing services, as may be further defined by the department in rule, and consistent with the care and services included in the disclosure form required under RCW 18.20.300. To provide continuing nursing services, the licensee shall obtain from the department a designation as required by section 2 of this act. Without first obtaining the required designation on its license, an assisted living facility may not admit or retain a person who requires the frequent presence and frequent evaluation of a licensed registered nurse, except for persons who are receiving hospice care or persons who have a short-term illness that is expected to be resolved within fourteen days. The assisted living facility must assure that sufficient numbers and appropriately qualified and trained staff are available to provide care and services consistent with this chapter.

Sec. 810. RCW 18.20.330 and 2012 c 10 s 22 are each amended to read as follows:

(1) Assisted living facilities are not required to provide intermittent nursing services. The assisted living facility licensee may choose to provide any of the following intermittent nursing services through appropriately licensed and credentialed staff, however, the facility may or may not need to provide additional intermittent nursing services to comply with the reasonable accommodation requirements in federal or state law:

(a) Medication administration;

(b) Administration of health care treatments;

(c) Diabetic management;

(d) Nonroutine ostomy care;

(e) Tube feeding; and

(f) Nurse delegation consistent with chapter 18.79 RCW.

(2) The licensee shall clarify on the disclosure form any limitations, additional services, or conditions that may apply under this section.

(3) In providing intermittent nursing services, the assisted living facility shall observe the resident for changes in overall functioning and respond appropriately when there are observable or reported changes in the resident's physical, mental, or emotional functioning.

(4) The assisted living facility may provide intermittent nursing services to ((~~the extent permitted by RCW 18.20.160~~)) residents who do not require the frequent presence and supervision of a licensed registered nurse."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 26, 2015

SSB 5059 Prime Sponsor, Committee on Law & Justice: Creating the patent troll prevention act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Hansen.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5106 Prime Sponsor, Senator O'Ban: Creating a civil action for webcam unauthorized remote access. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5143 Prime Sponsor, Senator Becker: Concerning the availability of childhood immunization resources for expecting parents. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5145 Prime Sponsor, Committee on Health Care: Concerning the membership of the health technology clinical committee. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 811.** RCW 70.14.090 and 2006 c 307 s 2 are each amended to read as follows:

(1) A health technology clinical committee is established, to include the following eleven members appointed by the administrator in consultation with participating state agencies:

(a) Six practicing physicians licensed under chapter 18.57 or 18.71 RCW; and

(b) Five other practicing licensed health professionals who use health technology in their scope of practice.

(i) At least two members of the committee must have professional experience treating women, children, elderly persons, and people with diverse ethnic and racial backgrounds.

(ii) At least one member of the committee must be appointed from nominations submitted by a statewide organization representing nonspecialty allopathic and osteopathic physicians.

(2) In addition, any rotating clinical expert selected to advise the committee on a health technology must be a nonvoting member of the committee.

(3) Members of the committee:

(a) Shall not contract with or be employed by a health technology manufacturer or a participating agency during their term or for eighteen months before their appointment. As a condition of appointment, each person shall agree to the terms and conditions imposed by the administrator regarding conflicts of interest;

(b) Are immune from civil liability for any official acts performed in good faith as members of the committee; and

(c) Shall be compensated for participation in the work of the committee in accordance with a personal services contract to be executed after appointment and before commencement of activities related to the work of the committee.

(((~~(3)~~))) (4) Meetings of the committee and any advisory group are subject to chapter 42.30 RCW, the open public meetings act, including RCW 42.30.110(1)(l), which authorizes an executive session during a regular or special meeting to consider proprietary or confidential nonpublished information.

(((~~(4)~~))) (5) Neither the committee nor any advisory group is an agency for purposes of chapter 34.05 RCW.

(((~~(5)~~))) (6) The health care authority shall provide administrative support to the committee and any advisory group, and may adopt rules governing their operation."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member and Short.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5147 Prime Sponsor, Committee on Health Care: Establishing a medicaid baseline health assessment and monitoring the medicaid population's health. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 812.** RCW 70.320.030 and 2013 c 320 s 3 are each amended to read as follows:

By September 1, 2014:

(1) The authority shall adopt performance measures to determine whether service contracting entities are achieving the outcomes described in RCW 70.320.020 and 41.05.690 for clients enrolled in medical managed care programs operated according to Title XIX or XXI of the federal social security act.

(2) The department shall adopt performance measures to determine whether service contracting entities are achieving the outcomes described in RCW 70.320.020 for clients receiving mental health, long-term care, or chemical dependency services.

Sec. 813. RCW 70.320.040 and 2013 c 320 s 4 are each amended to read as follows:

By July 1, 2015, the authority and the department shall require that contracts with service coordination organizations include provisions requiring:

(1) The adoption of the outcomes and performance measures developed under this chapter and RCW 41.05.690 and mechanisms for reporting data to support each of the outcomes and performance measures; and

(2) That an initial health screen be conducted for new enrollees pursuant to the terms and conditions of the contract.

Sec. 814. RCW 70.320.050 and 2013 c 320 s 5 are each amended to read as follows:

(1) By December 1, 2014, the department and the authority shall report jointly to the legislature on the expected outcomes and

the performance measures. The report must identify the performance measures and the expected outcomes established for each program, the relationship between the performance measures and expected improvements in client outcomes, mechanisms for reporting outcomes and measuring performance, and options for applying the performance measures and expected outcomes development process to other health and social service programs.

(2) By December 1, 2016, and annually thereafter, the department and the authority shall report to the legislature on the incorporation of the performance measures into contracts with service coordination organizations and progress toward achieving the identified outcomes. The report shall include:

(a) The number of medicaid clients enrolled over the previous year;

(b) The number of enrollees who received a baseline health assessment over the previous year;

(c) An analysis of trends in health improvement for medicaid enrollees in accordance with the measure set established under RCW 41.05.065; and

(d) Recommendations for improving the health of medicaid enrollees."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Short.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Passed to Committee on Rules for second reading.

March 26, 2015

ESSB 5158 Prime Sponsor, Committee on Law & Justice: Requiring call location information to be provided to law enforcement responding to an emergency. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 815.** A new section is added to chapter 80.36 RCW to read as follows:

(1) A wireless telecommunications provider must provide information in its possession concerning the current or most recent location of a telecommunications device and call information of a user of the device when requested by a law enforcement agency. A law enforcement agency must meet the following requirements:

(a) The law enforcement officer making the request on behalf of the law enforcement agency must be on duty during the course of his or her official duties at the time of the request;

(b) The law enforcement agency must verify there is no relationship or conflict of interest between the law enforcement officer responding, investigating or making the request, and either the person requesting the call location information or the person for whom the call location information is being requested;

(c) A law enforcement agency may only request this information when, in the law enforcement officer's exercise of reasonable judgment, he or she believes that the individual is in an emergency situation that involves the risk of death or serious physical harm and requires disclosure without a delay of information relating to the emergency;

(d) Concurrent to making a request, the responding law enforcement agency must check the federal bureau of investigation's national crime information center and any other available databases to identify if either the person requesting the call location information or the person for whom the call location information is being requested has any history of domestic violence or any court order restricting contact by a respondent;

(e) Concurrent to making a request, the responding law enforcement agency must also check with the Washington state patrol to identify if either the person requesting the call location information or the person for whom the call location information is being requested is participating in the address confidentiality program established in chapter 40.24 RCW. The secretary of state must make name information available to the Washington state patrol from the address confidentiality program as required under RCW 40.24.070. The Washington state patrol must not further disseminate list information except on an individual basis to respond to a request under this section;

(f) If the responding law enforcement agency identifies or has reason to believe someone has a history of domestic violence or stalking, has a court order restricting contact, or if the Washington state patrol identifies someone as participating in the address confidentiality program, then the law enforcement agency must not provide call location information to the individual who requested the information, unless pursuant to the order of a court of competent jurisdiction. A law enforcement agency may not disclose information obtained under this section to any other party except first responders responding to the emergency situation; and

(g) A law enforcement agency may not request information under this section for any purpose other than responding to a call for emergency services or in an emergency situation that involves the risk of death or serious physical harm.

(2) A wireless telecommunications provider may establish protocols by which the carrier voluntarily discloses call location information to law enforcement.

(3) No cause of action may be brought in any court against any wireless telecommunications provider, its officers, employees, agents, or other specified persons for providing call location information while acting in good faith and in accordance with the provisions of this section.

(4) All wireless telecommunications providers registered to do business in the state of Washington and all resellers of wireless telecommunications services shall submit their emergency contact information to the Washington state patrol in order to facilitate requests from a law enforcement agency for call location information in accordance with this section. Any change in contact information must be submitted immediately.

(5) The Washington state patrol must maintain a database containing emergency contact information for all wireless telecommunications providers registered to do business in the state of Washington and must make the information immediately available upon request to facilitate a request from law enforcement for call location information under this section.

(6) The Washington state patrol may adopt by rule criteria for fulfilling the requirements of this section.

Sec. 816. RCW 40.24.070 and 2008 c 18 s 5 are each amended to read as follows:

The secretary of state may not make any records in a program participant's file available for inspection or copying, other than the address designated by the secretary of state, except under the following circumstances:

(1) If requested by a law enforcement agency, to the law enforcement agency; and

(a) The participant's application contains no indication that he or she has been a victim of domestic violence, sexual assault, or stalking perpetrated by a law enforcement employee; and

(b) The request is in accordance with official law enforcement duties and is in writing on official law enforcement letterhead stationery and signed by the law enforcement agency's chief officer, or his or her designee; or

(2) If directed by a court order, to a person identified in the order; and

(a) The request is made by a nonlaw enforcement agency; or

(b) The participant's file indicates he or she has reason to believe he or she is a victim of domestic violence, sexual assault, or stalking perpetrated by a law enforcement employee.

(3) To the Washington state patrol solely for the use authorized in section 1 of this act, provided that participant information must clearly distinguish between those participants requesting disclosure to a law enforcement agency of the location of a telecommunications device and call information of the user, and those participants who request nondisclosure to a law enforcement agency of the location of a telecommunications device and call information of the user. The Washington state patrol may not use the information or make the information available for inspection and copying for any other purpose than authorized in section 1 of this act. The secretary of state may adopt rules to make available the information required for the purposes of this section and section 1 of this act. The secretary of state and the secretary of state's officers, employees, or custodian, are not liable, nor shall a cause of action exist, for any loss or damage based upon the release of information, or the nondisclosure of information, from the address confidentiality program to the Washington state patrol if the agency, officer, employee, or custodian acted in good faith in attempting to comply with the provisions of this section and section 1 of this act.

NEW SECTION. **Sec. 817.** This act may be known and cited as the Kelsey Smith act."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 23, 2015

SB 5171 Prime Sponsor, Senator Bailey: Concerning the definition of veteran for the purposes of the county veterans assistance fund. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

On page 3, beginning on line 15, after "honorable" strike "characterization of service" and insert "discharge;

(iv) A former member of the armed forces reserve or national guard who was released before their term ended and was released with an honorable discharge; or

(v) A former member of the armed forces reserve or national guard who received a general discharge or honorable under general conditions discharge"

On page 3, line 19 after "fund" insert "as the county determines necessary, which may include serving veterans with additional discharge characterizations"

Signed by Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins; Moscoso and Sawyer.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5175 Prime Sponsor, Committee on Health Care: Regarding telemedicine. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 26, 2015

SB 5302 Prime Sponsor, Senator Benton: Addressing the prudent investor rule for Washington state trusts, delegation of trustee duties by trustees of a Washington state trust, and standards for authorization and treatment of statutory trust advisors and directed trustees incident to the establishment of Washington state directed trusts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 26, 2015

2SSB 5311 Prime Sponsor, Committee on Ways & Means: Requiring crisis intervention training for peace officers. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on Appropriations.

March 26, 2015

ESSB 5346 Prime Sponsor, Committee on Health Care: Providing first responders with contact information for subscribers of personal emergency response services during an emergency. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 26, 2015

E2SSB 5353 Prime Sponsor, Committee on Ways & Means: Concerning marketing opportunities for spirits

produced in Washington by craft and general licensed distilleries. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 818.** RCW 66.24.140 and 2014 c 92 s 4 are each amended to read as follows:

(1) There ((~~shall be~~)) is a license to distillers, including blending, rectifying, and bottling; fee two thousand dollars per annum, unless provided otherwise as follows:

(a) For distillers producing one hundred fifty thousand gallons or less of spirits with at least half of the raw materials used in the production grown in Washington, the license fee must be reduced to one hundred dollars per annum;

(b) The board must license stills used and to be used solely and only by a commercial chemist for laboratory purposes, and not for the manufacture of liquor for sale, at a fee of twenty dollars per annum;

(c) The board must license stills used and to be used solely and only for laboratory purposes in any school, college, or educational institution in the state, without fee; and

(d) The board must license stills that have been duly licensed as fruit and/or wine distilleries by the federal government, used and to be used solely as fruit and/or wine distilleries in the production of fruit brandy and wine spirits, at a fee of two hundred dollars per annum.

(2) Any distillery licensed under this section may:

(a) Sell spirits of its own production for consumption off the premises. A distillery selling spirits under this subsection must comply with the applicable laws and rules relating to retailers;

(b) Contract distilled spirits for, and sell contract distilled spirits to, holders of distillers' or manufacturers' licenses, including licenses issued under RCW 66.24.520, or for export; and

(c) Provide free or for a charge one-half ounce or less samples of spirits of its own production to persons on the premises of the distillery. The maximum total per person per day is two ounces. Every person who participates in any manner in the service of samples must obtain a class 12 alcohol server permit. Spirits samples may be adulterated with nonalcoholic mixers, water, and/or ice.

Sec. 819. RCW 66.24.145 and 2014 c 92 s 1 are each amended to read as follows:

(1)(a) Any craft distillery may sell spirits of its own production for consumption off the premises.

(b) A craft distillery selling spirits under this subsection must comply with the applicable laws and rules relating to retailers.

(2) Any craft distillery may contract distilled spirits for, and sell contract distilled spirits to, holders of distillers' or manufacturers' licenses, including licenses issued under RCW 66.24.520, or for export.

(3) Any craft distillery licensed under this section may provide, free or for a charge, one-half ounce or less samples of spirits of its own production to persons on the premises of the distillery. The maximum total per person per day is two ounces. Every person who participates in any manner in the service of samples must obtain a class 12 alcohol server permit. Spirits samples may be adulterated with nonalcoholic mixers, water, and/or ice.

(4)(a) A distillery or craft distillery licensee may apply to the board for an endorsement to sell spirits of its own production at retail for off-premises consumption at a qualifying farmers market. The annual fee for this endorsement is seventy-five dollars.

(b) For each month during which a distillery or craft distillery will sell spirits at a qualifying farmers market, the distillery or craft distillery must provide the board or its designee a list of the dates, times, and locations at which bottled spirits may be offered for sale. This list must be received by the board before the spirits may be offered for sale at a qualifying farmers market.

(c) Each approved location in a qualifying farmers market is deemed to be part of the distillery or craft distillery license for the purpose of this title. The approved locations under an endorsement granted under this subsection do not include tasting or sampling privileges. The distillery or craft distillery may not store spirits at a farmers market beyond the hours that the bottled spirits are offered for sale. The distillery or craft distillery may not act as a distributor from a farmers market location.

(d) Before a distillery or craft distillery may sell bottled spirits at a qualifying farmers market, the farmers market must apply to the board for authorization for any distillery or craft distillery with an endorsement approved under this subsection to sell bottled spirits at retail at the farmers market. This application must include, at a minimum: (i) A map of the farmers market showing all booths, stalls, or other designated locations at which an approved distillery or craft distillery may sell bottled spirits; and (ii) the name and contact information for the on-site market managers who may be contacted by the board or its designee to verify the locations at which bottled spirits may be sold. Before authorizing a qualifying farmers market to allow an approved distillery or craft distillery to sell bottled spirits at retail at its farmers market location, the board must notify the persons or entities of such application for authorization pursuant to RCW 66.24.010 (8) and (9). An authorization granted under this subsection (4)(d) may be withdrawn by the board for any violation of this title or any rules adopted under this title.

(e) For the purposes of this subsection (4), "qualifying farmers market" has the same meaning as defined in RCW 66.24.170.

(5) The board must adopt rules to implement the alcohol server permit requirement and may adopt additional rules to implement this section.

(((~~(5)~~))) (6) Distilling is an agricultural practice.

Sec. 820. RCW 66.20.010 and 2013 c 59 s 1 are each amended to read as follows:

Upon application in the prescribed form being made to any employee authorized by the board to issue permits, accompanied by payment of the prescribed fee, and upon the employee being satisfied that the applicant should be granted a permit under this title, the employee must issue to the applicant under such regulations and at such fee as may be prescribed by the board a permit of the class applied for, as follows:

(1) Where the application is for a special permit by a physician or dentist, or by any person in charge of an institution regularly conducted as a hospital or sanitorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, a special liquor purchase permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(2) Where the application is for a special permit by a person engaged within the state in mechanical or manufacturing business or in scientific pursuits requiring alcohol for use therein, or by any private individual, a special permit to purchase alcohol for the purpose named in the permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(3) Where the application is for a special permit to consume liquor at a banquet, at a specified date and place, a special permit to purchase liquor for consumption at such banquet, to such applicants as may be fixed by the board;

(4) Where the application is for a special permit to consume liquor on the premises of a business not licensed under this title, a

special permit to purchase liquor for consumption thereon for such periods of time and to such applicants as may be fixed by the board;

(5) Where the application is for a special permit by a manufacturer to import or purchase within the state alcohol, malt, and other materials containing alcohol to be used in the manufacture of liquor, or other products, a special permit;

(6) Where the application is for a special permit by a person operating a drug store to purchase liquor at retail prices only, to be thereafter sold by such person on the prescription of a physician, a special liquor purchase permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(7) Where the application is for a special permit by an authorized representative of a military installation operated by or for any of the armed forces within the geographical boundaries of the state of Washington, a special permit to purchase liquor for use on such military installation;

(8) Where the application is for a special permit by a vendor that manufactures or sells a product which cannot be effectively presented to potential buyers without serving it with liquor or by a manufacturer, importer, or distributor, or representative thereof, to serve liquor without charge to delegates and guests at a convention of a trade association composed of licensees of the board, when the said liquor is served in a hospitality room or from a booth in a board-approved suppliers' display room at the convention, and when the liquor so served is for consumption in the said hospitality room or display room during the convention, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

(9) Where the application is for a special permit by a manufacturer, importer, or distributor, or representative thereof, to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at a convention of a trade association composed of licensees of the board, when the liquor so donated is for consumption at the said reception, breakfast, luncheon, or dinner during the convention, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

(10) Where the application is for a special permit by a manufacturer, importer, or distributor, or representative thereof, to donate and/or serve liquor without charge to delegates and guests at an international trade fair, show, or exposition held under the auspices of a federal, state, or local governmental entity or organized and promoted by a nonprofit organization, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a liquor spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

(11) Where the application is for an annual special permit by a person operating a bed and breakfast lodging facility to donate or serve wine or beer without charge to overnight guests of the facility if the wine or beer is for consumption on the premises of the facility. "Bed and breakfast lodging facility," as used in this subsection, means a facility offering from one to eight lodging units and breakfast to travelers and guests;

(12) Where the application is for a special permit to allow tasting of alcohol by persons at least eighteen years of age under the following circumstances:

(a) The application is from a community or technical college as defined in RCW 28B.50.030;

(b) The person who is permitted to taste under this subsection is enrolled as a student in a required or elective class that is part of a culinary, wine technology, beer technology, or spirituous technology-related degree program;

(c) The alcohol served to any person in the degree-related programs under (b) of this subsection is tasted but not consumed for the purposes of educational training as part of the class curriculum with the approval of the educational provider;

(d) The service and tasting of alcoholic beverages is supervised by a faculty or staff member of the educational provider who is twenty-one years of age or older. The supervising faculty or staff member shall possess a class 12 or 13 alcohol server permit under the provisions of RCW 66.20.310;

(e) The enrolled student permitted to taste the alcoholic beverages does not purchase the alcoholic beverages; and

(f) The permit fee for the special permit provided for in this subsection (12) ((~~shall~~)) must be waived by the board;

(13) Where the application is for a special permit by a distillery or craft distillery for an event not open to the general public to be held or conducted at a specific place, including at the licensed premise of the applying distillery or craft distillery, upon a specific date for the purpose of tasting and selling spirits of its own production. The distillery or craft distillery must obtain a permit for a fee of ten dollars per event. An application for the permit must be submitted for private banquet permits prior to the event and, once issued, must be posted in a conspicuous place at the premises for which the permit was issued during all times the permit is in use. No licensee may receive more than twelve permits under this subsection (13) each year.

NEW SECTION. **Sec. 821.** A new section is added to chapter 66.20 RCW to read as follows:

(1) The holder of a license to operate a distillery or craft distillery issued under RCW 66.24.140 or 66.24.145 may accept orders for spirits from, and deliver spirits to, customers if all of the following conditions are met for each sale:

(a) Spirits are not used for resale;

(b) Spirits come directly from the distillery's or craft distillery's possession prior to shipment or delivery. All transactions are to be treated as if they were conducted in the retail location of the distillery or craft distillery regardless of how they are received or processed;

(c) Spirits may be ordered in person at a licensed location, by mail, telephone, or internet, or by other similar methods; and

(d) Only a distillery or craft distillery licensee or a licensee's direct employees may accept and process orders and payments. A contractor may not do so on behalf of a distillery or craft distillery licensee, except for transmittal of payment through a third-party service. A third-party service may not solicit customer business on behalf of a distillery or craft distillery licensee.

(2) All orders and payments must be fully processed before spirits transfers ownership or, in the case of delivery, leaves a licensed distillery's or craft distillery's possession.

(3) Payment methods include, but are not limited to: Cash, credit or debit card, check or money order, electronic funds transfer, or an existing prepaid account. An existing prepaid account may not have a negative balance.

(4) To sell spirits via the internet, a new distillery or craft distillery license applicant must request internet-sales privileges in his or her application. An existing distillery or craft distillery licensee must notify the board prior to beginning internet sales. A corporate entity representing multiple licensees may notify the board in a single letter on behalf of affiliated distillery or craft distillery licensees, as long as the liquor license numbers of all licensee locations utilizing internet sales privileges are clearly identified.

(5) Delivery may be made only to a residence or business that has an address recognized by the United States postal service; however, the board may grant an exception to this rule at its

discretion. A residence includes a hotel room, a motel room, marina, or other similar lodging that temporarily serves as a residence.

(6) Spirits may be delivered each day of the week between the hours of 6:00 a.m. and 2:00 a.m. Delivery must be fully completed by 2:00 a.m.

(7) Under chapter 66.44 RCW, any person under twenty-one years of age is prohibited from purchasing, delivering, or accepting delivery of liquor.

(a) A delivery person must verify the age of the person accepting delivery before handing over liquor.

(b) If no person twenty-one years of age or older is present to accept a liquor order at the time of delivery, the liquor must be returned.

(8) Delivery of liquor is prohibited to any person who shows signs of intoxication.

(9)(a) Individual units of spirits must be factory sealed in bottles. For the purposes of this subsection, "factory sealed" means that a unit is in one hundred percent resalable condition, with all manufacturer's seals intact.

(b) The outermost surface of a liquor package, delivered by a third party, must have language stating that:

(i) The package contains liquor;

(ii) The recipient must be twenty-one years of age or older; and

(iii) Delivery to intoxicated persons is prohibited.

(10)(a) Records and files must be retained at the licensed premises. Each delivery sales record must include the following:

(i) Name of the purchaser;

(ii) Name of the person who accepts delivery;

(iii) Street addresses of the purchaser and the delivery location; and

(iv) Time and date of purchase and delivery.

(b) A private carrier must obtain the signature of the person who receives liquor upon delivery.

(c) A sales record does not have to include the name of the delivery person, but it is encouraged.

(11) Web site requirements. When selling over the internet, all web site pages associated with the sale of liquor must display the distillery or craft distillery licensee's registered trade name.

(12) A distillery or craft distillery licensee is accountable for all deliveries of liquor made on its behalf.

(13) The board may impose administrative enforcement action upon a licensee, or suspend or revoke a licensee's delivery privileges, or any combination thereof, should a licensee violate any condition, requirement, or restriction.

NEW SECTION. **Sec. 822.** A new section is added to chapter 66.24 RCW to read as follows:

(1) Any licensee authorized to sell at retail under this chapter may sell gift certificates and gift cards intended to be exchanged for consumer goods or services, including liquor sold by the licensee. The licensee may also sell the gift certificates and gift cards to or through a third-party retailer for resale to the public. Gift certificates and gift cards may not be redeemed for alcohol by persons under the age of twenty-one.

(2) For the purposes of this section, "gift certificate" and "gift cards" have the same meaning as provided in RCW 19.240.010."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5381 Prime Sponsor, Committee on Law & Justice: Creating a protocol for the return of firearms in the possession of law enforcement agencies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 823.** A new section is added to chapter 9.41 RCW to read as follows:

(1) Each law enforcement agency shall develop a notification protocol that allows a family or household member to use an incident or case number to request to be notified when a law enforcement agency returns a privately owned firearm to the individual from whom it was obtained or to an authorized representative of that person.

(a) Notification may be made via telephone, email, text message, or another method that allows notification to be provided without unnecessary delay.

(b) If a law enforcement agency is in possession of more than one privately owned firearm from a single person, notification relating to the return of one firearm shall be considered notification for all privately owned firearms for that person.

(c) "Family or household member" has the same meaning as in RCW 26.50.010.

(2) A law enforcement agency shall not provide notification to any party other than a family or household member who has an incident or case number and who has requested to be notified pursuant to this section or another criminal justice agency.

(3) The information provided by a family or household member pursuant to this act, including the existence of the request for notification, is not subject to public disclosure pursuant to chapter 42.56 RCW.

(4) An appointed or elected official, public employee, or public agency as defined in RCW 4.24.470, or combination of units of local government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any release of information or the failure to release information related to this section, so long as the release or failure was without gross negligence.

(5) An individual who knowingly makes a request for notification under this section based on false information may be held liable under RCW 9A.76.175.

NEW SECTION. **Sec. 824.** A new section is added to chapter 9.41 RCW to read as follows:

(1) Before a law enforcement agency returns a privately owned firearm, the law enforcement agency must:

(a) Confirm that the individual to whom the firearm will be returned is the individual from whom the firearm was obtained or an authorized representative of that person;

(b) Confirm that the individual to whom the firearm will be returned is eligible to possess a firearm pursuant to RCW 9.41.040;

(c) Ensure that the firearm is not otherwise required to be held in custody or otherwise prohibited from being released; and

(d) Ensure that twenty-four hours have elapsed from the time the firearm was obtained by law enforcement.

(2)(a) Once the requirements in subsections (1) and (3) of this section have been met, a law enforcement agency must release a firearm to the individual from whom it was obtained or an authorized representative of that person upon request without unnecessary delay.

(b)(i) If a firearm cannot be returned because it is required to be held in custody or is otherwise prohibited from being released, a law enforcement agency must provide written notice to the individual from whom it was obtained within five business days of

the individual requesting return of his or her firearm and specify the reason the firearm must be held in custody.

(ii) Notification may be made via email, text message, mail service, or personal service. For methods other than personal service, service shall be considered complete once the notification is sent.

(3) If a family or household member has requested to be notified pursuant to section 1 of this act, a law enforcement agency must:

(a) Provide notice to the family or household member within one business day of verifying that the requirements in subsection (1) of this section have been met; and

(b) Hold the firearm in custody for seventy-two hours from the time notification has been provided.

NEW SECTION. **Sec. 825.** This act may be known and cited as the Sheena Henderson act."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5398 Prime Sponsor, Committee on Commerce & Labor: Concerning marijuana, useable marijuana, and marijuana-infused products in public. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 826.** RCW 69.50.445 and 2013 c 3 s 21 are each amended to read as follows:

(1) It is unlawful to open a package containing marijuana, useable marijuana, ((~~or a~~)) marijuana-infused products, or marijuana concentrate, or consume marijuana, useable marijuana, ((~~or a~~)) marijuana-infused products, or marijuana concentrate, in ((~~view of the general~~)) a public place.

(2) For the purposes of this section, "public place" has the same meaning as defined in RCW 66.04.010, but the exclusions in RCW 66.04.011 do not apply.

(3) A person who violates this section is guilty of a class 3 civil infraction under chapter 7.80 RCW."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5436 Prime Sponsor, Committee on Health Care: Concerning the joint legislative executive committee on aging and disability. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 827.** A new section is added to chapter 74.39A RCW to read as follows:

(1)(a) A joint legislative executive committee on aging and disability is established, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, who are voting members;

(ii) Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members, who are voting members;

(iii) A member from the office of the governor, appointed by the governor, who is a voting member;

(iv) The secretary of the department of social and health services or his or her designee, who shall serve as an ex officio member;

(v) The director of the health care authority or his or her designee, who shall serve as an ex officio member;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) The director of the department of retirement systems or his or her designee, who shall serve as an ex officio member.

(b) The cochairs must be selected from among the members who are legislators. The cochairs who served as the cochairs of the joint legislative executive committee on aging and disability created in section 206, chapter 4, Laws of 2013 2nd sp. sess. must convene the initial meeting of the committee. All meetings of the committee are open to the public.

(c) The purpose of the committee is to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Identify state budget and policy options to more effectively use state, federal, and private resources to, over time, reduce the growth rate in state expenditures that would otherwise occur by continuing current policy in light of significant population growth, particularly in the aging and disabled demographic;

(ii) Identify strategies to better serve the health care needs of an aging population and people with disabilities and promote healthy living, including the use of technology;

(iii) Consider the recommendations of the Bree collaborative regarding advance care planning and develop implementation strategies to educate people about advance care planning, make advance planning documents accessible and available in clinical and community settings, and increase compliance by health care providers and facilities with the advance planning wishes of patients;

(iv) Review the regulation of continuing care retirement communities and ways to protect those who reside in them, including the consideration of effective disclosures to residents;

(v) Identify the needs of older people and people with disabilities for high quality public and private guardianship services and information about assisted decision-making options;

(vi) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation;

(vii) Identify policy options to create financing mechanisms for long-term services and supports that will promote additional private responsibility for individuals and families to meet their needs for

service;

(viii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace

longer, and expand the availability of workplace retirement savings plans; and

(ix) Identify policy options to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(d) The committee shall consult with the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the aging population and people with disabilities.

(e) The office of program research, senate committee services, the office of financial management, and the department of social and health services shall provide staff support for the committee.

(f) Within existing appropriations, the cost of meetings must be paid jointly by the senate, the house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(2) This section expires December 1, 2017."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Rodne and Short.

Passed to Committee on Rules for second reading.

March 26, 2015

ESSB 5441 Prime Sponsor, Committee on Health Care: Addressing patient medication coordination. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 828.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A health benefit plan issued or renewed after December 31, 2015, that provides coverage for prescription drugs must implement a medication synchronization policy for the dispensing of prescription drugs to the plan's enrollees.

(a) If an enrollee requests medication synchronization for a new prescription, the health plan must permit filling the drug: (i) For less than a one-month supply of the drug if synchronization will require more than a fifteen-day supply of the drug; or (ii) for more than a one-month supply of the drug if synchronization will require a fifteen-day supply of the drug or less.

(b) The health plan must establish a daily cost-sharing rate and apply it to a prescription presented to a network pharmacy for a covered drug that is dispensed for more or less than a one-month supply if the drug is in the form of a solid oral dose. This requirement does not apply to: (i) Solid oral doses of antibiotics; or (ii) solid oral doses that are dispensed in their original container or are customarily dispensed in their original packaging to assist patients with compliance.

(c) In the case of a drug that would incur a copayment, the health plan must apply cost-sharing as calculated by multiplying the applicable daily cost-sharing rate by the days' supply actually dispensed when the enrollee receives more or less than a one-month supply. In the case of a drug that would incur a coinsurance percentage, the health plan must apply the coinsurance percentage for the drug to the days' supply actually dispensed.

(2) Upon request of an enrollee, the prescribing provider or pharmacist shall:

(a) Determine that filling or refilling the prescription is in the best interest of the enrollee, taking into account the appropriateness of synchronization for the drug being dispensed;

(b) Inform the enrollee that the prescription will be filled to less than the standard refill amount for the purpose of synchronizing his or her medications; and

(c) Deny synchronization on the grounds of threat to patient safety or suspected fraud or abuse.

(3) For purposes of this section, the following terms have the following meanings unless the context clearly requires otherwise:

(a) "Daily cost-sharing rate" means, as applicable, the established: (i) Monthly copayment under the enrollee's plan, divided by the number of days in a one-month supply for the drug dispensed and rounded to the nearest cent; or (ii) coinsurance percentage under the enrollee's plan.

(b) "Medication synchronization" means the coordination of medication refills for a patient taking two or more medications for a chronic condition such that the patient's medications are refilled on the same schedule for a given time period.

(c) "Prescription" has the same meaning as in RCW 18.64.011.

NEW SECTION. **Sec. 829.** A new section is added to chapter 41.05 RCW to read as follows:

(1) A health benefit plan offered to public employees and their covered dependents under this chapter that is not subject to chapter 48.43 RCW, that is issued or renewed after December 31, 2015, and that provides coverage for prescription drugs must implement a medication synchronization policy for the dispensing of prescription drugs to the plan's enrollees.

(a) If an enrollee requests medication synchronization for a new prescription, the health plan must permit filling the drug: (i) For less than a one-month supply of the drug if synchronization will require more than a fifteen-day supply of the drug; or (ii) for more than a one-month supply of the drug if synchronization will require a fifteen-day supply of the drug or less.

(b) The health plan must establish a daily cost-sharing rate and apply it to a prescription presented to a network pharmacy for a covered drug that is dispensed for more or less than a one-month supply if the drug is in the form of a solid oral dose. This requirement does not apply to: (i) Solid oral doses of antibiotics; or (ii) solid oral doses that are dispensed in their original container or are customarily dispensed in their original packaging to assist patients with compliance.

(c) In the case of a drug that would incur a copayment, the health plan must apply cost-sharing as calculated by multiplying the applicable daily cost-sharing rate by the days' supply actually dispensed when the enrollee receives more or less than a one-month supply. In the case of a drug that would incur a coinsurance percentage, the health plan must apply the coinsurance percentage for the drug to the days' supply actually dispensed.

(2) Upon request of an enrollee, the prescribing provider or pharmacist shall:

(a) Determine that filling or refilling the prescription is in the best interest of the enrollee, taking into account the appropriateness of synchronization for the drug being dispensed;

(b) Inform the enrollee that the prescription will be filled to less than the standard refill amount for the purpose of synchronizing his or her medications; and

(c) Deny synchronization on the grounds of threat to patient safety or suspected fraud or abuse.

(3) For purposes of this section, the following terms have the following meanings unless the context clearly requires otherwise:

(a) "Daily cost-sharing rate" means, as applicable, the established: (i) Monthly copayment under the enrollee's plan, divided by the number of days in a one-month supply for the drug dispensed and rounded to the nearest cent; or (ii) coinsurance percentage under the enrollee's plan.

(b) "Medication synchronization" means the coordination of medication refills for a patient taking two or more medications for a chronic condition such that the patient's medications are refilled on the same schedule for a given time period.

(c) "Prescription" has the same meaning as in RCW 18.64.011."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5448 Prime Sponsor, Committee on Health Care: Requiring a study of the effects long-term antibiotic therapy has on certain Lyme disease patients. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Assistant Ranking Minority Member; Caldier and Short.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Johnson and Rodne.

Passed to Committee on Rules for second reading.

March 26, 2015

E2SSB 5452 Prime Sponsor, Committee on Ways & Means: Improving quality in the early care and education system. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 830.** INTENT. (1) The legislature finds that quality early care and education builds the foundation for a child's success in school and in life. The legislature acknowledges that a quality framework is necessary for the early care and education system in Washington. The legislature recognizes that empirical evidence supports the conclusion that high quality programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children. The legislature acknowledges that critical developmental windows exist in early childhood, and low quality child care has damaging effects for children. The legislature further understands that the proper dosage, duration of programming, and stability of care are critical to enhancing program quality and improving child outcomes. The legislature acknowledges that the early care and education system should strive to address the needs of Washington's culturally and linguistically diverse populations. The legislature understands that parental choice and provider diversity are guiding principles for early learning programs.

(2) The legislature intends to prioritize the integration of child care and preschool in an effort to promote full day programming. The legislature further intends to reward quality and create incentives for providers to participate in a quality rating and improvement system that will also provide valuable information to parents regarding the quality of care available in their communities.

Sec. 831. RCW 43.215.100 and 2013 c 323 s 6 are each amended to read as follows:

EARLY ACHIEVERS, QUALITY RATING, AND IMPROVEMENT SYSTEM.

(1) ((~~Subject to the availability of amounts appropriated for this specific purpose,~~)) The department, in collaboration with tribal governments and community and statewide partners, shall implement a ((~~voluntary~~)) quality rating and improvement system, called the early achievers program((~~, that~~)). The early achievers program provides a foundation of quality for the early care and education system. The early achievers program is applicable to licensed or certified child care centers and homes and early ((~~education~~)) learning programs such as working connections child care and early childhood education and assistance programs.

(2) The ((~~purpose~~)) objectives of the early achievers program ((~~is~~)) are to:

(a) ((~~To~~)) Improve short-term and long-term educational outcomes for children as measured by assessments including, but not limited to, the Washington kindergarten inventory of developing skills in RCW 28A.655.080;

(b) Give parents clear and easily accessible information about the quality of child care and early education programs((~~,~~));

(c) Support improvement in early learning and child care programs throughout the state((~~,~~));

(d) Increase the readiness of children for school((~~, and~~));

(e) Close the ((~~disparity~~)) disparities in access to quality care;

(f) Provide professional development and coaching opportunities to early child care and education providers; and ((~~(b) to~~))

(g) Establish a common set of expectations and standards that define, measure, and improve the quality of early learning and child care settings.

(3)(a) Licensed or certified child care centers and homes serving nonschool age children and receiving state subsidy payments must participate in the early achievers program by the required deadlines established in RCW 43.215.135.

(b) Approved early childhood education and assistance program providers receiving state-funded support must participate in the early achievers program by the required deadlines established in RCW 43.215.415.

(c) Participation in the early achievers program is voluntary for:

(i) Licensed or certified child care centers and homes not receiving state subsidy payments; and

(ii) Early learning programs not receiving state funds.

(d) School age child care providers are exempt from participating in the early achievers program. By July 1, 2017, the department and the office of the superintendent of public instruction shall jointly design a plan to incorporate school age child care providers into the early achievers program or other appropriate quality improvement system. To test implementation of the early achievers system for school age child care providers

the department and the office of the superintendent of public instruction shall implement a pilot program.

(4) ((~~By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and maintain a minimum score level.~~

~~(5) Before final implementation of the early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature.~~)) There are five levels in the early achievers program. Participants are expected to actively engage and continually advance within the program.

(5) The department has the authority to determine the rating cycle for the early achievers program. The department shall streamline and eliminate duplication between early achievers standards and state child care rules in order to reduce costs associated with the early achievers rating cycle and child care licensing.

(a) Early achievers program participants may request to be rated at any time after the completion of all level 2 activities.

(b) The department shall provide an early achievers program participant an update on the participant's progress toward completing level 2 activities after the participant has been enrolled in the early achievers program for fifteen months.

(c) The first rating is free for early achievers program participants.

(d) Each subsequent rating within the established rating cycle is free for early achievers program participants.

(6)(a) Early achievers program participants may request to be rerated outside the established rating cycle.

(b) The department may charge a fee for optional rerating requests made by program participants that are outside the established rating cycle.

(c) Fees charged are based on, but may not exceed, the cost to the department for activities associated with the early achievers program.

(7)(a) The department must create a single source of information for parents and caregivers to access details on a provider's early achievers program rating level, licensing history, and other indicators of quality and safety that will help parents and caregivers make informed choices.

(b) The department shall publish to the department's web site, or offer a link on its web site to, the following information:

(i) By August 1, 2015, early achievers program rating levels 1 through 5 for all child care programs that receive state subsidy, early childhood education and assistance programs, and federal head start programs in Washington; and

(ii) New early achievers program ratings within thirty days after a program becomes licensed or certified, or receives a rating.

(c) The early achievers program rating levels shall be published in a manner that is easily accessible to parents and caregivers and takes into account the linguistic needs of parents and caregivers.

(d) The department must publish early achievers program rating levels for child care programs that do not receive state subsidy but have voluntarily joined the early achievers program.

(e) Early achievers program participants who have published rating levels on the department's web site or on a link on the department's web site may include a brief description of their program, contingent upon the review and approval by the department, as determined by established marketing standards.

(8)(a) The department shall create a professional development pathway for early achievers program participants to obtain a high school diploma or equivalency or higher education credential in early childhood education, early childhood studies, child development, or an academic field related to early care and education.

(b) The professional development pathway must include opportunities for scholarships and grants to assist early achievers program participants with the costs associated with obtaining an educational degree.

(c) The department shall address cultural and linguistic diversity when developing the professional development pathway.

(9) The early achievers quality improvement awards shall be reserved for participants offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy.

(10) In collaboration with tribal governments, community and statewide partners, and the early achievers review subcommittee created in RCW 43.215.090, the department shall develop a protocol for granting early achievers program participants an extension in meeting rating level requirement timelines outlined for the working connections child care program and the early childhood education and assistance program.

(a) The department may grant extensions only under exceptional circumstances, such as when early achievers program participants experience an unexpected life circumstance.

(b) Extensions shall not exceed six months, and early achievers program participants are only eligible for one extension in meeting rating level requirement timelines.

(c) Extensions may only be granted to early achievers program participants who have demonstrated engagement in the early achievers program.

(11)(a) The department shall accept national accreditation that meets the requirements of this subsection (11) as a qualification for the early achievers program ratings.

(b) Each national accreditation agency will be allowed to submit its most current standards of accreditation to establish potential credit earned in the early achievers program. The department shall grant credit to accreditation bodies that can demonstrate that their standards meet or exceed the current early achievers program standards.

(c) Licensed child care centers and child care home providers must meet national accreditation standards approved by the department for the early achievers program in order to be granted credit for the early achievers program standards. Eligibility for the early achievers program is not subject to bargaining, mediation, or interest arbitration under RCW 41.56.028, consistent with the legislative reservation of rights under RCW 41.56.028(4)(d).

(12) A child care or early learning program that is operated by a federally recognized tribe and receives state funds shall participate in the early achievers program. The tribe may choose to participate through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty. The interlocal agreement must provide that:

(a) Tribal child care facilities and early learning programs may volunteer, but are not required, to be licensed by the department;

(b) Tribal child care facilities and early learning programs are not required to have their early achievers program rating level published to the department's web site or through a link on the department's web site; and

(c) Tribal child care facilities and early learning programs must provide notification to parents or guardians who apply for or have been admitted into their program that early achievers program rating level information is available and provide the parents or guardians with the program's early achievers program rating level upon request.

(13) The department shall consult with the early achievers review subcommittee on all substantial policy changes to the early achievers program.

(14) Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs under RCW 41.56.028(4)(d).

NEW SECTION. **Sec. 832.** A new section is added to chapter 43.215 RCW to read as follows:

SINGLE SET OF LICENSING STANDARDS.

(1) No later than July 1, 2016, the department shall implement a single set of licensing standards for child care and the early childhood education and assistance program. The department shall produce the single set of licensing standards within the department's available appropriations. The new licensing standards must:

(a) Provide minimum health and safety standards for child care and preschool programs;

(b) Rely on the standards established in the early achievers program to address quality issues in participating early childhood programs;

(c) Take into account the separate needs of family care providers and child care centers; and

(d) Promote the continued safety of child care settings.

(2) Private schools that operate early learning programs and do not receive state subsidy payments shall be subject only to state licensing requirements necessary to assure the health and safety of all students in the state and to assure a sufficient early childhood education to meet usual requirements needed for transition into elementary school. The state, and any agency thereof, shall not restrict or dictate any specific educational or other programs for early learning programs operated by private schools except for programs that receive state subsidy payments.

Sec. 833. RCW 43.215.200 and 2011 c 359 s 2 and 2011 c 253 s 3 are each reenacted and amended to read as follows:

DIRECTOR'S LICENSING DUTIES.

It shall be the director's duty with regard to licensing:

(1) In consultation and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of child care facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages and other characteristics of the children served, variations in the purposes and services offered or size or structure of the agencies to be licensed, or because of any other factor relevant thereto;

(2) In consultation with the state fire marshal's office, the director shall use an interagency process to address health and safety requirements for child care programs that serve school-age children and are operated in buildings that contain public or private schools that safely serve children during times in which school is in session. For child care programs serving only school-age children and operating in the same facilities used by public or private schools, the director shall not impose additional health and safety licensing requirements related to the physical facility beyond the health and safety standards established by the state board of health for primary and secondary schools pursuant to its authority in RCW 43.20.050;

(3) In consultation and with the advice and assistance of parents or guardians, and persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed under this chapter;

(4) In consultation with law enforcement personnel, the director shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure, and other persons having unsupervised access to children in care;

(5) To satisfy the shared background check requirements provided for in RCW 43.215.215 and 43.20A.710, the department of early learning and the department of social and health services shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person;

(6) To issue, revoke, or deny licenses to agencies pursuant to this chapter. Licenses shall specify the category of care that an agency is authorized to render and the ages and number of children to be served;

(7) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter and to require regular reports from each licensee;

(8) To inspect agencies periodically to determine whether or not there is compliance with this chapter and the requirements adopted under this chapter;

(9) To review requirements adopted under this chapter at least every two years and to adopt appropriate changes after consultation with affected groups for child day care requirements; and

(10) To consult with public and private agencies in order to help them improve their methods and facilities for the care and early learning of children.

NEW SECTION. **Sec. 834.** A new section is added to chapter 43.215 RCW to read as follows:

REDUCTION OF BARRIERS—LOW-INCOME PROVIDERS AND PROGRAMS—EARLY ACHIEVERS.

(1)(a) The department shall, in collaboration with tribal governments and community and statewide partners, implement a protocol to maximize and encourage participation in the early achievers program for culturally diverse and low-income center and family home child care providers. Amounts appropriated for the encouragement of culturally diverse and low-income center and family home child care provider participation shall be appropriated separately from the other funds appropriated for the department, are the only funds that may be used for the protocol, and may not be used for any other purposes. Funds appropriated for the protocol shall be considered an ongoing program for purposes of future departmental budget requests.

(b) During the first thirty months of implementation of the early achievers program the department shall prioritize the resources authorized in this section to assist providers rating at a level 2 in the early achievers program to help them reach a level 3 rating wherever access to subsidized care is at risk.

(2) The protocol should address barriers to early achievers program participation and include at a minimum the following:

(a) The creation of a substitute pool;

(b) The development of needs-based grants for providers at level 2 in the early achievers program to assist with purchasing curriculum development, instructional materials, supplies, and equipment to improve program quality. Priority for the needs-based grants shall be given to culturally diverse and low-income providers;

(c) The development of materials and assessments in a timely manner, and to the extent feasible, in the provider and family home languages; and

(d) The development of flexibility in technical assistance and coaching structures to provide differentiated types and amounts of support to providers based on individual need and cultural context.

Sec. 835. RCW 43.215.135 and 2013 c 323 s 9 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

(1) The department shall establish and implement policies in the working connections child care program to promote stability

and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote ((~~continuity of care for children~~)) stability, quality, and continuity of early care and education programming.

(2) ((~~Beginning in fiscal year 2013,~~)) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months ((~~unless a change in circumstances necessitates reauthorization sooner than twelve months. The twelve-month certification applies only if the enrollments in the child care subsidy or working connections child care program are capped.~~

~~(3) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, working connections child care providers shall receive a five percent increase in the subsidy rate for enrolling in level 2 in the early achievers programs. Providers must complete level 2 and advance to level 3 within thirty months in order to maintain this increase~~)) beginning January 1, 2016.

(3) Existing child care providers serving nonschool age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

Sec. 836. RCW 43.215.1352 and 2012 c 251 s 2 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

When an applicant or recipient applies for or receives working connections child care benefits, ((~~he or she~~)) the applicant or recipient is required to((~~:~~

~~(1)~~)) notify the department of social and health services, within five days, of any change in providers((~~; and~~

~~(2) Notify the department of social and health services, within ten days, about any significant change related to the number of child care hours the applicant or recipient needs, cost sharing, or eligibility~~)).

Sec. 837. RCW 43.215.425 and 1994 c 166 s 6 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) The department shall adopt rules under chapter 34.05 RCW for the administration of the early childhood education and assistance program. Approved early childhood education and assistance programs shall conduct needs assessments of their service area((~~,~~)) and identify any targeted groups of children, to include but not be limited to children of seasonal and migrant farmworkers and native American populations living either on or off reservation((~~, and~~)). Approved early childhood education and assistance programs shall provide to the department a service delivery plan, to the extent practicable, that addresses these targeted populations.

(2) The department, in developing rules for the early childhood education and assistance program, shall consult with the early learning advisory ((~~committee~~)) council, and shall consider such factors as coordination with existing head start and other early childhood programs, the preparation necessary for instructors, qualifications of instructors, adequate space and equipment, and special transportation needs. The rules shall specifically require the early childhood programs to provide for parental involvement in participation with their child's program, in local program policy decisions, in development and revision of service delivery systems, and in parent education and training.

(3)(a) The department shall adopt rules pertaining to the early childhood education and assistance program that outline allowable periods of child absences, required contact with parents or caregivers to discuss child absences and encourage regular attendance, and a de-enrollment procedure when allowable child absences are exceeded. The department shall adopt rules on child absences and attendance within the department's appropriations.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016. The department shall adopt rules on child absences and attendance within the department's appropriations.

(4) The department shall adopt rules requiring early childhood education and assistance program employees who have access to children to submit to a fingerprint background check. Fingerprint background check procedures for the early childhood education and assistance program shall be the same as the background check procedures in RCW 43.215.215.

Sec. 838. RCW 43.215.415 and 1994 c 166 s 5 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Approved early childhood education and assistance programs shall receive state-funded support through the department. Public or private ((~~nonsectarian~~)) organizations((~~,~~)) including, but not limited to, school districts, educational service districts, community and technical colleges, local governments, or nonprofit organizations, are eligible to participate as providers of the state early childhood education and assistance program. ((~~Funds appropriated for the state program shall be used to continue to operate existing programs or to establish new or~~

~~expanded early childhood programs, and shall not be used to supplant federally supported head start programs.~~))

(2) Funds obtained by providers through voluntary grants or contributions from individuals, agencies, corporations, or organizations may be used to expand or enhance preschool programs so long as program standards established by the department are maintained((~~, but shall not be used to supplant federally supported head start programs or state-supported early childhood programs~~)).

(3) Persons applying to conduct the early childhood education and assistance program shall identify targeted groups and the number of children to be served, program components, the qualifications of instructional and special staff, the source and amount of grants or contributions from sources other than state funds, facilities and equipment support, and transportation and personal care arrangements.

(4) Existing early childhood education and assistance program providers must complete the following requirements to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program by August 1, 2015;

(b) Rate at a level 4 or 5 in the early achievers program by January 1, 2016. If an early childhood education and assistance program provider rates below a level 4 by January 1, 2016, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(5) Effective August 1, 2015, a new early childhood education and assistance program provider must complete the requirements in this subsection (5) to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program within thirty days of the start date of the early childhood education and assistance program contract;

(b)(i) Except as provided in (b)(ii) of this subsection, rate at a level 4 or 5 in the early achievers program within twelve months of enrollment. If an early childhood education and assistance program provider rates below a level 4 within twelve months of enrollment, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(ii) Licensed or certified child care centers and homes that administer an early childhood education and assistance program shall rate at a level 4 or 5 in the early achievers program within eighteen months of the start date of the early childhood education and assistance program contract. If an early childhood education and assistance program provider rates below a level 4 within eighteen months, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(6)(a) If an early childhood education and assistance program provider has successfully completed all of the required early achievers program activities and is waiting to be rated by the deadline provided in this section, the provider may continue to participate in the early achievers program as an approved early childhood education and assistance program provider and receive state subsidy pending the successful completion of a level 4 or 5 rating.

(b) To avoid disruption, the department may allow for early childhood education and assistance program providers who have rated below a level 4 after completion of the six-month remedial period to continue to provide services until the current school year is finished.

(7) The department shall collect data periodically to determine the demand for full-day programming for early childhood education and assistance program providers. The department shall analyze this demand by geographic region and shall include the findings in the annual report required under section 17(5) of this act.

(8) By December 1, 2015, the department shall develop a pathway for licensed or certified child care centers and homes to administer an early childhood education and assistance program. The pathway shall include an accommodation for these providers to rate at a level 4 or 5 in the early achievers program according to the timelines and standards established in subsection (5)(b)(ii) of this section.

Sec. 839. RCW 43.215.430 and 2013 c 323 s 7 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

The department shall review applications from public or private ((~~nonsectarian~~)) organizations for state funding of early childhood education and assistance programs. The department shall consider local community needs, demonstrated capacity, and the need to support a mixed delivery system of early learning that includes alternative models for delivery including licensed centers and licensed family child care providers when reviewing applications.

Sec. 840. RCW 43.215.455 and 2010 c 231 s 3 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Beginning September 1, 2011, an early learning program to provide voluntary preschool opportunities for children three and four years of age shall be implemented according to the funding and implementation plan in RCW ((~~43.215.142~~)) 43.215.456. The program must ((~~be~~)) offer a comprehensive program ((~~providing~~)) of early childhood education and family support, ((~~options for~~)) including parental involvement((~~,~~)) and health information, screening, and referral services, ((~~as~~)) based on family need ((~~is determined~~)). Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The ((~~first phase of the~~)) program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.215.400 through 43.215.450.

(3)(a) Beginning in the 2015-16 school year, the program implementation in this section shall prioritize early childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering an extended day program for early care and education;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The director shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.215.100:

(a) Minimum program standards((~~, including lead teacher, assistant teacher, and staff qualifications~~));

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

((~~(4)~~)) (5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the director under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

NEW SECTION. **Sec. 841.** A new section is added to chapter 43.215 RCW to read as follows:

PROGRAM DATA COLLECTION AND EVALUATION.

(1) The education data center established in RCW 43.41.400 must collect longitudinal, student-level data on all children attending an early childhood education and assistance program. Upon completion of an electronic time and attendance record system, the education data center must collect longitudinal, student-level data on all children attending a working connections child care program. Data collected should capture at a minimum the following characteristics:

(a) Daily program attendance;

(b) Identification of classroom and teacher;

(c) Early achievers program quality level rating;

(d) Program hours;

(e) Program duration;

(f) Developmental results from the Washington kindergarten inventory of developing skills in RCW 28A.655.080; and

(g) To the extent data is available, the distinct ethnic categories within racial subgroups of children and providers that align with categories recognized by the education data center.

(2) The department shall provide early learning providers student-level data collected pursuant to this section that are specific to the early learning provider's program. Upon completion of an electronic time and attendance record system identified in subsection (1) of this section, the department shall provide child care providers student-level data that are specific to the child care provider's program.

(3)(a) The department shall review available research and best practices literature on cultural competency in early learning settings. The department shall review the K-12 components for cultural competency developed by the professional educator standards board and identify components appropriate for early learning professional development.

(b) By July 31, 2016, the department shall provide recommendations to the appropriate committees of the legislature and the early learning advisory council on research-based cultural competency standards for early learning professional training.

(4)(a) The Washington state institute for public policy shall conduct a longitudinal analysis examining relationships between the early achievers program quality ratings levels and outcomes for children participating in subsidized early care and education programs.

(b) The institute shall submit the first report to the appropriate committees of the legislature and the early learning advisory council by December 31, 2019. The institute shall submit subsequent reports annually to the appropriate committees of the legislature and the early learning advisory council by December 31st, with the final report due December 31, 2022. The final report shall include a cost-benefit analysis.

(5)(a) The department shall complete an annual early learning program implementation report on the early childhood education and assistance program and the working connections child care program.

(b) The early learning program implementation report must be posted annually on the department's web site and delivered to the appropriate committees of the legislature. The first report is due by December 31, 2015, and the final report is due by December 31, 2019.

(c) The early learning program implementation report must address the following:

(i) Progress on early childhood education and assistance program implementation as required pursuant to RCW 43.215.415, 43.215.425, and 43.215.455;

(ii) An examination of the regional distribution of new preschool programming by zip code;

(iii) An analysis of the impact of preschool expansion on low-income neighborhoods and communities;

(iv) Recommendations to address any identified barriers to access to quality preschool for children living in low-income neighborhoods;

(v) An analysis of any impact from quality strengthening efforts on the availability and quality of infant and toddler care;

(vi) An analysis of any impact of extended day early care and education opportunities directives;

(vii) An examination of any identified barriers for providers to offer extended day early care and education opportunities;

(viii) The number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding;

(ix) An analysis of the demand for full-day programming for early childhood education and assistance program providers required under RCW 43.215.415; and

(x) To the extent data is available, an analysis of the cultural diversity of early childhood education and assistance program providers and participants.

(6) The first annual report due under subsection (5) of this section also shall include a description of the early achievers program extension protocol required under RCW 43.215.100.

NEW SECTION. **Sec. 842.** A new section is added to chapter 43.215 RCW to read as follows:

CONTRACTED CHILD CARE SLOTS AND VOUCHERS.

(1) The department may employ a combination of vouchers and contracted slots for the subsidized child care programs in RCW 43.215.135. Child care vouchers preserve parental choice. Child care contracted slots promote access to continuous quality care for children, provide parents and caregivers stable child care that supports employment, and allow providers to have predictable funding. Any contracted slots the department may create under this section must meet the requirements in subsections (2) through (7) of this section.

(2) Only child care providers who participate in the early achievers program and rate at a level 3, 4, or 5 are eligible to be awarded a contracted slot.

(3)(a) The department is required to use data to calculate a set number of targeted contracted slots. In calculating the number, the department must take into account a balance of family home and center child care programs and the overall geographic distribution of child care programs in the state and the distribution of slots between ages zero and five.

(b) The targeted contracted slots are reserved for programs meeting both of the following conditions:

(i) Programs in low-income neighborhoods; and

(ii) Programs that consist of at least fifty percent of children receiving subsidy pursuant to RCW 43.215.135.

(c) Until August 1, 2017, the department shall assure an even distribution of contracted slots for children birth to age five.

(4) The department shall award the remaining contracted slots via a competitive process and prioritize child care programs with at least one of the following characteristics:

(a) Programs located in a high-need geographic area;

(b) Programs partnering with elementary schools to offer transitional planning and support to children as they advance to kindergarten;

(c) Programs serving children involved in the child welfare system; or

(d) Programs serving children diagnosed with a special need.

(5)(a) The department shall adopt rules pertaining to the working connections child care program for both contracted slots and child care vouchers that outline the following:

(i) Allowable periods of child absences;

(ii) Required contact with parents or caregivers to discuss child absences and encourage regular program attendance; and

(iii) A de-enrollment procedure when allowable child absences are exceeded.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016. The department shall adopt rules on child absences and attendance within the department's appropriations.

(6) The department shall pay a provider for each contracted slot, unless a contracted slot is not used for thirty days.

(7) The department shall include the number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding in the annual report to the legislature required under section 17 of this act.

NEW SECTION. **Sec. 843.** A new section is added to chapter 43.215 RCW to read as follows:

INTEGRATION WITH LOCAL GOVERNMENT EFFORTS.

(1) The foundation of quality in the early care and education system in Washington is the quality rating and improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments.

(2) Local governments are encouraged to collaborate with the department when establishing early learning programs for residents.

(3) Local governments may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming; and

(b) Reductions in copayments charged to parents or caregivers.

(4) Funds contributed to the department by local governments must be deposited in the early start account established in section 16 of this act.

Sec. 844. RCW 43.215.090 and 2012 c 229 s 589 are each amended to read as follows:

EARLY LEARNING ADVISORY COUNCIL.

(1) The early learning advisory council is established to advise the department on statewide early learning issues that would build a comprehensive system of quality early learning programs and services for Washington's children and families by assessing needs and the availability of services, aligning resources, developing plans for data collection and professional development of early childhood educators, and establishing key performance measures.

(2) The council shall work in conjunction with the department to develop a statewide early learning plan that guides the department in promoting alignment of private and public sector actions, objectives, and resources, and ensuring school readiness.

(3) The council shall include diverse, statewide representation from public, nonprofit, and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(4) Councilmembers shall serve two-year terms. However, to stagger the terms of the council, the initial appointments for twelve of the members shall be for one year. Once the initial one-year to two-year terms expire, all subsequent terms shall be for two years, with the terms expiring on June 30th of the applicable year. The terms shall be staggered in such a way that, where possible, the terms of members representing a specific group do not expire simultaneously.

(5) The council shall consist of not more than twenty-three members, as follows:

(a) The governor shall appoint at least one representative from each of the following: The department, the office of financial management, the department of social and health services, the department of health, the student achievement council, and the state board for community and technical colleges;

(b) One representative from the office of the superintendent of public instruction, to be appointed by the superintendent of public instruction;

(c) The governor shall appoint seven leaders in early childhood education, with at least one representative with experience or expertise in one or more of the areas such as the following: The K-12 system, family day care providers, and child care centers with four of the seven governor's appointees made as follows:

(i) The head start state collaboration office director or the director's designee;

(ii) A representative of a head start, early head start, migrant/seasonal head start, or tribal head start program;

(iii) A representative of a local education agency; and

(iv) A representative of the state agency responsible for programs under section 619 or part C of the federal individuals with disabilities education act;

(d) Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively;

(e) Two parents, one of whom serves on the department's parent advisory group, to be appointed by the governor;

(f) One representative of the private-public partnership created in RCW 43.215.070, to be appointed by the partnership board;

(g) One representative designated by sovereign tribal governments; and

(h) One representative from the Washington federation of independent schools.

(6) The council shall be cochaired by one representative of a state agency and one nongovernmental member, to be elected by the council for two-year terms.

(7) The council shall appoint two members and stakeholders with expertise in early learning to sit on the technical working group created in section 2, chapter 234, Laws of 2010.

(8) Each member of the board shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(9)(a) The council shall convene an early achievers review subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of the early achievers program. The review conducted by the subcommittee shall be a part of the annual progress report required in section 17 of this act. At a minimum the review shall address the following:

(i) Adequacy of data collection procedures;

(ii) Coaching and technical assistance standards;

(iii) Progress in reducing barriers to participation for low-income providers and providers from diverse cultural backgrounds, including a review of the early achievers program's rating tools, quality standard areas, and components, and how they are applied;

(iv) Strategies in response to data on the effectiveness of early achievers program standards in relation to providers and children from diverse cultural backgrounds;

(v) Status of the life circumstance exemption protocols; and

(vi) Analysis of early achievers program data trends.

(b) The subcommittee must include consideration of cultural linguistic responsiveness when analyzing the areas for review required by (a) of this subsection.

(c) The subcommittee shall include representatives from child care centers, family child care, the early childhood education and assistance program, contractors for early achievers program technical assistance and coaching, the organization responsible for conducting early achiever program ratings, and parents of children participating in early learning programs, including working connections child care and early childhood education and assistance programs. The subcommittee shall include representatives from diverse cultural and linguistic backgrounds.

(10) The department shall provide staff support to the council.

NEW SECTION. **Sec. 845.** A new section is added to chapter 43.215 RCW to read as follows:

EARLY START ACCOUNT.

The early start account is created in the state treasury. Revenues in the account shall consist of appropriations by the legislature and all other sources deposited into the account. Moneys in the account may only be used after appropriation. Expenditures from the account may be used only to improve the quality of early care and education programming. The department oversees the account.

NEW SECTION. **Sec. 846.** A new section is added to chapter 43.215 RCW to read as follows:

ANNUAL PROGRESS REPORT.

Beginning December 1, 2015, and each December 1st thereafter, the department, in collaboration with the early achievers review subcommittee of the early learning advisory council, shall submit, in compliance with RCW 43.01.036, a progress report to the governor and the legislature regarding providers' progress in the early achievers program. Each progress report must include the following elements:

(1) The number, and relative percentage, of providers by region who have enrolled in early achievers and who have:

(a) Completed the level 2 activities;

(b) Achieved the required rating level to remain eligible for state-funded support under the early childhood education and assistance program or a subsidy under the working connections child care program;

(c) Failed to achieve the required rating level and engaged in remedial activities before successfully achieving the required rating level;

(d) Failed to achieve the required rating level after completing remedial activities; or

(e) Received an extension from the department based on exceptional circumstances pursuant to RCW 43.215.100;

(2) A review of the services available to providers and children from diverse cultural backgrounds;

(3) An examination of the effectiveness of efforts to increase successful participation by providers serving children and families from diverse cultural and linguistic backgrounds and providers who serve children from low-income households;

(4) A description of the primary obstacles and challenges faced by providers who have not achieved the required rating level to remain eligible to receive:

(a) A subsidy under the working connections child care program; or

(b) State-funded support under the early childhood education and assistance program;

(5) A summary of the types of exceptional circumstances for which the department has granted an extension pursuant to RCW 43.215.100;

(6) To the extent data is available, an analysis of the distribution of early achievers program rated facilities in relation to child and provider demographics, including but not limited to race and ethnicity, home language, and geographical location;

(7) Recommendations for improving access for children from diverse cultural backgrounds to providers rated at a level 3 or higher in the early achievers program; and

(8) Recommendations for improving the early achievers program standards.

Sec. 847. RCW 43.215.010 and 2013 c 323 s 3 and 2013 c 130 s 1 are each reenacted and amended to read as follows:

DEFINITIONS.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools that are engaged primarily in early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school((-))age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) Any entity that provides recreational or educational programming for school((-))age((d)) children only and the entity meets all of the following requirements:

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and

(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early childhood education and assistance program contractor" means an organization that provides early childhood education and assistance program services under a signed contract with the department.

(9) "Early childhood education and assistance program provider" means an organization that provides site level, direct, and high quality early childhood education and assistance program services under the direction of an early childhood education and assistance program contractor.

(10) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100;

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(((9))) (11) "Education data center" means the education data center established in RCW 43.41.400, commonly referred to as the education research and data center.

(12) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(((10))) (13) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

(((11))) (14) "Extended day program" means an early childhood education and assistance program that offers early learning education for at least ten hours per day, a minimum of two thousand hours per year, at least four days per week, and operates year round.

(15) "Full day program" means an early childhood education and assistance program that offers early learning education for a minimum of one thousand hours per year.

(16) "Low-income child care provider" means a person who administers a child care program that consists of at least eighty percent of children receiving working connections child care subsidy.

(17) "Low-income neighborhood" means a district or community where more than twenty percent of households are below the federal poverty level.

(18) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(((12))) (19) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(((13))) (20) "Nonschool age child" means a child who is age six years or younger and who is not enrolled in a public or private school.

(21) "Part day program" means an early childhood education and assistance program that offers early learning education for at least two and one-half hours per class session, at least three hundred twenty hours per year, for a minimum of thirty weeks per year.

(22) "Private school" means a private school approved by the state under chapter 28A.195 RCW.

(23) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(((14))) (24) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(((15))) (25) "School age child" means a child who is between the ages of five years and twelve years and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

(26) "Washington state preschool program" means an education program for children three-to-five years of age who have

not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. **Sec. 848.** A new section is added to chapter 43.215 RCW to read as follows:

JOINT SELECT COMMITTEE ON THE EARLY ACHIEVERS PROGRAM.

(1)(a) A joint select committee on the early achievers program is established with members as provided in this subsection.

(i) Chair and ranking minority member of the house of representatives appropriations committee, or his or her designee;

(ii) Chair and ranking minority member of the senate ways and means committee, or his or her designee;

(iii) Chair and ranking minority member of the house of representatives early learning and human services committee, or his or her designee; and

(iv) Chair and ranking minority member of the senate early learning and K-12 education committee, or his or her designee.

(b) The committee shall choose its chair or cochairs from among its legislative membership. The chair of the house of representatives appropriations committee, or his or her designee, and the chair of the senate ways and means committee, or his or her designee, shall convene the initial meeting of the committee.

(2) Between July 1, 2017, and December 1, 2017, the early achievers joint select committee shall review the demand and availability of licensed or certified child care family homes and centers, approved early childhood education and assistance programs, head start programs, and family, friend, and neighbor caregivers by geographic region, including rural and low-income areas. This review shall specifically look at the following:

(a) The geographic distribution of these child care programs by type of program, programs that accept state subsidy, enrollment in the early achievers program, and early achievers rating levels; and

(b) The demand and availability of these child care programs for major ethnic populations.

(3) By December 1, 2017, the early achievers joint select committee shall make recommendations to the legislature on the following:

(a) The sufficiency of funding provided for the early achievers program;

(b) The need for targeted funding for specific geographic regions or major ethnic populations; and

(c) Whether to modify the deadlines established in RCW 43.215.135 for purposes of the early achievers program mandate established in RCW 43.215.100.

(4) Staff support for the committee must be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The committee shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2017.

(8) This section expires December 1, 2018.

NEW SECTION. **Sec. 849.** REPEALER. 2013 2nd sp.s. c 16 s 2 (uncodified) is repealed.

NEW SECTION. **Sec. 850.** A new section is added to chapter 43.215 RCW to read as follows:

SHORT TITLE.

Chapter . . ., Laws of 2015 (this act) may be known and cited as the early start act.

NEW SECTION. **Sec. 851.** EFFECTIVE DATE. Section 7 of this act takes effect January 1, 2016.

NEW SECTION. **Sec. 852.** NULL AND VOID. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Dent; Hawkins; Kilduff; Ortiz-Self; Sawyer and Senn.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and McCaslin.

Referred to Committee on Appropriations.

March 26, 2015

ESSB 5498 Prime Sponsor, Committee on Law & Justice: Revising the uniform interstate family support act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member and Haler.

Passed to Committee on Rules for second reading.

March 26, 2015

ESSB 5557 Prime Sponsor, Committee on Health Care: Addressing services provided by pharmacists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 853.** A new section is added to chapter 48.43 RCW to read as follows:

For health plans issued or renewed on or after January 1, 2017, benefits shall not be denied for any health care service performed by a pharmacist licensed under chapter 18.64 RCW if (1) the service performed was within the lawful scope of such person's license; (2) the plan would have provided benefits if the service had been performed by a physician licensed under chapter 18.71 or 18.57 RCW, an advanced registered nurse practitioner licensed under chapter 18.79 RCW, or a physician's assistant licensed under chapter 18.71A or 18.57A RCW; and (3) the pharmacist is included in the plan's network of participating providers. The participation of pharmacies in the plan network's drug benefit does not satisfy the requirement that plans include pharmacists in their networks of participating medical providers. This section does not supersede the requirements of RCW 48.43.045.

Sec. 854. RCW 48.43.045 and 2007 c 253 s 12 are each amended to read as follows:

(1) Every health plan delivered, issued for delivery, or renewed by a health carrier on and after January 1, 1996, shall:

(a) Permit every category of health care provider to provide health services or care ((~~for conditions~~)) included in the ((~~basic~~

~~health plan services~~)) essential health benefits benchmark plan established by the commissioner consistent with RCW 48.43.715, to the extent that:

(i) The provision of such health services or care is within the health care providers' permitted scope of practice; ((~~and~~))

(ii) The providers agree to abide by standards related to:

(A) Provision, utilization review, and cost containment of health services;

(B) Management and administrative procedures; and

(C) Provision of cost-effective and clinically efficacious health services; and

(iii) The plan covers such services or care in the essential health benefits benchmark plan. The reference to the essential health benefits does not create a mandate to cover a service that is otherwise not a covered benefit.

(b) Annually report the names and addresses of all officers, directors, or trustees of the health carrier during the preceding year, and the amount of wages, expense reimbursements, or other payments to such individuals, unless substantially similar information is filed with the commissioner or the national association of insurance commissioners. This requirement does not apply to a foreign or alien insurer regulated under chapter 48.20 or 48.21 RCW that files a supplemental compensation exhibit in its annual statement as required by law.

(2) The requirements of subsection (1)(a) of this section do not apply to a licensed health care profession regulated under Title 18 RCW when the licensing statute for the profession states that such requirements do not apply."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Caldier.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5591 Prime Sponsor, Committee on Government Operations & Security: Allowing emergency medical services to develop community assistance referral and education services programs. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier and Short.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5606 Prime Sponsor, Senator Jayapal: Modifying provisions related to licensing and scope of practice for dental professionals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5647 Prime Sponsor, Senator Conway: Allowing counties to create guardianship courthouse facilitator programs. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 855.** A new section is added to chapter 11.88 RCW to read as follows:

A county may create a guardianship courthouse facilitator program to provide basic services to pro se litigants in guardianship cases. The legislative authority of any county may impose user fees or may impose a surcharge of up to twenty dollars, or both, on superior court cases filed under chapters 11.88, 11.90, 11.92, and 73.36 RCW to pay for the expenses of the guardianship courthouse facilitator program. Fees collected under this section shall be collected and deposited in the same manner as other county funds are collected and deposited, and shall be maintained in a separate guardianship courthouse facilitator account to be used as provided in this section."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5658 Prime Sponsor, Senator Dansel: Concerning the role of parties in cases related to certain notices and records. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

On page 3, beginning on line 21, strike all of sections 2 and 3 Renumber the remaining sections consecutively and correct internal references accordingly. Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5662 Prime Sponsor, Senator Kohl-Welles: Authorizing a licensed domestic brewery or microbrewery to provide promotional items to a nonprofit charitable

corporation or association. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 25, 2015

SB 5761 Prime Sponsor, Senator Pearson: Providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass as amended.

On page 2, line 27, after "(3)" insert ""Former manufacturing facility" means an improvement used primarily for manufacturing activities at any time, provided that the property was zoned for manufacturing activities at the time of use and the use occurred more than sixty months prior to the submission of an application under this chapter.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 4, after "undeveloped" insert "or underutilized"

On page 3, line 9, after "Undeveloped" strike "or underutilized"

On page 3, after line 12, insert the following:

"(10) "Underutilized" means that the property or portions of the property targeted for new or expanded industrial or manufacturing uses:

(a) Includes a former manufacturing facility; or

(b) Is designated, in whole or in part, as a brownfield under RCW 70.105D.020; or

(c) Is improved by new construction of industrial/manufacturing facilities qualifying under this chapter such that the improvement increases the assessed property value, including the land and improvements, by fifty percent or more than the assessed property value before the new construction."

Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Hudgins; Magendanz; Nealey; Ryu; Santos and Wylie.

Referred to Committee on Finance.

March 26, 2015

SB 5779 Prime Sponsor, Senator Parlette: Reducing penalties applied to regional support networks and behavioral health organizations. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 856.** RCW 71.24.310 and 2013 2nd sp.s. c 4 s 994 are each amended to read as follows:

The legislature finds that administration of chapter 71.05 RCW and this chapter can be most efficiently and effectively implemented as part of the regional support network defined in RCW 71.24.025. For this reason, the legislature intends that the department and the regional support networks shall work together to implement chapter 71.05 RCW as follows:

(1) By June 1, 2006, regional support networks shall recommend to the department the number of state hospital beds that should be allocated for use by each regional support network. The statewide total allocation shall not exceed the number of state hospital beds offering long-term inpatient care, as defined in this chapter, for which funding is provided in the biennial appropriations act.

(2) If there is consensus among the regional support networks regarding the number of state hospital beds that should be allocated for use by each regional support network, the department shall contract with each regional support network accordingly.

(3) If there is not consensus among the regional support networks regarding the number of beds that should be allocated for use by each regional support network, the department shall establish by emergency rule the number of state hospital beds that are available for use by each regional support network. The emergency rule shall be effective September 1, 2006. The primary factor used in the allocation shall be the estimated number of adults with acute and chronic mental illness in each regional support network area, based upon population-adjusted incidence and utilization.

(4) The allocation formula shall be updated at least every three years to reflect demographic changes, and new evidence regarding the incidence of acute and chronic mental illness and the need for long-term inpatient care. In the updates, the statewide total allocation shall include (a) all state hospital beds offering long-term inpatient care for which funding is provided in the biennial appropriations act; plus (b) the estimated equivalent number of beds or comparable diversion services contracted in accordance with subsection (5) of this section.

(5) The department is encouraged to enter performance-based contracts with regional support networks to provide some or all of the regional support network's allocated long-term inpatient treatment capacity in the community, rather than in the state hospital. The performance contracts shall specify the number of patient days of care available for use by the regional support network in the state hospital.

(6) If a regional support network uses more state hospital patient days of care than it has been allocated under subsection (3) or (4) of this section, or than it has contracted to use under subsection (5) of this section, whichever is less, it shall reimburse the department for that care, except during the period of July 1, 2012, through December 31, 2013, where reimbursements may be temporarily altered per section 204, chapter 4, Laws of 2013 2nd sp. sess. The reimbursement rate per day shall be one-half of the hospital's total annual budget for long-term inpatient care, divided by the total patient days of care assumed in development of that budget.

(7) ((~~One-half of~~)) Any reimbursements received pursuant to subsection (6) of this section shall be ((~~used to support the cost of operating the state hospital and, during the 2007-2009 fiscal biennium, implementing new services that will enable a regional support network to reduce its utilization of the state hospital. The department shall distribute the remaining half of such reimbursements~~)) distributed among regional support networks that have used less than their allocated or contracted patient days of care at that hospital, proportional to the number of patient days of care not used.

Sec. 857. 2014 c 225 s 1 (uncodified) is amended to read as follows:

(1)(a) Beginning April 1, 2014, the legislature shall convene a task force to examine reform of the adult behavioral health system, with voting members as provided in this subsection.

(i) The president of the senate shall appoint one member and one alternate member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternate member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint three members consisting of the secretary of the department of social and health services or the secretary's designee, the director of the health care authority or the director's designee, and a representative of the governor.

(iv) The Washington state association of counties shall appoint three members.

(v) The governor shall request participation by a representative of tribal governments.

(b) The task force shall choose two cochairs from among its legislative members.

(c) The task force shall adopt a bottom-up approach and welcome input and participation from all stakeholders interested in the improvement of the adult behavioral health system. To that end, the task force must invite participation from, at a minimum, the following: The department of commerce, the department of corrections, the office of financial management, behavioral health service recipients and their families; local government; representatives of regional support networks; representatives of county coordinators; law enforcement; city and county jails; tribal representatives; behavioral health service providers; housing providers; labor representatives; counties with state hospitals; mental health advocates; chemical dependency advocates; public defenders with involuntary mental health commitment or mental health court experience; chemical dependency experts working with drug courts; medicaid managed care plan and associated delivery system representatives; long-term care service providers; the Washington state hospital association; and individuals with expertise in evidence-based and research-based behavioral health service practices. Leadership of subcommittees formed by the task force may be drawn from this body of invited participants.

(2) The task force shall undertake a systemwide review of the adult behavioral health system and make recommendations for reform concerning, but not limited to, the following:

(a) The means by which services are purchased and delivered for adults with mental illness and chemical dependency disorders through the department of social and health services and the health care authority, including:

(i) Guidance for the creation of common regional service areas for purchasing behavioral health services and medical care services by the department of social and health services and the health care authority, taking into consideration any proposal submitted by the Washington state association of counties under RCW 43.20A.893;

(ii) Identification of key issues which must be addressed by the department of social and health services to accomplish the integration of chemical dependency purchasing primarily with managed care contracts by April 1, 2016, under RCW 71.24.380, including review of the results of any available actuarial study to establish provider rates;

(iii) Strategies for moving towards full integration of medical and behavioral health services by January 1, 2020, and identification of key issues that must be addressed by the health care authority and the department of social and health services in furtherance of this goal;

(iv) By August 1, 2014, a review of performance measures and outcomes developed pursuant to RCW 43.20A.895 and chapter 70.320 RCW;

(v) Review criteria developed by the department of social and health services and the health care authority concerning submission of detailed plans and requests for early adoption of fully integrated purchasing and incentives under RCW 71.24.380;

(vi) Whether a statewide behavioral health ombuds office should be created;

(vii) Whether the state chemical dependency program should be mandated to provide twenty-four hour detoxification services, medication-assisted outpatient treatment, or contracts for case management and residential treatment services for pregnant and parenting women;

(viii) Review legal, clinical, and technological obstacles to sharing relevant health care information related to mental health, chemical dependency, and physical health across practice settings; ((~~and~~))

(ix) Review the extent and causes of variations in commitment rates in different jurisdictions across the state; and

(x) Identify options to promote the most appropriate use of long-term inpatient treatment capacity at the state hospitals, including options to promote the effective use of state hospitals and encourage appropriate cooperation among behavioral health organizations;

(b) Availability of effective means to promote recovery and prevent harm associated with mental illness and chemical dependency;

(c) Availability of crisis services, including boarding of mental health patients outside of regularly certified treatment beds;

(d) Best practices for cross-system collaboration between behavioral health treatment providers, medical care providers, long- term care service providers, entities providing health home services to high-risk medicaid clients, law enforcement, and criminal justice agencies;

(e) Public safety practices involving persons with mental illness and chemical dependency with forensic involvement.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report initial findings and recommendations to the governor and the appropriate committees of the legislature in a preliminary report by December 15, 2014, and a final report by December 15, 2015. Recommendations under subsection (2)(a)(i) of this section must be submitted to the governor by September 1, 2014.

(7) This section expires July 1, 2016.

NEW SECTION. **Sec. 858.** Section 1 of this act expires April 1, 2016."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 26, 2015

ESSB 5857 Prime Sponsor, Committee on Ways & Means: Addressing registration and regulation of pharmacy benefit managers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 859.** RCW 19.340.030 and 2014 c 213 s 2 are each amended to read as follows:

(1) To conduct business in this state, a pharmacy benefit manager must register with the ((~~department of revenue's business licensing service~~)) office of the insurance commissioner and annually renew the registration.

(2) To register under this section, a pharmacy benefit manager must:

(a) Submit an application requiring the following information:

(i) The identity of the pharmacy benefit manager;

(ii) The name, business address, phone number, and contact person for the pharmacy benefit manager; and

(iii) Where applicable, the federal tax employer identification number for the entity; and

(b) Pay a registration fee ((~~of two hundred dollars~~)) established in rule by the commissioner. The registration fee must be set to allow the registration and oversight activities to be self-supporting.

(3) To renew a registration under this section, a pharmacy benefit manager must pay a renewal fee ((~~of two hundred dollars~~)) established in rule by the commissioner. The renewal fee must be set to allow the renewal and oversight activities to be self-supporting.

(4) All receipts from registrations and renewals collected by the ((~~department~~)) commissioner must be deposited into the ((~~business license account created in RCW 19.02.210~~)) insurance commissioner's regulatory account created in RCW 48.02.190.

NEW SECTION. **Sec. 860.** A new section is added to chapter 19.340 RCW to read as follows:

(1) The commissioner shall have enforcement authority over this chapter and shall have authority to render a binding decision in any dispute between a pharmacy benefit manager, or third-party administrator of prescription drug benefits, and a pharmacy arising out of an appeal regarding drug pricing and reimbursement.

(2) Any person, corporation, or third-party administrator of prescription drug benefits, pharmacy benefit manager, or business entity which violates any provision of this chapter shall be subject to a civil penalty in the amount of one thousand dollars for each act in violation of this chapter or, if the violation was knowing and willful, a civil penalty of five thousand dollars for each violation of this chapter.

Sec. 861. RCW 19.340.010 and 2014 c 213 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(2) "Commissioner" means the insurance commissioner established in chapter 48.02 RCW.

(3) "Insurer" has the same meaning as in RCW 48.01.050.

(((~~(3)~~))) (4) "Pharmacist" has the same meaning as in RCW 18.64.011.

(((~~(4)~~))) (5) "Pharmacy" has the same meaning as in RCW 18.64.011.

(((~~(5)~~))) (6)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of an insurer, a third-party payor, or the prescription drug purchasing consortium established under RCW 70.14.060 to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(iii) Negotiate rebates with manufacturers for drugs paid for or procured as described in this subsection.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

(((~~(6)~~))) (7) "Third-party payor" means a person licensed under RCW 48.39.005.

Sec. 862. RCW 19.340.100 and 2014 c 213 s 10 are each amended to read as follows:

(1) As used in this section:

(a) "Denial" of an appeal includes failing to reimburse a pharmacy or pharmacist and reimbursing a pharmacy or pharmacist for less than the amount that the pharmacy or pharmacist paid to the supplier of the drug.

(b) "List" means the list of drugs for which maximum allowable costs have been established.

(((~~(b)~~))) (c) "Maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a drug.

(((~~(c)~~))) (d) "Multiple source drug" means a therapeutically equivalent drug that is available from at least two manufacturers.

(((~~(d)~~))) (e) "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

(((~~(e)~~))) (f) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless ((~~are is [there are]~~)) there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall ensure that all drugs on a list are ((~~generally~~)) readily available for purchase by community retail pharmacies in this state from national or regional wholesalers that serve community retail pharmacies in Washington;

(c) Shall ensure that all drugs on a list are not obsolete;

(d) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the maximum allowable cost pricing of the pharmacy benefit manager;

(e) Shall make a list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

(f) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

(g) Shall ensure that dispensing fees are not included in the calculation of maximum allowable cost.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy may appeal its reimbursement for a drug subject to maximum allowable cost pricing. A network pharmacy may appeal a maximum allowable cost if the reimbursement for the drug is less than the net amount that the network pharmacy paid to the supplier of the drug. The pharmacy benefit manager shall reimburse the pharmacy or pharmacist the amount that the pharmacy or pharmacist paid to the supplier of the drug if the pharmacy or pharmacist can demonstrate that it is unable to purchase a therapeutically equivalent interchangeable product from its supplier at the pharmacy benefit manager's list price. An appeal requested under this section must be completed

within thirty calendar days of the pharmacy making the claim for which an appeal has been requested.

(4) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an individual who is responsible for processing appeals;

(b) A final response to an appeal of a maximum allowable cost within seven business days; and

(c) If the appeal is denied, the reason for the denial and the national drug code of a drug that may be purchased by similarly situated pharmacies at a price that is equal to or less than the maximum allowable cost.

(5)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make an adjustment on a date no later than one day after the date of determination. The pharmacy benefit manager shall make the adjustment effective for all similarly situated pharmacies in this state that are within the network.

(b) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment approved under (a) of this subsection shall apply only to critical access pharmacies.

(6) If a pharmacy appeal to the pharmacy benefit manager is denied, the pharmacy or pharmacist may dispute the denial and request review by the commissioner.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment, deny the pharmacy appeal, or take other actions deemed fair and equitable.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(7) This section does not apply to the state medical assistance program.

NEW SECTION. **Sec. 863.** A new section is added to chapter 48.02 RCW to read as follows:

(1) The commissioner shall accept registration of pharmacy benefit managers as established in RCW 19.340.030 and receipts shall be deposited in the insurance commissioner's regulatory account.

(2) The commissioner shall have enforcement authority over chapter 19.340 RCW consistent with requirements established in section 2 of this act.

(3) The commissioner may write rules to implement chapter 19.340 RCW and to establish registration and renewal fees that ensure the registration, renewal, and oversight activities are self-supporting.

NEW SECTION. **Sec. 864.** The joint select committee on health care oversight must convene a stakeholder work group comprised of participants in the prescription drug delivery chain, including pharmacy benefit managers, drug manufacturers, wholesalers, pharmacy service administrative organizations, pharmacies, health plans, and other payors. The work group assignments may include, but are not limited to the following:

(1) Review the entire drug supply chain including plan and pharmacy benefit manager reimbursements to independent pharmacies, wholesaler or pharmacy service administrative organization price to independent pharmacies, and drug manufacturer prices to independent pharmacies;

(2) Discuss suggestions that recognize the unique nature of small retail pharmacies and possible options that support a viable business model that do not increase the cost of pharmacy products;

(3) Review the availability of all drugs on the list and list prices for community retail pharmacies;

(4) Review the phone contacts and standards for response times and availability;

(5) Review the pharmacy acquisition cost from national or regional wholesalers that serve community retail pharmacies in Washington, and consider when or whether to make an adjustment and under what standards. The review may assess the timing of pharmacy purchases of products and the relative risk of list price changes related to the timing of dispensing the products; and

(6) The work group must provide periodic updates to the joint select committee on health care oversight.

NEW SECTION. **Sec. 865.** Section 1 of this act takes effect January 1, 2016."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne.

Referred to Committee on Appropriations.

March 26, 2015

SSB 5870 Prime Sponsor, Committee on Health Care: Protecting youth from aversive mental health therapies. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 866.** The legislature intends to regulate the professional conduct of licensed health care providers with respect to performing aversive mental health therapies, including conversion therapy, on patients under the age of eighteen. This includes, but is not limited to, aversive efforts that seek to change an individual's sexual orientation, that seek to stop an individual from using tobacco products, or that seek to stop an individual from using alcohol, prescription drugs, or other controlled substances.

Sec. 867. RCW 18.130.020 and 2008 c 134 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aversive mental health therapy" means aversion therapy and conversion therapy.

(2) "Aversion therapy" means a practice, treatment, or therapy involving electrical shock, extreme temperatures, prolonged isolation, chemically induced nausea or vomiting, assault as defined in chapter 9A.36 RCW, or other procedures intending to cause pain, discomfort, or unpleasant sensations to the client or patient. "Aversion therapy" does not include practices, treatments, or therapies that are within the standards of practice for license holders under this chapter as provided in department rules.

(3) "Board" means any of those boards specified in RCW 18.130.040.

((~~(2)~~)) (4) "Clinical expertise" means the proficiency or judgment that a license holder in a particular profession acquires through clinical experience or clinical practice and that is not possessed by a lay person.

(((~~(3)~~))) (5) "Commission" means any of the commissions specified in RCW 18.130.040.

(((~~(4)~~))) (6) "Conversion therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

(7) "Department" means the department of health.

(((~~(5)~~))) (8) "Disciplinary action" means sanctions identified in RCW 18.130.160.

(((~~(6)~~))) (9) "Disciplining authority" means the agency, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of this chapter or a chapter specified under RCW 18.130.040.

(((~~(7)~~))) (10) "Health agency" means city and county health departments and the department of health.

(((~~(8)~~))) (11) "License," "licensing," and "licensure" shall be deemed equivalent to the terms "license," "licensing," "licensure," "certificate," "certification," and "registration" as those terms are defined in RCW 18.120.020.

(((~~(9)~~))) (12) "Practice review" means an investigative audit of records related to the complaint, without prior identification of specific patient or consumer names, or an assessment of the conditions, circumstances, and methods of the professional's practice related to the complaint, to determine whether unprofessional conduct may have been committed.

(((~~(10)~~))) (13)(a) "Prohibited aversive mental health therapy" means any aversive mental health therapy performed on a patient under the age of eighteen.

(14) "Secretary" means the secretary of health or the secretary's designee.

(((~~(11)~~))) (15) "Standards of practice" means the care, skill, and learning associated with the practice of a profession.

(((~~(12)~~))) (16) "Unlicensed practice" means:

(a) Practicing a profession or operating a business identified in RCW 18.130.040 without holding a valid, unexpired, unrevoked, and unsuspended license to do so; or

(b) Representing to a consumer, through offerings, advertisements, or use of a professional title or designation, that the individual is qualified to practice a profession or operate a business identified in RCW 18.130.040, without holding a valid, unexpired, unrevoked, and unsuspended license to do so.

Sec. 868. RCW 18.130.180 and 2010 c 9 s 5 are each amended to read as follows:

The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) Except when authorized by RCW 18.130.345, the possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The procuring, or aiding or abetting in procuring, a criminal abortion;

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(20) The willful betrayal of a practitioner-patient privilege as recognized by law;

(21) Violation of chapter 19.68 RCW;

(22) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(23) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(24) Abuse of a client or patient or sexual contact with a client or patient;

(25) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(26) Performing any prohibited aversive mental health therapy on a patient."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member Harris, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne and Short.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5877 Prime Sponsor, Committee on Health Care: Concerning due process for adult family home licensees. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 869.** RCW 70.128.160 and 2013 c 300 s 4 are each amended to read as follows:

(1) The department is authorized to take one or more of the actions listed in subsection (2) of this section in any case in which the department finds that an adult family home provider has:

(a) Failed or refused to comply with the requirements of this chapter or the rules adopted under this chapter;

(b) Operated an adult family home without a license or under a revoked license;

(c) Knowingly or with reason to know made a false statement of material fact on his or her application for license or any data attached thereto, or in any matter under investigation by the department; or

(d) Willfully prevented or interfered with any inspection or investigation by the department.

(2) When authorized by subsection (1) of this section, the department may take one or more of the following actions:

(a) Refuse to issue a license;

(b) Impose reasonable conditions on a license, such as correction within a specified time, training, and limits on the type of clients the provider may admit or serve;

(c) Impose civil penalties of at least one hundred dollars per day per violation;

(d) Impose civil penalties of up to three thousand dollars for each incident that violates adult family home licensing laws and rules, including, but not limited to, chapters 70.128, 70.129, 74.34, and 74.39A RCW and related rules. Each day upon which the same or substantially similar action occurs is a separate violation subject to the assessment of a separate penalty;

(e) Impose civil penalties of up to ten thousand dollars for a current or former licensed provider who is operating an unlicensed home;

(f) Suspend, revoke, or refuse to renew a license; or

(g) Suspend admissions to the adult family home by imposing stop placement.

(3) When the department orders stop placement, the facility shall not admit any person until the stop placement order is terminated. The department may approve readmission of a resident to the facility from a hospital or nursing home during the stop placement. The department shall terminate the stop placement only after: (a) The violations necessitating the stop placement have been corrected; and (b) the provider exhibits the capacity to maintain correction of the violations previously found deficient. However, if upon the revisit the department finds new violations that the department reasonably believes will result in a new stop placement, the previous stop placement shall remain in effect until the new stop placement is imposed. In order to protect the home's existing residents from potential ongoing neglect, when the provider has been cited for a violation that is repeated, uncorrected, pervasive, or presents a threat to the health, safety, or welfare of one or more residents, and the department has imposed a stop placement, the department shall also impose a condition on license or other remedy to facilitate or spur prompter compliance if the violation has not been corrected, and the provider has not exhibited the capacity to maintain correction, within sixty days of the stop placement.

(4) Nothing in subsection (3) of this section is intended to apply to stop placement imposed in conjunction with a license revocation or summary suspension or to prevent the department from imposing a condition on license or other remedy prior to sixty days after a stop placement, if the department considers it necessary to protect one or more residents' well-being. After a department finding of a violation for which a stop placement has been imposed, the department shall make an on-site revisit of the provider within fifteen working days from the request for revisit, to ensure correction of the violation. For violations that are serious or recurring or uncorrected following a previous citation, and create actual or threatened harm to one or more residents' well-being, including violations of residents' rights, the department shall make an on-site revisit as soon as appropriate to ensure correction of the violation. Verification of correction of all other violations may be made by either a department on-site revisit or by written or photographic documentation found by the department to be credible. This subsection does not prevent the department from enforcing license suspensions or revocations. Nothing in this

subsection shall interfere with or diminish the department's authority and duty to ensure that the provider adequately cares for residents, including to make departmental on-site revisits as needed to ensure that the provider protects residents, and to enforce compliance with this chapter.

(5) Chapter 34.05 RCW applies to department actions under this section, except that orders of the department imposing license suspension, stop placement, or conditions for continuation of a license are effective immediately upon notice and shall continue in effect pending ((~~any~~)) a hearing, which must commence no later than sixty days after receipt of a request for a hearing. The time for commencement of a hearing may be extended by agreement of the parties or by the presiding officer for good cause shown by either party, but must commence no later than one hundred twenty days after receipt of a request for a hearing.

(6) A separate adult family home account is created in the custody of the state treasurer. All receipts from civil penalties imposed under this chapter must be deposited into the account. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The department shall use the special account only for promoting the quality of life and care of residents living in adult family homes.

(7) The department shall by rule specify criteria as to when and how the sanctions specified in this section must be applied. The criteria must provide for the imposition of incrementally more severe penalties for deficiencies that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. The criteria shall be tiered such that those homes consistently found to have deficiencies will be subjected to increasingly severe penalties. The department shall implement prompt and specific enforcement remedies without delay for providers found to have delivered care or failed to deliver care resulting in problems that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. In the selection of remedies, the health, safety, and well-being of residents must be of paramount importance."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 26, 2015

ESSB 5884 Prime Sponsor, Committee on Law & Justice: Concerning the trafficking of persons. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 870.** (1) The legislature has long been committed to increasing access to support services for human trafficking victims and promoting awareness of human trafficking throughout Washington state. In 2002, Washington was the first state to work on human trafficking by enacting new laws and by creating an antitrafficking task force. In 2003, Washington was the first state to enact a law making human trafficking a crime.

Since 2002, the Washington state legislature has enacted thirty-eight laws to combat human trafficking. In 2013 and 2014, Washington received top marks from two leading nongovernmental organizations for the strength of its antitrafficking laws. The polaris project gave Washington a perfect score of ten and Washington received an "A" report card from shared hope international's protected innocence challenge. In light of the 2010 winter olympic games taking place in Vancouver, British Columbia, the legislature enacted RCW 47.38.080, permitting an approved nonprofit to place informational human trafficking posters in restrooms located in rest areas along Interstate 5. Sporting events, such as the winter olympic games or the upcoming 2015 United States open golf tournament at Chambers Bay, provide lucrative opportunities for human traffickers to exploit adults and children for labor and sexual services. The legislature finds that an effective way to combat human trafficking is to increase awareness of human trafficking for both victims and the general public alike as well as who and how to contact for help and support services, for both victims and the general public alike.

(2) Human trafficking data are primarily obtained through a hotline reporting system in which victims and witnesses can report cases of human trafficking over the phone. Since 2007, there have been one thousand eight hundred fifty human trafficking calls made through the human trafficking victim hotline system in Washington state, and a total of four hundred thirty-two human trafficking cases reported. It is the intent of the legislature to facilitate an even wider scope of communication with human trafficking victims and witnesses by requiring human trafficking information to be posted in all public restrooms.

NEW SECTION. **Sec. 871.** A new section is added to chapter 7.68 RCW to read as follows:

(1) The office of crime victims advocacy is designated as the single point of contact in state government regarding the trafficking of persons.

(2) The Washington state clearinghouse on human trafficking is created as an information portal to share and coordinate statewide efforts to combat the trafficking of persons. The clearinghouse will include an internet web site operated by the office of crime victims advocacy, and will serve the following functions:

(a) Coordinating information regarding all statewide task forces relating to the trafficking of persons including, but not limited to, sex trafficking, commercial sexual exploitation of children, and labor trafficking;

(b) Publishing the findings and legislative reports of all statewide task forces relating to the trafficking of persons;

(c) Providing a comprehensive directory of resources for victims of trafficking; and

(d) Collecting and disseminating up-to-date information regarding the trafficking of persons, including news and legislative efforts, both state and federal.

Sec. 872. RCW 7.68.350 and 2003 c 266 s 1 are each amended to read as follows:

(1) There is created the Washington state task force against the trafficking of persons.

(2)(a) The task force shall consist of the following members:

(((~~(a)~~))) (i) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(ii) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(iii) The director of the office of ((~~community development~~)) crime victims advocacy, or the director's designee;

(((~~(b)~~))) (iv) The secretary of the department of health, or the secretary's designee;

(((~~(c)~~))) (v) The secretary of the department of social and health services, or the secretary's designee;

(((~~(d)~~))) (vi) The director of the department of labor and industries, or the director's designee;

(((~~(e)~~))) (vii) The commissioner of the employment security department, or the commissioner's designee;

(((~~(f) Nine~~))) (viii) The attorney general or the attorney general's designee;

(ix) The superintendent of public instruction or the superintendent of public instruction's designee;

(x) The director of the department of agriculture or the director's designee;

(xi) At least one member who is a survivor of human trafficking;

(xii) Eleven members, selected by the director of the office of ((~~community development~~)) crime victims advocacy, that represent public, community-based nonprofit, and private sector organizations ((~~that~~)), academic institutions, research-based organizations, faith-based organizations, including organizations that are diverse in viewpoint, geography, ethnicity, and culture, and in the populations served. The members must provide, directly or through their organizations, assistance to persons who are victims and survivors of trafficking, or who work on antitrafficking efforts as part of their organization's work, or both.

(b) Additional members may be selected as determined by the director of the office of crime victims advocacy to ensure representation of interested groups.

(3) The task force shall be chaired by the director of the office of ((~~community development~~)) crime victims advocacy, or the director's designee.

(4) The task force shall ((~~carry out~~)) determine the areas of focus and activity including, but not limited to, the following activities:

(a) Measure and evaluate the resource needs of victims and survivors of human trafficking and the progress of the state in trafficking prevention activities, as well as what is being done in other states and nationally to combat human trafficking;

(b) Identify available federal, state, and local programs that provide services to victims and survivors of trafficking that include, but are not limited to, health care, human services, housing, education, legal assistance, job training or preparation, interpreting services, English as a second language classes, and victim's compensation; ((~~and~~))

(c) Make recommendations on methods to provide a coordinated system of support and assistance to persons who are victims of trafficking; and

(d) Review the statutory response to human trafficking, analyze the impact and effectiveness of strategies contained in the current state laws, and make recommendations on legislation to further the state's antitrafficking efforts.

(5) The task force shall report its ((~~supplemental~~)) findings and make recommendations to the governor and legislature ((~~by June 30, 2004~~)) as needed.

(6) The office of ((~~community development~~)) crime victims advocacy shall provide necessary administrative and clerical support to the task force, within available resources.

(7) The members of the task force shall serve without compensation, but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, within available resources.

(((~~(8) The task force expires June 30, 2004.~~)))

Sec. 873. RCW 7.68.801 and 2013 c 253 s 1 are each amended to read as follows:

(1) The commercially sexually exploited children statewide coordinating committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

(2) The committee is convened jointly by the office of the attorney general and the department of commerce and consists of the following members:

(a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house;

(b) One member from each of the two largest caucuses of the senate appointed by the speaker of the senate;

(c) A representative of the governor's office appointed by the governor;

(d) The secretary of the children's administration or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(j) The executive director of the Washington state criminal justice training commission or his or her designee;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) The executive director of the office of public defense or his or her designee;

(m) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(n) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(o) The president of the superior court judges' association or his or her designee;

(p) The president of the juvenile court administrators or his or her designee;

(q) Any existing chairs of regional task forces on commercially sexually exploited children;

(r) A representative from the criminal defense bar;

(s) A representative of the center for children and youth justice;

(t) A representative from the office of crime victims advocacy; ((~~and~~))

(u) The executive director of the Washington coalition of sexual assault programs;

(v) A representative of an organization that provides in-patient chemical dependency treatment to youth, appointed by the attorney general;

(w) A representative of an organization that provides mental health treatment to youth, appointed by the attorney general; and

(x) A survivor of human trafficking, appointed by the attorney general.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at pilot sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would

improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children; ((~~and~~))

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children;

(h) Reviewing the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities;

(i) Researching any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state;

(j) Researching, reviewing, and making recommendations regarding the policy of eliminating prosecution of juveniles for prostitute and prostitution loitering; and

(k) Researching, reviewing, and making recommendations regarding the provision of services to juveniles suspected of prostitution and prostitution loitering in lieu of prosecution.

(4) The committee must meet no less than annually.

(5) The committee shall report its findings to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade by June 30((~~th of each year~~)), 2017.

(6) In addition to its report under subsection (5) of this section, the committee shall report its findings regarding its duties under subsection (3)(h) through (k) of this section to the appropriate committees of the legislature by February 1, 2016.

(7) This section expires June 30, ((~~2015~~)) 2017.

NEW SECTION. **Sec. 874.** A new section is added to chapter 47.38 RCW to read as follows:

(1) Every establishment that maintains restrooms for use by the public may voluntarily, upon availability of the model notice as described in subsection (2) of this section, post a notice that complies with the requirements of this section in a conspicuous place within all restrooms of the establishment in clear view of the public and employees. The office of crime victims advocacy may work with businesses and other establishments and with human trafficking victim advocates to adopt policies for the placement of such notices.

(2)(a) The model notice that may be voluntarily posted pursuant to subsection (1) of this section may be in a variety of languages and include toll-free telephone numbers a person may call for assistance, including the number for the national human trafficking resource center and the number for the Washington state office of crime victims advocacy.

(b) The office of crime victims advocacy shall review and approve the initial form and content of the model notice to ensure the notice is appropriate for public display and likely to be an effective communication to reach human trafficking victims. The office of crime victims advocacy shall review the model notice on a yearly basis to ensure the information provided remains accurate.

(3) The cost of production, printing, and posting of the model notices shall be paid by a participating nonprofit at no cost to the state.

(4) The office of crime victims advocacy must provide a report to the appropriate committees of the legislature no later than December 31, 2016, regarding the voluntary participation in this effort.

NEW SECTION. **Sec. 875.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Referred to Committee on General Government & Information Technology.

March 25, 2015

ESSB 5899 Prime Sponsor, Committee on Financial Institutions & Insurance: Addressing small loans and small consumer installment loans. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"CHECK CASHERS AND SELLERS

Sec. 876. RCW 31.45.010 and 2012 c 17 s 7 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this ((~~chapter~~)) subchapter.

(1) "Applicant" means a person that files an application for a license under this ((~~chapter~~)) subchapter, including the applicant's sole proprietor, owners, directors, officers, partners, members, and controlling persons.

(2) ((~~"Borrower" means a natural person who receives a small loan.~~

~~(3) "Business day" means any day that the licensee is open for business in at least one physical location.~~

~~(4)~~)) "Check" means the same as defined in RCW 62A.3-104(f) and, for purposes of conducting the business of making small loans, includes other electronic forms of payment, including stored value cards, internet transfers, and automated clearinghouse transactions.

(((~~(5)~~))) (3) "Check casher" means an individual, partnership, unincorporated association, or corporation that, for compensation, engages, in whole or in part, in the business of cashing checks, drafts, money orders, or other commercial paper serving the same purpose.

(((~~(6)~~))) (4) "Check seller" means an individual, partnership, unincorporated association, or corporation that, for compensation, engages, in whole or in part, in the business of or selling checks, drafts, money orders, or other commercial paper serving the same purpose.

(((~~(7) "Collateral" means the same as defined in chapter 62A.9A RCW.~~

~~(8)~~))) (5) "Controlling person" means a person owning or controlling ten percent or more of the total outstanding shares of the applicant or licensee, if the applicant or licensee is a corporation, and a member who owns ten percent or more of a limited liability company or limited liability partnership.

(((~~(9) "Default" means the borrower's failure to repay the small loan in compliance with the terms contained in the small loan agreement or note or failure to pay any installment plan payment on an installment plan within ten days after the date upon which the installment was scheduled to be paid.~~

~~(10)~~)) (6) "Department" means the department of financial institutions.

(7) "Director" means the director of ((~~financial institutions~~)) the department.

(((~~(11)~~))) (8) "Financial institution" means a commercial bank, savings bank, savings and loan association, or credit union.

(((~~(12) "Installment plan" is a contract between a licensee and borrower that provides that the loaned amount will be repaid in substantially equal installments scheduled on or after a borrower's pay dates and no less than fourteen days apart.~~

~~(13)~~)) (9) "Licensee" means a check casher or seller licensed by the director to engage in business in accordance with this ((~~chapter~~)) subchapter. "Licensee" also means a check casher or seller, whether located within or outside of this state, who fails to obtain the license ((~~or small loan endorsement~~)) required by this ((~~chapter~~)) subchapter.

(((~~(14) "Loaned amount" means the outstanding principal balance and any fees authorized under RCW 31.45.073 that have not been paid by the borrower.~~

~~(15) "Origination date" means the date upon which the borrower and the licensee initiate a small loan transaction.~~

~~(16) "Outstanding principal balance" of a small loan means any of the principal amount that has not been paid by the borrower.~~

~~(17) "Paid" means that moment in time when the licensee deposits the borrower's check or accepts cash for the full amount owing on a valid small loan. If the borrower's check is returned by the borrower's bank for any reason, the licensee shall not consider the loan paid.~~

~~(18)~~)) (10) "Person" means an individual, partnership, association, limited liability company, limited liability partnership, trust, corporation, and any other legal entity.

(((~~(19)~~))) (11) "Principal" means the loan proceeds advanced for the benefit of the borrower in a small loan, excluding any fee or interest charge.

(((~~(20) "Rescission" means annulling the loan contract and, with respect to the small loan contract, returning the borrower and the licensee to their financial condition prior to the origination date of the loan.~~

~~(21)~~)) (12) "Small loan" means a loan of up to the maximum amount and for a period of time up to the maximum term specified in RCW 31.45.073.

(((~~(22) "Termination date" means the date upon which payment for the small loan transaction is due or paid to the licensee, whichever occurs first.~~

~~(23) "Total of payments" means the principal amount of the small loan plus all fees or interest charged on the loan.~~

~~(24) "Trade secret" means the same as defined in RCW 19.108.010.~~))

Sec. 877. RCW 31.45.020 and 2003 c 86 s 2 are each amended to read as follows:

(1) This ((~~chapter~~)) subchapter does not apply to:

(a) Any financial institution or trust company authorized to do business in Washington;

(b) The cashing of checks, drafts, or money orders by any person who cashes checks, drafts, or money orders as a convenience, as a minor part of its customary business, and not for profit;

(c) The issuance or sale of checks, drafts, or money orders by any corporation, partnership, or association that has a net worth of not less than three million dollars as shown by audited financial statements; and

(d) The issuance or sale of checks, drafts, money orders, or other commercial paper serving the same purpose by any agent of a corporation, partnership, or association described in (c) of this subsection.

(2) Upon application to the director, the director may exempt a person from any or all provisions of this ((~~chapter~~)) subchapter upon a finding by the director that although not otherwise exempt under this section, the applicant is not primarily engaged in the business of cashing or selling checks and a total or partial exemption would not be detrimental to the public.

Sec. 878. RCW 31.45.030 and 2005 c 274 s 255 are each amended to read as follows:

(1) Except as provided in RCW 31.45.020, no check casher or seller may engage in business without first obtaining a license from the director in accordance with this ((~~chapter~~)) subchapter. A license is required for each location where a licensee engages in the business of cashing or selling checks or drafts.

(2) Each application for a license shall be in writing in a form prescribed by the director and shall contain the following information:

(a) The legal name, residence, and business address of the applicant and, if the applicant is a partnership, association, or corporation, of every member, officer, and director thereof;

(b) The location where the initial registered office of the applicant will be located in this state;

(c) The complete address of any other locations at which the applicant proposes to engage in business as a check casher or seller; and

(d) Such other data, financial statements, and pertinent information as the director may require with respect to the applicant, its directors, trustees, officers, members, or agents.

(3) Any information in the application regarding the personal residential address or telephone number of the applicant, and any trade secret as defined in RCW 19.108.010 including any financial statement that is a trade secret, is exempt from the public records disclosure requirements of chapter 42.56 RCW.

(4) The application shall be filed together with an investigation and supervision fee established by rule by the director. Such fees collected shall be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(5)(a) Before granting a license to sell checks, drafts, or money orders under this ((~~chapter~~)) subchapter, the director shall require that the licensee file with the director a surety bond running to the state of Washington, which bond shall be issued by a surety insurer which meets the requirements of chapter 48.28 RCW, and be in a format acceptable to the director. The director shall adopt rules to determine the penal sum of the bond that shall be filed by each licensee. The bond shall be conditioned upon the licensee paying all persons who purchase checks, drafts, or money orders from the licensee the face value of any check, draft, or money order which is dishonored by the drawee bank, savings bank, or savings and loan association due to insufficient funds or by reason of the account having been closed. The bond shall only be liable for the face value of the dishonored check, draft, or money order, and shall not be liable for any interest or consequential damages.

(b) ((~~Before granting a small loan endorsement under this chapter, the director shall require that the licensee file with the director a surety bond, in a format acceptable to the director, issued by a surety insurer that meets the requirements of chapter 48.28 RCW. The director shall adopt rules to determine the penal sum of the bond that shall be filed by each licensee. A licensee who wishes to engage in both check selling and making small loans may combine the penal sums of the bonding requirements and file one bond in a form acceptable to the director. The bond shall run to the state of Washington as obligee, and shall run to the benefit of the state and any person or persons who suffer loss by reason of the licensee's violation of this chapter or any rules adopted under this chapter. The bond shall only be liable for damages suffered by borrowers as a result of the licensee's violation of this chapter or~~

~~rules adopted under this chapter, and shall not be liable for any interest or consequential damages.~~

~~(c)~~)) The bond shall be continuous and may be canceled by the surety upon the surety giving written notice to the director and licensee of its intent to cancel the bond. The cancellation is effective thirty days after the notice is received by the director. Whether or not the bond is renewed, continued, reinstated, reissued, or otherwise extended, replaced, or modified, including increases or decreases in the penal sum, it shall be considered one continuous obligation, and the surety upon the bond shall not be liable in an aggregate or cumulative amount exceeding the penal sum set forth on the face of the bond. In no event shall the penal sum, or any portion thereof, at two or more points in time be added together in determining the surety's liability. The bond shall not be liable for any liability of the licensee for tortious acts, whether or not such liability is imposed by statute or common law, or is imposed by contract. The bond shall not be a substitute or supplement to any liability or other insurance required by law or by the contract. If the surety desires to make payment without awaiting court action against it, the penal sum of the bond shall be reduced to the extent of any payment made by the surety in good faith under the bond.

(((~~(d)~~))) (c) Any person who is a purchaser of a check, draft, or money order from the licensee having a claim against the licensee for the dishonor of any check, draft, or money order by the drawee bank, savings bank, or savings and loan association due to insufficient funds or by reason of the account having been closed, or who obtained a small loan from the licensee and was damaged by the licensee's violation of this ((~~chapter~~)) subchapter or rules adopted under this ((~~chapter~~)) subchapter, may bring suit upon such bond or deposit in the superior court of the county in which the check, draft, or money order was purchased, or in the superior court of a county in which the licensee maintains a place of business. Jurisdiction shall be exclusively in the superior court. Any such action must be brought not later than one year after the dishonor of the check, draft, or money order on which the claim is based. In the event valid claims against a bond or deposit exceed the amount of the bond or deposit, each claimant shall only be entitled to a pro rata amount, based on the amount of the claim as it is valid against the bond, or deposit, without regard to the date of filing of any claim or action.

(((~~(e)~~))) (d) In lieu of the surety bond required by this section, the applicant for a check seller license may file with the director a deposit consisting of cash or other security acceptable to the director in an amount equal to the penal sum of the required bond. ((~~In lieu of the surety bond required by this section, the applicant for a small loan endorsement may file with the director a deposit consisting of cash or other security acceptable to the director in an amount equal to the penal sum of the required bond, or may demonstrate to the director net worth in excess of three times the amount of the penal sum of the required bond.~~))

The director may adopt rules necessary for the proper administration of the security or to establish reporting requirements to ensure that the net worth requirements continue to be met. A deposit given instead of the bond required by this section is not an asset of the licensee for the purpose of complying with the liquid asset provisions of this ((~~chapter~~)) subchapter. A deposit given instead of the bond required by this section is a fund held in trust for the benefit of eligible claimants under this section and is not an asset of the estate of any licensee that seeks protection voluntarily or involuntarily under the bankruptcy laws of the United States.

(((~~(f)~~))) (e) Such security may be sold by the director at public auction if it becomes necessary to satisfy the requirements of this ((~~chapter~~)) subchapter. Notice of the sale shall be served upon the licensee who placed the security personally or by mail. If notice is served by mail, service shall be addressed to the licensee at its address as it appears in the records of the director. Bearer bonds of the United States or the state of Washington without a prevailing market price must be sold at public auction. Such bonds having a prevailing market price may be sold at private sale not lower than the prevailing market price. Upon any sale, any surplus above amounts due shall be returned to the licensee, and the licensee shall deposit with the director additional security sufficient to meet the amount required by the director. A deposit given instead of the bond required by this section shall not be deemed an asset of the licensee for the purpose of complying with the liquid asset provisions of this ((~~chapter~~)) subchapter.

Sec. 879. RCW 31.45.040 and 2003 c 86 s 4 are each amended to read as follows:

(1) The director shall conduct an investigation of every applicant to determine the financial responsibility, experience, character, and general fitness of the applicant. The director shall issue the applicant a license to engage in the business of cashing or selling checks, or both, ((~~or a small loan endorsement,~~)) if the director determines to his or her satisfaction that:

(a) The applicant has satisfied the requirements of RCW 31.45.030;

(b) The applicant is financially responsible and appears to be able to conduct the business of cashing or selling checks ((~~or making small loans~~)) in an honest, fair, and efficient manner with the confidence and trust of the community; and

(c) The applicant has the required bonds, or has provided an acceptable alternative form of financial security.

(2) The director may refuse to issue a license ((~~or small loan endorsement~~)) if he or she finds that the applicant, or any person who is a director, officer, partner, agent, sole proprietor, owner, or controlling person of the applicant, has been convicted of a felony in any jurisdiction within seven years of filing the present application or is associating or consorting with any person who has been convicted of a felony in any jurisdiction within seven years of filing the present application. The term "substantial stockholder" as used in this subsection, means a person owning or controlling ten percent or more of the total outstanding shares of the applicant corporation.

(3) A license ((~~or small loan endorsement~~)) may not be issued to an applicant:

(a) Whose license to conduct business under this ((~~chapter~~)) subchapter, or any similar statute in any other jurisdiction, has been suspended or revoked within five years of the filing of the present application;

(b) Who has been banned from the industry by an administrative order issued by the director or the director's designee, for the period specified in the administrative order; or

(c) When any person who is a sole proprietor, owner, director, officer, partner, agent, or controlling person of the applicant has been banned from the industry in an administrative order issued by the director, for the period specified in the administrative order.

(4) A license ((~~or small loan endorsement~~)) issued under this ((~~chapter~~)) subchapter shall be conspicuously posted in the place of business of the licensee. The license is not transferable or assignable.

(5) A license ((~~or small loan endorsement~~)) issued in accordance with this ((~~chapter~~)) subchapter remains in force and effect until surrendered, suspended, or revoked, or until the license expires as a result of nonpayment of the annual assessment fee.

Sec. 880. RCW 31.45.050 and 2003 c 86 s 5 are each amended to read as follows:

(1) Each applicant and licensee shall pay to the director an investigation or examination fee as established in rule and an annual assessment fee for the coming year in an amount determined by rule as necessary to cover the operation of the program. The annual assessment fee is due upon the annual

assessment fee due date as established in rule. Nonpayment of the annual assessment fee may result in expiration of the license as provided in subsection (2) of this section. In establishing the fees, the director shall differentiate between check cashing and check selling ((~~and making small loans,~~)) and consider at least the volume of business, level of risk, and potential harm to the public related to each activity. The fees collected shall be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(2) If a licensee does not pay its annual assessment fee by the annual assessment fee due date as specified in rule, the director or the director's designee shall send the licensee a notice of suspension and assess the licensee a late fee not to exceed twenty-five percent of the annual assessment fee as established in rule by the director. The licensee's payment of both the annual assessment fee and the late fee must arrive in the department's offices by 5:00 p.m. on the tenth day after the annual assessment fee due date, unless the department is not open for business on that date, in which case the licensee's payment of both the annual assessment fee and the late fee must arrive in the department's offices by 5:00 p.m. on the next occurring day that the department is open for business. If the payment of both the annual assessment fee and the late fee does not arrive prior to such time and date, then the expiration of the licensee's license is effective at 5:00 p.m. on the thirtieth day after the assessment fee due date. The director or the director's designee may reinstate the license if, within twenty days after the effective date of expiration, the licensee:

(a) Pays both the annual assessment fee and the late fee; and

(b) Attests under penalty of perjury that it did not engage in conduct requiring a license under this ((~~chapter~~)) subchapter during the period its license was expired, as confirmed by an investigation by the director or the director's designee.

(3) If a licensee intends to do business at a new location, to close an existing place of business, or to relocate an existing place of business, the licensee shall provide written notification of that intention to the director no less than thirty days before the proposed establishing, closing, or moving of a place of business.

Sec. 881. RCW 31.45.060 and 2003 c 86 s 6 are each amended to read as follows:

(1) A schedule of the fees and the charges for the cashing and selling of checks, drafts, money orders, or other commercial paper serving the same purpose shall be conspicuously and continuously posted in every location licensed under this ((~~chapter~~)) subchapter. The licensee shall provide to its customer a receipt for each transaction. The receipt must include the name of the licensee, the type and amount of the transaction, and the fee or fees charged for the transaction.

(2) Each licensee shall keep and maintain such business books, accounts, and records as the director may require to fulfill the purposes of this ((~~chapter~~)) subchapter. Every licensee shall preserve such books, accounts, and records as required in rule by the director for at least two years from the completion of the transaction. Records may be maintained on an electronic, magnetic, optical, or other storage media. However, the licensee must maintain the necessary technology to permit access to the records by the department for the period required under this ((~~chapter~~)) subchapter.

(3) A check, draft, or money order sold by a licensee shall be drawn on an account of a licensee maintained in a federally insured financial institution authorized to do business in the state of Washington.

Sec. 882. RCW 31.45.070 and 2012 c 17 s 9 are each amended to read as follows:

(1) No licensee may engage in a loan business; the negotiation of loans; or the discounting of notes, bills of exchange, checks, or other evidences of debt in the same premises where a check cashing or selling business is conducted, unless the licensee:

(a) Is conducting the activities of pawnbroker as defined in RCW 19.60.010;

(b) Is a properly licensed consumer loan company under chapter 31.04 RCW; or

(c) Is conducting other lending activity permitted in the state of Washington((~~; or~~

~~(d) Has a small loan endorsement issued under this chapter~~)).

(2) Except as otherwise permitted in this ((~~chapter~~)) subchapter, no licensee may at any time cash or advance any moneys on a postdated check or draft. However, a licensee may cash a check payable on the first banking day following the date of cashing if:

(a) The check is drawn by the United States, the state of Washington, or any political subdivision of the state, or by any department or agency of the state or its subdivisions; or

(b) The check is a payroll check drawn by an employer to the order of its employee in payment for services performed by the employee.

(3) Except as otherwise permitted in this ((~~chapter~~)) subchapter, no licensee may agree to hold a check or draft for later deposit. A licensee must deposit all checks and drafts cashed by the licensee as soon as practicable.

(4) No licensee may issue or cause to be issued any check, draft, or money order, or other commercial paper serving the same purpose, that is drawn upon the trust account of a licensee without concurrently receiving the full principal amount, in cash, or by check, draft, or money order from a third party believed to be valid.

(5) Each licensee shall comply with all applicable state and federal statutes relating to the activities governed by this ((~~chapter~~)) subchapter.

Sec. 883. RCW 31.45.090 and 2005 c 274 s 257 are each amended to read as follows:

(1) Each licensee shall submit to the director, in a form approved by the director, a report containing financial statements covering the calendar year or, if the licensee has an established fiscal year, then for such fiscal year, within one hundred five days after the close of each calendar or fiscal year. The licensee shall also file such additional relevant information as the director may require. Any information provided by a licensee in an annual report that constitutes a trade secret under chapter 19.108 RCW is exempt from disclosure under chapter 42.56 RCW, unless aggregated with information supplied by other licensees in such a manner that the licensee's individual information is not identifiable. Any information provided by the licensee that allows identification of the licensee may only be used for purposes reasonably related to the regulation of licensees to ensure compliance with this ((~~chapter~~)) subchapter.

(2) A licensee whose license has been suspended or revoked shall submit to the director, at the licensee's expense, within one hundred five days after the effective date of such surrender or revocation, a closing audit report containing audited financial statements as of such effective date for the twelve months ending with such effective date.

(3) The director shall adopt rules specifying the form and content of such audit reports and may require additional reporting as is necessary for the director to ensure compliance with this ((~~chapter~~)) subchapter.

Sec. 884. RCW 31.45.100 and 2003 c 86 s 16 are each amended to read as follows:

The director or the director's designee may at any time examine and investigate the business and examine the books, accounts, records, and files, or other information, wherever located, of any licensee or person who the director has reason to believe is

engaging in the business governed by this ((~~chapter~~)) subchapter. For these purposes, the director or the director's designee may require the attendance of and examine under oath all persons whose testimony may be required about the business or the subject matter of the investigation. The director or the director's designee may require the production of original books, accounts, records, files, or other information, or may make copies of such original books, accounts, records, files, or other information. The director or the director's designee may issue a subpoena or subpoena duces tecum requiring attendance and testimony, or the production of the books, accounts, records, files, or other information. The director shall collect from the licensee the actual cost of the examination or investigation.

Sec. 885. RCW 31.45.105 and 2012 c 17 s 10 are each amended to read as follows:

(1) It is a violation of this ((~~chapter~~)) subchapter for any person subject to this ((~~chapter~~)) subchapter to:

(a) Directly or indirectly employ any scheme, device, or artifice to defraud or mislead any ((~~borrower, to defraud or mislead any lender, or to defraud or mislead any~~)) person;

(b) Directly or indirectly engage in any unfair or deceptive practice toward any person; and

(c) Directly or indirectly obtain property by fraud or misrepresentation((~~;~~

~~(d) Make a small loan to any person physically located in Washington through use of the internet, facsimile, telephone, kiosk, or other means without first obtaining a small loan endorsement; and~~

~~(e) Sell in a retail installment transaction under chapter 63.14 RCW open loop prepaid access (prepaid access as defined in 31 C.F.R. Part 1010.100(ww) and not closed loop prepaid access as defined in 31 C.F.R. Part 1010.100(kkk))~~)).

(2) It is a violation of this ((~~chapter~~)) subchapter for any person subject to this ((~~chapter~~)) subchapter to:

(a) Advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or ((~~broadcast [broadcasted]~~)) broadcasted any statement or representation that is false, misleading, or deceptive, or that omits material information;

(b) Fail to pay the annual assessment by the date and time as specified in RCW 31.45.050;

(c) Fail to pay any other fee, assessment, or moneys due the department.

(3) In addition to any other penalties, any transaction in violation of subsection (1) of this section is uncollectible and unenforceable.

Sec. 886. RCW 31.45.110 and 2014 c 36 s 7 are each amended to read as follows:

(1) The director may issue and serve upon a licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant, a statement of charges if, in the opinion of the director, any licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant:

(a) Is engaging or has engaged in an unsafe or unsound financial practice in conducting a business governed by this ((~~chapter~~)) subchapter;

(b) Is violating or has violated this ((~~chapter~~)) subchapter, including violations of:

(i) Any rules, orders, or subpoenas issued by the director under any act;

(ii) Any condition imposed in writing by the director in connection with the granting of any application or other request by the licensee; or

(iii) Any written agreement made with the director;

(c) Is about to do the acts prohibited in (a) or (b) of this subsection when the opinion that the threat exists is based upon reasonable cause;

(d) Obtains a license by means of fraud, misrepresentation, concealment, or through mistake or inadvertence of the director;

(e) Provides false statements or omits material information on an application;

(f) Knowingly or negligently omits material information during or in response to an examination or in connection with an investigation by the director;

(g) Fails to pay a fee or assessment required by the director or any multistate licensing system prescribed by the director, or fails to maintain the required bond or deposit;

(h) Commits a crime against the laws of any jurisdiction involving moral turpitude, financial misconduct, or dishonest dealings. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this ((~~chapter~~)) subchapter;

(i) Knowingly commits or is a party to any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme, or device whereby any other person relying upon the word, representation, or conduct acts to his or her injury or damage;

(j) Converts any money or its equivalent to his or her own use or to the use of his or her principal or of any other person;

(k) Fails to disclose any information within his or her knowledge or fails to produce any document, book, or record in his or her possession for inspection by the director upon demand;

(l) Commits any act of fraudulent or dishonest dealing. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this ((~~chapter~~)) subchapter;

(m) Commits an act or engages in conduct that demonstrates incompetence or untrustworthiness, or is a source of injury and loss to the public;

(n) Violates any applicable state or federal law relating to the activities governed by this ((~~chapter~~)) subchapter.

(2) The statement of charges must be issued under chapter 34.05 RCW. The director or the director's designee may impose the following sanctions against any licensee or applicant, or any directors, officers, sole proprietors, partners, controlling persons, or employees of a licensee or applicant:

(a) Deny, revoke, suspend, or condition a license ((~~or small loan endorsement~~));

(b) Order the licensee or person to cease and desist from practices that violate this ((~~chapter~~)) subchapter or constitute unsafe and unsound financial practices;

(c) Impose a fine not to exceed one hundred dollars per day for each day's violation of this ((~~chapter~~)) subchapter;

(d) Order restitution or refunds to borrowers or other parties for violations of this ((~~chapter~~)) subchapter or take other affirmative action as necessary to comply with this ((~~chapter~~)) subchapter; and

(e) Remove from office or ban from participation in the affairs of any licensee any director, officer, sole proprietor, partner, controlling person, or employee of a licensee.

(3) The proceedings to impose the sanctions described in subsection (2) of this section, including any hearing or appeal of the statement of charges, are governed by chapter 34.05 RCW. The statute of limitations on actions not subject to RCW 4.16.160 that are brought under this ((~~chapter~~)) subchapter by the director is five years.

(4) Unless the licensee or person personally appears at the hearing or is represented by a duly authorized representative, the

licensee is deemed to have consented to the statement of charges and the sanctions imposed in the statement of charges.

(5) Except to the extent prohibited by another statute, the director may engage in informal settlement of complaints or enforcement actions including, but not limited to, payment to the department for purposes of financial literacy and education programs authorized under RCW 43.320.150.

Sec. 887. RCW 31.45.150 and 1994 c 92 s 287 are each amended to read as follows:

Whenever as a result of an examination or report it appears to the director that:

(1) The capital of any licensee is impaired;

(2) Any licensee is conducting its business in such an unsafe or unsound manner as to render its further operations hazardous to the public;

(3) Any licensee has suspended payment of its trust obligations;

(4) Any licensee has refused to submit its books, papers, and affairs to the inspection of the director or the director's examiner;

(5) Any officer of any licensee refuses to be examined under oath regarding the business of the licensee;

(6) Any licensee neglects or refuses to comply with any order of the director made pursuant to this ((~~chapter~~)) subchapter unless the enforcement of such order is restrained in a proceeding brought by such licensee;

the director may immediately take possession of the property and business of the licensee and retain possession until the licensee resumes business or its affairs are finally liquidated as provided in RCW 31.45.160. The licensee may resume business upon such terms as the director may prescribe.

Sec. 888. RCW 31.45.180 and 1994 c 92 s 290 are each amended to read as follows:

Any person who violates or participates in the violation of any provision of the rules or orders of the director or of this ((~~chapter~~)) subchapter is guilty of a misdemeanor.

Sec. 889. RCW 31.45.190 and 1991 c 355 s 19 are each amended to read as follows:

The legislature finds and declares that any violation of this ((~~chapter~~)) subchapter substantially affects the public interest and is an unfair and deceptive act or practice and an unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020. Remedies available under chapter 19.86 RCW shall not affect any other remedy the injured party may have.

Sec. 890. RCW 31.45.200 and 1994 c 92 s 291 are each amended to read as follows:

The director has the power, and broad administrative discretion, to administer and interpret the provisions of this ((~~chapter~~)) subchapter to ensure the protection of the public.

NEW SECTION. **Sec. 891.** Subject to section 56 of this act, the following acts or parts of acts are each repealed, effective July 1, 2016, or on and after the effective date of the final rules adopted by the director implementing this act, whichever is later:

(1)RCW 31.45.073 (Making small loans—Endorsement required—Due date—Termination date—Maximum amount—Installment plans—Interest—Fees—Postdated check or draft as security) and 2009 c 510 s 3, 2003 c 86 s 8, & 1995 c 18 s 2;

(2)RCW 31.45.077 (Small loan endorsement—Application—Form—Information—Exemption from disclosure—Fees) and 2005 c 274 s 256, 2003 c 86 s 9, 2001 c 177 s 13, & 1995 c 18 s 3;

(3)RCW 31.45.079 (Making small loans—Agent for a licensee or exempt entity—Federal preemption) and 2003 c 86 s 10;

(4)RCW 31.45.082 (Delinquent small loan—Restrictions on collection by licensee or third party—Definitions) and 2009 c 13 s 1 & 2003 c 86 s 11;

(5)RCW 31.45.084 (Small loan installment plan—Terms—Restrictions) and 2009 c 510 s 4 & 2003 c 86 s 12;

(6)RCW 31.45.085 (Loan application—Required statement—Rules) and 2009 c 510 s 5;

(7)RCW 31.45.086 (Small loans—Right of rescission) and 2003 c 86 s 13;

(8)RCW 31.45.088 (Small loans—Disclosure requirements—Advertising—Making loan) and 2003 c 86 s 14;

(9)RCW 31.45.093 (Information system—Access—Required information—Fees—Rules) and 2009 c 510 s 6;

(10)RCW 31.45.095 (Report by director—Contents) and 2009 c 510 s 7; and

(11)RCW 31.45.210 (Military borrowers—Licensee's duty—Definition) and 2005 c 256 s 1.

NEW SECTION. **Sec. 892.** A new section is added to chapter 31.45 RCW under the subchapter heading "check cashers and sellers" to read as follows:

(1) Small loans made pursuant to this chapter as it existed before the effective date of this section may no longer be made on and after July 1, 2016, or on and after the effective date of the final rules adopted by the director implementing this act, whichever is later, provided the subchapter "small consumer installment loans" becomes law as it is enacted by the legislature.

(2) Provided subsection (1) of this section becomes law as enacted by the legislature and the director adopts final rules implementing this act, all small loan licensees must surrender their small loan license in accordance with the closure rules adopted by the director and pay any applicable assessments due. Notwithstanding surrender or such closure rules, a small loan licensee may collect a small loan with an outstanding balance. The director has the authority to transition the database for small loans as necessary. The director may adopt rules to implement this section.

(3) This section is only effective provided section 16 of this act becomes law as enacted by the legislature.

(4) The director must provide notice of the effective date of the final rules adopted under this section to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the director.

(5) The director or the director's designee shall take the actions necessary to ensure sections 1 through 18 of this act are implemented.

NEW SECTION. **Sec. 893.** A new section is added to chapter 31.45 RCW under the subchapter heading "check cashers and sellers" to read as follows:

Effective January 1, 2016, the director shall establish, set, and adjust by rule the amount of all fees and charges authorized by this subchapter.

NEW SECTION. **Sec. 894.** RCW 31.45.010 through 31.45.210 constitute the subchapter "check cashers and sellers."

SMALL CONSUMER INSTALLMENT LOANS

NEW SECTION. **Sec. 895.** DEFINITIONS. The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Authenticate" means the same as defined in RCW 62A.9A-102.

(2) "Borrower" means a natural person who receives a small consumer installment loan.

(3) "Controlling person" means a person owning or controlling ten percent or more of the total outstanding shares of the applicant or licensee, if the applicant or licensee is a corporation, and a member who owns ten percent or more of a limited liability company or limited liability partnership.

(4) "Department" means the department of financial institutions.

(5) "Director" means the director of the department.

(6) "Final payment date" means the date of the borrower's last scheduled payment on a small consumer installment loan.

(7) "Gross monthly income" means a borrower's or potential borrower's gross monthly income as demonstrated by evidence of income, including, but not limited to, a pay stub, documentation reflecting receipt of public benefits, tax returns, bank statements, or other documentation.

(8) "License" means a license issued by the director under this subchapter.

(9) "Licensee" means a single small consumer installment lender licensed by the director to engage in business in accordance with this subchapter. "Licensee" also means a lender, whether located within or outside of this state, who fails to obtain a license required by this subchapter.

(10) "Loaned amount" means the principal amount of the loan exclusive of any interest, fees, penalties, or charges authorized by this subchapter.

(11) "Military borrower" means:

(a) A "covered borrower" as defined in 32 C.F.R. Sec. 232.3; and

(b)(i) A member of the reserve components of the United States army, navy, air force, marine corps, coast guard, army national guard, or air national guard; and

(ii) A spouse or dependent child of a person under (b)(i) of this subsection.

(12) "Person" means an individual, partnership, association, limited liability company, limited liability partnership, trust, corporation, and any other legal entity.

(13) "Record" means the same as defined in RCW 62A.1-201.

(14) "Scheduled payment" means any single payment disclosed in a payment schedule on a federal truth in lending act disclosure. "Scheduled payment" does not mean an actual payment on a date different than a payment on the loan payment schedule, or the payment in full of a loan before the final payment date on the loan payment schedule.

(15) "Small consumer installment loan" means a loan for personal, family, or household purposes made to a natural person in a single advance with terms as provided for in this subchapter.

(16) "Truth in lending act" means the truth in lending act, 15 U.S.C. Sec. 1601 and Regulation Z, 12 C.F.R. Part 1026.

NEW SECTION. **Sec. 896.** APPLICABILITY. (1) Any small consumer installment loan made to a resident of this state is subject to the authority and restrictions of this subchapter.

(2) This subchapter does not apply to the following:

(a) Any person doing business under, and as permitted by, any law of this state or of the United States relating to banks, savings banks, trust companies, savings and loan or building and loan associations, or credit unions; or

(b) Loans made under chapters 19.60 and 31.04 RCW.

NEW SECTION. **Sec. 897.** LICENSE REQUIRED. No person may engage in advertising or making small consumer installment loans without first obtaining a license from the director in accordance with this subchapter. A license is required for each location where a licensee engages in the business of making small consumer installment loans.

NEW SECTION. **Sec. 898.** LICENSE—APPLICATION—FEE—BOND—INFORMATION FROM APPLICANTS. (1) Each application for a license must be in writing in a form prescribed by the director and must contain the following information:

(a) The legal name, residence, and business address of the applicant and, if the applicant is a partnership, association, limited liability company, limited liability partnership, or corporation, of every member, officer, principal, or director thereof;

(b) The location where the initial registered office of the applicant will be located;

(c) The complete address of any other locations at which the applicant currently proposes to engage in making small consumer installment loans; and

(d) Such other data, financial statements, and pertinent information as the director may require with respect to the applicant, its members, principals, or officers.

(2) As part of or in connection with an application for any license under this section, or periodically, each officer, director, and owner applicant shall furnish information concerning his or her identity, including fingerprints for submission to the Washington state patrol or the federal bureau of investigation for a state and national criminal history background check, personal history, experience, business record, purposes, and other pertinent facts, as the director may reasonably require. As part of or in connection with an application for a license under this subchapter, or periodically upon license renewal, the director is authorized to receive criminal history record information that includes nonconviction data as defined in RCW 10.97.030. The director may only disseminate nonconviction data obtained under this section to criminal justice agencies. This section does not apply to financial institutions regulated under chapters 31.12 and 31.13 RCW and Titles 30A, 32, and 33 RCW.

(3) Any information in the application regarding the personal residential address or telephone number of the applicant, any financial information about the applicant and entities owned or controlled by the applicant, and any trade secret as defined in RCW 19.108.010 including any financial statement that is a trade secret, is exempt from the public records disclosure requirements of chapter 42.56 RCW.

(4) The application must be filed together with an application fee established by rule by the director. The fees collected must be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(5) Each applicant shall file and maintain a surety bond, approved by the director, executed by the applicant as obligor and by a surety company authorized to do a surety business in this state as surety, whose liability as a surety does not exceed, in the aggregate, the penal sum of the bond. The penal sum of the bond must be a minimum of thirty thousand dollars and a maximum of two hundred fifty thousand dollars based on the annual dollar amount of loans originated. The bond must run to the state of Washington as obligee for the use and benefit of the state and of any person or persons who may have a cause of action against the obligor under this subchapter. The bond must be conditioned that the obligor as licensee will faithfully conform to and abide by this subchapter and all the rules adopted under this subchapter. The bond must pay to the state and any person or persons having a cause of action against the obligor all moneys that may become due and owing to the state and those persons under and by virtue of this subchapter.

NEW SECTION. **Sec. 899.** APPLICATION FOR LICENSE—FINANCIAL RESPONSIBILITY—DIRECTOR'S INVESTIGATION. (1) The director shall conduct an investigation of every applicant to determine the financial responsibility, experience, character, and general fitness of the applicant. The director shall issue the applicant a license to engage in the business of making small consumer installment loans, if the director determines that:

(a) The applicant has satisfied the licensing requirements of this subchapter;

(b) The applicant is financially responsible and appears to be able to conduct the business of making small consumer installment

loans in an honest, fair, and efficient manner with the confidence and trust of the community and in accordance with this subchapter; and

(c) The applicant has the required bond.

(2) The director may refuse to issue a license if he or she finds that the applicant, or any person who is a director, officer, partner, agent, sole proprietor, owner, or controlling person of the applicant, has been convicted of a felony in any jurisdiction within seven years of filing the present application or is associating or consorting with any person who has been convicted of a felony in any jurisdiction within seven years of filing the present application.

(3) A license may not be issued to an applicant:

(a) Whose license to conduct business under this subchapter, or any similar statute in any other jurisdiction, has been suspended or revoked within five years of the filing of the present application;

(b) Who has been banned from the industry by an administrative order issued by the director or the director's designee, for the period specified in the administrative order; or

(c) Who has advertised or made internet loans in violation of this subchapter.

(4) A license issued in accordance with this subchapter remains in force and effect until surrendered, suspended, or revoked, or until the license expires as a result of nonpayment of the annual assessment fee as defined in this subchapter.

NEW SECTION. **Sec. 900.** MULTISTATE LICENSING SYSTEM—DIRECTOR'S DISCRETION. Applicants may be required to make application through a multistate licensing system as prescribed by the director. Existing licensees may be required to transition onto a multistate licensing system as prescribed by the director. The applicant shall pay to the nationwide multistate licensing system any additional fee to participate in the system.

NEW SECTION. **Sec. 901.** TERMS OF LOANS. A small consumer installment loan is subject to the following limitations:

(1) The interest charged on the loaned amount must not exceed thirty-six percent per annum, exclusive of fees, penalties, or charges authorized by this subchapter;

(2) The loaned amount must not exceed seven hundred dollars;

(3) The loaned amount and accrued interest and fees must be fully repayable in substantially equal and consecutive installments according to a payment schedule agreed to by the parties;

(4) A loan term must not be less than one hundred eighty days;

(5) A loan term must not be more than one hundred ninety days;

(6) The loaned amount and accrued interest and fees must be fully amortized over the term of the loan; and

(7) The borrower's repayment obligations must not be secured by a lien on any real or personal property.

NEW SECTION. **Sec. 902.** LIMITATIONS ON INTEREST AND CHARGES. Notwithstanding any other provision of law, a licensee, in addition to collecting the principal amount of the loan:

(1) May charge, contract for, and receive interest of no more than thirty-six percent per annum on the outstanding unpaid balance of the loaned amount, exclusive of fees, penalties, or charges authorized by this subchapter;

(2) May charge a loan origination fee on a small consumer installment loan not to exceed fifteen percent of the loaned amount. The origination fee shall not be precomputed, but shall accrue each day until the loan is repaid in full. The amount that accrues each day shall be equal to the total amount of the origination fee divided by the number of days in the loan term. Notwithstanding this subsection, a small consumer installment loan licensee must provide a full refund of all charges after rescission as provided in section 31 of this act;

(3) May charge a monthly maintenance fee on a small consumer installment loan, not to exceed seven and one-half percent of the loaned amount. A monthly maintenance fee is fully earned at the end of each month after the loan origination date when the borrower has a balance outstanding on the last day of the month and is not subject to refund. Notwithstanding this subsection, maintenance fees for a small consumer installment loan shall not exceed an amount equal to forty-five dollars for each month the loan remains unpaid. For the purpose of this subsection, a "month" is measured from a given date of a given calendar month to the same date of the subsequent calendar month. If the origination date of the small consumer installment loan is the last day of a month, months are measured from the last day of that month to the last day of each following month. If the origination date of the small consumer installment loan is the 29th or 30th of a month, the last day of February must be used when applicable;

(4) Is prohibited from charging or collecting interest or fees allowed by subsections (1) through (3) of this section in excess of the interest and fees disclosed in the loan agreement, regardless of whether there is an outstanding balance after the final payment date;

(5) May contract with the borrower to repay the small consumer installment loan in installments that are substantially equal in amount which may be repayable weekly, biweekly, semimonthly, monthly, or in such other repayment frequency as the licensee and borrower may agree;

(6) May include in the amount of each scheduled payment all or part of the following, as applicable: (a) The accrued, pro rata portion of the origination fee; (b) a portion of the monthly maintenance fee equal to the aggregate of all monthly maintenance fees permitted under subsection (3) of this section divided by the total number of scheduled installment payments; (c) accrued interest; and (d) principal;

(7) Is prohibited from making a small consumer installment loan to a borrower if the loaned amount exceeds thirty percent of the borrower's gross monthly income. Gross monthly income must be evidenced by a pay stub or other evidence of income at least once every one hundred eighty days, and such evidence must (a) be no more than forty-five days old when presented to the licensee and (b) have been presented to the licensee no more than one hundred eighty days before the date on which the small consumer installment loan is made;

(8) May, in the event that any scheduled payment is delinquent thirty days or more:

(a) Charge and collect a penalty of not more than twenty-five dollars per loan; and

(b) Declare the entire loan due and payable and proceed to collect the small consumer installment loan, including only the unpaid balance of the loaned amount and all interest, loan origination, and monthly maintenance fees and penalties accrued at the time the entire loan is declared due and payable;

(9) May collect from the borrower reasonable attorneys' fees, actual expenses, and costs incurred in connection with the collection of any amounts due to a licensee with respect to a small consumer installment loan;

(10) Is prohibited from charging a prepayment fee. A borrower is allowed to pay all or part of a small consumer installment loan before the maturity date without incurring any additional fee;

(11) Is prohibited from requiring a borrower to purchase add-on products such as credit insurance; and

(12) Is prohibited from charging any other interest, fees, penalties, or charges, except those provided in this section.

NEW SECTION. **Sec. 903.** LOAN AGREEMENT—REQUIRED CONTENTS. A licensee making a small consumer installment loan must document the transaction by use of a record authenticated by the licensee and the borrower. This record must set forth the terms and conditions of the loan, including, but not limited to:

(1) The name and address of the borrower and the licensee;

(2) The transaction date;

(3) The loaned amount;

(4) A statement of the total amount of finance charges charged, expressed both as a dollar amount and an annual percentage rate, calculated in accordance with the truth in lending act;

(5) The installment payment schedule;

(6) The right to rescind the loan on or before the close of business on the next day of business at the location where the loan was originated;

(7) A notice to the borrower that delinquency on one scheduled payment may result in a penalty of not more than twenty-five dollars per loan and/or acceleration of the loan;

(8) A description of the methods by which loan payments may be made, which may include cash, check, electronic fund transfers through automated clearing house or debit network, or any additional method of loan payment authorized by the director after rule making. However, (a) a licensee may not condition an extension of credit under a small consumer installment loan on the borrower's repayment by preauthorized electronic fund transfers, and (b) a postdated check or electronic payment authorization used to make a payment on a small consumer installment loan must not be considered security or collateral for the loan; and

(9) A notice to the borrower in at least ten-point type that states:

A SMALL CONSUMER INSTALLMENT LOAN IS NOT INTENDED TO MEET LONG-TERM FINANCIAL NEEDS.

A SMALL CONSUMER INSTALLMENT LOAN SHOULD BE USED ONLY TO MEET SHORT-TERM CASH NEEDS.

WHILE YOU ARE NOT REQUIRED TO REPAY THIS LOAN BEFORE ITS DUE DATE, IT IS IN YOUR BEST INTEREST TO DO SO. THE SOONER YOU REPAY THE LOAN, THE LESS IN INTEREST, FEES, AND OTHER CHARGES YOU WILL PAY.

NEW SECTION. **Sec. 904.** NOTICE OF FEES AND CHARGES—RECEIPT. (1) A schedule of the fees, penalties, and charges for taking out a small consumer installment loan and the licensee's unified business identifier number must be conspicuously and continuously posted in every location licensed under this subchapter.

(2) The licensee shall provide to the borrower a receipt for each small consumer loan transaction. The receipt must include the name of the licensee, the type and amount of the transaction, and the fees and charges charged for the transaction.

NEW SECTION. **Sec. 905.** DISBURSEMENT OF PROCEEDS. A licensee may disburse the proceeds of a small consumer installment loan in the form of a check drawn on the licensee's bank account, in cash, by money order, by prepaid card, by electronic funds transfer, or by other method authorized by the director after rule making.

NEW SECTION. **Sec. 906.** RESCISSION. A borrower may rescind a small consumer installment loan, on or before the close of business on the next day of business at the location where the loan was originated, by returning the principal in cash, the original check disbursed by the licensee, or the other disbursement of loan proceeds from the licensee to fund the loan. The licensee may not charge the borrower for rescinding the loan and must refund any loan fees and interest received. The licensee shall conspicuously disclose to the borrower the right of rescission in writing in the loan agreement.

NEW SECTION. **Sec. 907.** DELINQUENT SMALL CONSUMER INSTALLMENT LOAN—RESTRICTIONS ON COLLECTION BY LICENSEE OR THIRD PARTY. (1) A licensee shall comply with all applicable state and federal laws when collecting a delinquent small consumer installment loan. A licensee may take civil action to collect principal, interest, fees, penalties, charges, and costs allowed under this subchapter. A licensee may not threaten criminal prosecution as a method of collecting a delinquent small consumer installment loan or threaten to take any legal action against the borrower which the licensee may not legally take.

(2) Unless invited by the borrower, a licensee may not visit a borrower's residence or place of employment for the purpose of collecting a delinquent small consumer installment loan. A licensee may not impersonate a law enforcement official, or make any statements which might be construed as indicating an official connection with any federal, state, county, or city law enforcement agency, or any other governmental agency, while engaged in collecting a small consumer installment loan.

(3) A licensee may not communicate with a borrower in such a manner as to harass, intimidate, abuse, or embarrass a borrower, including but not limited to communication at an unreasonable hour, with unreasonable frequency, by threats of force or violence, or by use of offensive language. A communication is presumed to have been made for the purposes of harassment if it is initiated by the licensee for the purposes of collection and:

(a) It is made with a borrower, spouse, or domestic partner in any form, manner, or place, more than three times in a single week;

(b) It is made with a borrower at his or her place of employment more than one time in a single week or made to a borrower after the licensee has been informed that the borrower's employer prohibits these communications;

(c) It is made with the borrower, spouse, or domestic partner at his or her place of residence between the hours of 9:00 p.m. and 7:30 a.m.; or

(d) It is made to a party other than the borrower, the borrower's attorney, the licensee's attorney, or a consumer reporting agency if otherwise permitted by law except for purposes of acquiring location or contact information about the borrower.

(4) A licensee is required to maintain a communication log of all telephone and written communications with a borrower initiated by the licensee regarding any collection efforts including date, time, and the nature of each communication.

(5) If a dishonored check is assigned to any third party for collection, this section applies to the third party for the collection of the dishonored check.

(6) For the purposes of this section, "communication" includes any contact with a borrower, initiated by the licensee, in person, by telephone, or in writing (including emails, text messages, and other electronic writing) regarding the collection of a delinquent small consumer installment loan, but does not include any of the following:

(a) Communication while a borrower is physically present in the licensee's place of business;

(b) An unanswered telephone call in which no message (other than a caller identification) is left, unless the telephone call violates subsection (3)(c) of this section; and

(c) An initial letter to the borrower that includes disclosures intended to comply with the applicable provisions of the federal fair debt collection practices act.

(7) For the purposes of this section:

(a) A communication occurs at the time it is initiated by a licensee regardless of the time it is received or accessed by the borrower; and

(b) A call to a number that the licensee reasonably believes is the borrower's cell phone will not constitute a communication with a borrower at the borrower's place of employment.

(8) For the purposes of this section, "week" means a series of seven consecutive days beginning on a Sunday.

NEW SECTION. **Sec. 908.** LOAN FREQUENCY LIMITATIONS. (1) No licensee may extend to or have open with a borrower a small consumer installment loan at any time when that borrower has another small consumer installment loan with an outstanding balance with the licensee or another licensee unless the unpaid loaned amount of any and all small consumer installment loans to a borrower at any time does not exceed seven hundred dollars.

(2) A borrower is prohibited from receiving more than eight small consumer installment loans from all licensees in any twelve-month period. A licensee is prohibited from making a small consumer installment loan to a borrower if making that small consumer installment loan would result in a borrower receiving more than eight small consumer installment loans from all licensees in any twelve-month period.

(3) A licensee is prohibited from extending a small consumer installment loan to a borrower who:

(a) Is in default on another small consumer installment loan until after that loan is paid in full or two years have passed from the origination date of the small consumer installment loan, whichever occurs first; or

(b) Is in a repayment plan for a small consumer installment loan with another licensee.

(4) A licensee is prohibited from extending a small consumer installment loan at any time to a borrower who:

(a) Has an unpaid small loan made by a licensee under chapter 31.45 RCW; or

(b) Is in an installment plan under RCW 31.45.088.

(5) The director has broad rule-making authority to adopt and implement a database system to carry out this section. This includes, but is not limited to, taking the steps necessary to contract a database vendor, and set licensee fees to operate and administer the database system.

(6) The information in the database described in this section is exempt from public disclosure under chapter 42.56 RCW.

NEW SECTION. **Sec. 909.** MILITARY BORROWERS. (1) A licensee is prohibited from extending a small consumer installment loan to any military borrower. In determining if a borrower is a military borrower and is ineligible to obtain a small consumer installment loan, a licensee may rely upon a statement provided by a borrower on a form prescribed by rule by the director. The form must apply standards to all military borrowers that are similar to the covered borrower identification statement standards of 32 C.F.R. Sec. 232.5(a)(1).

(2) The director must adopt rules to implement this section.

NEW SECTION. **Sec. 910.** REPAYMENT PLAN. (1) If a small consumer installment loan licensee attempts to collect the outstanding balance on a small consumer installment loan in default by commencing any civil action, the small consumer installment loan licensee shall first offer the borrower an opportunity to enter into a repayment plan. The small consumer installment loan licensee:

(a) Is required to make the repayment plan offer available to the borrower for a period of at least fifteen days after the date of the offer; and

(b) Is not required to make such an offer more than once for each loan.

(2) The repayment plan offer must:

(a) Be in writing and sent by electronic mail to an electronic mail address provided by the borrower to the licensee, or by United States mail, return receipt requested, to the borrower's mailing address provided by the borrower to the licensee;

(b) State the date by which the borrower must act to enter into a repayment plan;

(c) Briefly explain the procedures the borrower must follow to enter into a repayment plan;

(d) If the licensee requires the borrower to make an initial payment to enter into a repayment plan, briefly explain the requirement and state the amount of the initial payment and the date the initial payment must be made;

(e) State that the borrower has the opportunity to enter into a repayment plan with a term of at least one hundred twenty days after the date the repayment plan is entered into; and

(f) Include the following amounts:

(i) The initial payment due; and

(ii) The total amount due if the borrower enters into a repayment plan.

(3) Under the terms of any repayment plan pursuant to this section:

(a) The borrower must enter into the repayment plan not later than fifteen days after the date of the repayment plan offer, unless the licensee allows a longer period;

(b) The licensee must allow the period for repayment to extend at least one hundred twenty days after the date of the repayment plan, unless the borrower agrees to a shorter term; and

(c) The licensee may require the borrower to make an initial payment of not more than twenty percent of the total amount due under the terms of the repayment plan.

(4) If the licensee and borrower enter into a repayment plan pursuant to this section, the licensee shall honor the terms of the repayment plan, and the licensee shall not:

(a) Except as otherwise provided by this subchapter, charge any other amount to a borrower, including, without limitation, any amount or charge payable directly or indirectly by the borrower and imposed directly or indirectly by the licensee as an incident to or as a condition of entering into a repayment plan, other than the fees charged pursuant to the original loan agreement;

(b) Accept any collateral from the borrower to enter into the repayment plan;

(c) Sell to the borrower any insurance or require the borrower to purchase insurance or any other goods or services to enter into the repayment plan; and

(d) Attempt to collect an amount that is greater than the amount owed under the terms of the repayment plan.

(5) If the licensee and borrower enter into a repayment plan pursuant to this section, the licensee shall:

(a) Prepare a written agreement establishing the repayment plan; and

(b) Give the borrower a copy of the written repayment agreement. The written repayment agreement must:

(i) Be signed by the licensee and borrower; and

(ii) Contain all of the terms of the repayment plan, including, without limitation, the total amount due under the terms of the repayment plan.

(6) If the borrower defaults on the repayment plan, the licensee may, without any further notice to the borrower, commence any civil action and/or pursue any remedy as otherwise authorized by law.

NEW SECTION. **Sec. 911.** RESTRICTION ON TRANSFER. No licensee may pledge, negotiate, sell, or assign a small consumer installment loan, except to another licensee or to a bank, savings bank, trust company, savings and loan or building and loan association, or credit union organized under the laws of Washington or the laws of the United States.

NEW SECTION. **Sec. 912.** PROHIBITED ACTS. (1) It is a violation of this subchapter for a licensee, its officers, directors, employees, or independent contractors, or any other person subject to this subchapter to:

(a) Fail to make disclosures to loan applicants as required by any applicable state or federal law;

(b) Directly or indirectly employ any scheme, device, or artifice to defraud or mislead any borrower, to defraud or mislead any lender, or to defraud or mislead any person;

(c) Directly or indirectly engage in any unfair or deceptive practice toward any person;

(d) Directly or indirectly obtain property by fraud or misrepresentation;

(e) Make a small consumer installment loan to any person physically located in Washington through the use of the internet, facsimile, telephone, kiosk, or other means without first obtaining a license;

(f) Make, in any manner, any false or deceptive statement or representation with regard to the rates, points, or other financing terms or conditions for a small consumer installment loan or engage in bait and switch advertising;

(g) Make any false statement or knowingly and willfully make any omission of material fact in connection with any reports filed with the department of financial institutions by a licensee or in connection with any investigation conducted by the department of financial institutions;

(h) Advertise any rate of interest without conspicuously disclosing the annual percentage rate implied by that rate of interest or otherwise fail to comply with any requirement of the truth in lending act, or any other applicable state or federal statutes or regulations;

(i) Make small consumer installment loans from any unlicensed location;

(j) Fail to comply with all applicable state and federal statutes relating to the activities governed by this subchapter; or

(k) Fail to pay any other fee, assessment, or moneys due the department.

(2) In addition to any other penalties, any transaction in violation of subsection (1) of this section is uncollectible and unenforceable.

NEW SECTION. **Sec. 913.** INTERNET LENDING. (1) A licensee may advertise and accept applications for small consumer installment loans by any lawful medium including, but not limited to, the internet.

(2) Licensees are prohibited from advertising or making small consumer installment loans via the internet without first having obtained a license.

(3) A licensee advertising or accepting applications for small consumer installment loans on the internet must conspicuously display its unified business identifier number on every web site associated with such advertising or applications.

NEW SECTION. **Sec. 914.** INVESTIGATION AND EXAMINATION FEES AND ANNUAL ASSESSMENT FEE REQUIRED—AMOUNTS DETERMINED BY RULE—FAILURE TO PAY—NOTICE REQUIREMENTS OF LICENSEE. (1) Each applicant and licensee shall pay to the director an investigation and examination fee as established in rule and an annual assessment fee for the coming year in an amount determined by rule as necessary to cover the operation of the program. The annual assessment fee is due upon the annual assessment fee due date as established in rule. Nonpayment of the annual assessment fee may result in expiration of the license as provided in subsection (2) of this section. In establishing the fees, the director shall consider at least the volume of business, level of risk, and potential harm to the public related to each activity. The fees collected shall be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(2) If a licensee does not pay its annual assessment fee by the annual assessment fee due date as specified in rule, the director or the director's designee shall send the licensee a notice of expiration and assess the licensee a late fee not to exceed fifteen percent of the annual assessment fee as established in rule by the director. The licensee's payment of both the annual assessment fee and the late fee must arrive in the department of financial institutions' offices by 5:00 p.m. Pacific time on the tenth day after the annual assessment fee due date, unless the department of financial institutions is not open for business on that date, in which case the licensee's payment of both the annual assessment fee and the late fee must arrive in the department of financial institutions' offices by 5:00 p.m. Pacific time on the next occurring day that the department of financial institutions is open for business. If the payment of both the annual assessment fee and the late fee does not arrive prior to such time and date, then the expiration of the licensee's license is effective at 5:00 p.m. Pacific time on the thirtieth day after the assessment fee due date. The director or the director's designee may reinstate the license if, within fifteen days after the effective date of expiration, the licensee pays the annual assessment fee and the late fee.

(3) If a licensee intends to do business at a new location, to close an existing place of business, or to relocate an existing place of business, the licensee shall provide written notification of that intention to the director no less than thirty days before the proposed establishing, closing, or moving of a place of business.

NEW SECTION. **Sec. 915.** LICENSEE—RECORDKEEPING. Each licensee shall keep and maintain the business books, accounts, and records the director may require to fulfill the purposes of this subchapter. Every licensee shall preserve the books, accounts, and records as required in rule by the director for at least two years from the completion of the transaction. Records may be maintained on an electronic, magnetic, optical, or other storage media. However, the licensee must maintain the necessary technology to permit access to the records by the department of financial institutions for the period required under this subchapter.

NEW SECTION. **Sec. 916.** EXAMINATION OR INVESTIGATION—DIRECTOR'S AUTHORITY—COSTS. The director or the director's designee may at any time examine and investigate the business and examine the books, accounts, records, and files, or other information, wherever located, of any licensee or person who the director has reason to believe is engaging in the business governed by this subchapter. For these purposes, the director or the director's designee may require the attendance of and examine under oath all persons whose testimony may be required about the business or the subject matter of the investigation. The director or the director's designee may require the production of original books, accounts, records, files, or other information, or may make copies of such original books, accounts, records, files, or other information. The director or the director's designee may issue a subpoena or subpoena duces tecum requiring attendance and testimony, or the production of the books, accounts, records, files, or other information. The director shall collect from the licensee the actual cost of the examination and investigation.

NEW SECTION. **Sec. 917.** SUBPOENA AUTHORITY—APPLICATION—CONTENTS—NOTICE—FEES. (1) The director or authorized assistants may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed documents, records, or evidence are located, or in Thurston county. The application must:

(a) State that an order is sought under this section;

(b) Adequately specify the documents, records, evidence, or testimony; and

(c) Include a declaration made under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the director's authority and that the subpoenaed documents, records, evidence, or testimony are

reasonably related to an investigation within the director's authority.

(2) When an application under this section is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the director to subpoena the documents, records, evidence, or testimony.

(3) The director or authorized assistants may seek approval and a court may issue an order under this section without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation. An application for court approval is subject to the fee and process set forth in RCW 36.18.012(3).

NEW SECTION. **Sec. 918.** REPORT REQUIREMENTS—DISCLOSURE OF INFORMATION—RULES. (1) Each licensee shall submit to the director, in a form approved by the director, a report containing financial statements covering the calendar year or, if the licensee has an established fiscal year, then for that fiscal year, within one hundred five days after the close of each calendar or fiscal year. The licensee shall also file additional relevant information as the director may require. Any information provided by a licensee in an annual report is exempt from disclosure under chapter 42.56 RCW, unless aggregated with information supplied by other licensees in a manner that the licensee's individual information is not identifiable. Any information provided by the licensee that allows identification of the licensee may only be used by the director for purposes reasonably related to the regulation of licensees to ensure compliance with this subchapter.

(2) The director shall adopt rules specifying the form and content of annual reports and may require additional reporting as is necessary for the director to ensure compliance with this subchapter.

(3) A licensee whose license has been suspended or revoked shall submit to the director, at the licensee's expense, within one hundred five days after the effective date of the suspension or revocation, a closing audit report containing audited financial statements as of the effective date for the twelve months ending with the effective date.

(4) The director is authorized to enter into agreements or sharing arrangements regarding licensee reports, examination, or investigation information with other governmental agencies, the conference of state bank supervisors, the American association of residential mortgage regulators, the national association of consumer credit administrators, or other associations representing governmental agencies as established by rule, regulation, or order of the director.

NEW SECTION. **Sec. 919.** DIRECTOR—BROAD ADMINISTRATIVE DISCRETION—RULE MAKING—ACTIONS IN SUPERIOR COURT. The director has the power, and broad administrative discretion, to administer, liberally construe, and interpret this subchapter to facilitate the delivery of financial services to the citizens of this state by licensees subject to this subchapter, and to effectuate the legislature's goal to protect borrowers. The director shall adopt all rules necessary to administer this subchapter, to establish and set fees authorized by this subchapter, and to ensure complete and full disclosure by licensees of lending transactions governed by this subchapter.

NEW SECTION. **Sec. 920.** VIOLATIONS OR UNSOUND FINANCIAL PRACTICES—STATEMENT OF CHARGES—HEARING—SANCTIONS—DIRECTOR'S AUTHORITY. (1) The director may issue and serve upon a licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant, a statement of charges if, in the opinion of the director, any licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant:

(a) Is engaging or has engaged in an unsafe or unsound financial practice in conducting a business governed by this subchapter;

(b) Is violating or has violated this subchapter, including violations of:

(i) Any rules, orders, or subpoenas issued by the director under any act;

(ii) Any condition imposed in writing by the director in connection with the granting of any application or other request by the licensee; or

(iii) Any written agreement made with the director;

(c) Obtains a license by means of fraud, misrepresentation, or concealment;

(d) Provides false statements or omits material information on an application;

(e) Knowingly or negligently omits material information during or in response to an examination or in connection with an investigation by the director;

(f) Fails to pay a fee or assessment required by the director or any multistate licensing system prescribed by the director, or fails to maintain the required bond;

(g) Commits a crime against the laws of any jurisdiction involving moral turpitude, financial misconduct, or dishonest dealings. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this subchapter;

(h) Knowingly commits or is a party to any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme, or device whereby any other person relying upon the word, representation, or conduct acts to his or her injury or damage;

(i) Wrongly converts any money or its equivalent of any other person to his or her own use or to the use of his or her principal;

(j) Fails to disclose to the director any material information within his or her knowledge or fails to produce any document, book, or record in his or her possession for inspection by the director upon lawful demand;

(k) Commits any act of fraudulent or dishonest dealing. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this subchapter;

(l) Commits an act or engages in conduct that demonstrates incompetence or untrustworthiness, or is a source of injury and loss to the public; or

(m) Violates any applicable state or federal law relating to the activities governed by this subchapter.

(2) The director may issue and serve upon a licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of the licensee or applicant, a statement of charges if the director has reasonable cause to believe that the licensee or applicant is about to do acts prohibited in subsection (1) of this section.

(3) The statement of charges must be issued under chapter 34.05 RCW. The director or the director's designee may impose the following sanctions against any licensee or applicant, or any directors, officers, sole proprietors, partners, controlling persons, or employees of a licensee or applicant:

(a) Deny, revoke, suspend, or condition a license;

(b) Order the licensee or person to cease and desist from practices that violate this subchapter;

(c) Impose a fine not to exceed one hundred dollars per day per violation of this subchapter;

(d) Order restitution or refunds, or both, to borrowers or other affected parties for violations of this subchapter or to take other affirmative action as necessary to comply with this subchapter; and

(e) Remove from office or ban from participation in the affairs of any licensee any director, officer, sole proprietor, partner, controlling person, or employee of a licensee.

(4) The proceedings to impose the sanctions described in subsection (3) of this section, including any hearing or appeal of the statement of charges, are governed by chapter 34.05 RCW.

(5) Unless the licensee or person personally appears at the hearing or is represented by a duly authorized representative, the licensee is deemed to have consented to the statement of charges and the sanctions imposed in the statement of charges.

(6) Except to the extent prohibited by another statute, the director may engage in informal settlement of complaints or enforcement actions including, but not limited to, payment to the department of financial institutions for purposes of financial literacy and education programs authorized under RCW 43.320.150.

NEW SECTION. **Sec. 921.** VIOLATIONS OR UNSOUND PRACTICES—TEMPORARY CEASE AND DESIST ORDER—DIRECTOR'S AUTHORITY. Whenever the director determines that the acts specified in section 45 of this act or their continuation is likely to cause insolvency or substantial injury to the public, the director may also issue a temporary cease and desist order requiring the licensee to cease and desist from the violation or practice. The order becomes effective upon service upon the licensee and remains effective unless set aside, limited, or suspended by a court under section 47 of this act pending the completion of the administrative proceedings under the notice and until the time the director dismisses the charges specified in the notice or until the effective date of a superior court injunction under section 47 of this act.

NEW SECTION. **Sec. 922.** TEMPORARY CEASE AND DESIST ORDER—LICENSEE'S APPLICATION FOR INJUNCTION. Within ten days after a licensee has been served with a temporary cease and desist order, the licensee may apply to the superior court in the county of its principal place of business for an injunction setting aside, limiting, or suspending the order pending the completion of the administrative proceedings pursuant to the notice served under section 46 of this act. The superior court has jurisdiction to issue the injunction.

NEW SECTION. **Sec. 923.** VIOLATION OF TEMPORARY CEASE AND DESIST ORDER—DIRECTOR'S APPLICATION FOR INJUNCTION. In the case of a violation or threatened violation of a temporary cease and desist order issued under section 46 of this act, the director may apply to the superior court of the county of the principal place of business of the licensee for an injunction.

NEW SECTION. **Sec. 924.** APPOINTMENT OF RECEIVER. The director may petition the superior court for the appointment of a receiver to liquidate the affairs of the licensee.

NEW SECTION. **Sec. 925.** VIOLATION—CONSUMER PROTECTION ACT—REMEDIES. The legislature finds and declares that any violation of this subchapter substantially affects the public interest and is an unfair and deceptive act or practice and an unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020. Remedies available under chapter 19.86 RCW do not affect any other remedy the injured party may have.

NEW SECTION. **Sec. 926.** ADJUSTMENT OF DOLLAR AMOUNTS. The dollar amounts established in sections 26(2) and 33(1) of this act must, without discretion, be adjusted for inflation by the director on July 1, 2017, and on each July 1st thereafter, based upon upward changes in the consumer price index during that time period, and then rounded up to the nearest five dollars. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The director must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

NEW SECTION. **Sec. 927.** REPORT TO LEGISLATURE. The director must collect and submit the following information to the legislature by December 1, 2017, for data collected during 2016:

(1) The number of branches and total locations;

(2) The number of loans made during 2016;

(3) Loan volume;

(4) Average loan amount;

(5) Total fees charged, in total and by category of fee or other charge;

(6) Average payment per month, in total and by category of fee or other charge;

(7) Average income of borrower;

(8) The number of military borrowers;

(9) Borrower frequency;

(10) The number of unique borrowers;

(11) Average length of loan repayment;

(12) The number of borrowers taking out the maximum loan amount;

(13) The number of borrowers who went into default;

(14) Average length of time a borrower has a loan before a borrower goes into default;

(15) Any legislative recommendations by the director; and

(16) Any other information that the director believes is relevant or useful.

NEW SECTION. **Sec. 928.** SMALL CONSUMER INSTALLMENT LOANS—FINANCIAL LITERACY FUND. For each small consumer installment loan that is made, a licensee must remit one dollar to the department of financial institutions for the purpose of financial literacy and education programs authorized under RCW 43.320.150. The director shall adopt rules to implement this section.

NEW SECTION. **Sec. 929.** DIRECTOR AUTHORIZED TO CHARGE FEES. Effective January 1, 2016, the director shall establish, set, and adjust by rule the amount of all fees and charges authorized by this subchapter.

NEW SECTION. **Sec. 930.** SHORT TITLE. This subchapter may be known and cited as the small consumer installment loan act.

NEW SECTION. **Sec. 931.** Sections 1 through 16 of this act take effect July 1, 2016, or on and after the effective date of the final rules adopted by the director implementing this act, whichever is later provided the subchapter "small consumer installment loans" becomes law as it is enacted by the legislature.

NEW SECTION. **Sec. 932.** (1) Sections 20 through 55 of this act take effect July 1, 2016.

(2) The director of financial institutions or the director's designee shall take the actions necessary to ensure sections 20 through 55 of this act are implemented on July 1, 2016.

(3) The director of commerce or the director's designee shall take the actions necessary to ensure sections 56 through 58 of this act are implemented on July 1, 2016.

NEW SECTION. **Sec. 933.** Sections 20 through 51, 53 through 55, and 56 of this act are each added to chapter 31.45

RCW and codified with the subchapter heading of "small consumer installment loans.""

Correct the title.

Signed by Representatives Kirby, Chair; Vick, Ranking Minority Member; Blake; Hurst; Kochmar; McCabe and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Ryu, Vice Chair.

MINORITY recommendation: Without recommendation. Signed by Representative Stanford.

Referred to Committee on General Government & Information Technology.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

MESSAGE FROM THE SENATE

March 31, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1559
SUBSTITUTE HOUSE BILL NO. 1610

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 1, 2015, the 80th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTIETH DAY

House Chamber, Olympia, Wednesday, April 1, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4629, by Representatives S. Hunt, Reykdal, Short, Appleton, Takko, Sawyer, Santos, Pollet, Ryu, Moeller, Springer, Magendanz, Sullivan, Chopp, Pettigrew, Orwall, Hunter, Carlyle, Wylie, Gregerson, McBride, Peterson, Kilduff, Kagi, Robinson, Clibborn, Cody, Ormsby, Jinkins, Blake, Hansen, Stanford, Fitzgibbon, Walkinshaw, Haler, Morris, Holy, Caldier, Fagan, Kochmar, Johnson, Senn, Bergquist, Zeiger, Sells, Van Werven, Stambaugh, Orcutt, Muri, MacEwen, Manweller, McCabe, DeBolt, Griffey, and Walsh

WHEREAS, For 20 years TVW has opened state government to the people of Washington, offering unedited "gavel-to-gavel" coverage of government deliberations and public policy events of statewide significance since signal activation on April 10, 1995; and

WHEREAS, TVW was the brainchild of Congressman Denny Heck, who currently represents Washington's 10th Congressional District, and previously served as majority leader in the Washington State House of Representatives and chief of staff to Governor Booth Gardner and veteran state government official Stan Marshburn; and

WHEREAS, TVW's founders believed that the people of Washington deserved to be able to watch their elected officials in action, even if they could not be physically present in Olympia; and

WHEREAS, Since its inception, TVW has televised well over 30,000 hours of public policy proceedings, including coverage of the legislative, executive, and judicial branches of government, state agencies, state elections, and public policy events hosted by nongovernmental organizations; and

WHEREAS, The first event televised by TVW was a death penalty case before the Washington State Supreme Court, through which TVW also made history with the first-ever televised state court proceeding; and

WHEREAS, TVW televises all floor debates in the Washington State Senate and House of Representatives, offers live and archived coverage of all committee hearings in the Senate and House via television or webcast on-demand, and archives all of its coverage for citizens to view online, on-demand; and

WHEREAS, When the Legislature is not meeting in Olympia, TVW's mobile camera units cover legislative and public policy events across Washington, which are available on TVW's increasingly popular web site, tvw.org, which handles over 5 million online plays of its videos each year, with demand continuing to grow steadily; and

WHEREAS, The cable television industry carries TVW for free, giving TVW $7 million per year in free carriage and enabling TVW to reach two-thirds of state residents via television; and

WHEREAS, TVW allows the news media free access to its footage, making it easier for television, radio, and newspaper reporters to cover state government even when not physically present at the Capitol; and

WHEREAS, TVW educates young people about civics and government through its free civics education programs for teachers and students throughout the state, including its "Teach with TVW" web site, innovative "Capitol Classroom" program, and award-winning "Engaged: Students Becoming Citizens" video series; and

WHEREAS, TVW produces award-winning shows, includingn *Inside Olympia*, *The Impact*, and *Legislative Review*, which highlight key legislative debates and decisions; and

WHEREAS, TVW has won four regional Emmy Awards in its history, including three Emmy Awards in the last two years;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate TVW on 20 years of service to the people of Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to TVW's president and CEO, and the TVW Board of Directors.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4629.

HOUSE RESOLUTION NO. 4629 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4630, by Representatives S. Hunt, Reykdal, Appleton, Sawyer, Santos, Pollet, Goodman, Moeller, Springer, Magendanz, Sullivan, Chopp, Pettigrew, Van De Wege, Lytton, Orwall, Hunter, Carlyle, Wylie, Gregerson, McBride, Peterson, Kilduff, Kagi, Robinson, Clibborn, Cody, Ormsby, Jinkins, Takko, Blake, Hansen, Stanford, Fitzgibbon, Walkinshaw, Morris, Haler, Caldier, Kochmar, Bergquist, Zeiger, Fagan, Sells, Ryu, Johnson, MacEwen, Manweller, McCabe, DeBolt, and Griffey

WHEREAS, Dr. Thomas L. "Les" Purce is retiring from his position as president of The Evergreen State College in August 2015, after serving fifteen years in the position and two prior years as interim president; and

WHEREAS, Dr. Purce previously served at Washington State University as Vice President of Extended University Affairs and Dean of Extended Academic Programs; and

WHEREAS, Dr. Purce is an exemplar of a public servant in higher education, with his twenty-six year career in Washington state preceded by public service at the University of Idaho as the Special Assistant to the President and Director of the Research Park and Economic Development; election as the first African American elected official in the state of Idaho, where he served as a mayor and council member for the City of Pocatello; and service as the director of Idaho's departments of Administration and Health and Welfare under Governor John Evans; and

WHEREAS, Under Dr. Purce's leadership, Evergreen has been consistently recognized as a national leader and model in the development of interdisciplinary learning communities that combine and coordinate several academic subjects in an innovative approach to study of the arts and sciences; and

WHEREAS, Dr. Purce guided Evergreen's strong promotion and pursuit of community engagement, curricular innovation, and development of academic programs that encourage students to apply classroom learning to practical problems in their professional, civic, academic, and artistic pursuits; and

WHEREAS, Under Dr. Purce's leadership, Evergreen has emerged as a leader in reducing the length of time and cost required to earn a bachelor's degree, and has been repeatedly recognized as a top public liberal arts and science institution by U.S. News and World Report, the Princeton Review, and Washington Monthly; and

WHEREAS, Dr. Purce worked actively with faculty and staff to achieve above average student engagement on many benchmark measures of the National Survey of Student Engagement, including level of academic challenge, active and collaborative learning, student-faculty interaction, enriching educational experiences, and supportive campus environment; and

WHEREAS, Dr. Purce strengthened Evergreen's commitment to serving, educating, and graduating underrepresented students by establishing the College as a leader for historically underrepresented, first-generation, and low-income students, and expanding partnerships with Washington's tribes and military partners; and

WHEREAS, Dr. Purce has overseen the growth of Evergreen's main campus in Olympia; program in Tacoma; partnerships with Grays Harbor College, South Puget Sound Community College, and Centralia College; unique reservation-based program for Native American students at six locations in the Puget Sound; and more than 400 articulation agreements with over thirty Washington community colleges; and

WHEREAS, Dr. Purce successfully guided Evergreen through the economic crisis of the Great Recession, while still strengthening the College's commitment to serving underrepresented students in the liberal arts and sciences; and

WHEREAS, Dr. Purce's professional legacy of true dedication towards higher education will continue to live on through the students and faculty he inspired and worked with;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and congratulate Dr. Thomas L. "Les" Purce for his twenty-eight years of service to higher education in Washington, and for his dedication to quality, efficiency, diversity, equity, and sustainability in the liberal arts and sciences; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Dr. Purce and the Board of Trustees of The Evergreen State College.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4630.

HOUSE RESOLUTION NO. 4630 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4632, by Representatives Stambaugh, Fagan, Johnson, Orwall, Griffey, Zeiger, MacEwen, Kochmar, Ryu, Walsh, Muri, S. Hunt, and McCabe

WHEREAS, The annual Daffodil Festival is a cherished tradition for the people of Pierce County and the Northwest; and

WHEREAS, 2015 marks the 82nd annual Daffodil Festival, and the theme of this year's festival is "Shine Your Light With Service"; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a place to live and visit, to give citizens of Pierce County a civic endeavor where "Shine Your Light With Service" comes alive, to foster civic pride, to give young people and organizations of the local area an opportunity to display their talents and abilities, to give voice to citizens' enthusiasm through parades, pageantry, and events, and to stimulate the economy through expenditures by and for the Festival and by visitors attracted during Festival Week; and

WHEREAS, The Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Festival's 2015 events include the 82nd Annual Grand Floral Street Parade on April 11, 2015—winding its way from downtown Tacoma through the communities of Puyallup, Sumner, and Orting, and consisting of approximately 150 entries, including bands, marching and mounted units, and floats that are decorated with fresh-cut Daffodils numbering in the thousands—and will culminate with the Marine parade on April 12, 2015; and

WHEREAS, This year's Festival royalty includes Pelumi Ajibade, Stadium; Ashley Becker, Bonney Lake; Kenzie Bjornson, Cascade Christian; Kyla Farris, Rogers; Madison Gordon, Wilson; Kasey Hewitt, Lakes; Emily Inskeep, Chief Leschi; Jaskirat Kaur, Emerald Ridge; Madison Lindahl, Puyallup; Rachel Price, Eatonville; Bailey Rasmussen, White River; Kaitlin Ringus, Fife; Nicole Ripley, Henry Foss; Tia Robbins, Franklin Pierce; Ransom Satterlee, Bethel; Athena Sok, Lincoln; Victoria Ann Tirado, Clover Park; Bailee Towns, Graham Kapowsin; Taylor Trujillo, Spanaway Lake; Samantha Ward, Sumner; Sharon Washington, Washington; Shannon Woods, Mt. Tahoma; Madison Zahn, Orting; and Lyndsay Zemanek, Curtis;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the many contributions made to our state by the Daffodil Festival and its organizers for the past eighty-two years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2015 Daffodil Festival Officers and to the members of the Festival Royalty.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4632.

HOUSE RESOLUTION NO. 4632 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4633, by Representatives Gregory and Kochmar

WHEREAS, It is the policy of the Washington State House of Representatives to recognize the extraordinary accomplishments of high school students and athletes; and

WHEREAS, The Federal Way Eagles boys' basketball team started an incredible journey in December 2014 that ended with the Class 4A State Boys' Basketball Championship trophy being lifted high above their heads in March 2015; and

WHEREAS, The Federal Way Eagles were able to overcome all odds and win this competition for the second time in their school's history; and

WHEREAS, The Federal Way Eagles exhibited a season-long dedication to training and teamwork that led to their championship; and

WHEREAS, The championship is celebrated by each and every member of the team, and the team's managers and coaches; and

WHEREAS, The leadership of Coach Jerome Collins set the direction for this accomplished and inspired team; and

WHEREAS, Coach Jerome Collins also inspired the Federal Way Eagles to win their first championship during the 2008-2009 season; and

WHEREAS, The Federal Way Eagles were sustained in their drive to this victory through the staunch support of family and community, and their resonating expressions of enthusiastic support;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the Federal Way Eagles boys' basketball team, whose commitment, exceptional teamwork, and athletic achievements make them admirable holders of the 2015 4A State Boys' Basketball Championship trophy; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Federal Way Eagles boys' basketball team, the team's managers and coaches, and the Federal Way High School principal.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4633.

HOUSE RESOLUTION NO. 4633 was adopted.

The Speaker (Representative Orwall presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 30, 2015

E2SSB 5057 Prime Sponsor, Committee on Ways & Means: Concerning the safe transport of hazardous materials. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 934.** RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ((~~and~~))

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 935. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 936. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 937. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(((~~(4)~~))) (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(((~~(5)~~))) (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(((~~(6)~~))) (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(7)~~))) (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(((~~(8)~~))) (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 938. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ((~~office~~)) department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk. Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans until state rules are adopted.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(((~~(4)~~))) (5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(((~~(5)~~))) (6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(((~~(6)~~))) (7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(((~~(7)~~))) (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(((~~(8)~~))) (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(((~~(9)~~))) (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(10)~~))) (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 939. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) The account shall be used exclusively to pay for:

(a) The costs associated with the response to spills or threats of spills of crude oil or petroleum products into the ((~~navigable~~)) waters of the state; and

(b) The costs associated with the department's use of ((~~the~~)) an emergency response towing vessel ((~~as described in RCW 88.46.135~~)).

(3) Payment of response costs under subsection (2)(a) of this section shall be limited to spills which the director has determined are likely to exceed ((~~fifty~~)) one thousand dollars.

(4) Before expending moneys from the account, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 940. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

(a) Routine responses not covered under RCW 90.56.500;

(b) Management and staff development activities;

(c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the tax provided for in chapter 82.23B RCW; and

(g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. **Sec. 941.** A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, and type of crude oil received. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(b) Twice per year, pipelines must report to the department the following information about the crude oil transported by the pipeline through the state: The volume of crude oil, the type of crude oil, and the types of diluting agents used in the crude oil. This report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. With respect to the information reported under subsection (1)(a) of this section, the information published by the department must be aggregated on a statewide basis by route through the state, by week, and by type of crude oil. The report may also include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

(4)(a) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(b) Twice per year, a facility must submit a report to the department that corrects inaccuracies in the advanced notices submitted under subsection (1) of this section. The facility is not required to correct in the report any insubstantial discrepancies between actual and scheduled train arrival times. The report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that is not aggregated and that contains proprietary, commercial, or

financial information. The requirement for aggregating information does not apply when information is shared by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

NEW SECTION. **Sec. 942.** A new section is added to chapter 90.56 RCW to read as follows:

The department shall periodically evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

Sec. 943. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(21) "Certificate of financial responsibility" means an official written acknowledgment issued by the director or the director's designee that an owner or operator of a covered vessel or facility, or the owner of the oil, has demonstrated to the satisfaction of the director or the director's designee that the relevant entity has the financial ability to pay for costs and damages caused by an oil spill.

Sec. 944. RCW 88.40.020 and 2003 c 91 s 3 and 2003 c 56 s 3 are each reenacted and amended to read as follows:

(1) Any barge that transports hazardous substances in bulk as cargo, using any port or place in the state of Washington or the navigable waters of the state shall establish evidence of financial responsibility in the amount of the greater of five million dollars, or three hundred dollars per gross ton of such vessel.

(2)(a) Except as provided in (b) or (c) of this subsection, a tank vessel that carries oil as cargo in bulk shall demonstrate financial responsibility to pay at least five hundred million dollars. The amount of financial responsibility required under this subsection is one billion dollars after January 1, 2004.

(b) The director by rule may establish a lesser standard of financial responsibility for tank vessels of three hundred gross tons or less. The standard shall set the level of financial responsibility based on the quantity of cargo the tank vessel is capable of carrying. The director shall not set the standard for tank vessels of three hundred gross tons or less below that required under federal law.

(c) The owner or operator of a tank vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a tank vessel to prove membership in such an organization.

(3)(a) A cargo vessel or passenger vessel that carries oil as fuel shall demonstrate financial responsibility to pay at least three hundred million dollars. However, a passenger vessel that transports passengers and vehicles between Washington state and a foreign country shall demonstrate financial responsibility to pay the greater of at least six hundred dollars per gross ton or five hundred thousand dollars.

(b) The owner or operator of a cargo vessel or passenger vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a cargo vessel or passenger vessel to prove membership in such an organization.

(4) A fishing vessel while on the navigable waters of the state must demonstrate financial responsibility in the following amounts: (a) For a fishing vessel carrying predominantly nonpersistent product, one hundred thirty-three dollars and forty cents per incident, for each barrel of total oil storage capacity, persistent and nonpersistent product, on the vessel or one million three hundred thirty-four thousand dollars, whichever is greater; or (b) for a fishing vessel carrying predominantly persistent product, four hundred dollars and twenty cents per incident, for each barrel of total oil storage capacity, persistent product and nonpersistent product, on the vessel or six million six hundred seventy thousand dollars, whichever is greater.

(5) The ((~~documentation of financial responsibility shall demonstrate the ability of the document holder to meet state and federal financial liability requirements for the actual costs for removal of oil spills, for natural resource damages, and for necessary expenses~~)) certificate of financial responsibility is conclusive evidence that the person or entity holding the certificate is the party responsible for the specified vessel, facility, or oil for purposes of determining liability pursuant to this chapter.

(6) This section shall not apply to a covered vessel owned or operated by the federal government or by a state or local government.

Sec. 945. RCW 88.40.025 and 1991 c 200 s 704 are each amended to read as follows:

An onshore or offshore facility shall demonstrate financial responsibility in an amount determined by the department as necessary to compensate the state and affected counties and cities for damages that might occur during a reasonable worst case spill of oil from that facility into the navigable waters of the state. The department shall ((~~consider such matters as the amount of oil that could be spilled into the navigable waters from the facility, the cost of cleaning up the spilled oil, the frequency of operations at the facility, the damages that could result from the spill and the commercial availability and affordability of financial responsibility~~)) adopt by rule an amount that will be calculated by multiplying the reasonable per barrel cleanup and damage cost of spilled oil, times the reasonable worst case spill volume, as measured in barrels. This section shall not apply to an onshore or offshore facility owned or operated by the federal government or by the state or local government.

Sec. 946. RCW 88.40.030 and 2000 c 69 s 32 are each amended to read as follows:

(1) Financial responsibility required by this chapter may be established by any one of, or a combination of, the following methods acceptable to the department of ecology: (((~~(1)~~))) (a) Evidence of insurance; (((~~(2)~~))) (b) surety bonds; (((~~(3)~~))) (c) qualification as a self-insurer; ((~~or (4)~~)) (d) guaranty; (e) letter of credit; (f) certificate of deposits; (g) protection and indemnity club membership; or (h) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States. Documentation of such financial responsibility shall be kept on any covered vessel and filed with the department at least twenty-four hours before entry of the vessel into the navigable waters of the state. A covered vessel is not required to file documentation of financial responsibility twenty-four hours before entry of the vessel into the navigable waters of the state, if the vessel has filed documentation of financial responsibility with the federal government, and the level of financial responsibility required by the federal government is the same as or exceeds state requirements. The owner or operator of the vessel may file with the department a certificate evidencing compliance with the requirements of another state's or federal financial responsibility requirements if the state or federal government requires a level of financial responsibility the same as or greater than that required under this chapter.

(2) A certificate of financial responsibility may not have a term greater than one year.

Sec. 947. RCW 88.40.040 and 2003 c 56 s 4 are each amended to read as follows:

(1) ((~~It is unlawful for any vessel required to have financial responsibility under this chapter to enter or operate on Washington waters without meeting the requirements of this chapter or rules adopted under this chapter, except~~)) A vessel or facility need not demonstrate financial responsibility under this chapter prior to using any port or place in the state of Washington or the navigable waters of the state when necessary to avoid injury to the vessel's or facility's crew or passengers. Any vessel owner or operator that does not meet the financial responsibility requirements of this chapter and any rules prescribed thereunder or the federal oil pollution act of 1990 shall be reported by the department to the United States coast guard.

(2) ((~~The department shall enforce section 1016 of the federal oil pollution act of 1990 as authorized by section 1019 of the federal act.~~)) Upon notification of an oil spill or discharge or other action or potential liability, the director shall reevaluate the validity of the certificate of financial responsibility. If the director determines that, because of a spill outside of the state or some other action or potential liability, the holder of a certificate may not have the financial resources to pay damages for the oil spill or discharge or other action or potential liability and have resources remaining available to meet the requirements of this chapter, the director may suspend or revoke the certificate.

(3) An owner or operator of more than one covered vessel, more than one facility, or one or more vessels and facilities, is only required to obtain a single certificate of financial responsibility that applies to all of the owner or operator's vessels and facilities.

(4) If a person holds a certificate for more than one covered vessel or facility and a spill or spills occurs from one or more of those vessels or facilities for which the owner or operator may be liable for damages in an amount exceeding five percent of the financial resources reflected by the certificate, as determined by the

director, the certificate is immediately considered inapplicable to any vessel or facility not associated with the spill. In that event, the owner or operator shall demonstrate to the satisfaction of the director the amount of financial ability required pursuant to this chapter, as well as the financial ability to pay all damages that arise or have arisen from the spill or spills that have occurred.

Sec. 948. RCW 88.16.170 and 1991 c 200 s 601 are each amended to read as follows:

Because of the danger of spills, the legislature finds that the transportation of crude oil and refined petroleum products by tankers on the Columbia river, Grays Harbor, and on Puget Sound and adjacent waters creates a great potential hazard to important natural resources of the state and to jobs and incomes dependent on these resources.

The legislature recognizes that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill. The legislature also recognizes Grays Harbor and Puget Sound and adjacent waters are ((~~a~~)) relatively confined salt water environments with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill.

The legislature further recognizes that certain areas of the Columbia river, Grays Harbor, and Puget Sound and adjacent waters have limited space for maneuvering a large oil tanker and that these waters contain many natural navigational obstacles as well as a high density of commercial and pleasure boat traffic.

For these reasons, it is important that large oil tankers be piloted by highly skilled persons who are familiar with local waters and that such ((~~tankers~~)) vessels have sufficient capability for rapid maneuvering responses.

It is therefore the intent and purpose of RCW 88.16.180 and 88.16.190 to decrease the likelihood of oil spills on the Columbia river, Grays Harbor, and on Puget Sound and its shorelines by ((~~requiring all oil tankers above a certain size to employ licensed pilots and to be escorted by a tug or tugs while navigating on certain areas of Puget Sound and adjacent waters~~)) establishing safety requirements that comprehensively address spill risks, which may include the establishment of tug escorts and other measures to mitigate safety risks in certain state waters.

Sec. 949. RCW 88.16.190 and 1994 c 52 s 1 are each amended to read as follows:

(1) ((~~Any oil tanker, whether enrolled or registered, of greater than one hundred and twenty-five thousand deadweight tons shall be prohibited from proceeding beyond a point east of a line extending from Discovery Island light south to New Dungeness light.~~

~~(2) An oil tanker, whether enrolled or registered, of forty to one hundred and twenty-five thousand deadweight tons may proceed beyond the points enumerated in subsection (1) if such tanker possesses all of the following standard safety features:~~

~~(a) Shaft horsepower in the ratio of one horsepower to each two and one-half deadweight tons; and~~

~~(b) Twin screws; and~~

~~(c) Double bottoms, underneath all oil and liquid cargo compartments; and~~

~~(d) Two radars in working order and operating, one of which must be collision avoidance radar; and~~

~~(e) Such other navigational position location systems as may be prescribed from time to time by the board of pilotage commissioners:~~

~~PROVIDED, That, if such forty to one hundred and twenty-five thousand deadweight ton tanker is in ballast or is under escort of a tug or tugs with an aggregate shaft horsepower equivalent to five percent of the deadweight tons of that tanker, subsection (2) of this section shall not apply: PROVIDED FURTHER, That additional tug shaft horsepower equivalencies may be required under certain conditions as established by rule and regulation of the Washington utilities and transportation commission pursuant to chapter 34.05 RCW: PROVIDED FURTHER, That~~)) Except as provided in subsection (3) of this section, an oil tanker of greater than forty thousand deadweight tons may operate in the waters described in (a) of this subsection, to the extent that these waters are within the territorial boundaries of Washington, only if the oil tanker is under the escort of a tug or tugs in compliance with the requirements of subsection (5) of this section.

(a) Those waters east of a line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area.

(b) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, may write rules to implement this subsection (1)(b), but only after an event described in subsection (2) of this section takes place and only for the waters directly affected by the facility event. These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges that may apply in the following areas consistent with subsections (3)(a) and (5) of this section:

(i) Within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050;

(ii) Any inland portion of the Columbia river or within three miles of Cape Disappointment at the mouth of the Columbia river; or

(iii) The waters identified in (a) of this subsection.

(c) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, shall adopt rules by June 30, 2017, to implement this subsection (1)(c). These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges and apply in the following areas consistent with subsections (3)(a) and (5) of this section: The waters described in (a) of this subsection, including all narrow channels of the San Juan Islands archipelago, Rosario Strait, Haro Strait, Boundary Pass, and connected waterways.

(2) The state board of pilotage commissioners may adopt rules under subsection (1)(b) of this section only after:

(a) The governor approves, after January 1, 2015, a recommendation of the energy facility site evaluation council pursuant to RCW 80.50.100 to certify a facility meeting the criteria listed in RCW 80.50.020(12) (d) or (f);

(b) A state agency or a local jurisdiction makes a final determination or issues a final permit after January 1, 2015, to site a new facility required to have a contingency plan pursuant to chapter 90.56 RCW or to provide authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility required to have a contingency plan pursuant to chapter 90.56 RCW, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility; or

(c) The state of Oregon or any local jurisdiction in Oregon makes a final determination or issues a final permit to site a new facility in the watershed of the Columbia river that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, or to provide authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility.

(3)(a) If an oil tanker, articulated tug barge, or other towed waterborne vessel or barge is in ballast, the tug requirements of subsection (1) of this section do not apply.

(b) If an oil tanker is a single-hulled oil tanker of greater than five thousand gross tons, the requirements of subsection (1)(a) of this section do not apply and the oil tanker must instead comply with 33 C.F.R. Part 168, as of the effective date of this section.

(4)(a) Prior to proceeding with rule making as authorized under subsection (1)(b) and (c) of this section, the state board of pilotage commissioners must collaborate with the United States coast guard, the Oregon board of maritime pilots, the Puget Sound, Grays Harbor, and Columbia river harbor safety committees, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities. In adopting rules, the state board of pilotage commissioners must take into account any tug escort or other maritime safety measures for a water body that were or are required as mitigation or as a condition of a facility siting decision by a state agency or local jurisdiction.

(b) The department may not adopt any rules under this subsection or under subsection (1)(b) and (c) of this section until a vessel traffic risk assessment has been completed for the waters subject to the rule making. In order to adopt a rule under this section or subsection (1)(b) and (c) of this section, the board of pilotage commissioners must determine that the results of a vessel traffic risk assessment provides evidence that the rules are necessary in order to achieve best achievable protection as defined in RCW 88.46.010. In order for the state board of pilotage commissioners to rely on a vessel traffic risk assessment that is conducted after January 1, 2015, the vessel traffic risk assessment must involve a simulation analysis of vessel traffic. A simulation analysis is not required of a vessel traffic risk assessment relied upon by the state board of pilotage commissioners that was conducted before January 1, 2015.

(5) Oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges must ensure that any escort tugs they use have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge. The state board of pilotage commissioners may adopt rules to ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort. Rules adopted on this subject must be designed to achieve best achievable protection as defined under RCW 88.46.010.

(6) A tanker assigned a deadweight of equal to or less than forty thousand deadweight tons at the time of construction or reconstruction as reported in Lloyd's Register of Ships is not subject to the provisions of RCW 88.16.170 through 88.16.190.

(7) The provisions of this section do not apply to pilotage for enrolled tankers.

(8) For the purposes of this section:

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 950. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ((~~travelling~~)) traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car or pipeline.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 951. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; or (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; and (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of ((~~four~~)) eight cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ((~~shall~~)) must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ((~~imposition of the~~)) taxes imposed, or having collected the taxes, fails to pay them to the department in the

manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ((~~shall~~)), nevertheless, ((~~be~~)) is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ((~~shall~~)) relieves the owner from further liability for the taxes.

(4) Taxes collected under this chapter ((~~shall~~)) must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ((~~shall be~~)) is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ((~~shall~~)) must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ((~~shall be~~)) are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ((~~shall~~)) constitutes a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter, ((~~shall be~~)) is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department. The department ((~~shall~~)) must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ((~~shall~~)) must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ((~~shall~~)) relieves the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ((~~shall~~)) must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ((~~shall~~)) must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ((~~shall~~)) may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ((~~shall~~)) must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 952. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ((~~shall~~)) only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 953. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ((~~shall~~)) must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

Sec. 954. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than seventeen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, and private industry. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials planning and response activities. ((~~The council or a subcommittee thereof shall periodically convene in special session and serve during those sessions as the state emergency response commission required by P.L. 99-499, the emergency planning and community right-to-know act. When sitting in session as the state emergency response commission, the council shall confine its deliberations to those items specified in federal statutes and state administrative rules governing the coordination of hazardous materials policy.~~)) The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and

submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 955. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee equal to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue. In the event that the sum total of intrastate gross operating revenues for the railroad companies operating in Washington declines while the sum total of interstate gross operating revenues increases, the commission may assess a reasonable surcharge on railroad companies to enable collection of moneys up to the sum total of revenues collected in fiscal year 2017 from railroad companies operating in Washington. The commission must adopt a rule to implement the surcharge. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. **Sec. 956.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 957. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 958. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. **Sec. 959.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage;

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section; and

(c) Requirements governing the responsibilities of railroad companies to oversee the payment and completion of private crossing improvements.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 960. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

(((~~(3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.~~)))

Sec. 961. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by

any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23)(a) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 8(1)(a) of this act, and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8 of this act; and

(b) Information submitted to the department of ecology by pipelines pursuant to section 8(1)(b) of this act that is related to diluting agents contained in transported oil and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the information pursuant to section 8 of this act.

NEW SECTION. **Sec. 962.** A new section is added to chapter 81.40 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission created in chapter 80.01 RCW.

(2) "Hazardous material" means a substance or material the federal secretary of transportation has determined to be capable of posing a significant risk to health, safety, and property when transported in commerce.

(3) "Hazardous material train" means any:

(a) High-hazard flammable train as defined by the United States department of transportation as of the effective date of this section; or

(b) Train containing one or more car loads of spent nuclear fuel or high level nuclear waste.

(4) "Qualified crew member" means a railroad operating craft employee who has been trained and meets the requirements and qualifications as determined by the federal railroad administration for a railroad operating service employee.

(5) "Railroad carrier" means a carrier of persons or property upon vehicles, other than streetcars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns. "Railroad carrier" includes the officers and agents of the railroad carrier.

NEW SECTION. **Sec. 963.** A new section is added to chapter 81.40 RCW to read as follows:

Except as provided in section 31 of this act, the following minimum crew requirements apply:

(1) Any person, corporation, company, or officer of the court operating any railroad, railway, or any part of any railroad or railway, in the state of Washington, and engaged, as a common carrier, in the transportation of freight or passengers, shall operate all trains and switching assignments over its road with crews consisting of no less than two qualified crew members.

(2)(a) Railroad carriers shall operate all hazardous material trains over its road with crews consisting of no less than three qualified crew members. One qualified train crew member shall be assigned to a position located on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

(b) Railroad carriers shall operate any hazardous material trains consisting of fifty-one or more car loads of any combination of hazardous materials over its road with crews consisting of no less than four qualified crew members. Two qualified crew members

shall be assigned to a position on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

NEW SECTION. **Sec. 964.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Trains transporting hazardous material shipments a distance of five miles or less may operate the train with the required crew members positioned on the lead locomotive.

(2)(a) Class II and class III carriers transporting fewer than twenty loaded hazardous material cars on trains operating on their road while at a speed of twenty-five miles per hour or less are exempt from the additional train crew requirements specified in section 30(2) of this act.

(b) The commission may grant exemptions to the minimum crew size requirements to class III railroad carriers that are not transporting hazardous materials on their road.

(3)(a) The commission may order class I or II railroad carriers to exceed the minimum crew size and operate specific trains, routes, or switching assignments on their road with additional numbers of qualified crew members if it is determined that such an increase in crew size is necessary to protect the safety, health, and welfare of the public and railroad employees, to prevent harm to the environment, and to address local safety and security hazards.

(b) In issuing such an order the commission may consider relevant factors including but not limited to the volatility of the commodities being transported, vulnerabilities, risk exposure to localities along the train route, security risks including sabotage or terrorism threat levels, a railroad carriers prior history of accidents, compliance violations, and track and equipment maintenance issues.

NEW SECTION. **Sec. 965.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Each train or engine run in violation of section 30 of this act constitutes a separate offense. However, section 30 of this act does not apply in the case of disability of one or more members of any train crew while out on the road between division terminals, or assigned to wrecking trains.

(2) Any person, corporation, company, or officer of the court operating any railroad, or part of any railroad or railway within the state of Washington, and engaged as a common carrier, in the transportation of freight or passengers, who violates any of the provisions of section 30 of this act shall be fined not less than one thousand dollars and not more than one hundred thousand dollars for each offense.

(3) It is the duty of the commission to enforce this section.

NEW SECTION. **Sec. 966.** The following acts or parts of acts are each repealed:

(1)RCW 81.40.010 (Full train crews—Passenger—Safety review—Penalty—Enforcement) and 2003 c 53 s 386, 1992 c 102 s 1, & 1961 c 14 s 81.40.010; and

(2)RCW 81.40.035 (Freight train crews) and 1967 c 2 s 2.

NEW SECTION. **Sec. 967.** A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must provide to the relevant policy and fiscal committees of the senate and house of representatives:

(a) A review of all state geographic response plans and any federal requirements as needed in contingency plans required under RCW 90.56.210 and 88.46.060 by December 31, 2015; and

(b) Annual updates, beginning December 31, 2016, and ending December 31, 2021, as required under RCW 43.01.036, as to the progress made in completing state and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) The department must contract, if practicable, with eligible independent third parties to ensure completion by December 1, 2017, of at least fifty percent of the geographic response plans as needed in contingency plans required under RCW 90.56.210 and 88.46.060 for the state.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 968.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

NEW SECTION. **Sec. 969.** Subject to the availability of amounts appropriated for this specific purpose, the department of ecology and the utilities and transportation commission shall jointly hold a symposium on oil spill prevention and response activities for international transport of liquid bulk crude oil. The department of ecology and the utilities and transportation commission must invite representatives from affected tribes, public interest organizations, local governments, the United States government, Canadian provinces, Canada, and other appropriate stakeholders. The symposium must at a minimum address:

(1) Cooperative prevention and emergency response activities between the shared international and state borders;

(2) Expected risks posed by transport of Canadian crude oil or liquid bulk crude oil throughout the Pacific Northwest region; and

(3) An update of the marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 970.** Sections 17 through 20 of this act take effect January 1, 2016.

NEW SECTION. **Sec. 971.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 972.** Except for sections 17 through 20 of this act, this act is necessary for the immediate preservation of the

public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Fey; Goodman and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris; Pike and Taylor.

Referred to Committee on Appropriations.

March 30, 2015

E2SSB 5179 Prime Sponsor, Committee on Ways & Means: Concerning paraeducators. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

On page 3, line 11, after "(d)" strike all material through "certificated" on line 13 and insert the following:

"The office of the superintendent of public instruction and all educational service districts shall, in collaboration with the board, develop the courses necessary to meet the certification standards and ensure that paraeducators have multiple methods to access the courses. By January 1, 2017, the board, in collaboration with the office, the educational service districts, and the school districts receiving grants under subsection (4)(a) of this section, shall submit a report to the appropriate committees of the legislature. The report must include an analysis of the cost to the state and the school districts to implement the requirements of subsection (4)(b) of this section, and the cost to paraeducators to meet paraeducator certification and English language learner endorsement requirements"

Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hunt, S.; Kilduff; Lytton; McCaslin; Orwall; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes and Klippert.

Referred to Committee on Appropriations.

March 30, 2015

SB 5205 Prime Sponsor, Senator Becker: Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Farrell; Goodman; Harris; McBride; Pike and Taylor.

Passed to Committee on Rules for second reading.

March 25, 2015

2SSB 5215 Prime Sponsor, Committee on Ways & Means: Establishing the Washington internet crimes against children account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

March 30, 2015

2SSB 5252 Prime Sponsor, Committee on Ways & Means: Creating a program to implement regional safety and security centers. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 973.** The legislature finds that school personnel are often the first responders when there is a violent threat or natural or man-made disaster at a school. The legislature further finds that school personnel need to be trained to intervene and provide assistance during these emergency incidents. The legislature recognizes an educational service district has developed a model for a regional school safety and security center, which can provide this type of training. The legislature intends to provide training to other regions in the state by authorizing a pilot program to create regional school safety and security centers in three other educational service districts.

NEW SECTION. **Sec. 974.** (1) During the 2015-2017 biennium, three educational service districts shall implement a pilot program to create regional school safety and security centers in each of the three educational service districts. One educational service district must be an educational service district that is entirely west of the crest of the Cascade mountains and is partially bounded by an international border. One educational service district must be east of the crest of the Cascade mountains. One educational service district may be located anywhere in the state of Washington.

(2) The pilot program must include the following components:

(a) Establishment of a network of school safety coordinators for the educational service districts, which shall focus on prevention planning, intervention, mitigation, crisis response, and community recovery regarding emergency incidents in schools;

(b) Collaboration with the educational service district that developed the model for a regional school safety and security center to adopt its model for a regional school safety and security center;

(c) Creation of technology-based systems that enable more efficient and effective communication between schools and emergency response entities, including local law enforcement, local fire departments, and state and federal responders;

(d) Establishment of a plan to facilitate clear communication with students, parents, and guardians, including a system using school-based personnel or community organizations that can assist in providing information to those whose primary language is other than English;

(e) Provision of technology support in order to improve communication and data management between schools and emergency response entities;

(f) Ongoing training of school personnel and emergency responders to establish a system for preventative identification, intervention strategies, and management of risk behaviors;

(g) Development of a professional development program to train school personnel as first responders until the arrival of emergency responders; and

(h) Building a collaborative relationship between educational service districts participating in the pilot program, the office of the superintendent of public instruction, and the school safety advisory committee and focusing on expanding regional school safety and security centers to all of the other educational service districts.

(3) This section expires December 31, 2017."

Correct the title.

Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Referred to Committee on Appropriations.

March 30, 2015

SSB 5418 Prime Sponsor, Committee on Commerce & Labor: Creating a pilot program to improve care for catastrophically injured workers. Reported by Committee on Labor

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 975.** (1) The legislature finds:

(a) Each year, only a small percentage of industrial insurance cases in Washington involve catastrophic workplace injuries, yet they exact a tremendous toll on affected individuals and their families.

(b) A recent analysis by the department of labor and industries identified gaps which could be addressed through piloting improvements in coordination of care, best practices, and other cost-effective approaches for injured workers under the state's current industrial insurance system.

(2) The legislature therefore intends to direct the department of labor and industries to create a pilot program whereby a medical management firm, centers of excellence deploying collaborative care, and/or the state's centers of occupational health and education partner with the department in being responsible for the medical management and treatment of catastrophically injured workers. The goal of the pilot program is improved medical outcomes, increased return-to-work rates and/or better quality of life, and reduced industrial insurance costs.

NEW SECTION. **Sec. 976.** A new section is added to chapter 51.36 RCW to read as follows:

(1) The department must implement a three year pilot program beginning no later than January 1, 2016 under which innovative treatment and service interventions for catastrophically injured workers are compared in a prospective study and compared to usual or standardized care. The best practices and cost-effective approaches may be piloted by any or all of:

(a) A medical management firm with substantial experience in handling catastrophic workers' compensation cases.

(b) Centers of excellence deploying collaborative care.

(c) Centers of occupational health and education.

(d) Other innovative treatment or services that may be identified by systematic literature review.

(2) The following provisions apply to the pilot program:

(a) The pilot participants must develop a treatment plan and agreement for each injured worker that identifies an outcome, the treatment plan and, if applicable, a guaranteed price to achieve the outcome.

(b) The department must determine an approach to systematically and prospectively track outcomes of catastrophically injured workers including, at a minimum, standardized measures of functional recovery, return-to-work, and quality of life. The department must also contract with independent researchers for an analysis of the pilot program costs and outcomes.

(c) Pilot participants must provide all information required by the independent researchers to assess pilot program progress and costs and measure outcomes. Information provided to the independent researchers must also be provided to the department.

(d) Injured workers, in consultation with their attending physician and the department, may elect to participate or not in the pilot program. Participating injured workers retain the right to receive care from providers of their choice. Providers must meet the requirements of RCW 51.36.010(2).

(e) The department retains the exclusive authority to approve or deny particular treatment and the exclusive authority to pay all medical bills in accordance with the fee schedule established under RCW 51.04.030. The department may establish minimum treatment protocols and qualifications for the pilot participants including access to adequate medical, professional, and pharmacy providers and a network of health care facilities, suppliers, and services.

(3) For the purposes of the pilot program, catastrophic injuries include acute traumatic brain injuries; major extremity or multiple extremity amputations, fractures, or crush injuries; multiple trauma injuries; severe burns; paraplegia, quadriplegia, hemiplegia, and diplegia; and any other medical diagnosis determined by the department to be catastrophic.

(4) The independent researchers must make regular status reports to the department throughout the pilot program, and work with the department to develop and report on criteria to evaluate the pilot program. The criteria must address, but are not limited to:

(a) Whether the appropriate procedures are followed to ensure injured workers access to services in a timely fashion;

(b) The quality of the communication and other factors affecting the working relationship between the treatment and service provider, the injured worker, the department, and those involved in the care and treatment of the injured worker;

(c) Whether pilot program treatment protocols help address the gaps identified by the department in its September 2014 catastrophic claims gap analysis;

(d) Whether research results on cases involving catastrophic injury complement, inform, and improve the department's handling of other industrial insurance cases;

(e) Whether the pilot program results in improved medical outcomes, increased return-to-work rates and/or better quality of life for catastrophically injured workers, and reduced industrial insurance costs;

(f) Assessment of whether pilot participants are achieving stated goals;

(g) Average and median claims costs;

(h) Feasibility for the department to adopt processes and practices identified in the pilot program; and

(i) Assessment of any other cost-saving processes identified through the pilot program.

(5) Before the end of the three year period, the department must terminate the pilot program if it finds that the treatments and interventions are causing harm to workers and may terminate the pilot program if it finds that the treatments and interventions are not showing a benefit to workers.

(6) The department must provide a written report on the pilot program to the appropriate committees of the legislature each December through 2018 with a final report following the end of the pilot program in 2019.

(7) This section expires December 31, 2020."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

March 26, 2015

ESSB 5460 Prime Sponsor, Committee on Health Care: Allowing practitioners to prescribe and distribute prepackaged emergency medications to emergency room patients when a pharmacy is not available. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 977.** A new section is added to chapter 70.41 RCW to read as follows:

(1) The legislature finds that high quality, safe, and compassionate health care services for patients of Washington state must be available at all times. The legislature further finds that there is a need for patients being released from hospital emergency departments to maintain access to emergency medications when community or hospital pharmacy services are not available. It is the intent of the legislature to accomplish this objective by allowing practitioners with prescriptive authority to prescribe limited amounts of prepackaged emergency medications to patients being discharged from hospital emergency departments when access to community or outpatient hospital pharmacy services is not otherwise available.

(2) A hospital may allow a practitioner to prescribe prepackaged emergency medications and allow a practitioner or a registered nurse licensed under chapter 18.79 RCW to distribute prepackaged emergency medications to patients being discharged from a hospital emergency department during times when community or outpatient hospital pharmacy services are not available within fifteen miles by road or when, in the judgment of the practitioner and consistent with hospital policies and procedures, a patient has no reasonable ability to reach the local community or outpatient pharmacy. A hospital may only allow this practice if: The director of the hospital pharmacy, in collaboration with appropriate hospital medical staff, develops policies and procedures regarding the following:

(a) Development of a list, preapproved by the pharmacy director, of the types of emergency medications to be prepackaged and distributed;

(b) Assurances that emergency medications to be prepackaged pursuant to this section are prepared by a pharmacist or under the supervision of a pharmacist licensed under chapter 18.64 RCW;

(c) Development of specific criteria under which emergency prepackaged medications may be prescribed and distributed consistent with the limitations of this section;

(d) Assurances that any practitioner authorized to prescribe prepackaged emergency medication or any nurse authorized to distribute prepackaged emergency medication is trained on the types of medications available and the circumstances under which they may be distributed;

(e) Procedures to require practitioners intending to prescribe prepackaged emergency medications pursuant to this section to maintain a valid prescription either in writing or electronically in the patient's records prior to a medication being distributed to a patient;

(f) Establishment of a limit of no more than a forty-eight hour supply of emergency medication as the maximum to be dispensed to a patient, except when community or hospital pharmacy services will not be available within forty-eight hours. In no case may the policy allow a supply exceeding ninety-six hours be dispensed;

(g) Assurances that prepackaged emergency medications will be kept in a secure location in or near the emergency department in such a manner as to preclude the necessity for entry into the pharmacy; and

(h) Assurances that nurses or practitioners will distribute prepackaged emergency medications to patients only after a practitioner has counseled the patient on the medication.

(3) The delivery of a single dose of medication for immediate administration to the patient is not subject to the requirements of this section.

(4) For purposes of this section:

(a) "Emergency medication" means any medication commonly prescribed to emergency room patients, including those drugs, substances or immediate precursors listed in schedules II through V of the uniform controlled substances act, chapter 69.50 RCW, as now or hereafter amended.

(b) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(c) "Practitioner" means any person duly authorized by law or rule in the state of Washington to prescribe drugs as defined in RCW 18.64.011(24).

(d) "Nurse" means a registered nurse as defined in RCW 18.79.020.

NEW SECTION. **Sec. 978.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 25, 2015

SB 5468 Prime Sponsor, Senator King: Authorizing the use of nonappropriated funds on certain administrative costs and expenses of the stay-at-work and self-insured employer programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority

Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

March 26, 2015

SSB 5488 Prime Sponsor, Committee on Health Care: Concerning applied behavior analysis. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; Jinkins; Johnson; Moeller; Robinson; Rodne; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 30, 2015

SSB 5679 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning transition services for special education students. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that research continues to suggest that high expectations for students with disabilities is paramount to improving student outcomes. The legislature further finds that to increase the number of students with disabilities who are prepared for higher education, teachers and administrators in K-12 education should continue to improve their acceptance of students with disabilities as full-fledged learners for whom there are high expectations. The legislature also encourages continuous development in transition services to higher education opportunities for these students. The legislature recognizes that other states have authorized transition planning to postsecondary settings for students with disabilities as early as the age of fourteen. To remove barriers and obstacles for students with disabilities to access to postsecondary settings including higher education, the legislature intends to authorize transition planning for students with disabilities as soon as practicable when educationally and developmentally appropriate.

Sec. 2. RCW 28A.155.220 and 2014 c 47 s 1 are each amended to read as follows:

(1) The office of the superintendent of public instruction must establish interagency agreements with the department of social and health services, the department of services for the blind, and any other state agency that provides high school transition services for special education students. Such interagency agreements shall not interfere with existing individualized education programs or section 504 plans, nor override any individualized education program or section 504 planning team's decision-making power. The purpose of the interagency agreements is to foster effective collaboration among the multiple agencies providing transition services for individualized education ((~~plan~~)) program-eligible and section 504 plan-eligible special education students from the beginning of transition planning, as soon as educationally and developmentally appropriate, through age twenty-one, or through high school graduation, whichever occurs first. Interagency agreements are also intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency. ((~~This subsection does not require transition services plan development in addition to what exists on June 12, 2014.~~))

(2)(a) When educationally and developmentally appropriate, the interagency responsibilities and linkages with transition services under subsection (1) of this section must be addressed in a transition plan to a postsecondary setting in the individualized education program or section 504 plan of a student with disabilities.

(b) Transition planning shall be based upon educationally and developmentally appropriate transition assessments that outline the student's individual needs, strengths, preferences, and interests. Transition assessments may include observations, interviews, inventories, situational assessments, formal and informal assessments, as well as academic assessments.

(c) The transition services that the transition plan must address include activities needed to assist the student in reaching postsecondary goals and courses of study to support postsecondary goals.

(d) Transition activities that the transition plan may address include instruction, related services, community experience, employment and other adult living objectives, daily living skills, and functional vocational evaluation.

(e) When educationally and developmentally appropriate, a discussion must take place with the student and parents, and others as needed, to determine the postsecondary goals or postschool vision for the student. This discussion may be included as part of an annual individualized education program review, section 504 plan review, high school and beyond plan meeting, or any other meeting that includes parents, students, and educators. The postsecondary goals included in the transition plan shall be goals that are measurable and must be based on appropriate transition assessments related to training, education, employment, and independent living skills, when necessary. The goals must also be based on the student's needs, while considering the strengths, preferences, and interests of the student.

(f) As the student gets older, changes in the transition plan may be noted in the annual update of the student's individualized education program or section 504 plan.

(g) A student with disabilities who has a high school and beyond plan may use the plan to comply with the transition plan required under this subsection (2).

(3) To the extent that data is available through data-sharing agreements established by the education data center under RCW 43.41.400, the education data center must monitor the following outcomes for individualized education ((~~plan~~))program-eligible or section 504 plan-eligible special education students after high school graduation:

(a) The number of students who, within one year of high school graduation:

(i) Enter integrated employment paid at the greater of minimum wage or competitive wage for the type of employment, with access to related employment and health benefits; or

(ii) Enter a postsecondary education or training program focused on leading to integrated employment;

(b) The wages and number of hours worked per pay period;

(c) The impact of employment on any state and federal benefits for individuals with disabilities;

(d) Indicators of the types of settings in which students who previously received transition services primarily reside;

(e) Indicators of improved economic status and self-sufficiency;

(f) Data on those students for whom a postsecondary or integrated employment outcome does not occur within one year of high school graduation, including:

(i) Information on the reasons that the desired outcome has not occurred;

(ii) The number of months the student has not achieved the desired outcome; and

(iii) The efforts made to ensure the student achieves the desired outcome.

(((~~(3)~~))) (4) To the extent that the data elements in subsection (((2))) of this section are available to the educ9tion d3-.7 i1 (h)-10.emeno te2

(c) If five hundred or more employees of an independent state elected official listed in RCW 43.01.010 are organized in a bargaining unit or bargaining units under RCW 41.80.070, the official shall be consulted by the governor or the governor's designee before any agreement is reached under (a) of this subsection concerning supplemental bargaining of agency specific issues affecting the employees in such bargaining unit.

(d) For those exclusive bargaining representatives who represent commissioned officers, except for lieutenants and captains, of the department of fish and wildlife, negotiation shall be by a coalition of exclusive bargaining representatives who represent the commissioned officers. When negotiating, the parties must reference the wages, hours, and conditions of employment of like personnel of like state employers on the west coast of the United States for comparables in the bargaining process. If the commission determines that there has been bad faith bargaining or other unfair labor practices by the employer or the employee organizations representing commissioned officers, except for lieutenants and captains, of the department of fish and wildlife, the commission may order interest arbitration, in addition to other remedies provided under RCW 41.80.120, to effectuate the purposes and policy of this chapter.

(3) The governor shall submit a request for funds necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of the office of financial management as being feasible financially for the state.

The legislature shall approve or reject the submission of the request for funds as a whole. The legislature shall not consider a request for funds to implement a collective bargaining agreement unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 41.80.090.

(4)(a)(i) For the purpose of negotiating agreements for institutions of higher education, the employer shall be the respective governing board of each of the universities, colleges, or community colleges or a designee chosen by the board to negotiate on its behalf.

(ii) A governing board of a university or college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section, except that:

(A) The governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of a university or college that the representative represents; or

(B) If the parties mutually agree, the governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of more than one university or college that the representative represents.

(iii) A governing board of a community college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(b) Prior to entering into negotiations under this chapter, the institutions of higher education or their designees shall consult with the director of the office of financial management regarding financial and budgetary issues that are likely to arise in the impending negotiations.

(c)(i) In the case of bargaining agreements reached between institutions of higher education other than the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of the bargaining agreements, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in (c)(iii) of this subsection.

(ii) In the case of bargaining agreements reached between the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of a bargaining agreement, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in this subsection (4)(c)(ii) and as provided in (c)(iii) of this subsection.

(A) If appropriations of less than ten thousand dollars are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered.

(B) If appropriations of ten thousand dollars or more are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request:

(I) Has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered; and

(II) Has been certified by the director of the office of financial management as being feasible financially for the state.

(C) If the director of the office of financial management does not certify a request under (c)(ii)(B) of this subsection as being feasible financially for the state, the parties shall enter into collective bargaining solely for the purpose of reaching a mutually agreed upon modification of the agreement necessary to address the absence of those requested funds. The legislature may act upon the compensation and fringe benefit provisions of the modified collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(iii) In the case of a bargaining unit of employees of institutions of higher education in which the exclusive bargaining representative is certified during or after the conclusion of a legislative session, the legislature may act upon the compensation and fringe benefit provisions of the unit's initial collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(5) There is hereby created a joint committee on employment relations, which consists of two members with leadership positions in the house of representatives, representing each of the two largest caucuses; the chair and ranking minority member of the house appropriations committee, or its successor, representing each of the two largest caucuses; two members with leadership positions in the senate, representing each of the two largest caucuses; and the chair and ranking minority member of the senate ways and means committee, or its successor, representing each of the two largest caucuses. The governor shall periodically consult with the committee regarding appropriations necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreements, and upon completion of negotiations, advise

the committee on the elements of the agreements and on any legislation necessary to implement the agreements.

(6) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(7) After the expiration date of a collective bargaining agreement negotiated under this chapter, all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) For the 2013 2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee shall be a separate agreement for which the governor may request funds necessary to implement the agreement. The legislature may act upon a 2013 2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating appropriations act by the sitting legislature.

Sec. 2. RCW 41.80.120 and 2002 c 354 s 313 are each amended to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders: PROVIDED, That a complaint shall not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission. This power shall not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) If the commission determines that any person has engaged in or is engaging in an unfair labor practice, the commission shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages, the ordering of interest arbitration as provided under RCW 41.80.010(2)(d), and the reinstatement of employees.

(3) The commission may petition the superior court for the county in which the main office of the employer is located or in which the person who has engaged or is engaging in such unfair labor practice resides or transacts business, for the enforcement of its order and for appropriate temporary relief."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

Referred to Committee on Appropriations.

March 30, 2015

ESSB 5803 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning the notification of parents when their children are below basic on the third grade statewide English language arts assessment. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist; Caldier; Fagan; Gregory; Griffey; Hargrove; Hayes; Hunt, S.; Kilduff; Klippert; Lytton; McCaslin; Orwall; Pollet and Springer.

Passed to Committee on Rules for second reading.

March 30, 2015

ESSB 5843 Prime Sponsor, Committee on Ways & Means: Concerning outdoor recreation. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Goodman; Harris and McBride.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Pike and Taylor.

Referred to Committee on General Government & Information Technology.

March 30, 2015

ESB 5893 Prime Sponsor, Senator Fain: Addressing the nonemployee status of athletes in amateur sports. (REVISED FOR ENGROSSED: Addressing the nonemployee status of athletes affiliated with the Western Hockey League.) Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; Hunt, G., Assistant Ranking Minority Member and McCabe.

MINORITY recommendation: Do not pass. Signed by Representative Moeller.

MINORITY recommendation: Without recommendation. Signed by Representative Ormsby.

Passed to Committee on Rules for second reading.

March 26, 2015

SB 5903 Prime Sponsor, Senator Bailey: Restricting certain methods of selling marijuana. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter may use a vending machine for the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products, subject to approval from the board prior to the installation or use of the machine in the licensed premises.

(2) The board is granted general authority to adopt rules necessary for the implementation of this section, including, but not limited to, rules governing:

(a) The operational characteristics of the vending machines;

(b) Identification and age verification processes and requirements for customers who make purchases from the machines;

(c) The location of vending machines within the licensed premises and measures to prevent access to the machines by persons under age 21;

(d) The types and quantities of marijuana-related products that may be purchased from the vending machines; and

(e) Signs and labeling that must be affixed to vending machines pertaining to public health and safety notifications, legal warnings and requirements, and other disclosures and information as deemed necessary by the board.

(3) The products sold through vending machines, and the use of such machines, must comply with the pertinent provisions of this chapter regarding the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products.

(4) For the purposes of this section, "vending machine" means a machine or other mechanical device that accepts payment and:

(a) Dispenses tangible personal property; or

(b) Provides a service to the buyer.

NEW SECTION. Sec. 2. A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter is prohibited from operating a drive-through purchase facility where marijuana concentrates, marijuana-infused products, or useable marijuana are sold at retail and dispensed through a window or door to a purchaser who is either in or on a motor vehicle or otherwise located outside of the licensed premises at the time of sale.

(2) The state liquor control board may not issue, transfer, or renew a marijuana retail license for any licensee in violation of the provisions of subsection (1) of this section."

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Scott; Van De Wege and Vick.

Passed to Committee on Rules for second reading.

March 30, 2015

ESSB 5994 Prime Sponsor, Committee on Transportation: Concerning permits for state transportation corridor projects. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 979.** RCW 90.58.355 and 2012 c 169 s 1 are each amended to read as follows:

Requirements to obtain a substantial development permit, conditional use permit, ((~~or~~)) variance, letter of exemption, or other review conducted by a local government to implement this chapter shall not apply to ((~~any person~~)):

(1) Any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. The department must ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090; ((~~or~~))

(2) Any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit. The department must ensure compliance with the substantive requirements of this chapter through the review of engineering reports, site plans, and other documents related to the installation of boatyard storm water treatment facilities;

(3)(a) Subject to the limitations specified in this subsection (3), normal maintenance or repair of existing structures or developments by the department of transportation, including maintenance or repair of damage caused by accident, fire, or the elements.

(b) For purposes of this subsection (3), the following definitions apply:

(i) "Normal maintenance" includes any usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

(ii) "Normal repair" means to restore a structure or development to a state comparable to its original condition including, but not limited to, restoring the development's size, shape, configuration, location, and external appearance, within a reasonable period after decay or partial destruction. Normal repair of a structure or development may not cause substantial adverse effects to shoreline resources or the shoreline environment. Replacement of a structure or development may be authorized as a normal repair if:

(A) Replacement is the common method of repair for the type of structure or development;

(B) The replacement structure or development is comparable to the original structure or development including, but not limited to, the size, shape, configuration, location, and external appearance of the original structure or development; and

(C) The replacement does not cause substantial adverse effects to shoreline resources or the shoreline environment.

(c) Normal maintenance or repair of an existing structure or development under this subsection (3) does not include the expansion of an existing structure or development, or the construction of a new structure or development that does not meet the criteria of a replacement structure or development under (b)(ii) of this subsection (3); or

(4) Construction or installation of safety structures and equipment by the department of transportation, including pavement marking, freeway surveillance and control systems, railroad protective devices not including grade-separated crossings, grooving, glare screen, safety barriers, energy attenuators, and hazardous or dangerous tree removal.

Sec. 980. RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shorelines hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, 2014((.)):

(c)(i) In the case of any permit or decision to issue any permit for a transportation project, construction may begin twenty-one days after the date of filing if the following requirements are met:

(A) The project qualifies as water-dependent or water-related as applied in this chapter and described in WAC 173-26-020, and the project, as supported by adequate findings, requires an in-water or over-water location;

(B) All components of the project achieve a no net loss of shoreline ecological functions in accordance with WAC 173-26-171 through 173-26-251;

(C) The department of transportation provides the department with an assessment of how the project affects shoreline ecological functions. This assessment must include specific actions for avoiding, minimizing, and mitigating impacts to shoreline ecological functions that ensure that there is no net loss of ecological functions;

(D) The department, after reviewing the assessment required in (c)(i)(C) of this subsection, determines that the project will result in no net loss of ecological functions. The department's determination must be completed before the final issuance of all appropriate shoreline permits and variances; and

(E) A performance bond is posted by the project proponent adequate to finance mitigation for impacts to ecological functions resulting from the project, and long-term reporting and monitoring of ecological functions;

(ii) Nothing in this subsection (5)(c) precludes the shorelines hearings board from concluding that the shoreline project or any element of the project is inconsistent with the goals and policies of this chapter or the local shoreline master program;

(iii) This subsection (5)(c) does not apply to permit decisions for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington;

(d) Except as authorized in (b) and (c) of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until

after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(((~~(d)~~))) (e) Except as authorized in (b) and (c) of this subsection, if the permit is for a substantial development meeting the requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), ((~~or~~)) (d), or (e) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Farrell; Goodman; McBride and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Ranking Minority Member; Short, Assistant Ranking Minority Member; Harris and Pike.

Referred to Committee on Transportation.

FIRST SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 31, 2015

HB 1166 Prime Sponsor, Representative Dunshee: Concerning state general obligation bonds and related accounts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Referred to Committee on .

March 31, 2015

ESSB 5084 Prime Sponsor, Committee on Health Care: Modifying the all payer claims database to improve health care quality and cost transparency by changing provisions related to definitions regarding data, reporting and pricing of products,

responsibilities of the office of financial management and the lead organization, submission to the database, and parameters for release of information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 981.** RCW 43.371.010 and 2014 c 223 s 8 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the health care authority.

(2) "Carrier" and "health carrier" have the same meaning as in RCW 48.43.005.

(3) "Claims data" means the data required by RCW 43.371.030 to be submitted to the database, including billed, allowed and paid amounts, and such additional information as defined by the director in rule. ((~~"Claims data" includes: (a) Claims data related to health care coverage and services funded, in whole or in part, in the omnibus appropriations act, including coverage and services funded by appropriated and nonappropriated state and federal moneys, for medicaid programs and the public employees benefits board program; and (b) claims data voluntarily provided by other data suppliers, including carriers and self-funded employers.~~))

(4) "Database" means the statewide all-payer health care claims database established in RCW 43.371.020.

(5) "Data vendor" means an entity contracted to perform data collection, processing, aggregation, extracts, analytics, and reporting.

(6) "Director" means the director of financial management.

(((~~(6)~~))) (7) "Lead organization" means the organization selected under RCW 43.371.020.

(((~~(7)~~))) (8) "Office" means the office of financial management.

(9) "Data supplier" means: (a) A carrier, third-party administrator, or a public program identified in RCW 43.371.030 that provides claims data; and (b) a carrier or any other entity that provides claims data to the database at the request of an employer-sponsored self-funded health plan or Taft-Hartley trust health plan pursuant to RCW 43.371.030(1).

(10) "Direct patient identifier" means a data variable that directly identifies an individual, including: Names; telephone numbers; fax numbers; social security number; medical record numbers; health plan beneficiary numbers; account numbers; certificate or license numbers; vehicle identifiers and serial numbers, including license plate numbers; device identifiers and serial numbers; web universal resource locators; internet protocol address numbers; biometric identifiers, including finger and voice prints; and full face photographic images and any comparable images.

(11) "Indirect patient identifier" means a data variable that may identify an individual when combined with other information.

(12) "Proprietary financial information" means claims data or reports that disclose or would allow the determination of specific terms of contracts, discounts, or fixed reimbursement arrangements or other specific reimbursement arrangements between an individual health care facility or health care provider, as those terms are defined in RCW 48.43.005, and a specific payer, or internal fee schedule or other internal pricing mechanism of integrated delivery systems owned by a carrier.

(13) "Unique identifier" means an obfuscated identifier assigned to an individual represented in the database to establish a basis for following the individual longitudinally throughout different payers and encounters in the data without revealing the individual's identity.

Sec. 982. RCW 43.371.020 and 2014 c 223 s 10 are each amended to read as follows:

(1) The office shall establish a statewide all-payer health care claims database to support transparent public reporting of health care information. The database must improve transparency to: Assist patients, providers, and hospitals to make informed choices about care; enable providers, hospitals, and communities to improve by benchmarking their performance against that of others by focusing on best practices; enable purchasers to identify value, build expectations into their purchasing strategy, and reward improvements over time; and promote competition based on quality and cost. The database must systematically collect all medical claims and pharmacy claims from private and public payers, with data from all settings of care that permit the systematic analysis of health care delivery.

(2) The ((~~director shall select a lead organization~~)) office shall use a competitive procurement process, in accordance with chapter 39.26 RCW, to select a lead organization from among the best potential bidders to coordinate and manage the database.

(a) Due to the complexities of the all payer claims database and the unique privacy, quality, and financial objectives, the office must award extra points in the scoring evaluation for the following elements: (i) The bidder's degree of experience in health care data collection, analysis, analytics, and security; (ii) whether the bidder has a long-term self-sustainable financial model; (iii) the bidder's experience in convening and effectively engaging stakeholders to develop reports; (iv) the bidder's experience in meeting budget and timelines for report generations; and (v) the bidder's ability to combine cost and quality data.

(b) By December 31, 2017, the successful lead organization must apply to be certified as a qualified entity pursuant to 42 C.F.R. Sec. 401.703(a) by the centers for medicare and medicaid services.

(3) As part of the competitive procurement process in subsection (2) of this section, the lead organization shall enter into a contract with a data vendor to perform data collection, processing, aggregation, extracts, and analytics. The data vendor must:

(a) Establish a secure data submission process with data suppliers;

(b) Review data submitters' files according to standards established by the office;

(c) Assess each record's alignment with established format, frequency, and consistency criteria;

(d) Maintain responsibility for quality assurance, including, but not limited to: (i) The accuracy and validity of data suppliers' data; (ii) accuracy of dates of service spans; (iii) maintaining consistency of record layout and counts; and (iv) identifying duplicate records;

(e) Assign unique identifiers, as defined in RCW 43.371.010, to individuals represented in the database;

(f) Ensure that direct patient identifiers, indirect patient identifiers, and proprietary financial information are released only in compliance with the terms of this chapter;

(g) Demonstrate internal controls and affiliations with separate organizations as appropriate to ensure safe data collection, security of the data with state of the art encryption methods, actuarial support, and data review for accuracy and quality assurance;

(h) Store data on secure servers that are compliant with the federal health insurance portability and accountability act and regulations, with access to the data strictly controlled and limited to staff with appropriate training, clearance, and background checks; and

(i) Maintain state of the art security standards for transferring data to approved data requestors.

(4) The lead organization and data vendor must submit detailed descriptions to the office of the chief information officer to ensure

robust security methods are in place. The office of the chief information officer must report its findings to the office and the appropriate committees of the legislature.

(5) The lead organization is responsible for internal governance, management, funding, and operations of the database. At the direction of the office, the lead organization shall work with the data vendor to:

(a) Collect claims data from data suppliers as provided in RCW 43.371.030;

(b) Design data collection mechanisms with consideration for the time and cost ((~~involved~~)) incurred by data suppliers and others in submission and collection and the benefits that measurement would achieve, ensuring the data submitted meet quality standards and are reviewed for quality assurance;

(c) Ensure protection of collected data and store and use any data ((~~with patient-specific information~~)) in a manner that protects patient privacy and complies with this section. All patient-specific information must be deidentified with an up-to-date industry standard encryption algorithm;

(d) Consistent with the requirements of this chapter, make information from the database available as a resource for public and private entities, including carriers, employers, providers, hospitals, and purchasers of health care;

(e) Report performance on cost and quality pursuant to RCW 43.371.060 using, but not limited to, the performance measures developed under RCW 41.05.690;

(f) Develop protocols and policies, including prerelease peer review by data suppliers, to ensure the quality of data releases and reports;

(g) Develop a plan for the financial sustainability of the database as self-sustaining and charge fees ((~~not to exceed five thousand dollars unless otherwise negotiated~~)) for reports and data files as needed to fund the database. Any fees must be approved by the office and ((~~must~~)) should be comparable, accounting for relevant differences across data ((~~requesters and users~~)) requests and uses. The lead organization may not charge providers or data suppliers fees other than fees directly related to requested reports; and

(h) Convene advisory committees with the approval and participation of the office, including: (i) A committee on data policy development; and (ii) a committee to establish a data release process consistent with the requirements of this chapter and to provide advice regarding formal data release requests. The advisory committees must include in-state representation from key provider, hospital, ((~~payer,~~)) public health, health maintenance organization, large and small private purchasers, ((~~and~~)) consumer organizations, and the two largest carriers supplying claims data to the database.

(((~~(3)~~))) (6) The lead organization governance structure and advisory committees for this database must include representation of the third-party administrator of the uniform medical plan. A payer, health maintenance organization, or third-party administrator must be a data supplier to the all-payer health care claims database to be represented on the lead organization governance structure or advisory committees.

Sec. 983. RCW 43.371.030 and 2014 c 223 s 11 are each amended to read as follows:

(1) ((~~Data suppliers must~~)) The state medicaid program, public employees' benefits board programs, all health carriers operating in this state, all third-party administrators paying claims on behalf of health plans in this state, and the state labor and industries program must submit claims data to the database within the time frames established by the director in rule and in accordance with procedures established by the lead organization. The director may expand this requirement by rule to include any health plans or health benefit plans defined in RCW 48.43.005(26) (a) through (i) to accomplish the goals of this chapter set forth in RCW 43.371.020(1). Employer-sponsored self-funded health plans and Taft-Hartley trust health plans may voluntarily provide claims data to the database within the time frames and in accordance with procedures established by the lead organization.

(2) ((~~An entity that is not a data supplier but that chooses to participate in the database shall require any third-party administrator utilized by the entity's plan to release any claims data related to persons receiving health coverage from the plan.~~)) Any data supplier used by an entity that voluntarily participates in the database must provide claims data to the data vendor upon request of the entity.

(3) ((~~Each data supplier~~)) The lead organization shall submit an annual status report to the office regarding ((~~its~~)) compliance with this section. ((~~The report to the legislature required by section 2 of this act must include a summary of these status reports.~~))

Sec. 984. RCW 43.371.040 and 2014 c 223 s 12 are each amended to read as follows:

(1) The claims data provided to the database, the database itself, including the data compilation, and any raw data received from the database are not public records and are exempt from public disclosure under chapter 42.56 RCW.

(2) Claims data obtained, distributed, or reported in the course of activities undertaken pursuant to or supported under this chapter are not subject to subpoena or similar compulsory process in any civil or criminal, judicial, or administrative proceeding, nor may any individual or organization with lawful access to data under this chapter be compelled to provide such information pursuant to subpoena or testify with regard to such data, except that data pertaining to a party in litigation may be subject to subpoena or similar compulsory process in an action brought by or on behalf of such individual to enforce any liability arising under this chapter.

Sec. 985. RCW 43.371.050 and 2014 c 223 s 13 are each amended to read as follows:

(1) Except as otherwise required by law, claims or other data from the database shall only be available for retrieval in ((~~original or~~)) processed form to public and private requesters pursuant to this section and shall be made available within a reasonable time after the request. Each request for claims data must include, at a minimum, the following information:

(a) The identity of any entities that will analyze the data in connection with the request;

(b) The stated purpose of the request and an explanation of how the request supports the goals of this chapter set forth in RCW 43.371.020(1);

(c) A description of the proposed methodology;

(d) The specific variables requested and an explanation of how the data is necessary to achieve the stated purpose described pursuant to (b) of this subsection;

(e) How the requester will ensure all requested data is handled in accordance with the privacy and confidentiality protections required under this chapter and any other applicable law;

(f) The method by which the data will be stored, destroyed, or returned to the lead organization at the conclusion of the data use agreement;

(g) The protections that will be utilized to keep the data from being used for any purposes not authorized by the requester's approved application; and

(h) Consent to the penalties associated with the inappropriate disclosures or uses of direct patient identifiers, indirect patient identifiers, or proprietary financial information adopted under RCW 43.371.070(1).

(2) The lead organization may decline a request that does not include the information set forth in subsection (1) of this section that does not meet the criteria established by the lead organization's data release advisory committee, or for reasons established by rule.

(3) Except as otherwise required by law, the office shall direct the lead organization and the data vendor to maintain the

confidentiality of claims or other data it collects for the database that include ((~~direct and~~)) proprietary financial information, direct patient identifiers, indirect patient identifiers, or any combination thereof. Any ((~~agency, researcher, or other person~~)) entity that receives claims or other data ((~~under this section containing direct or indirect patient identifiers~~)) must also maintain confidentiality and may ((~~not~~)) only release such claims ((~~or other data except as consistent with this section. The office shall oversee the lead organization's release of data as follows~~)) data or any part of the claims data if:

(a) The claims data does not contain proprietary financial information, direct patient identifiers, indirect patient identifiers, or any combination thereof; and

(b) The release is described and approved as part of the request in subsection (1) of this section.

(4) The lead organization shall, in conjunction with the office and the data vendor, create and implement a process to govern levels of access to and use of data from the database consistent with the following:

(a) Claims or other data that include ((~~direct or~~)) proprietary financial information, direct patient identifiers, indirect patient identifiers, ((~~as specifically defined in rule,~~)) unique identifiers, or any combination thereof may be released only to the extent such information is necessary to achieve the goals of this chapter set forth in RCW 43.371.020(1) to((~~:~~

~~(i) Federal, state, and local government agencies upon receipt of a signed data use agreement with the office and the lead organization; and~~

~~(ii)~~)) researchers with approval of an institutional review board upon receipt of a signed data use and confidentiality agreement with ((~~the office and~~)) the lead organization. A researcher or research organization that obtains claims data pursuant to this subsection must agree in writing not to disclose such data or parts of the data set to any other party, including affiliated entities, and must consent to the penalties associated with the inappropriate disclosures or uses of direct patient identifiers, indirect patient identifiers, or proprietary financial information adopted under RCW 43.371.070(1).

(b) Claims or other data that do not contain direct patient identifiers, but that may contain proprietary financial information, indirect patient identifiers, unique identifiers, or any combination thereof may be released to:

(i) Federal, state, and local government agencies upon receipt of a signed data use agreement with the office and the lead organization. Federal, state, and local government agencies that obtain claims data pursuant to this subsection are prohibited from using such data in the purchase or procurement of health benefits for their employees; and

(ii) Any entity when functioning as the lead organization under the terms of this chapter.

(c) Claims or other data that do not contain proprietary financial information, direct patient identifiers, or any combination thereof, but that may contain indirect patient identifiers, unique identifiers, or a combination thereof may be released to agencies, researchers, and other ((~~persons~~)) entities as approved by the lead organization upon receipt of a signed data use agreement with the lead organization.

(((~~(c)~~))) (d) Claims or other data that do not contain direct ((~~or~~)) patient identifiers, indirect patient identifiers, proprietary financial information, or any combination thereof may be released upon request.

(((~~(3)~~))) (5) Reports utilizing data obtained under this section may not contain proprietary financial information, direct patient identifiers, indirect patient identifiers, or any combination thereof. Nothing in this subsection (5) may be construed to prohibit the use of geographic areas with a sufficient population size or aggregate gender, age, medical condition, or other characteristics in the generation of reports, so long as they cannot lead to the identification of an individual.

(6) Reports issued by the lead organization at the request of providers, facilities, employers, health plans, and other entities as approved by the lead organization may utilize proprietary financial information to calculate aggregate cost data for display in such reports. The office shall approve by rule a format for the calculation and display of aggregate cost data consistent with this chapter that will prevent the disclosure or determination of proprietary financial information. In developing the rule, the office shall solicit feedback from the stakeholders, including those listed in RCW 43.371.020(5)(h), and must consider, at a minimum, data presented as proportions, ranges, averages, and medians, as well as the differences in types of data gathered and submitted by data suppliers.

(7) Recipients of claims or other data under subsection (((~~(2)(a) or (b)~~))) (4) of this section must agree in a data use agreement or a confidentiality agreement to, at a minimum:

(a) Take steps to protect data containing direct ((~~and~~)) patient identifiers, indirect patient ((~~identifying~~)) identifiers, proprietary financial information, or any combination thereof as described in the agreement; ((~~and~~))

(b) Not redisclose the claims data except ((~~as authorized in the agreement consistent with the purpose of the agreement or as otherwise required by law.~~

~~(4) Recipients of the claims or other data under subsection (2)(b) of this section must not attempt to determine the identity of persons whose information is included in the data set or use the claims or other data in any manner that identifies the individuals or their families.~~

~~(5) For purposes of this section, the following definitions apply unless the context clearly requires otherwise.~~

~~(a) "Direct patient identifier" means information that identifies a patient.~~

~~(b) "Indirect patient identifier" means information that may identify a patient when combined with other information~~)) pursuant to subsection (3) of this section;

(c) Not attempt to determine the identity of any person whose information is included in the data set or use the claims or other data in any manner that identifies any individual or their family or attempt to locate information associated with a specific individual;

(d) Destroy or return claims data to the lead organization at the conclusion of the data use agreement; and

(e) Consent to the penalties associated with the inappropriate disclosures or uses of direct patient identifiers, indirect patient identifiers, or proprietary financial information adopted under RCW 43.371.070(1).

Sec. 986. RCW 43.371.060 and 2014 c 223 s 14 are each amended to read as follows:

(1)(a) Under the supervision of and through contract with the office, the lead organization shall prepare health care data reports using the database and the statewide health performance and quality measure set((~~, including only those measures that can be completed with readily available claims data~~)). Prior to the lead organization releasing any health care data reports that use claims data, the lead organization must submit the reports to the office for review ((~~and approval~~)).

(b) By October 31st of each year, the lead organization shall submit to the director a list of reports it anticipates producing during the following calendar year. The director may establish a public comment period not to exceed thirty days, and shall submit the list and any comment to the appropriate committees of the legislature for review.

(2)(a) Health care data reports that use claims data prepared by the lead organization ((~~that use claims data must assist~~)) for the legislature and the public ((~~with~~)) should promote awareness and

((~~promotion of~~)) transparency in the health care market by reporting on:

(i) Whether providers and health systems deliver efficient, high quality care; and

(ii) Geographic and other variations in medical care and costs as demonstrated by data available to the lead organization.

(b) Measures in the health care data reports should be stratified by demography, income, language, health status, and geography when feasible with available data to identify disparities in care and successful efforts to reduce disparities.

(c) Comparisons of costs among providers and health care systems must account for differences in ((~~acuity~~)) the case mix and severity of illness of patients and populations, as appropriate and feasible, and must take into consideration the cost impact of subsidization for uninsured and ((~~governmental~~)) government-sponsored patients, as well as teaching expenses, when feasible with available data.

(3) The lead organization may not publish any data or health care data reports that:

(a) Directly or indirectly identify individual patients;

(b) ((~~Disclose specific terms of contracts, discounts, or fixed reimbursement arrangements or other specific reimbursement arrangements between an individual provider and a specific payer~~)) Disclose a carrier's proprietary financial information; or

(c) Compare((~~s~~)) performance in a report generated for the general public that includes any provider in a practice with fewer than ((~~five~~)) four providers.

(4) The lead organization may not release a report that compares and identifies providers, hospitals, or data suppliers unless ((~~it~~)):

(a) It allows the data supplier, the hospital, or the provider to verify the accuracy of the information submitted to the ((~~lead organization~~)) data vendor, comment on the reasonableness of conclusions reached, and submit to the lead organization and data vendor any corrections of errors with supporting evidence and comments within ((~~forty-five~~)) thirty days of receipt of the report; ((~~and~~))

(b) It corrects data found to be in error within a reasonable amount of time; and

(c) The report otherwise complies with this chapter.

(5) The office and the lead organization may use claims data to identify and make available information on payers, providers, and facilities, but may not use claims data to recommend or incentivize direct contracting between providers and employers.

(6)(a) The lead organization shall ((~~ensure that no individual data supplier comprises more than twenty-five percent of the claims data used in any report or other analysis generated from the database. For purposes of this subsection, a "data supplier" means a carrier and any self-insured employer that uses the carrier's provider contracts~~)) distinguish in advance to the office when it is operating in its capacity as the lead organization and when it is operating in its capacity as a private entity. Where the lead organization acts in its capacity as a private entity, it may only access data pursuant to RCW 43.371.050(4) (c) or (d).

(b) Except as provided in RCW 43.371.050(4), claims or other data that contain direct patient identifiers or proprietary financial information must remain exclusively in the custody of the data vendor and may not be accessed by the lead organization.

Sec. 987. RCW 43.371.070 and 2014 c 223 s 15 are each amended to read as follows:

(1) The director shall adopt any rules necessary to implement this chapter, including:

(a) Definitions of claim and data files that data suppliers must submit to the database, including: Files for covered medical services, pharmacy claims, and dental claims; member eligibility and enrollment data; and provider data with necessary identifiers;

(b) Deadlines for submission of claim files;

(c) Penalties for failure to submit claim files as required;

(d) Procedures for ensuring that all data received from data suppliers are securely collected and stored in compliance with state and federal law; ((~~and~~))

(e) Procedures for ensuring compliance with state and federal privacy laws;

(f) Procedures for establishing appropriate fees;

(g) Procedures for data release; and

(h) Penalties associated with the inappropriate disclosures or uses of direct patient identifiers, indirect patient identifiers, and proprietary financial information.

(2) The director may not adopt rules, policies, or procedures beyond the authority granted in this chapter.

NEW SECTION. **Sec. 988.** A new section is added to chapter 43.371 RCW to read as follows:

(1) By December 1st of 2016 and 2017, the office shall report to the appropriate committees of the legislature regarding the development and implementation of the database, including but not limited to budget and cost detail, technical progress, and work plan metrics.

(2) Every two years commencing two years following the year in which the first report is issued or the first release of data is provided from the database, the office shall report to the appropriate committees of the legislature regarding the cost, performance, and effectiveness of the database and the performance of the lead organization under its contract with the office. Using independent economic expertise, subject to appropriation, the report must evaluate whether the database has advanced the goals set forth in RCW 43.371.020(1), as well as the performance of the lead organization. The report must also make recommendations regarding but not limited to how the database can be improved, whether the contract for the lead organization should be modified, renewed, or terminated, and the impact the database has had on competition between and among providers, purchasers, and payers.

(3) Beginning July 1, 2015, and every six months thereafter, the office shall report to the appropriate committees of the legislature regarding any additional grants received or extended.

NEW SECTION. **Sec. 989.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Harris, Assistant Ranking Minority Member; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier and Short.

Passed to Committee on Rules for second reading.

March 30, 2015

SB 5085 Prime Sponsor, Senator Rolfes: Authorizing siblings of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 990.** RCW 46.18.245 and 2013 c 137 s 1 are each amended to read as follows:

(1) A registered owner who is an eligible family member of a member of the United States armed forces who died while in service to his or her country, or as a result of his or her service, may apply to the department for special gold star license plates for use on a motor vehicle. The registered owner must:

(a) Be a resident of this state;

(b) Provide proof to the satisfaction of the department that the registered owner is an eligible family member, which includes:

(i) A widow;

(ii) A widower;

(iii) A biological parent;

(iv) An adoptive parent;

(v) A stepparent;

(vi) An adult in loco parentis or foster parent;

(vii) A biological child; ((~~or~~))

(viii) An adopted child; or

(ix) A sibling;

(c) Provide certification from the Washington state department of veterans affairs that the registered owner qualifies for the special license plate under this section;

(d) Be recorded as the registered owner of the motor vehicle on which the gold star license plates will be displayed; and

(e) Except as provided in subsection (2) of this section, pay all fees and taxes required by law for registering the motor vehicle.

(2) In addition to the license plate fee exemption in subsection (3)(b) of this section, the widow or widower recipient of a gold star license plate under this section is also exempt from annual vehicle registration fees for one personal use motor vehicle.

(3) Gold star license plates must be issued:

(a) Only for motor vehicles owned by qualifying applicants; and

(b) Without payment of any license plate fee.

(((~~(3)~~))) (4) Gold star license plates must be replaced, free of charge, if the license plates become lost, stolen, damaged, defaced, or destroyed.

(((~~(4)~~))) (5) Gold star license plates may be transferred from one motor vehicle to another motor vehicle owned by the eligible family member, as described in subsection (1) of this section, upon application to the department, county auditor or other agent, or subagent appointed by the director."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

March 31, 2015

ESSB 5133 Prime Sponsor, Committee on Higher Education: Concerning a study of higher education cost drivers. (REVISED FOR ENGROSSED: Concerning a review of higher education costs.) Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 991.** (1) The joint legislative audit and review committee shall conduct a review of the available financial records on higher education costs of instruction at the state universities, regional universities, and The Evergreen State College. In conducting the review, the committee shall consult with the institutions of higher education and the education data center within the office of financial management.

(2)(a) The review must describe the available financial records on higher education costs of instruction for each institution and the available cost of attendance data for students over the most recent twenty-year period, including the cost of:

(i) Research;

(ii) Faculty and staff salaries;

(iii) Administration;

(iv) Health care and benefits;

(v) Capital;

(vi) Student services;

(vii) Textbooks; and

(viii) Student housing.

(b) The review must also compare whether this data is available for institutions and students in the global challenge states.

(c) The review shall use information already available and report where there are gaps in the information sought under this section. The education data center in the office of financial management and the institutions of higher education must provide data to the committee to assist with completing the review.

(3) The joint legislative audit and review committee shall issue a report to the legislature by January 2016.

(4) This section expires July 1, 2016."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 31, 2015

SSB 5154 Prime Sponsor, Committee on Ways & Means: Concerning registered sex or kidnapping offenders. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 992.** (1) The sex offender policy board must review and make findings and recommendations regarding the following:

(a) Disclosure to the public of information compiled and submitted for the purposes of sex offender and kidnapping offender registries that is currently held by public agencies, including the relationship between chapter 42.56 RCW and RCW 4.24.550; and

(b) Ability of registered sex offenders and kidnapping offenders to petition for review of their assigned risk level classification and whether such a review process should be conducted according to a uniform statewide standard.

(2) The sex offender policy board must report its findings and recommendations pursuant to this section to the governor and to the appropriate committees of the legislature on or before December 1, 2015.

(3) This section expires January 31, 2016."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant

Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

Passed to Committee on Rules for second reading.

March 31, 2015

SSB 5328 Prime Sponsor, Committee on Higher Education: Disseminating financial aid information. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 993.** RCW 28B.92.005 and 2014 c 53 s 2 are each amended to read as follows:

Community and technical colleges shall provide financial aid application due dates and information on whether or not financial aid will be awarded on a rolling basis to their admitted students at the time of acceptance. ((~~Institutions of higher education are encouraged to post financial aid application dates and distribution policies on their web sites~~)) State universities, regional universities, and The Evergreen State College shall provide financial aid application due dates and distribution policies on their web sites,

(III) Enters an institution of higher education in Washington within ((~~one~~)) three years of the date of separation ((~~who:~~

~~(i) At the time of separation designated Washington as his or her intended domicile; or~~

~~(ii) Has Washington as his or her official home of record; or~~

~~(iii) Moves to Washington and establishes a domicile as determined in RCW 28B.15.013;~~

~~(l) A student who is the spouse or a dependent of an individual who has separated from the military under honorable conditions after at least two years of service who:~~

~~(i) At the time of discharge designates Washington as his or her intended domicile; and~~

~~(ii) Has Washington as his or her primary domicile as determined in RCW 28B.15.013; and~~

~~(iii) Enters an institution of higher education in Washington within one year of the date of discharge~~)); or

(B) A student who is a spouse, former spouse, or child, and is entitled to veterans administration educational benefits based on their relationship to an individual who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service, and who enters an institution of higher education in Washington within three years of the date of separation; or

(C) A student who is entitled to veterans administration educational benefits based on their relationship with a deceased member of the uniformed services who completed at least ninety days of active duty service and died in the line of duty, and the student enters an institution of higher education in Washington within three years of the service member's death;

(ii) A student who qualifies under (k)(i)(A) through (C) of this subsection and who remains continuously enrolled at an institution of higher education shall retain resident student status;

(iii) Nothing in this subsection (2)(k) applies to students who have a dishonorable discharge from the uniformed services, or to students who are the spouse or child of an individual who has had a dishonorable discharge from the uniformed services, unless the student is receiving veterans administration educational assistance benefits;

(((~~(m)~~))) (l) A student of an out-of-state institution of higher education who is attending a Washington state institution of higher education pursuant to a home tuition agreement as described in RCW 28B.15.725;

(((~~(n)~~))) (m) A student who meets the requirements of RCW 28B.15.0131: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational;

(((~~(o)~~))) (n) A student who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington; or

(((~~(p)~~))) (o) A student who resides in Washington and is the spouse or a dependent of a person who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington. If the person on active military duty moves from Washington or is reassigned out of the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the student maintains the status as a resident student so long as the student resides in Washington and is continuously enrolled in a degree program.

(3) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of this section and RCW 28B.15.013. Except for students qualifying under subsection (2)(e) or (((~~(m)~~))) (l) of this section, a nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent or temporary resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States citizenship immigration services or is not otherwise permanently residing in the United States under color of law and who does not also meet and comply with all the applicable requirements in this section and RCW 28B.15.013.

(4) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules adopted by the student achievement council and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the council may require.

(6) The term "active military duty" means the person is serving on active duty in:

(a) The armed forces of the United States government; or

(b) The Washington national guard; or

(c) The coast guard, merchant mariners, or other nonmilitary organization when such service is recognized by the United States government as equivalent to service in the armed forces.

(7) The term "active duty service" means full-time duty, other than active duty for training, as a member of the uniformed service of the United States. Active duty service as a national guard member under Title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training and active service under 32 U.S.C. Sec. 502(f) for the purpose of responding to a national emergency is recognized as active duty service.

(8) The term "uniformed services" is defined by Title 10 U.S.C.; subsequently structured and organized by Titles 14, 33, and 42 U.S.C.; consisting of the United States army, United States marine corps, United States navy, United States air force, United States coast guard, United States public health service commissioned corps, and the national oceanic and atmospheric administration commissioned officer corps.

NEW SECTION. **Sec. 995.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 30, 2015

SSB 5397 Prime Sponsor, Committee on Transportation: Concerning the disclosure of certain transportation-related information by the department of licensing. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

March 31, 2015

SSB 5534 Prime Sponsor, Committee on Higher Education: Creating the certified public accounting scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 996.** (1) The certified public accounting scholarship program is established.

(2) The purpose of this scholarship program is to increase the number of students pursuing the certified public accounting license in Washington state.

(3) Scholarships shall be awarded to eligible students based on merit and without regard to age, gender, race, creed, religion, ethnic or national origin, or sexual orientation. In the selection process, the foundation is encouraged to consider the level of financial need demonstrated by applicants who otherwise meet merit-based scholarship criteria.

(4) Scholarships shall be awarded every year not to exceed the net balance of the foundation's scholarship award account.

(5) Scholarships shall be awarded to eligible students for one year. Qualified applicants may reapply in subsequent years.

(6) Scholarships awarded to program participants shall be paid directly to the Washington-based college or university where the program participant is enrolled.

(7) A scholarship award for any program participant shall not exceed the cost of tuition and fees assessed by the college or university on that individual program participant for the academic year of the award.

NEW SECTION. **Sec. 997.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the board of accountancy created in RCW 18.04.035.

(2) "Eligible student" means a student enrolled at an accredited Washington-based college or university with a declared major in accounting, entering his or her junior year or higher. "Eligible student" includes community college transfer students, residents of Washington pursuing an online degree in accounting, and students pursuing a masters in tax, masters in accounting, or a PhD in accounting.

(3) "Foundation" means the Washington CPA foundation.

(4) "Program" means the certificated public accounting scholarship program created in this chapter.

(5) "Program participant" means an eligible student who is awarded a scholarship under the program.

(6) "Resident student" has the definition in RCW 28B.15.012.

NEW SECTION. **Sec. 998.** The board must contract with a foundation to develop and administer the program. The board shall provide oversight and guidance for the program in light of established legislative priorities and to fulfill the duties and responsibilities under this chapter and chapter 18.04 RCW, including determining eligible education programs for purposes of the program. The board shall negotiate a reasonable administrative fee for the services provided by the foundation. In addition to its contractual obligations with the board, the foundation has the duties and responsibilities to:

(1) Establish a separate scholarship award account to receive state funds and from which to disburse scholarship awards;

(2) Manage and invest funds in the separate scholarship award account to maximize returns at a prudent level of risk and to maintain books and records of the account for examination by the board as it deems necessary or appropriate;

(3) In consultation with the board, make an assessment of the reasonable annual eligible expenses associated with eligible education programs identified by the board;

(4) Work with board, institutions of higher education, the student achievement council, and other organizations to promote and publicize the program to obtain a wide and diverse group of applicants;

(5) Develop and implement an application, selection, and notification process for awarding certified public accounting scholarships;

(6) Determine the annual amount of the certified public accounting scholarship for each program participant;

(7) Distribute scholarship awards to colleges and universities for program participants; and

(8) Notify the student achievement council and colleges and universities of enrolled program participants and inform them of the terms and conditions of the scholarship award.

NEW SECTION. **Sec. 999.** By January 1, 2016, and annually each January 1st thereafter, the foundation contracted with under section 3 of this act shall report to the board regarding the program, including:

(1) An accounting of receipts and disbursements of the foundation's separate scholarship award account including any realized or unrealized gains or losses and the resulting change in account balance;

(2) A list of the program participants and the scholarship amount awarded, by year; and

(3) Other outcome measures necessary for the board to assess the impacts of the program.

NEW SECTION. **Sec. 1000.** (1) The certified public accounting scholarship transfer account is created in the custody of the state treasurer. Expenditures from the account may be used solely for scholarships and the administration of the program created in section 1 of this act.

(2) Revenues to the account shall consist of appropriations by the legislature and any gifts, grants, or donations received by the board for this purpose.

(3) Only the director of the board or the director's designee may authorize expenditures from the certified public accounting scholarship transfer account. The account is not subject to the allotment procedures under chapter 43.88 RCW and an appropriation is not required for expenditures.

Sec. 1001. RCW 18.04.065 and 2001 c 294 s 6 are each amended to read as follows:

The board shall set its fees at a level adequate to pay the costs of administering this chapter. All fees for licenses, registrations of nonlicensee partners, shareholders, and managers of licensed firms,

renewals of licenses, renewals of registrations of nonlicensee partners, shareholders, and managers of licensed firms, renewals of certificates, reinstatements of lapsed licenses, reinstatements of lapsed certificates, reinstatements of lapsed registrations of nonlicensee partners, shareholders, and managers of licensed firms, practice privileges under RCW 18.04.350, and delinquent filings received under the authority of this chapter shall be deposited in the certified public accountants' account created by RCW 18.04.105. Appropriation from such account shall be made only for the cost of administering the provisions of this chapter or for the purpose of administering the certified public accounting scholarship program created in chapter 28B.--- RCW (the new chapter created in section 7 of this act).

NEW SECTION. **Sec. 1002.** Sections 1 through 5 of this act constitute a new chapter in Title 28B RCW."

Correct the title.

Signed by Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist; Gregory; Hargrove; Holy; Reykdal; Sells; Stambaugh; Tarleton and Van Werven.

Referred to Committee on Appropriations.

March 31, 2015

ESSB 5550 Prime Sponsor, Committee on Transportation: Regulating providers of commercial transportation services. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1003.** This act may be known and cited as the insurance for providers of commercial transportation services act.

NEW SECTION. **Sec. 1004.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commercial transportation services" or "services" means all times the driver is logged in to a commercial transportation services provider's digital network or software application or until the passenger has left the personal vehicle, whichever is later.

(2) "Commercial transportation services provider" means a corporation, partnership, sole proprietorship, or other entity, operating in Washington, that uses a digital network or software application to connect passengers to drivers for the purpose of providing a prearranged ride.

(3) "Driver" means an individual who uses a personal vehicle to provide services for passengers matched through a commercial transportation services provider's digital network or software application. A driver need not be an employee of a commercial transportation services provider.

(4) "Passenger" means a passenger in a personal vehicle for whom transport is provided, including:

(a) An individual who uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle for the individual and anyone in the individual's party; or

(b) Anyone for whom another individual uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle.

(5) "Personal vehicle" means a vehicle that is used by a driver in connection with providing services for a commercial transportation services provider.

(6) "Prearranged ride" means a route of travel between points chosen by the passenger and arranged with a driver through the use of a commercial transportation services provider's digital network or software application. The ride begins when a driver accepts a requested ride through a digital network or software application, continues while the driver transports the passenger in a personal vehicle, and ends when the passenger departs from the personal vehicle.

NEW SECTION. **Sec. 1005.** (1)(a) Before being used to provide commercial transportation services, every personal vehicle must be covered by a primary automobile insurance policy that specifically covers commercial transportation services. Except as provided in subsection (2) of this section, a commercial transportation services provider must secure this policy for every personal vehicle used to provide commercial transportation services. For purposes of this section, a "primary automobile insurance policy" is not a private passenger automobile insurance policy.

(b)(i) The primary automobile insurance policy required under this section must provide coverage, as specified in this subsection (1)(b), at all times the driver is logged in to a commercial transportation provider's digital network or software application and at all times a passenger is in the vehicle as part of a prearranged ride, as follows:

(A) Liability coverage, while providing commercial transportation services applicable during the period before a driver accepts a requested ride through a digital network or software application, in an amount no less than fifty thousand dollars per person for bodily injury, one hundred thousand dollars per accident for bodily injury of all persons, and thirty thousand dollars for damage to property;

(B) Uninsured motorist coverage and underinsured motorist coverage in the amount of no less than fifty thousand dollars per person for bodily injury and one hundred thousand dollars per accident for bodily injury of all persons;

(C) Personal injury protection coverage pursuant to RCW 48.22.095; and

(D) Comprehensive and collision coverage with a maximum deductible of five hundred dollars.

(ii) The primary automobile insurance policy required under this subsection must provide the following coverages, applicable during the period of a prearranged ride:

(A) Combined single limit liability coverage in the amount of one million dollars for death, personal injury, and property damage;

(B) Uninsured motorist coverage and underinsured motorist coverage in the amount of one million dollars;

(C) Personal injury protection coverage pursuant to RCW 48.22.095; and

(D) Comprehensive and collision coverage with a maximum deductible of five hundred dollars.

(2)(a) As an alternative to the provisions of subsection (1) of this section, if the office of the insurance commissioner approves the offering of an insurance policy that recognizes that a person is acting as a provider of commercial transportation services and using a personal vehicle to provide commercial transportation services, a driver may secure a primary automobile insurance policy covering a personal vehicle and providing the same coverage as required in subsection (1) of this section. The policy coverage may be in the form of a rider to, or endorsement of, the driver's private passenger automobile insurance policy only if approved as such by the office of the insurance commissioner.

(b) If the primary automobile insurance policy maintained by a driver to meet the obligation of this section does not provide coverage for any reason, including that the policy lapsed or did not

exist, the commercial transportation services provider must provide the coverage required under this section beginning with the first dollar of a claim.

(c) The primary automobile insurance policy required under this subsection and subsection (1) of this section may be secured by any of the following:

(i) The commercial transportation services provider as provided in subsection (1) of this section;

(ii) The driver as provided under (a) of this subsection; or

(iii) A combination of both the commercial transportation services provider and the driver.

(3) The insurer or insurers providing coverage under subsections (1) and (2) of this section are the only insurers having the duty to defend any liability claim from an accident occurring while commercial transportation services are being provided.

(4) If a driver purchases a primary automobile insurance policy as allowed under subsection (2) of this section, the commercial transportation services provider must verify that the driver has done so.

(5) A primary automobile insurance policy required under subsection (1) or (2) of this section may be placed with an insurer licensed under this title to provide insurance in the state of Washington or as an eligible surplus line insurance policy as described in RCW 48.15.040.

(6) The insurance coverage requirements described in subsections (1) and (2) of this section do not apply to drivers and entities that have coverage pursuant to chapter 46.72 or 46.72A RCW.

(7) This section does not require a private passenger automobile insurance policy to provide primary or excess coverage or a duty to defend for the period of time in which a driver is logged in to a commercial transportation services provider's digital network or software application or while a passenger is in the vehicle.

(8)(a) A commercial transportation services provider must make the following disclosures to a prospective driver in the prospective driver's terms of service:

WHILE OPERATING ON THE COMMERCIAL TRANSPORTATION SERVICES PROVIDER'S DIGITAL NETWORK OR SOFTWARE APPLICATION, YOUR PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICY MIGHT NOT AFFORD LIABILITY, UNDERINSURED MOTORIST, PERSONAL INJURY PROTECTION, COMPREHENSIVE, OR COLLISION COVERAGE, DEPENDING ON THE TERMS OF THE POLICY.

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE COMMERCIAL TRANSPORTATION SERVICES HAS A LIEN AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE USING THE VEHICLE FOR COMMERCIAL TRANSPORTATION SERVICES THAT MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

(b) The prospective driver must acknowledge the terms of service electronically or by signature.

(9) If more than one insurance policy provides valid and collectible coverage for a loss arising out of an occurrence involving a motor vehicle operated by a driver, the responsibility for the claim must be divided as follows:

(a) Except as provided otherwise under subsection (2)(c) of this section, if the driver has been matched with a passenger and is traveling to pick up the passenger, or the driver is providing services to a passenger, the commercial transportation services provider that matched the driver and passenger must provide insurance coverage; or

(b) If the driver is logged in to more than one commercial transportation services provider's digital network or software application but has not been matched with a passenger, the liability must be divided equally among all of the applicable insurance policies that specifically provide coverage for commercial transportation services.

(10) In an accident or claims coverage investigation, a commercial transportation services provider or its insurer must cooperate with a private passenger automobile insurance policy insurer and other insurers that are involved in the claims coverage investigation to facilitate the exchange of information, including the provision of (a) dates and times at which an accident occurred that involved a participating driver and (b) within ten business days after receiving a request, a copy of the company's electronic record showing the precise times that the participating driver logged on and off the commercial transportation services provider's digital network or software application on the day the accident or other loss occurred. The commercial transportation services provider or its insurer must retain all data, communications, or documents related to insurance coverage or accident details for a period of not less than the applicable statutes of limitation, plus two years from the date of an accident to which those records pertain.

(11) This section does not modify or abrogate any otherwise applicable insurance requirement set forth in this title.

(12) After July 1, 2016, an insurance company regulated under this title may not deny an otherwise covered claim arising exclusively out of the personal use of the private passenger automobile solely on the basis that the insured, at other times, used the private passenger automobile covered by the policy to provide commercial transportation services.

Sec. 1006. RCW 51.12.020 and 2013 c 141 s 3 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, or repair, in or about the private home of the employer. For the purposes of this subsection, "maintenance" means the work of keeping in proper condition, "repair" means to restore to sound condition after damage, and "private home" means a person's place of residence.

(3) A person whose employment is not in the course of the trade, business, or profession of his or her employer and is not in or about the private home of the employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors or partners.

(6) Any child under eighteen years of age employed by his or her parent or parents in agricultural activities on the family farm.

(7) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(8)(a) Except as otherwise provided in (b) of this subsection, any bona fide officer of a corporation voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation, who at all times during the period involved is also a bona fide director, and who is also a shareholder of the corporation. Only such officers who exercise substantial control in the daily management of the corporation and whose primary responsibilities do not include the performance of manual labor are included within this subsection.

(b) Alternatively, a corporation that is not a "public company" as defined in RCW 23B.01.400 may exempt eight or fewer bona fide officers, who are voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation and who exercise substantial control in the daily

management of the corporation, from coverage under this title without regard to the officers' performance of manual labor if the exempted officer is a shareholder of the corporation, or may exempt any number of officers if all the exempted officers are related by blood within the third degree or marriage. If a corporation that is not a "public company" elects to be covered under subsection (8)(a) of this section, the corporation's election must be made on a form prescribed by the department and under such reasonable rules as the department may adopt.

(c) Determinations respecting the status of persons performing services for a corporation shall be made, in part, by reference to Title 23B RCW and to compliance by the corporation with its own articles of incorporation and bylaws. For the purpose of determining coverage under this title, substance shall control over form, and mandatory coverage under this title shall extend to all workers of this state, regardless of honorary titles conferred upon those actually serving as workers.

(d) A corporation may elect to cover officers who are exempted by this subsection in the manner provided by RCW 51.12.110.

(9) Services rendered by a musician or entertainer under a contract with a purchaser of the services, for a specific engagement or engagements when such musician or entertainer performs no other duties for the purchaser and is not regularly and continuously employed by the purchaser. A purchaser does not include the leader of a group or recognized entity who employs other than on a casual basis musicians or entertainers.

(10) Services performed by a newspaper vendor, carrier, or delivery person selling or distributing newspapers on the street, to offices, to businesses, or from house to house and any freelance news correspondent or "stringer" who, using his or her own equipment, chooses to submit material for publication for free or a fee when such material is published.

(11) Services performed by an insurance producer, as defined in RCW 48.17.010, or a surplus line broker licensed under chapter 48.15 RCW.

(12) Services performed by a booth renter. However, a person exempted under this subsection may elect coverage under RCW 51.32.030.

(13) Members of a limited liability company, if either:

(a) Management of the company is vested in its members, and the members for whom exemption is sought would qualify for exemption under subsection (5) of this section were the company a sole proprietorship or partnership; or

(b) Management of the company is vested in one or more managers, and the members for whom the exemption is sought are managers who would qualify for exemption under subsection (8) of this section were the company a corporation.

(14) A driver providing commercial transportation services as defined in section 2 of this act. The driver may elect coverage in the manner provided by RCW 51.32.030.

(15) For hire vehicle operators under chapter 46.72 RCW who own or lease the for hire vehicle, chauffeurs under chapter 46.72A RCW who own or lease the limousine, and operators of taxicabs under chapter 81.72 RCW who own or lease the taxicab. An owner or lessee may elect coverage in the manner provided by RCW 51.32.030.

Sec. 1007. RCW 51.12.185 and 2011 c 190 s 4 are each amended to read as follows:

(1) ((~~In order to assist the department with controlling costs related to the self-monitoring of industrial insurance claims by independent owner-operated for hire vehicle, limousine, and taxicab businesses,~~)) The department may appoint a panel of individuals with for hire vehicle, limousine, or taxicab transportation industry experience and expertise to advise the department.

(2) The owner or lessee of any for hire, limousine, or taxicab vehicle ((~~subject to mandatory industrial insurance pursuant to RCW 51.12.183~~)) is eligible for inclusion in a retrospective rating program authorized and established pursuant to chapter 51.18 RCW.

NEW SECTION. **Sec. 1008.** The following acts or parts of acts are each repealed:

(1) RCW 46.72.073 (Certificate suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 5;

(2) RCW 46.72A.053 (Certificate suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 6;

(3) RCW 51.12.180 (For hire vehicle businesses and operators—Findings—Declaration) and 2011 c 190 s 1;

(4) RCW 51.12.183 (For hire vehicle businesses and operators—Mandatory coverage—Definitions) and 2011 c 190 s 2;

(5) RCW 51.16.240 (For hire vehicle businesses and operators—Basis for premiums—Rules) and 2011 c 190 s 3; and

(6) RCW 81.72.230 (License suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 7.

NEW SECTION. **Sec. 1009.** Sections 1 through 3 of this act constitute a new chapter in Title 48 RCW."

Correct the title.

Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake; Hurst; Kochmar; McCabe; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 31, 2015

SB 5689 Prime Sponsor, Senator Becker: Concerning the scope and costs of the diabetes epidemic in Washington. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1010.** The health care authority, department of social and health services, and department of health shall continue to collaborate to identify goals and benchmarks while also developing individual agency plans to implement recommendations to reduce the incidence of diabetes in Washington, improve diabetes care, and control complications associated with diabetes, starting with medicaid programs and the healthier Washington plan.

NEW SECTION. **Sec. 1011.** Following the report submitted pursuant to section 211(3), chapter 4, Laws of 2013 2nd sp. sess., the health care authority, department of social and health services, and department of health shall collectively submit a report to the governor and the legislature by December 31, 2018, and every fourth year thereafter, on the following:

(1) The financial impact and reach diabetes of all types is having on programs administered by each agency and individuals enrolled in those programs;

(2) An assessment of the benefits of implemented programs and activities aimed at controlling diabetes and preventing the disease;

(3) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all forms of diabetes and its complications;

(4) A development or revision of detailed action plans for battling diabetes with a range of actionable items for consideration

by the legislature. The plans must identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications, especially for medicaid populations; and

(5) An estimate of costs, return on investment, and resources required to implement the plan identified in subsection (4) of this section.

NEW SECTION. **Sec. 1012.** Sections 1 and 2 of this act

hours for the purpose of responding to the inquiries of general authority peace officers regarding supervised offenders believed to have violated a condition or requirement of community supervision.

(3) The duty officers referred to in subsection (2) of this section must have the ability to determine whether a person is a supervised offender and the conditions and requirements of the offender's community supervision, and must be able to determine whether a possible violation of community supervision has occurred. If a general authority peace officer believes a violation has occurred, the duty officer must also be able to respond in a timely manner to the location of the inquiring general authority peace officer when the duty officer determines that there is reasonable cause to believe that the offender is in violation of one or more conditions or requirements of supervision and that the violation merits either a warrantless arrest or search of the supervised offender. If requested, the general authority peace officer may assist a duty officer in the arrest or search of the offender.

(4) If a duty officer determines under subsection (3) of this section that it is appropriate to arrest or search an offender for a supervision violation, a general authority peace officer may detain an offender for the length of time necessary to allow the duty officer to timely respond to the location of the peace officer.

(5) Nothing in this section prevents a peace officer from arresting an offender pursuant to a warrant or pursuant to RCW 10.31.100.

(6) The pilot program must be operational by October 1, 2015.

(7) This section expires October 1, 2017."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Appleton; Moscoso and Pettigrew.

MINORITY recommendation: Without recommendation. Signed by Representatives Hayes, Assistant Ranking Minority Member; Griffey and Wilson.

Referred to Committee on Appropriations.

March 30, 2015

SJM 8012 Prime Sponsor, Senator Hargrove: Requesting the designation of U.S. Highway 101 to honor recipients of the Medal of Honor. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 31, 2015

HB 1106 Prime Sponsor, Representative Hunter: Making 2015-2017 operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Fagan; Haler; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

Referred to Committee on .

March 31, 2015

HB 1115 Prime Sponsor, Representative Dunshee: Concerning the capital budget. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

FORMATTING CHANGED TO ACCOMMODATE TEXT

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1015.** (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2017, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2016" or "FY 2016" means the period beginning July 1, 2015, and ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the period beginning July 1, 2016, and ending June 30, 2017.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2017-2019 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2015, from the 2013-2015 biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. **Sec. 1001. FOR THE SECRETARY OF STATE**

Library - Archives Building (30000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for a predesign to determine: (a) Necessary program space for the state library currently located in Tumwater, and additional archive space; and (b) capital budget requirements, including the use of fees collected by the secretary of state that will support a certificate of participation for the financing of the construction of the facility, and future operating costs.

(2) The study must consider the use of the general administration building site as a possible location; and any benefits or consequences may be identified at this site or other sites considered.

(3) The office of financial management shall determine the maximum use of the site and consider the consolidation of other state agencies, including separately elected officials.

(4) The building must be a high performance building as described in section 7008 of this act and the construction must be procured using a performance based method including design-build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $55,428,000
TOTAL $55,678,000

NEW SECTION. **Sec. 1002. FOR THE SECRETARY OF STATE**

Minor Works (91000007)

Appropriation:

State Building Construction Account—State $1,007,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,007,000

NEW SECTION. **Sec. 1003. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account—State $434,000
Prior Biennia (Expenditures) $45,458,000
Future Biennia (Projected Costs) $0
TOTAL $45,892,000

NEW SECTION. **Sec. 1004. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20064010)

Reappropriation:

Rural Washington Loan Account—State $2,383,000
Prior Biennia (Expenditures) $1,744,000
Future Biennia (Projected Costs) $0
TOTAL $4,127,000

NEW SECTION. **Sec. 1005. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—State $1,822,000
Prior Biennia (Expenditures) $205,000
Future Biennia (Projected Costs) $0
TOTAL $2,027,000

NEW SECTION. **Sec. 1006. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:

State Taxable Building Construction Account—State $1,405,000
Washington Housing Trust Account—State $86,000
Subtotal Reappropriation $1,491,000
Prior Biennia (Expenditures) $198,509,000
Future Biennia (Projected Costs) $0
TOTAL $200,000,000

NEW SECTION. **Sec. 1007. FOR THE DEPARTMENT OF COMMERCE**

Job Development Fund Grants (20074010)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007 and section 1005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $3,987,000
Prior Biennia (Expenditures) $44,943,000
Future Biennia (Projected Costs) $0
TOTAL $48,930,000

NEW SECTION. **Sec. 1008. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20084001)

The reappropriation in this section is subject to the following conditions and limitations: Except as directed otherwise prior to the effective date of this section, the department shall not expend the reappropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the reappropriation is released for design costs only.

Reappropriation:

State Building Construction Account—State $113,000
Prior Biennia (Expenditures) $127,577,000
Future Biennia (Projected Costs) $0
TOTAL $127,690,000

NEW SECTION. **Sec. 1009. FOR THE DEPARTMENT OF COMMERCE**

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account—State $1,213,000
Prior Biennia (Expenditures) $19,703,000
Future Biennia (Projected Costs) $0
TOTAL $20,916,000

NEW SECTION. **Sec. 1010. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts (30000006)

Reappropriation:

State Building Construction Account—State $1,594,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $10,075,000

NEW SECTION. **Sec. 1011. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

Washington Housing Trust Account—State $276,000
Prior Biennia (Expenditures) $129,724,000
Future Biennia (Projected Costs) $0
TOTAL $130,000,000

NEW SECTION. **Sec. 1012. FOR THE DEPARTMENT OF COMMERCE**

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account—State $1,991,000
Prior Biennia (Expenditures) $11,431,000
Future Biennia (Projected Costs) $0
TOTAL $13,422,000

NEW SECTION. **Sec. 1013. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000095)
Reappropriation:
Drinking Water Assistance Account—State $6,451,000
Drinking Water Assistance Repayment Account—State $90,368,000
Subtotal Reappropriation $96,819,000
Prior Biennia (Expenditures) $10,863,000
Future Biennia (Projected Costs) $0
TOTAL $107,682,000

NEW SECTION. **Sec. 1014. FOR THE DEPARTMENT OF COMMERCE**
Community Economic Revitalization Board (30000097)
Reappropriation:
Public Facility Construction Loan Revolving Account—State $2,104,000
Prior Biennia (Expenditures) $2,896,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1015. FOR THE DEPARTMENT OF COMMERCE**
Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.
Reappropriation:
State Taxable Building Construction Account—State $5,506,000
Prior Biennia (Expenditures) $44,494,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 1016. FOR THE DEPARTMENT OF COMMERCE**
Public Works Assistance Account Program (30000103)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.
Reappropriation:
Public Works Assistance Account—State $90,734,000
Prior Biennia (Expenditures) $233,851,000
Future Biennia (Projected Costs) $0
TOTAL $324,585,000

NEW SECTION. **Sec. 1017. FOR THE DEPARTMENT OF COMMERCE**
Building Communities Fund Grants (30000102)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation is subject to the provisions of section 1027, chapter 49, Laws of 2011, 1st sp. sess.
(2) The reappropriation is provided solely for the University District food bank project.
Reappropriation:
State Building Construction Account—State $573,000
Prior Biennia (Expenditures) $12,830,000
Future Biennia (Projected Costs) $0
TOTAL $13,403,000

NEW SECTION. **Sec. 1018. FOR THE DEPARTMENT OF COMMERCE**
Local and Community Projects (30000166)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $1,887,000
Prior Biennia (Expenditures) $14,930,000
Future Biennia (Projected Costs) $0
TOTAL $16,817,000

NEW SECTION. **Sec. 1019. FOR THE DEPARTMENT OF COMMERCE**
Weatherization (91000247)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2012 2nd sp. sess.
Reappropriation:
State Taxable Building Construction Account—State $5,313,000
Prior Biennia (Expenditures) $19,687,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1020. FOR THE DEPARTMENT OF COMMERCE**
Clean Energy Partnership (30000175)
The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is provided solely for implementation of the recommendations of the clean energy leadership council by providing state matching funds for projects that:

(a) Integrate energy efficiency and renewable energy in buildings;

(b) Integrate renewable energy into the regional electrical grid;

(c) Advance bioenergy in the state.

(2) State funding must not exceed fifty percent of the total program or project funds.

(3) Eligible projects must:

(a) Involve a majority of companies that are located in Washington state;

(b) Represent a substantially new solution that is not widely available today; and

(c) Be designed to generate solutions that are applicable both inside and outside of the state.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $4,828,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL $5,500,000

NEW SECTION. **Sec. 1021. FOR THE DEPARTMENT OF COMMERCE**

Financing Energy/Water Efficiency (30000180)

Reappropriation:

Public Works Assistance Account—State $4,886,000
Prior Biennia (Expenditures) $114,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1022. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2013 Loan List (30000184)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1016, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

Public Works Assistance Account—State $82,786,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $82,786,000

NEW SECTION. **Sec. 1023. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Grants (30000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1062, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,568,000
Prior Biennia (Expenditures) $1,563,000
Future Biennia (Projected Costs) $0
TOTAL $4,131,000

NEW SECTION. **Sec. 1024. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Grants (30000186)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1063, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,301,000
Prior Biennia (Expenditures) $6,903,000
Future Biennia (Projected Costs) $0
TOTAL $10,204,000

NEW SECTION. **Sec. 1025. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Grants (30000188)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,692,000
Prior Biennia (Expenditures) $2,587,000
Future Biennia (Projected Costs) $0
TOTAL $5,279,000

NEW SECTION. **Sec. 1026. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000189)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Reappropriation:

Drinking Water Assistance Account—State $4,400,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Reappropriation $204,400,000
Prior Biennia (Expenditures) $8,800,000
Future Biennia (Projected Costs) $0
TOTAL $213,200,000

NEW SECTION. **Sec. 1027. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $5,052,000
Prior Biennia (Expenditures) $3,948,000
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1028. FOR THE DEPARTMENT OF COMMERCE**

Weatherization (30000192)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1076, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $4,291,000
Prior Biennia (Expenditures) $15,709,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1029. FOR THE DEPARTMENT OF COMMERCE**

2013-2015 Energy Efficiency Grants (30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $21,714,000
Prior Biennia (Expenditures) $3,286,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1030. FOR THE DEPARTMENT OF COMMERCE**

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 1031. FOR THE DEPARTMENT OF COMMERCE**

ARRA SEP Revolving Loans (30000725)

Appropriation:

Energy Recovery Act Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,500,000

NEW SECTION. **Sec. 1032. FOR THE DEPARTMENT OF COMMERCE**

Behavioral Health: Evaluation and Treatment Centers Grant Program (91000644)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the department of social and health services, to issue at least three grants, one of which will be to the Woodmont recovery center, to hospitals or other entities to establish new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities with sixteen or fewer beds for the purpose of providing short-term detention services through the publicly funded mental health system. Funds may be used for construction and equipment costs associated with establishment of the community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities. These funds may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of grants and priority must be given to those proposals to establish new community hospital inpatient psychiatric beds or free-standing evaluation and treatment facilities. The criteria must include:

(a) Evidence that the application was developed in collaboration with one or more regional support networks, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical access to short-term detention services under chapter 71.05 RCW in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act at chapter 71.05 RCW;

(d) Evidence of capacity of the applicant to serve individuals with medical and psychiatric comorbidities;

(e) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds; and

(h) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(2) To accommodate the emergent need for inpatient psychiatric services, the department of health and the department of commerce, in collaboration with the department of social and health services shall establish a concurrent and expedited process for the purpose of grant applicants meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities.

(3) $3,000,000 is provided for the Swedish Ballard psychiatric unit.

Appropriation:

State Building Construction Account—State..... $9,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1033. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2)(a) $10,000,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(f) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(3) $6,600,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(4)(a) $13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(5)(a) $10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(6) $400,000 of the state building construction account—state is provided solely for capital funding of wood energy conversion projects at public facilities.

(7) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

Appropriation:

State Taxable Building Construction Account—State $17,000,000
State Building Construction Account—State $23,400,000
Subtotal Appropriation $40,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $240,000,000
TOTAL $280,400,000

NEW SECTION. **Sec. 1034. FOR THE DEPARTMENT OF COMMERCE**

Substance Abuse and Mental Health Facilities (91000646)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1035. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2016 Loan List (30000727)

The appropriation in this section is subject to the following conditions and limitations: $69,733,000 is provided solely for the ranked list of projects in LEAP capital document number 2015-1, developed March 27, 2015.

Appropriation:

Public Works Assistance Account—State $69,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $349,733,000

NEW SECTION. **Sec. 1036. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Program (30000731)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Spokane children's theatre $18,000
KEXP's new home at Seattle center $1,866,000
Admiral theatre renovation 2.0 ..... $100,000
Kirkland arts center - capital improvements project $48,000
Uniontown creativity center addition and site improvements $123,000
San Juan islands museum of art $650,000
KidsQuest children's museum - good to grow capital campaign $2,000,000
Cornish playhouse $232,000
ACT theatre eagles auditorium restoration and renovation $303,000
Music works northwest park 118 building renovation $64,000
New hands on children's museum $393,000
TOTAL $5,797,000

Appropriation:

State Building Construction Account—State $5,797,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $21,600,000
TOTAL $27,397,000

NEW SECTION. **Sec. 1037. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Program (30000792)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Youth activity wing at the Tom Taylor family YMCA $515,000
BGCB main club project $1,200,000

BGCB hidden valley fieldhouse project $1,200,000
Sultan boys & girls club $340,000
Stanwood-Camano family YMCA $1,200,000
YMCA camp Terry environmental recreation center $500,000
Mukilteo boys & girls club $1,200,000
Lummi youth wellness center renovation project $1,200,000
TOTAL $7,355,000
Appropriation:
State Building Construction Account—State $7,355,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $39,355,000

NEW SECTION. **Sec. 1038. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Program (30000803)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Rainier Beach urban farm and wetlands $307,000
Whatcom county emergency food hub $575,000
Hopelink Redmond integrated services center $2,400,000
Riverside drive building purchase $138,000
Centerforce $98,000
Eritrean association community kitchen $58,000
Tonasket food bank building acquisition $22,000
Building for the future $300,000
Entiat Valley community services resource center $100,000
Pike market neighborhood center $500,000
Opportunity council renovation project $170,000
FareStart facility expansion to the Pacific tower $438,000
Walla Walla community teen center $475,000
El Centro de la Raza community access & parking improvements $600,000
Good ground capital campaign $300,000
Renewed hope capital campaign $66,000
International community health services (ICHS) $3,500,000
Casa latina: A home for opportunity $150,000
Centerstone building renovation $1,500,000
PSRS office building conversion $212,000
Prairie oaks $200,000
Leschi center renovation $1,000,000
Everett family YMCA $2,000,000
Behavioral healthcare center for children, youth and families $2,000,000
Phoenix rising $250,000
Gordon family YMCA (Sumner, WA) $2,000,000
Community grief support and recovery center $1,000,000
Auburn youth resources campus expansion $500,000
TOTAL $20,859,000
Appropriation:
State Building Construction Account—State $20,859,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $140,859,000

NEW SECTION. **Sec. 1039. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Appropriation (30000833)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to award loans and grants on a competitive basis to affordable housing projects statewide that will produce, at a minimum, a total of 1,900 homes and 500 seasonal beds, in the following categories and amounts:

(a) For people with chronic mental illness, 281 homes;

(b) For homeless families with children, 529 homes;

(c) For people with disabilities, developmental disabilities, veterans, and others, 500 homes; of that number, a minimum of 100 must be for veterans;

(d) For homeless youth, 200 homes;

(e) For farmworkers, 190 homes and 500 seasonal beds;

(f) For seniors, 200 homes.

(2) If upon review of completed applications, the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Taxable Building Construction Account—State $80,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $220,000,000
TOTAL $300,000,000

NEW SECTION. **Sec. 1040. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Community Economic Revitalization Board Program (30000834)

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1856 or other legislation that provides an exception for counties with the state's highest unemployment rates to the community economic revitalization board program's median hourly wage requirement is not enacted by June 30, 2015, the appropriation from the state taxable building construction account—state in this section shall lapse.

Appropriation:

State Taxable Building Construction Account—State $2,000,000
Public Facility Construction Loan Revolving Account—
State $8,100,000
Subtotal Appropriation $10,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $28,000,000
TOTAL $38,100,000

NEW SECTION. **Sec. 1041. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency and Solar Grants (30000835)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $5,630,000 for fiscal year 2016 and $5,630,000 for fiscal year 2017 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least ten percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(2) $3,750,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for Washington-manufactured products.

(3) $1,650,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) $225,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

Appropriation:

State Building Construction Account—State $30,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $150,000,000

NEW SECTION. **Sec. 1042. FOR THE DEPARTMENT OF COMMERCE**

Ultra-Efficient Affordable Housing Demonstration (30000836)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for loans or grants to low-income housing developers to design and construct ultra-high energy efficient housing projects including single and multifamily units;

(2) By December 1, 2015, in consultation with professional building, energy efficiency and housing finance organizations, the office of financial management and appropriate legislative staff, the department shall develop a process that is designed to solicit, evaluate and fund ultra-high energy efficient housing projects as part of the housing trust fund competitive program.

(3) To receive funding, a project must demonstrate energy-saving and renewable energy systems designed to reach net-zero energy use after housing is fully occupied and must provide a life-cycle cost analysis report to the department; and

(4) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(a) Whether the proposed design has demonstrated that the project will achieve net-zero energy use when fully occupied;

(b) The life cycle cost of the project;

(c) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(d) The extent to which the project leverages nonstate funds;

(e) The extent to which the project is ready to proceed to construction;

(f) Whether the project promotes sustainable use of resources and environmental quality;

(g) Whether the project is being well-managed to fund maintenance and capital depreciation;

(h) Reduction of housing and utilities carbon footprint; and

(i) Other criteria that the department considers necessary to achieve the purpose of this program.

Appropriation:

State Taxable Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1043. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Portfolio Preservation Program (30000837)

Appropriation:

Washington Housing Trust Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 1044. FOR THE DEPARTMENT OF COMMERCE**

Weatherization Matchmaker Program (30000838)

Appropriation:

State Building Construction Account—State $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $60,000,000
TOTAL $80,000,000

NEW SECTION. **Sec. 1045. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Drinking Water State Revolving Fund Loan Program (30000840)

The appropriations in this section are subject to the following conditions and limitations:

(1) $4,400,000 of the drinking water assistance account for fiscal year 2016 and $4,400,000 of the drinking water assistance account for fiscal year 2017 is provided as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(3) The agency must encourage local government use of federally-funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State $120,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $480,000,000
TOTAL $600,000,000

NEW SECTION. **Sec. 1046. FOR THE DEPARTMENT OF COMMERCE**

Community Energy Efficiency Program (30000845)

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 1047. FOR THE DEPARTMENT OF COMMERCE**

2016 Local and Community Projects (30000846)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section is provided solely for the Fairchild air force base protection and community empowerment project. Of that amount, $200,000 is provided for the purchase of twenty acres of land for development of affordable housing. The remaining $1,300,000 is provided for the county's purchase of mobile home parks in order to reduce the use of the accident potential zone for residential purposes. If the county subsequently rezones, develops, and leases the mobile home park property for commercial or industrial uses, the county must repay to the state the $1,300,000 appropriation in its entirety within ten years.

(8) The appropriation is provided solely for the following list of projects:

AHCC reclaimed water project $709,000
Appleway trail $1,000,000
Basin 3 sewer rehabilitation center $1,000,000
Bellevue downtown park inspiration playground and sensory garden $500,000
Bender fields parking lot and restrooms $1,000,000
Blackhills community soccer complex safety projects $750,000
Bremerton children's dental clinic $396,000
Brewster reservoir replacement project $1,000,000
Brookville gardens community park improvements $1,200,000
Camas-Washougal Babe Ruth youth baseball improve Louis Bloch park $10,000
Cancer immunotherapy facility-Seattle children's research institute $5,000,000
Caribou trail apartments $100,000
Carnegie improvements for the rapid recidivism reduction program $1,000,000
Cascade mental health care evaluation and treatment unit $2,992,000
Cavalero park - Region park facility/skateboard park $500,000
CDM caregiving services: Clark county aging care resource center $900,000
Centerville school heating upgrades $46,000
Chambers creek regional park pier extension and moorage $2,500,000
City of Lynden-riverview road construction $850,000
City of Lynden-safe routes to school and Kaemingk trail gap elimination $300,000
City of Mt. Vernon downtown flood protect project & riverfront trail $1,500,000
City of Pateros water system $1,500,000
City of Stanwood police station/city hall relocation $300,000
Confluence area parks upgrade and restoration $1,000,000
Covington community park $2,000,000
Critical roof repair - Edmonds center for the arts (ECA) gym $250,000
Cross park, Pierce county $500,000
Dawson place child advocacy center building completion project $161,000
DeKalb street pier $500,000
DNR/City of Castle Rock exchange $80,000
Drug abuse prevention center $96,000
DuPont historical museum renovation $46,000
East Tacoma Community Center $1,000,000
Emergency generator for kidney resource center $226,000
Enumclaw expo center $350,000
Fairchild air force base protection & community empowerment project $1,500,000
Federal Way performing arts and conference center $2,000,000
Franklin Pierce early learning center $2,000,000
Gateway center project $900,000
Gratzer park ball fields $200,000
Grays Harbor navigation improvement project $2,000,000
Green river gorge open space buffer, Kummer connection $750,000
Guy Cole center revitalization $450,000
Haggis museum & colonary institute $1,000,000
Historic renovation of stucco and roofs $300,000

Hopelink at ronald commons $750,000
Institute of blue tarp research $1,968,000
Irvine slough stormwater separation $500,000
Kahlotus highway sewer force main $2,750,000
Key Pen civics center $50,000
KiBe high school parking $125,000
Kitsap humane society - shelter renovation $90,000
Lacey boys & girls club $29,000
Life support $1,250,000
Main street revitalization project $1,000,000
Martin Luther King Jr. family outreach center expansion project $85,000
Mercer arena energy savings & sustainability funding $450,000
Meridian center for health $2,250,000
Minor road water reservoir replacement $1,500,000
Mt. Spokane guest services building & preservation/maintenance of existing facilities $520,000
Nonshellfish natural resource investments $1,000,000
North Kitsap fishline food bank $750,000
Onalaska community tennis and sports courts $80,000
Opera house ADA access $356,000
PCAF's building for the future $350,000
Pe Ell second street $197,000
Phinney neighborhood association accessibility project $750,000
Pike place market front project $800,000
Police station security/hardening $38,000
Port of Centralia-Centralia station $500,000
PROVAIL TBI residential facility $450,000
Renovate senior center $400,000
Rochester boys & girls club $38,000
Rockford treatment facility improvements project $600,000
Roslyn renaissance-NW improve company building renovation project $500,000
S 228th street interurban trail connector $500,000
Sammamish rowing association boathouse $500,000
SE 240th St. watermain system improvement project $700,000
Seattle theatre group $131,000
Sentinel way restoration $450,000
Snohomish veterans memorial rebuild $10,000
South sound shoreline and heritage protection $900,000
Splash pad/foundation: Centralia outdoor pool restoration project $200,000
Springbrook park neighborhood connection project $300,000
SR 532 flood berm and bike/pedestrian path $85,000
St. Vincent food bank & community services construction project $400,000
Sunset neighborhood park $2,000,000
The gathering house job training café $14,000
The salvation army Clark county: Corps community center $1,200,000
Tulalip water pipeline $3,000,000
Twin bridges historical museum facility rehabilitation $62,000
Twisp civic building $500,000
Veterans center $600,000
Washington green schools $105,000
Washougal senior/community center roof/HVAC replace & kitchen improvements $300,000
Water meter and system improvement program $500,000
White river restoration project $850,000
Willapa behavioral health safety improvement project $75,000
Yakima children's museum center $50,000
Yelm community center $500,000
Yelm senior center $80,000
TOTAL $76,500,000
Appropriation:
State Building Construction Account—State $76,500,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $76,500,000

NEW SECTION. **Sec. 1048. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Local Governments (91000241)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 301, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,732,000
Prior Biennia (Expenditures) $16,268,000
Future Biennia (Projected Costs) $0
TOTAL $18,000,000

NEW SECTION. **Sec. 1049. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Higher Education (91000242)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 307, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $5,077,000
Prior Biennia (Expenditures) $14,923,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1050. FOR THE DEPARTMENT OF COMMERCE**

Public Works Pre-Construction Loan Program (91000319)

Reappropriation:

Public Works Assistance Account—State $767,000
Prior Biennia (Expenditures) $2,233,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1051. FOR THE DEPARTMENT OF COMMERCE**

Housing for Families with Children (91000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 310, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $2,472,000
Prior Biennia (Expenditures) $5,778,000
Future Biennia (Projected Costs) $0
TOTAL $8,250,000

NEW SECTION. **Sec. 1052. FOR THE DEPARTMENT OF COMMERCE**

Housing for Seniors and People with Physical Disabilities (91000411)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 311, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $4,350,000
Prior Biennia (Expenditures) $5,316,000
Future Biennia (Projected Costs) $0
TOTAL $9,666,000

NEW SECTION. **Sec. 1053. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000412)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $190,000
Prior Biennia (Expenditures) $935,000
Future Biennia (Projected Costs) $0
TOTAL $1,125,000

NEW SECTION. **Sec. 1054. FOR THE DEPARTMENT OF COMMERCE**

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,996,000
Prior Biennia (Expenditures) $22,948,000
Future Biennia (Projected Costs) $0
TOTAL $28,944,000

NEW SECTION. **Sec. 1055. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000414)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $1,055,000
Future Biennia (Projected Costs) $0
TOTAL $6,215,000

NEW SECTION. **Sec. 1056. FOR THE DEPARTMENT OF COMMERCE**

Housing for People At Risk of Homelessness (91000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 312, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $959,000
Prior Biennia (Expenditures) $1,541,000
Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 1057. FOR THE DEPARTMENT OF COMMERCE**

Housing for Low-Income Households (91000416)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $2,689,000
Prior Biennia (Expenditures) $293,000
Future Biennia (Projected Costs) $0
TOTAL $2,982,000

NEW SECTION. **Sec. 1058. FOR THE DEPARTMENT OF COMMERCE**

2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,889,000
Prior Biennia (Expenditures) $7,734,000
Future Biennia (Projected Costs) $0
TOTAL $9,623,000

NEW SECTION. **Sec. 1059. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects 2012 (91000437)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $1,035,000
Future Biennia (Projected Costs) $0
TOTAL $2,835,000

NEW SECTION. **Sec. 1060. FOR THE DEPARTMENT OF COMMERCE**

Pacific Medical Center (91000445)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for window repair, replacement, and weatherization, or for tenant improvements at Pacific tower made or provided on behalf of Seattle College district.

Reappropriation:

State Taxable Building Construction Account—State $2,405,000
State Building Construction Account—State $9,818,000
Subtotal Reappropriation $12,223,000

Appropriation:

State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $7,777,000
Future Biennia (Projected Costs) $0
TOTAL $26,000,000

NEW SECTION. **Sec. 1061. FOR THE DEPARTMENT OF COMMERCE**

Sand Point Building 9 (91000446)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1068, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $9,802,000
Prior Biennia (Expenditures) $4,198,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 1062. FOR THE DEPARTMENT OF COMMERCE**

Mental Health Beds (91000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1071, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,644,000
Prior Biennia (Expenditures) $1,356,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1063. FOR THE DEPARTMENT OF COMMERCE**

Housing for Homeless Veterans (91000455)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $9,001,000
Prior Biennia (Expenditures) $366,000
Future Biennia (Projected Costs) $0
TOTAL $9,367,000

NEW SECTION. **Sec. 1064. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $19,723,000
Prior Biennia (Expenditures) $7,327,000
Future Biennia (Projected Costs) $0
TOTAL $27,050,000

NEW SECTION. **Sec. 1065. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Developmental Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $6,392,000
Prior Biennia (Expenditures) $2,627,000
Future Biennia (Projected Costs) $0
TOTAL $9,019,000

NEW SECTION. **Sec. 1066. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000459)

Reappropriation:

State Taxable Building Construction Account—State $5,735,000
Prior Biennia (Expenditures) $329,000
Future Biennia (Projected Costs) $0
TOTAL $6,064,000

NEW SECTION. **Sec. 1067. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Project Backfill (91000581)

Reappropriation:

State Building Construction Account—State $3,263,000
Prior Biennia (Expenditures) $154,737,000
Future Biennia (Projected Costs) $0
TOTAL $158,000,000

NEW SECTION. **Sec. 1068. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (91000582)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Energy Recovery Act Account—State $4,000,000
State Taxable Building Construction Account—State $8,924,000
State Building Construction Account—State $19,069,000
Subtotal Reappropriation $31,993,000
Prior Biennia (Expenditures) $8,007,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 1069. FOR THE DEPARTMENT OF COMMERCE**

Innovation Partnership Zones - Facilities and Infrastructure (92000089)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 309, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,725,000
Prior Biennia (Expenditures) $9,795,000
Future Biennia (Projected Costs) $0
TOTAL $13,520,000

NEW SECTION. **Sec. 1070. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board Administered Economic Development, Innovation, and Export Grants (92000096)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $4,267,000
Public Works Assistance Account—State $14,595,000
Subtotal Reappropriation $18,862,000
Prior Biennia (Expenditures) $13,736,000
Future Biennia (Projected Costs) $0
TOTAL $32,598,000

NEW SECTION. **Sec. 1071. FOR THE DEPARTMENT OF COMMERCE**

Main Street Improvement Grants (92000098)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 305, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
Public Works Assistance Account—State $355,000
State Building Construction Account—State $3,115,000
Subtotal Reappropriation $3,470,000
Prior Biennia (Expenditures) $11,380,000
Future Biennia (Projected Costs) $0
TOTAL $14,850,000

NEW SECTION. **Sec. 1072. FOR THE DEPARTMENT OF COMMERCE**

Brownfield Redevelopment Grants (92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for redevelopment of the Bellingham waterfront.

Reappropriation:
Local Toxics Control Account—State $1,194,000
Prior Biennia (Expenditures) $306,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1073. FOR THE DEPARTMENT OF COMMERCE**

Port and Export Related Infrastructure (92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $13,603,000
Prior Biennia (Expenditures) $19,547,000
Future Biennia (Projected Costs) $0
TOTAL $33,150,000

NEW SECTION. **Sec. 1074. FOR THE DEPARTMENT OF COMMERCE**

Projects for Jobs and Economic Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1077, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Public Facility Construction Loan Revolving Account—State $7,100,000
State Building Construction Account—State $22,256,000
Subtotal Reappropriation $29,356,000
Prior Biennia (Expenditures) $7,753,000
Future Biennia (Projected Costs) $0
TOTAL $37,109,000

NEW SECTION. **Sec. 1075. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth and Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $12,695,000
Prior Biennia (Expenditures) $6,982,000
Future Biennia (Projected Costs) $0
TOTAL $19,677,000

the department of corrections, the department of social and health services, the department of enterprise services, the criminal justice training commission, the department of veterans affairs, and the department of fish and wildlife. Eligible construction projects are only projects that had cost reductions as kept on file with the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1082. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repairs (90000301)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1083. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repair Pool for K-12 Public Schools (90000302)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility. To be eligible for funds from the emergency repair pool, an emergency declaration must be signed by the school district board of directors and the superintendent of public instruction, and submitted to the office of financial management for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:

Common School Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1084. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Chehalis River Basin Flood Relief Projects (91000398)

Reappropriation:

State Building Construction Account—State $206,000
Prior Biennia (Expenditures) $4,794,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1085. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Preservation Information (91000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6007 of this act.

Reappropriation:

University of Washington Building Account—State $116,000
Washington State University Building
Account—State $85,000
Eastern Washington University Capital Projects
Account—State $21,000
Central Washington University Capital Projects
Account—State $17,000
The Evergreen State College Capital Projects
Account—State $12,000
Western Washington University Capital Projects
Account—State $19,000

Subtotal Reappropriation $270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $270,000

NEW SECTION. **Sec. 1086. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (91000428)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1091, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,875,000

NEW SECTION. **Sec. 1087. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Culverts in Three State Agencies (92000004)

Reappropriation:
State Building Construction Account—State $4,516,000
Prior Biennia (Expenditures) $2,484,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 1088. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

East Plaza - Water Infiltration and Elevator Repairs (30000548)

Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $2,603,000
Future Biennia (Projected Costs) $0
TOTAL $3,103,000

NEW SECTION. **Sec. 1089. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

NRB Garage Fire Suppression System Repairs (30000578)

Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,738,000
Future Biennia (Projected Costs) $0
TOTAL $2,238,000

NEW SECTION. **Sec. 1090. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000635)

Reappropriation:
State Building Construction Account—State $1,477,000
Thurston County Capital Facilities Account—State $501,000
Subtotal Reappropriation $1,978,000
Prior Biennia (Expenditures) $2,050,000
Future Biennia (Projected Costs) $0
TOTAL $4,028,000

NEW SECTION. **Sec. 1091. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000722)

The appropriations in this section are subject to the following conditions and limitations: No minor works funds may be allotted until a parking strategy is completed. Up to $300,000 of the appropriation in this section is provided for the department to develop a capitol campus parking strategy. The strategy must include: (1) During the legislative sessions a reduction of agency reserve stalls from twenty-six percent to fifteen percent as recommended by the 2014 state of Washington parking and transportation study; (2) incorporating parking attendants or parking arms to accept payment for campus parking during the legislative sessions; (3) install at least two electronic boards that show the available parking capacity in the east plaza garage. The department shall report to all fiscal committees on its progress by November 1, 2015.

Appropriation:
Thurston County Capital Facilities Account—State $850,000
State Building Construction Account—State $9,002,000
State Vehicle Parking Account—State $300,000
Subtotal Appropriation $10,152,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $19,000,000
TOTAL $29,152,000

NEW SECTION. **Sec. 1092. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Old Capitol - Exterior and Interior Repairs (30000724)

Appropriation:
Thurston County Capital Facilities Account—State $1,500,000
State Building Construction Account—State $1,500,000
Subtotal Appropriation $3,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1093. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

West Campus Historic Buildings Exterior Preservation (30000727)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1094. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

East Plaza - Structure and Elevator Repairs (30000717)

Appropriation:
State Building Construction Account—State $8,239,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $27,442,000
TOTAL $35,681,000

NEW SECTION. **Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Utility Repairs - Sunken Garden to General Administration (30000731)

Appropriation:
State Building Construction Account—State $5,569,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,661,000
TOTAL $24,230,000

NEW SECTION. **Sec. 1096. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Heating Systems Repairs - Phase 1 (30000730)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to competitively contract an energy audit on the capitol campus steam system. The audit must consider converting to centralized hot water boilers and using a heat recovery power system.

Appropriation:
Thurston County Capital Facilities Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1097. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Critical Network Standardization and Connectivity (30000732)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for installing any remaining building meters as needed on the capitol campus, and providing building performance data electronically. Dashboard displays must be installed in the three legislative buildings.

Appropriation:
Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1098. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Physical Security & Safety Improvements (30000728)

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 1099. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Court Major Exterior and Building Systems Renewal (30000738)

The appropriation in this section is provided solely for development of a plan that identifies the existing building deficiencies and recommended project specific improvements with cost estimates to be completed as funding becomes available. Urgent repairs to this building will be prioritized against the other projects in the department of enterprise services' minor works project list.

Appropriation:
Enterprise Services Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,220,000
TOTAL $1,370,000

NEW SECTION. **Sec. 1100. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Lake Long-term Management Planning (30000740)

Appropriation:
Enterprise Services Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0

TOTAL $100,000

NEW SECTION. **Sec. 1101. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Engineering and Architectural Services: Staffing (30000762)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1107, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $70,000
Prior Biennia (Expenditures) $930,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1107. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

State Capitol Master Plan (30000760)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to identify potential development sites, and any infrastructure that may be needed for further development.

(2) The department shall provide a list to all fiscal committees of designated parking areas with: (a) Permanent capitol campus FTEs; (b) temporary capitol campus FTEs; (c) state agency reserve spaces; (d) state agency vehicles; (e) state agency motor pool vehicles; and (f) nonstate agency vehicles. The department shall also provide a prioritized list of parking spaces that ranks campus FTEs as the highest priority. Other parking locations in Thurston county may also be considered.

Appropriation:

Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Utilities & Transportation Commission Building (91000432)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life-cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act. The project will be alternatively financed as authorized in section 7002 of this act.

Appropriation:

Public Service Revolving Account—State $2,000,000
Enterprise Services Account—State $3,000,000
Subtotal Appropriation $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1109. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

1063 Block Replacement (91000016)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1109, chapter 19, Laws of 2013 2nd sp. sess., except that the building will be alternatively financed as authorized by and subject to the conditions of section 7002 of this act.

Reappropriation:

State Building Construction Account—State $9,138,000
Prior Biennia (Expenditures) $3,862,000
Future Biennia (Projected Costs) $0
TOTAL $13,000,000

NEW SECTION. **Sec. 1110. FOR THE MILITARY DEPARTMENT**

Pierce County Readiness Center (30000593)

Reappropriation:

Military Department Capital Account—State $2,758,000
State Building Construction Account—State $3,269,000
General Fund—Federal $24,876,000
Subtotal Reappropriation $30,903,000
Prior Biennia (Expenditures) $2,698,000
Future Biennia (Projected Costs) $0
TOTAL $33,601,000

NEW SECTION. **Sec. 1111. FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)

The reappropriation and appropriations in this section are subject to the following conditions and limitations: The military department shall transfer title of the Olympia armory to the Thurston county boys and girls club when the Thurston county readiness center is completed.

Reappropriation:

State Building Construction Account—State $2,750,000

Appropriation:

State Building Construction Account—State $7,883,000

General Fund—Federal..... $34,207,000
Subtotal Appropriation..... $42,090,000
Prior Biennia (Expenditures)..... $50,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $44,890,000

NEW SECTION. **Sec. 1112. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2013-2015 Biennium (30000602)
Reappropriation:
State Building Construction Account—State..... $307,000
General Fund—Federal..... $1,082,000
Subtotal Reappropriation..... $1,389,000
Prior Biennia (Expenditures)..... $3,837,000
Future Biennia (Projected Costs)..... $2,500,000
TOTAL..... $7,726,000

NEW SECTION. **Sec. 1113. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2013-2015 Biennium (30000605)
Reappropriation:
General Fund—Federal..... $8,893,000
Prior Biennia (Expenditures)..... $4,032,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $12,925,000

NEW SECTION. **Sec. 1114. FOR THE MILITARY DEPARTMENT**
Yakima Training Center Barracks (30000696)
Reappropriation:
General Fund—Federal..... $18,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $18,000,000

NEW SECTION. **Sec. 1115. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2015-2017 Biennium (30000702)
Appropriation:
State Building Construction Account—State..... $7,267,000
General Fund—Federal..... $10,195,000
Subtotal Appropriation..... $17,462,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $17,462,000

NEW SECTION. **Sec. 1116. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2015-2017 Biennium (30000744)
Appropriation:
State Building Construction Account—State..... $5,163,000
General Fund—Federal..... $15,953,000
Subtotal Appropriation..... $21,116,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $21,116,000

NEW SECTION. **Sec. 1117. FOR THE MILITARY DEPARTMENT**
Montesano Readiness Center Roof Replacement and Tenant Improvements (30000805)
Appropriation:
General Fund—Federal..... $1,500,000
State Building Construction Account—State..... $3,750,000
Subtotal Appropriation..... $5,250,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,250,000

NEW SECTION. **Sec. 1118. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic County Courthouse Grants Program (30000010)
Appropriation:
State Building Construction Account—State..... $1,500,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $10,400,000
TOTAL..... $11,900,000

NEW SECTION. **Sec. 1119. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic Courthouse Preservation Grants (92000001)
Reappropriation:
State Building Construction Account—State..... $1,696,000

Prior Biennia (Expenditures) $304,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1120. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Heritage Barn Preservation Program (92000002)
Reappropriation:
State Building Construction Account—State $256,000
Prior Biennia (Expenditures) $244,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

PART 2
HUMAN SERVICES

NEW SECTION. **Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Naselle Youth Camp - Three Cottages: Renovation (20081222)
Reappropriation:
State Building Construction Account—State $1,703,000
Prior Biennia (Expenditures) $197,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital New Kitchen and Commissary Building (20081319)
Appropriation:
State Building Construction Account—State $27,600,000
Prior Biennia (Expenditures) $828,000
Future Biennia (Projected Costs) $0
TOTAL $28,428,000

NEW SECTION. **Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Medical Lake Campus - Laundry Building: New Construction (20082371)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,100,000
TOTAL $10,250,000

NEW SECTION. **Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (91000037)
Appropriation:
State Building Construction Account—State $14,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,100,000

NEW SECTION. **Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Fircrest School Electrical Service Rehabilitation (30000415)
The appropriation in this section is provided solely for electrical service rehabilitation and improvements on campus. The department of social and health services will also coordinate with the department of health to install a new and separate electrical service for the public health laboratory.
Appropriation:
State Building Construction Account—State $5,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,200,000

NEW SECTION. **Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Program Projects: Statewide (30001859)
Appropriation:
State Building Construction Account—State $755,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $20,755,000

NEW SECTION. **Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (30002235)
Reappropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $10,155,000
Future Biennia (Projected Costs) $0
TOTAL $14,155,000

NEW SECTION. **Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Child Study and Treatment Center - Orcas: Acute Treatment Addition (30002733)

Appropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Building Systems Replacement (30002735)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $4,450,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,450,000

NEW SECTION. **Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Echo Glen - Housing Unit: Acute Mental Health Unit (30002736)
Appropriation:
State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital - Westlake: Nurse Call System (30002739)
Appropriation:
State Building Construction Account—State $1,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,200,000

NEW SECTION. **Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Yakima Valley School - Main Building: Roofing Replacement (30002742)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Green Hill School: New Acute Mental Health Unit (30002745)
Appropriation:
State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - Forensic Services: Two Wards Addition (30002765)
Appropriation:
State Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,700,000
TOTAL $22,500,000

NEW SECTION. **Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Psychiatric Intensive Care Unit and Competency Restoration (30002773)
Appropriation:
State Building Construction Account—State $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital - Water System: Improvements (30003215)
Appropriation:
State Building Construction Account—State $2,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,115,000

NEW SECTION. **Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Wards Preservation and Renewal (30003240)
Appropriation:
State Building Construction Account—State $1,350,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,350,000

NEW SECTION. **Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Special Commitment Center: Kitchen and Dining Room Upgrades (20081506)
Appropriation:
State Building Construction Account—State $3,760,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,760,000

NEW SECTION. **Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Wards Preservation and Renewal (30003241)
Appropriation:
State Building Construction Account—State $1,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Building Systems Replacement (30003244)
Appropriation:
State Building Construction Account—State $3,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,600,000

NEW SECTION. **Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital and Western State Hospital - All Wards: Patient Safety Improvements (91000019)
Reappropriation:
Charitable, Educational, Penal, and Reformatory
InstituotionccoSoSt..... j 0 Tc 0 Tw ( )Tj 0.007 Tc -0.007

Appropriation:
State Building Construction Account—State $270,000
General Fund—Federal $2,422,000
Subtotal Appropriation $2,692,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,692,000

NEW SECTION. **Sec. 2036. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: Close Sewer Lagoon (20082022)
Reappropriation:
State Building Construction Account—State $214,000
Appropriation:
State Building Construction Account—State $8,801,000
Prior Biennia (Expenditures) $1,177,000
Future Biennia (Projected Costs) $0
TOTAL $10,192,000

NEW SECTION. **Sec. 2037. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Transformers and Switches (30000143)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,699,000
TOTAL $12,849,000

NEW SECTION. **Sec. 2038. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Roof and Equipment Replacement (30000195)
Appropriation:
State Building Construction Account—State $5,658,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,658,000

NEW SECTION. **Sec. 2039. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: MSC and Rec Building Roofs (30000548)
Appropriation:
State Building Construction Account—State $1,808,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,808,000

NEW SECTION. **Sec. 2040. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: CI Food Factory Remodel (30000567)
Appropriation:
State Building Construction Account—State $2,163,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,163,000

NEW SECTION. **Sec. 2041. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Replace Fire Alarm System (30000724)
Reappropriation:
State Building Construction Account—State $2,001,000
Prior Biennia (Expenditures) $615,000
Future Biennia (Projected Costs) $0
TOTAL $2,616,000

NEW SECTION. **Sec. 2042. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Replace Fire Alarm System (30000725)
Reappropriation:
State Building Construction Account—State $1,950,000
Prior Biennia (Expenditures) $1,449,000
Future Biennia (Projected Costs) $0
TOTAL $3,399,000

NEW SECTION. **Sec. 2043. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Security Electronics Renovations (30000726)
Reappropriation:
State Building Construction Account—State $3,830,000
Prior Biennia (Expenditures) $1,217,000
Future Biennia (Projected Costs) $0
TOTAL $5,047,000

NEW SECTION. **Sec. 2044. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)
Reappropriation:
State Building Construction Account—State $950,000
Prior Biennia (Expenditures) $1,699,000
Future Biennia (Projected Costs) $0
TOTAL $2,649,000

NEW SECTION. **Sec. 2045. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Support Building Repair Fire Detection System (30000733)
Reappropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $808,000
Future Biennia (Projected Costs) $0
TOTAL $1,058,000

NEW SECTION. **Sec. 2046. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Security Video System (30000801)
Reappropriation:
State Building Construction Account—State $2,908,000
Prior Biennia (Expenditures) $968,000
Future Biennia (Projected Costs) $0
TOTAL $3,876,000

NEW SECTION. **Sec. 2047. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Security Video System (30000791)
Reappropriation:
State Building Construction Account—State $4,363,000
Prior Biennia (Expenditures) $2,609,000
Future Biennia (Projected Costs) $0
TOTAL $6,972,000

NEW SECTION. **Sec. 2048. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Security Video System (30000795)
Reappropriation:
State Building Construction Account—State $3,843,000
Prior Biennia (Expenditures) $1,390,000
Future Biennia (Projected Costs) $0
TOTAL $5,233,000

NEW SECTION. **Sec. 2049. FOR THE DEPARTMENT OF CORRECTIONS**
Minor Works Preservation (30000734)
Reappropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $8,600,000
Future Biennia (Projected Costs) $0
TOTAL $10,100,000

NEW SECTION. **Sec. 2050. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Security Video System (30000800)
Appropriation:
State Building Construction Account—State $6,038,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,038,000

NEW SECTION. **Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Security Video System (30000802)
Reappropriation:
State Building Construction Account—State $2,150,000
Prior Biennia (Expenditures) $1,271,000
Future Biennia (Projected Costs) $0
TOTAL $3,421,000

NEW SECTION. **Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: SOU IMU Security Video (30000803)
Reappropriation:
State Building Construction Account—State $1,806,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $2,640,000

NEW SECTION. **Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS**
Washington State Penitentiary: Education Building Roof (30000820)
Appropriation:
State Building Construction Account—State $1,525,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,525,000

NEW SECTION. **Sec. 2054. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: MSU Bathroom Renovation (30000975)
Appropriation:
State Building Construction Account—State $1,720,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,720,000

NEW SECTION. **Sec. 2055. FOR THE DEPARTMENT OF CORRECTIONS**
Statewide: Minor Works - Preservation Projects (30001013)
Appropriation:
State Building Construction Account—State $25,181,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $65,095,000
TOTAL $90,276,000

NEW SECTION. **Sec. 2056. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Access Road Culvert Replacement and Road Resurfacing (30001078)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2057. FOR THE DEPARTMENT OF CORRECTIONS**
Washington State Penitentiary: Program and Support Building (30001101)
Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $15,014,000
TOTAL $16,914,000

NEW SECTION. **Sec. 2058. FOR THE DEPARTMENT OF CORRECTIONS**
Prison Capacity Expansion (30001105)
The appropriation in this section is subject to the following conditions and limitations: The department shall research best practices for treatment of mental illness for offenders, and design and construct the facility to provide this treatment. The department shall also include costs for continuing mental health supervision with community supervision in the predesign. The department may assign minimum security offenders for maintenance or other activities as needed.
Appropriation:
State Building Construction Account—State $5,300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $184,000,000
TOTAL $189,300,000

NEW SECTION. **Sec. 2059. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**
Omnibus Minor Works (30000017)
Appropriation:
State Building Construction Account—State $456,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $456,000

PART 3
NATURAL RESOURCES

NEW SECTION. **Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY**
Water Supply Facilities (19742006)
Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $345,000
Prior Biennia (Expenditures) $20,205,000
Future Biennia (Projected Costs) $0
TOTAL $20,550,000

NEW SECTION. **Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY**
Low-Level Nuclear Waste Disposal Trench Closure (19972012)
Reappropriation:
Site Closure Account—State $10,917,000
Appropriation:
Site Closure Account—State $3,675,000
Prior Biennia (Expenditures) $4,516,000

Future Biennia (Projected Costs) $0
TOTAL $19,108,000

NEW SECTION. **Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY**

Twin Lake Aquifer Recharge Project (20042951)

Reappropriation:
State Building Construction Account—State $156,000
Prior Biennia (Expenditures) $594,000
Future Biennia (Projected Costs) $0
TOTAL $750,000

NEW SECTION. **Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY**

Water Supply Facilities (20044006)

Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $50,000
Prior Biennia (Expenditures) $13,468,000
Future Biennia (Projected Costs) $0
TOTAL $13,518,000

NEW SECTION. **Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY**

Quad Cities Water Right Mitigation (20052852)

Reappropriation:
State Building Construction Account—State $421,000
Prior Biennia (Expenditures) $1,179,000
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 136, chapter 371, Laws of 2006.

Reappropriation:
State Building Construction Account—State $317,000
Prior Biennia (Expenditures) $12,483,000
Future Biennia (Projected Costs) $0
TOTAL $12,800,000

NEW SECTION. **Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Basin Water Supply Development Program (20062950)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:
Columbia River Basin Taxable Bond Water Supply Development Account—State $1,770,000
Columbia River Basin Water Supply Development Account—State $6,075,000
Subtotal Reappropriation $7,845,000
Prior Biennia (Expenditures) $83,655,000
Future Biennia (Projected Costs) $0
TOTAL $91,500,000

NEW SECTION. **Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY**

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $289,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (20084008)

Reappropriation:
State Building Construction Account—State $11,754,000
Prior Biennia (Expenditures) $81,121,000
Future Biennia (Projected Costs) $0
TOTAL $92,875,000

NEW SECTION. **Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (20084010)

Reappropriation:
Water Quality Capital Account—State $43,000
State Toxics Control Account—State $570,000
Subtotal Reappropriation $613,000

Prior Biennia (Expenditures) $66,036,000
Future Biennia (Projected Costs) $0
TOTAL $66,649,000

NEW SECTION. **Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Loan Program (20084011)

Reappropriation:
Water Pollution Control Revolving Account—State $14,581,000
Prior Biennia (Expenditures) $125,419,000
Future Biennia (Projected Costs) $0
TOTAL $140,000,000

NEW SECTION. **Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Storage Feasibility Study (20084026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3035, chapter 497, Laws of 2009.

Reappropriation:
State Building Construction Account—State $82,000
Prior Biennia (Expenditures) $5,168,000
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3054, chapter 520, Laws of 2007.

Reappropriation:
State Building Construction Account—State $1,456,000
Prior Biennia (Expenditures) $12,544,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000007)

Reappropriation:
Water Pollution Control Revolving Account—Federal ARRA $766,000
Water Pollution Control Revolving Account—State $3,970,000
Subtotal Reappropriation $4,736,000
Prior Biennia (Expenditures) $173,964,000
Future Biennia (Projected Costs) $0
TOTAL $178,700,000

NEW SECTION. **Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000008)

Reappropriation:
State Building Construction Account—State $3,838,000
Prior Biennia (Expenditures) $26,162,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:
State Building Construction Account—State $715,000
Prior Biennia (Expenditures) $5,285,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY**

Kittitas Groundwater Study (30000029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3001, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $76,000
Prior Biennia (Expenditures) $624,000
Future Biennia (Projected Costs) $0
TOTAL $700,000

NEW SECTION. **Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State Building Construction Account—State $1,327,000
Local Toxics Control Account—State $9,165,000
Subtotal Reappropriation $10,492,000
Prior Biennia (Expenditures) $65,419,000
Future Biennia (Projected Costs) $0
TOTAL $75,911,000

NEW SECTION. **Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000142)

Reappropriation:
Water Pollution Control Revolving Account—Federal $1,792,000
Water Pollution Control Revolving Account—State $21,050,000
Subtotal Reappropriation $22,842,000
Prior Biennia (Expenditures) $14,158,000
Future Biennia (Projected Costs) $0
TOTAL $37,000,000

NEW SECTION. **Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:
Cleanup Settlement Account—State $1,959,000
State Toxics Control Account—State $3,666,000
Subtotal Reappropriation $5,625,000
Prior Biennia (Expenditures) $35,573,000
Future Biennia (Projected Costs) $0
TOTAL $41,198,000

NEW SECTION. **Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY**

Settlement Funding to Clean Up Toxic Sites (30000145)

Reappropriation:
Cleanup Settlement Account—State $185,000
Prior Biennia (Expenditures) $8,315,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:
State Toxics Control Account—State $12,341,000
Prior Biennia (Expenditures) $21,759,000
Future Biennia (Projected Costs) $0
TOTAL $34,100,000

NEW SECTION. **Sec. 3023.**

Future Biennia (Projected Costs) $0
TOTAL $63,834,000

NEW SECTION. **Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000217)

Reappropriation:

State Toxics Control Account—State $2,117,000
Prior Biennia (Expenditures) $3,883,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY**

Safe Soils Remediation Program - Central Washington (30000263)

Reappropriation:

State Toxics Control Account—State $682,000
Prior Biennia (Expenditures) $3,029,000
Future Biennia (Projected Costs) $0
TOTAL $3,711,000

NEW SECTION. **Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000265)

Reappropriation:

State Toxics Control Account—State $1,896,000
Prior Biennia (Expenditures) $14,504,000
Future Biennia (Projected Costs) $0
TOTAL $16,400,000

NEW SECTION. **Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY**

TOTAL $1,000,000

NEW SECTION. **Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY**

Mercury Switch Removal (30000323)

Reappropriation:

State Toxics Control Account—State $365,000
Prior Biennia (Expenditures) $135,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Diesel Emissions (30000324)

Reappropriation:

State Toxics Control Account—State $2,380,000
Prior Biennia (Expenditures) $2,120,000
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Wood Stove Emissions (30000325)

Reappropriation:

State Toxics Control Account—State $2,180,000
Prior Biennia (Expenditures) $1,820,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000326)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental Legacy Stewardship Account—State $36,634,000
Prior Biennia (Expenditures) $13,366,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000327)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $184,110,000
Subtotal Reappropriation $234,110,000
Prior Biennia (Expenditures) $15,890,000
Future Biennia (Projected Costs) $0
TOTAL $250,000,000

NEW SECTION. **Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000328)

Reappropriation:

General Fund—Federal $9,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,800,000

NEW SECTION. **Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:

State Building Construction Account—State $8,695,000
Prior Biennia (Expenditures) $1,305,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000332)

Reappropriation:

State Building Construction Account—State $3,048,000
Prior Biennia (Expenditures) $7,000
Future Biennia (Projected Costs) $0
TOTAL $3,055,000

NEW SECTION. **Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY**

Dungeness Water Supply and Mitigation (30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,003,000
Prior Biennia (Expenditures) $47,000
Future Biennia (Projected Costs) $0
TOTAL $2,050,000

NEW SECTION. **Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3072, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $717,000
Cleanup Settlement Account—State $26,672,000
Subtotal Reappropriation $27,389,000
Prior Biennia (Expenditures) $7,271,000
Future Biennia (Projected Costs) $0
TOTAL $34,660,000

NEW SECTION. **Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY**

Padilla Bay Federal Capital Projects - Programmatic (30000335)

Reappropriation:

General Fund—Federal $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000337)

Reappropriation:

Environmental Legacy Stewardship Account—State $19,100,000
Prior Biennia (Expenditures) $12,400,000
Future Biennia (Projected Costs) $0
TOTAL $31,500,000

NEW SECTION. **Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000351)

Reappropriation:

Environmental Legacy Stewardship Account—State $6,735,000
Prior Biennia (Expenditures) $3,565,000
Future Biennia (Projected Costs) $0
TOTAL $10,300,000

NEW SECTION. **Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000372)

Reappropriation:

Columbia River Basin Water Supply Development Account—State $16,052,000
Columbia River Basin Taxable Bond Water Supply Development Account—State $28,113,000
Subtotal Reappropriation $44,165,000
Prior Biennia (Expenditures) $30,335,000
Future Biennia (Projected Costs) $0
TOTAL $74,500,000

NEW SECTION. **Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY**

Local Toxics Grants for Cleanup and Prevention (20064008)

Reappropriation:

State Building Construction Account—State $8,296,000
Prior Biennia (Expenditures) $90,604,000
Future Biennia (Projected Costs) $0
TOTAL $98,900,000

NEW SECTION. **Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Supply (30000373)

Reappropriation:

State Building Construction Account—State $12,162,000
Prior Biennia (Expenditures) $19,938,000
Future Biennia (Projected Costs) $0
TOTAL $32,100,000

NEW SECTION. **Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000374)

Reappropriation:
Local Toxics Control Account—State $45,779,000
Prior Biennia (Expenditures) $16,758,000
Future Biennia (Projected Costs) $0
TOTAL $62,537,000

NEW SECTION. **Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000389)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,804,000
Prior Biennia (Expenditures) $196,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY**

Coordinated Prevention Grants (CPG) (30000426)

Appropriation:
State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000427)

The appropriations in this section are subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial clean water program grant.

(2) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States Department of Agriculture - Rural Development.

Appropriation:
State Building Construction Account—State $10,000,000
Local Toxics Control Account—State $10,000,000
Subtotal Appropriation $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $180,000,000

NEW SECTION. **Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Diesel Emissions (30000428)

Appropriation:
State Toxics Control Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Woodstove Emissions (30000429)

Appropriation:
State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY**

Swift Creek Natural Asbestos Flood Control and Cleanup (30000430)

Appropriation:
State Building Construction Account—State $3,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,200,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY**

Waste Tire Pile Cleanup and Prevention (30000431)

Appropriation:
Waste Tire Removal Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000432)
Appropriation:
State Toxics Control Account—State $11,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,772,000
TOTAL $24,772,000

NEW SECTION. **Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grants (30000458)
Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $285,000,000

NEW SECTION. **Sec. 3061. FOR THE DEPARTMENT OF ECOLOGY**
Leaking Tank Model Remedies (30000490)
Appropriation:
State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3062. FOR THE DEPARTMENT OF ECOLOGY**
Water Pollution Control Revolving Program (30000534)
The appropriations in this section are subject to the following conditions and limitations:
(1) $6,000,000 of the state building construction account—state for fiscal year 2016 and $6,000,000 of the state building construction account—state for fiscal year 2017 is provided solely as state match for federal clean water funds.
(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control program loan.
(3) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States Department of Agriculture - Rural Development.
Appropriation:
Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $141,000,000
Subtotal Appropriation $191,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $800,000,000
TOTAL $991,000,000

NEW SECTION. **Sec. 3063. FOR THE DEPARTMENT OF ECOLOGY**
Stormwater Financial Assistance Program (30000535)
Appropriation:
Local Toxics Control Account—State $3,000,000
State Building Construction Account—State $60,000,000
Subtotal Appropriation $63,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $343,000,000

NEW SECTION. **Sec. 3064. FOR THE DEPARTMENT OF ECOLOGY**
Coastal Wetlands Federal Funds (30000536)
Appropriation:
General Fund—Federal $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3065. FOR THE DEPARTMENT OF ECOLOGY**
Floodplains by Design (30000537)
Appropriation:
State Building Construction Account—State $43,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $92,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3066. FOR THE DEPARTMENT OF ECOLOGY**
ASARCO Cleanup (30000538)
The appropriation in this section is subject to the following conditions and limitations: Up to $400,000 of the appropriation in this section is provided solely for the department to contract, after a competitive bidding process, for the cleanup and remediation of the former Ruston Way tunnel.

Appropriation:
Cleanup Settlement Account—State $12,146,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $67,900,000
TOTAL $80,046,000

NEW SECTION. **Sec. 3067. FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxics Sites – Puget Sound (30000542)

Appropriation:
State Toxics Control Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $72,763,000
TOTAL $87,763,000

NEW SECTION. **Sec. 3068. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000587)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department of ecology and the state conservation commission shall give preference in order of priority to projects located in the 16 fish critical basins, other water short basins, and basins with significant water resource and instream flow problems. Projects that are not within basins as described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation d4(P)-21.3(r)Dt1 617( )9ions sn 021

Prior Biennia (Expenditures) $14,747,000
Future Biennia (Projected Costs) $0
TOTAL $14,975,000

NEW SECTION. **Sec. 3079. FOR THE DEPARTMENT OF ECOLOGY**

Wastewater Treatment and Water Reclamation (92000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State Building Construction Account—State $151,000
Prior Biennia (Expenditures) $3,279,000
Future Biennia (Projected Costs) $0
TOTAL $3,430,000

NEW SECTION. **Sec. 3080. FOR THE DEPARTMENT OF ECOLOGY**

Flood Levee Improvements (92000057)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 503, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $301,000
Local Toxics Control Account—State $2,510,000
Subtotal Reappropriation $2,811,000
Prior Biennia (Expenditures) $5,689,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3081. FOR THE DEPARTMENT OF ECOLOGY**

Ground Water Management Yakima Basin (92000061)

Reappropriation:
Columbia River Basin Water Supply Development Account—
State $189,000
Prior Biennia (Expenditures) $261,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3082. FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Improvements (92000076)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3081, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Environmental Legacy Stewardship Account—State $91,456,000
Prior Biennia (Expenditures) $8,544,000
Future Biennia (Projected Costs) $0
TOTAL $100,000,000

NEW SECTION. **Sec. 3083. FOR THE DEPARTMENT OF ECOLOGY**

Floodplain Management and Control Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $40,389,000
Prior Biennia (Expenditures) $9,611,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3084. FOR THE DEPARTMENT OF ECOLOGY**

Lower Yakima GWMA Program Development (92000085)

Reappropriation:
State Building Construction Account—State $1,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,614,000

NEW SECTION. **Sec. 3085. FOR THE POLLUTION LIABILITY INSURANCE AGENCY**

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section must be used for projects that provide a benefit to the public through removal, replacement or upgrade of underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and cleanup of contamination caused by legacy petroleum releases. All projects must develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the agency.

(2)(a) $1,800,000 of the appropriation is provided solely to design a capital financial assistance program to provide underground storage tank owners and operators with financial resources to remove, replace or upgrade underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and to clean up contamination caused by legacy petroleum releases.

(b) The design must:

(i) Assess options for program structure and administration, and develop a recommended program design, financial management plan and staffing model;

(ii) Include data and legal analysis of statewide need, availability of existing fund sources for grants and loans, assessment of owner and operator willingness to participate and potential environmental and economic impacts of the loan program.

(iii) As part of the program design, the agency must conduct a pilot demonstration of a capital grant program that includes three study sites with aging tanks, demonstrated impact to either soil or groundwater, or both, and serious financial hardship, as defined in chapter 374-60 WAC. Each study site may not cost more than $600,000.

(3) The agency shall conduct the study in consultation with the office of financial management, and internal and external agency stakeholders.

(4) The agency must provide a final report of the program design, as well as any associated legislative and budget recommendations, to the governor and legislature by October 1, 2015.

Appropriation:

Pollution Liability Insurance Program Trust Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3086. FOR THE STATE PARKS AND RECREATION COMMISSION**

Dosewallips Wastewater Treatment System (30000523)

Reappropriation:

State Building Construction Account—State $27,000
Prior Biennia (Expenditures) $4,505,000
Future Biennia (Projected Costs) $0
TOTAL $4,532,000

NEW SECTION. **Sec. 3087. FOR THE STATE PARKS AND RECREATION COMMISSION**

Lewis & Clark Replace Wastewater System (30000544)

Reappropriation:

State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $382,000
Future Biennia (Projected Costs) $0
TOTAL $1,077,000

NEW SECTION. **Sec. 3088. FOR THE STATE PARKS AND RECREATION COMMISSION**

Deception Pass - Kukutali Access and Interpretation (30000774)

Reappropriation:

State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $64,000
Future Biennia (Projected Costs) $0
TOTAL $225,000

NEW SECTION. **Sec. 3089. FOR THE STATE PARKS AND RECREATION COMMISSION**

Flaming Geyser State Park Infrastructure (30000810)

Reappropriation:

State Building Construction Account—State $848,000
Prior Biennia (Expenditures) $477,000
Future Biennia (Projected Costs) $0
TOTAL $1,325,000

NEW SECTION. **Sec. 3090. FOR THE STATE PARKS AND RECREATION COMMISSION**

Millersylvania Replace Environmental Learning Center Cabins (30000821)

Reappropriation:

State Building Construction Account—State $481,000
Prior Biennia (Expenditures) $608,000
Future Biennia (Projected Costs) $0
TOTAL $1,089,000

NEW SECTION. **Sec. 3091. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Facility and Infrastructure Preservation (30000845)

Reappropriation:

State Building Construction Account—State $1,797,000
Prior Biennia (Expenditures) $8,203,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3092. FOR THE STATE PARKS AND RECREATION COMMISSION**

Wallace Falls Footbridge (91000047)

Reappropriation:

State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $336,000
Future Biennia (Projected Costs) $0

TOTAL $486,000

NEW SECTION. **Sec. 3093. FOR THE STATE PARKS AND RECREATION COMMISSION**

Spencer Spit Water System Replacement (30000140)

Reappropriation:

State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $288,000
Future Biennia (Projected Costs) $0
TOTAL $983,000

NEW SECTION. **Sec. 3094. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Worden - Housing Areas Exterior Improvements (30000287)

Appropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,858,000
TOTAL $3,358,000

NEW SECTION. **Sec. 3095. FOR THE STATE PARKS AND RECREATION COMMISSION**

Mount Spokane Road Improvements, Stage 2D (30000693)

Appropriation:

State Building Construction Account—State $2,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,400,000

NEW SECTION. **Sec. 3096. FOR THE STATE PARKS AND RECREATION COMMISSION**

Camano Island Day Use Access and Facility Renovation (30000782)

Reappropriation:

State Building Construction Account—State $107,000

Appropriation:

State Building Construction Account—State $1,212,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $1,513,000

NEW SECTION. **Sec. 3097. FOR THE STATE PARKS AND RECREATION COMMISSION**

Belfair Replace Failing Electrical Supply to Main Camp Loop (30000813)

Appropriation:

State Building Construction Account—State $1,180,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,180,000

NEW SECTION. **Sec. 3098. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler - Replace Failing Electrical Power Historic District (30000815)

Appropriation:

State Building Construction Account—State $1,173,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,173,000

NEW SECTION. **Sec. 3099. FOR THE STATE PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development (30000820)

Reappropriation:

State Building Construction Account—State $10,000

Appropriation:

State Building Construction Account—State $1,341,000
Prior Biennia (Expenditures) $309,000
Future Biennia (Projected Costs) $0
TOTAL $1,660,000

NEW SECTION. **Sec. 3100. FOR THE STATE PARKS AND RECREATION COMMISSION**

Flaming Geyser Day Use Renovation (30000832)

Reappropriation:

State Building Construction Account—State $642,000
Prior Biennia (Expenditures) $360,000
Future Biennia (Projected Costs) $0
TOTAL $1,002,000

NEW SECTION. **Sec. 3101. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety (30000839)

Appropriation:

State Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $5,160,000

NEW SECTION. **Sec. 3102. FOR THE STATE PARKS AND RECREATION COMMISSION**
Twanoh State Park Stormwater Improvements (30000851)
Reappropriation:
State Building Construction Account—State $160,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $354,000

NEW SECTION. **Sec. 3103. FOR THE STATE PARKS AND RECREATION COMMISSION**
Rocky Reach - Trail Development (30000853)
Reappropriation:
State Building Construction Account—State $535,000
Prior Biennia (Expenditures) $3,220,000
Future Biennia (Projected Costs) $0
TOTAL $3,755,000

NEW SECTION. **Sec. 3104. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (30000854)
Reappropriation:
State Building Construction Account—State $767,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $0
TOTAL $1,048,000

NEW SECTION. **Sec. 3105. FOR THE STATE PARKS AND RECREATION COMMISSION**
Clean Vessel Boating Pump-Out Grants (30000856)
Appropriation:
General Fund—Federal $2,600,000
Prior Biennia (Expenditures) $2,600,000
Future Biennia (Projected Costs) $10,400,000
TOTAL $15,600,000

NEW SECTION. **Sec. 3106. FOR THE STATE PARKS AND RECREATION COMMISSION**
Local Grant Authority (30000857)
Appropriation:
Parks Renewal and Stewardship Account—Private/Local $1,000,000
Prior Biennia (Expenditures) $1,200,000
Future Biennia (Projected Costs) $4,000,000
TOTAL $6,200,000

NEW SECTION. **Sec. 3107. FOR THE STATE PARKS AND RECREATION COMMISSION**
Federal Grant Authority (30000858)
Appropriation:
General Fund—Federal $750,000
Prior Biennia (Expenditures) $1,750,000
Future Biennia (Projected Costs) $3,000,000
TOTAL $5,500,000

NEW SECTION. **Sec. 3108. FOR THE STATE PARKS AND RECREATION COMMISSION**
Sequim Bay Address Failing Retaining Wall (30000861)
Appropriation:
State Building Construction Account—State $1,122,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,122,000

NEW SECTION. **Sec. 3109. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Nordic Area Improvements and Horse Camp Development (30000877)
Appropriation:
State Building Construction Account—State $6,042,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,042,000

NEW SECTION. **Sec. 3110. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Cabins, Yurts, and Associated Park Improvement (30000883)
Appropriation:
State Building Construction Account—State $1,153,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,153,000

NEW SECTION. **Sec. 3111. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fish Barrier Removal (Lawsuit) (30000944)
Appropriation:
State Building Construction Account—State $2,034,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,034,000
NEW SECTION. **Sec. 3112. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Facility and Infrastructure Backlog Reduction (30000946)
Appropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,000,000
TOTAL $24,000,000
NEW SECTION. **Sec. 3113. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Flagler - WWI Historic Facilities Preservation (30000100)
Appropriation:
State Building Construction Account—State $5,970,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,970,000
NEW SECTION. **Sec. 3114. FOR THE STATE PARKS AND RECREATION COMMISSION**
Riverside Fisk Property Lake Spokane (Long Lake) Initial Park Access (30000971)
Appropriation:
State Building Construction Account—State $1,072,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,072,000
NEW SECTION. **Sec. 3115. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facilities and Infrastructures (30000947)
Appropriation:
State Building Construction Account—State $11,117,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $250,000
TOTAL $11,367,000
NEW SECTION. **Sec. 3116. FOR THE STATE PARKS AND RECREATION COMMISSION**
Steamboat Rock - Replace Failing Sewage Lift Stations (30000948)
Appropriation:
State Building Construction Account—State $1,229,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,229,000
NEW SECTION. **Sec. 3117. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)
Appropriation:
State Building Construction Account—State $2,557,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,557,000
NEW SECTION. **Sec. 3118. FOR THE STATE PARKS AND RECREATION COMMISSION**
Parkland Acquisition (30000976)
The appropriation in this section is subject to the following conditions and limitations: $225,000 or thereabouts must be used for the purchase of Young Island.
Appropriation:
Parkland Acquisition Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000
NEW SECTION. **Sec. 3119. FOR THE STATE PARKS AND RECREATION COMMISSION**
Backlog Repairs and Enhanced Amenities (92000007)
Reappropriation:
State Building Construction Account—State $794,000
Prior Biennia (Expenditures) $8,610,000
Future Biennia (Projected Costs) $0
TOTAL $9,404,000
NEW SECTION. **Sec. 3120. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (20084011)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3146, chapter 520, Laws of 2007.

Reappropriation:

Outdoor Recreation Account—State $291,000
Habitat Conservation Account—State $2,523,000
Subtotal Reappropriation $2,814,000
Prior Biennia (Expenditures) $95,678,000
Future Biennia (Projected Costs) $0
TOTAL $98,492,000

NEW SECTION. **Sec. 3121. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (20084851)

Reappropriation:

State Building Construction Account—State $639,000
Prior Biennia (Expenditures) $59,361,000
Future Biennia (Projected Costs) $0
TOTAL $60,000,000

NEW SECTION. **Sec. 3122. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000002)

Reappropriation:

Farmlands Preservation Account—State $257,000
Outdoor Recreation Account—State $307,000
Riparian Protection Account—State $911,000
Habitat Conservation Account—State $3,672,000
Subtotal Reappropriation $5,147,000
Prior Biennia (Expenditures) $64,298,000
Future Biennia (Projected Costs) $0
TOTAL $69,445,000

NEW SECTION. **Sec. 3123. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000080)

Reappropriation:

State Building Construction Account—State $366,000
Prior Biennia (Expenditures) $32,634,000
Future Biennia (Projected Costs) $0
TOTAL $33,000,000

NEW SECTION. **Sec. 3124. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000138)

Reappropriation:

Recreation Resources Account—State $1,589,000
Prior Biennia (Expenditures) $6,411,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3125. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000139)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:

Farmlands Preservation Account—State $195,000
Outdoor Recreation Account—State $3,694,000
Habitat Conservation Account—State $3,985,000
Subtotal Reappropriation $7,874,000
Prior Biennia (Expenditures) $34,126,000
Future Biennia (Projected Costs) $0
TOTAL $42,000,000

NEW SECTION. **Sec. 3126. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000140)

Reappropriation:

State Building Construction Account—State $3,497,000
General Fund—Federal $23,169,000
Subtotal Reappropriation $26,666,000
Prior Biennia (Expenditures) $43,396,000
Future Biennia (Projected Costs) $0
TOTAL $70,062,000

NEW SECTION. **Sec. 3127. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation Fund (30000142)

Reappropriation:

General Fund—Federal $1,313,000

Prior Biennia (Expenditures) $2,687,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3128. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3B, revised April 10, 2013.

Reappropriation:
Aquatic Lands Enhancement Account—State $845,000
Prior Biennia (Expenditures) $5,616,000
Future Biennia (Projected Costs) $0
TOTAL $6,461,000

NEW SECTION. **Sec. 3129. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000146)

Reappropriation:
General Fund—Federal $1,328,000
Prior Biennia (Expenditures) $3,672,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3130. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:
State Building Construction Account—State $2,975,000
Prior Biennia (Expenditures) $12,025,000
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3131. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:
State Building Construction Account—State $560,000
Prior Biennia (Expenditures) $4,440,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3132. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Farmlands Preservation Account—State $3,218,000
Riparian Protection Account—State $4,973,000
Habitat Conservation Account—State $14,918,000
Outdoor Recreation Account—State $14,918,000
Subtotal Reappropriation $38,027,000
Prior Biennia (Expenditures) $26,973,000
Future Biennia (Projected Costs) $0
TOTAL $65,000,000

NEW SECTION. **Sec. 3133. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $7,886,000
General Fund—Federal $37,278,000
Subtotal Reappropriation $45,164,000
Prior Biennia (Expenditures) $29,836,000
Future Biennia (Projected Costs) $0
TOTAL $75,000,000

NEW SECTION. **Sec. 3134. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000207)

Reappropriation:
Recreation Resources Account—State $3,309,000
Prior Biennia (Expenditures) $3,054,000

Future Biennia (Projected Costs) $0
TOTAL $6,363,000

NEW SECTION. **Sec. 3135. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000208)

Reappropriation:
NOVA Program Account—State $5,100,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3136. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:
Aquatic Lands Enhancement Account—State $3,900,000
Prior Biennia (Expenditures) $2,100,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3137. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:
State Building Construction Account—State $44,058,000
Prior Biennia (Expenditures) $25,942,000
Future Biennia (Projected Costs) $0
TOTAL $70,000,000

NEW SECTION. **Sec. 3138. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:
State Building Construction Account—State $5,500,000
Prior Biennia (Expenditures) $4,500,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3139. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Firearms Range Account—State $315,000
Prior Biennia (Expenditures) $485,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3140. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000214)

Reappropriation:
General Fund—Federal $1,500,000
Prior Biennia (Expenditures) $3,500,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3141. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000215)

Reappropriation:
General Fund—Federal $880,000
Prior Biennia (Expenditures) $1,320,000
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 3142. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000216)

Reappropriation:
General Fund—Federal $3,400,000
Prior Biennia (Expenditures) $600,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3143. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000218)

Reappropriation:
State Building Construction Account—State $990,000

Prior Biennia (Expenditures) $1,010,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3144. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (30000220)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-2, developed March 27, 2015.

Appropriation:
Farmlands Preservation Account—State $6,500,000
Riparian Protection Account—State $12,500,000
Habitat Conservation Account—State $28,000,000
Outdoor Recreation Account—State $28,000,000
Subtotal Appropriation $75,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $300,000,000
TOTAL $375,000,000

NEW SECTION. **Sec. 3145. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Salmon Recovery Funding Board Programs (30000221)

The appropriation in this section is subject to the following conditions and limitations: $500,000 of the state building construction account—state appropriation is provided solely for the city of Bothell to preserve the Wayne golf course land, situated along the Sammamish river and Burke-Gilman trail, for fish habitat.

Appropriation:
State Building Construction Account—State $40,000,000
General Fund—Federal $60,000,000
Subtotal Appropriation $100,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $400,000,000
TOTAL $500,000,000

NEW SECTION. **Sec. 3146. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Boating Facilities Program (30000222)

Appropriation:
Recreation Resources Account—State $9,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $37,800,000
TOTAL $47,160,000

NEW SECTION. **Sec. 3147. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Nonhighway Off-Road Vehicle Activities (30000223)

Appropriation:
NOVA Program Account—State $8,670,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,770,000
TOTAL $43,440,000

NEW SECTION. **Sec. 3148. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Youth Athletic Facilities (30000224)

Appropriation:
State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,000,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3149. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Aquatic Lands Enhancement Account (30000225)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-3, developed March 27, 2015.

Appropriation:
Aquatic Lands Enhancement Account—State $5,000,000
State Building Construction Account—State $4,500,000
Subtotal Appropriation $9,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $26,400,000
TOTAL $35,900,000

NEW SECTION. **Sec. 3150. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Puget Sound Acquisition and Restoration (30000226)

Appropriation:
State Building Construction Account—State $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000

TOTAL $200,000,000

NEW SECTION. **Sec. 3151. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000227)

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3152. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000228)

Appropriation:

Firearms Range Account—State $580,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,320,000
TOTAL $2,900,000

NEW SECTION. **Sec. 3153. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000229)

Appropriation:

General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3154. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000230)

Appropriation:

General Fund—Federal $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,800,000
TOTAL $11,000,000

NEW SECTION. **Sec. 3155. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000231)

Appropriation:

General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3156. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000233)

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3157. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (91000097)

Reappropriation:

State Toxics Control Account—State $1,118,000
Prior Biennia (Expenditures) $8,882,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3158. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Coastal Restoration Grants (91000448)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Black river watershed conservation and restoration	$650,000
Cathlamet selective fisheries	$300,000
Coal creek culvert to bridge	$162,000
Darlin creek conservation and restoration	$1,300,000
Ellsworth creek watershed restoration	$950,000
Greenhead slough barrier removal	$75,000
Improved gears for the lower Columbia fishery	$200,000
Lower Forks creek restoration	$2,150,000
Makah tribe salmon restoration	$174,000
Middle fork Hoquiam culvert correction	$76,000
Middle fork Satsop culvert correction	$97,000

Pulling together: Jobs in restoration	$550,000
Quinault nearshore habitat restoration	$343,000
Restoration of Elochoman and Grays river basins	$535,000
Restoration of prairies and wetlands	$200,000
Satsop river watershed restoration	$150,000
Scammon creek barrier removal	$188,000
West fork Satsop culvert correction	$96,000
Total	**$8,196,000**

Appropriation:
State Building Construction Account—State $8,196,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $8,196,000

NEW SECTION. **Sec. 3159. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Recreation Grants (92000055)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3173, chapter 19, Laws of 2013, 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,942,000
Prior Biennia (Expenditures) $1,688,000
Future Biennia (Projected Costs) $0
TOTAL $3,630,000

NEW SECTION. **Sec. 3160. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Cost Share - State Match (30000009)

Reappropriation:
State Building Construction Account—State $800,000
Appropriation:
State Building Construction Account—State $2,600,000
Prior Biennia (Expenditures) $1,790,000
Future Biennia (Projected Costs) $11,400,000
TOTAL $16,590,000

NEW SECTION. **Sec. 3161. FOR THE STATE CONSERVATION COMMISSION**

Natural Resources Investment for the Economy and Environment (30000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in nonshellfish growing areas.

Reappropriation:
General Fund—Federal $1,000,000
State Building Construction Account—State $1,250,000
Subtotal Reappropriation $2,250,000
Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $7,750,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3162. FOR THE STATE CONSERVATION COMMISSION**

CREP PIP Loan Program (30000011)

Reappropriation:
Conservation Assistance Revolving Account—State $150,000
Prior Biennia (Expenditures) $30,000
Future Biennia (Projected Costs) $400,000
TOTAL $580,000

NEW SECTION. **Sec. 3163. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Contract Funding (30000012)

Reappropriation:
State Building Construction Account—State $500,000
Appropriation:
State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $1,731,000
Future Biennia (Projected Costs) $8,924,000
TOTAL $12,155,000

NEW SECTION. **Sec. 3164. FOR THE STATE CONSERVATION COMMISSION**

Match for Federal RCPP Program (30000017)

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—federal appropriation is provided solely for implementation of the five conservation projects in Washington state approved for grant awards as part of the United States department of agriculture regional conservation partnership program authorized under the 2014 farm bill:

(a) Palouse river watershed implementation partnership;
(b) Precision conservation for salmon and water quality in the Puget Sound;
(c) Upper Columbia irrigation enhancement project;
(d) Yakama nation on-reservation lower Yakima basin restoration project; and
(e) Confederated tribes of the Colville reservation water quality and habitat improvement project.

(2) The state building construction account—state appropriation is provided solely for state match to the United States department of agriculture regional conservation partnership program.

Appropriation:
State Building Construction Account—State $5,000,000
General Fund—Federal $23,000,000
Subtotal Appropriation $28,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $28,000,000

NEW SECTION. **Sec. 3165. FOR THE STATE CONSERVATION COMMISSION**

Improve Shellfish Growing Areas (30000018)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in shellfish growing areas.

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3166. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $7,004,000

Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $3,491,000
Future Biennia (Projected Costs) $21,454,000
TOTAL $41,949,000

NEW SECTION. **Sec. 3167. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Voights Creek Hatchery (20081003)

Reappropriation:
State Building Construction Account—State $3,398,000
Prior Biennia (Expenditures) $11,899,000
Future Biennia (Projected Costs) $0
TOTAL $15,297,000

NEW SECTION. **Sec. 3168. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

Appropriation:
State Wildlife Account—State $600,000
Prior Biennia (Expenditures) $1,080,000
Future Biennia (Projected Costs) $2,400,000
TOTAL $4,080,000

NEW SECTION. **Sec. 3169. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitigation Projects and Dedicated Funding (20082048)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3191, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Wildlife Account—State $500,000
Special Wildlife Account—Private/Local $1,077,000
General Fund—Private/Local $1,866,000
General Fund—Federal $27,008,000
Subtotal Reappropriation $30,451,000

Appropriation:
State Wildlife Account—State $500,000
General Fund—Private/Local $1,000,000
Special Wildlife Account—Federal $1,000,000
Special Wildlife Account—Private/Local $1,000,000
General Fund—Federal $9,000,000
Subtotal Appropriation $12,500,000
Prior Biennia (Expenditures) $104,524,000

Future Biennia (Projected Costs) $54,000,000
TOTAL $201,475,000

NEW SECTION. **Sec. 3170. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Lake Rufus Woods Fishing Access (91000151)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,000,000
TOTAL $3,000,000

NEW SECTION. **Sec. 3171. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000727)

Appropriation:
State Building Construction Account—State $9,780,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $80,000,000
TOTAL $89,780,000

NEW SECTION. **Sec. 3172. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)

Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,300,000

NEW SECTION. **Sec. 3173. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Wooten Wildlife Area Improve Flood Plain (30000481)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3207, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $106,000
General Fund—Federal $1,000,000
Subtotal Reappropriation $1,106,000

Appropriation:
General Fund—Federal $2,600,000
State Building Construction Account—State $2,000,000
Subtotal Appropriation $4,600,000
Prior Biennia (Expenditures) $1,994,000
Future Biennia (Projected Costs) $12,722,000
TOTAL $20,422,000

NEW SECTION. **Sec. 3174. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puyallup Hatchery Rebuild (30000589)

Appropriation:
State Building Construction Account—State $571,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,177,000
TOTAL $9,748,000

NEW SECTION. **Sec. 3175. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Spring Hatchery Renovation (30000214)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,722,000
TOTAL $12,222,000

NEW SECTION. **Sec. 3176. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Samish Hatchery Intakes (30000276)

Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,221,000
TOTAL $4,921,000

NEW SECTION. **Sec. 3177. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minter Hatchery Intakes (30000277)

Appropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $7,948,000
TOTAL $8,198,000

NEW SECTION. **Sec. 3178. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Hoodsport Hatchery Adult Pond Renovation (30000686)
Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,346,000
TOTAL $4,046,000

NEW SECTION. **Sec. 3179. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Nasselle Hatchery Renovation (30000671)
Appropriation:
State Building Construction Account—State $275,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,556,000
TOTAL $13,831,000

NEW SECTION. **Sec. 3180. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Replace Fire Damaged Fencing (30000655)
Reappropriation:
State Building Construction Account—State $1,225,000
Prior Biennia (Expenditures) $387,000
Future Biennia (Projected Costs) $0
TOTAL $1,612,000

NEW SECTION. **Sec. 3181. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Soos Creek Hatchery Renovation (30000661)
Appropriation:
State Building Construction Account—State $17,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,103,000
TOTAL $26,103,000

NEW SECTION. **Sec. 3182. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Edmonds Pier Renovation (30000664)
Appropriation:
State Building Construction Account—State $800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3183. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Marblemount Hatchery - Renovating Jordan Creek Intake (30000666)
Appropriation:
State Building Construction Account—State $2,293,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,293,000

NEW SECTION. **Sec. 3184. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Lake Whatcom Hatchery - Replace Intake and Pipeline (30000667)
Appropriation:
State Building Construction Account—State $1,354,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,354,000

NEW SECTION. **Sec. 3185. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Fir Island Farm Estuary Restoration Project (30000673)
Appropriation:
State Building Construction Account—State $500,000
General Fund—Federal $15,500,000
Subtotal Appropriation $16,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $16,000,000

NEW SECTION. **Sec. 3186. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works - Programmatic (30000682)
Appropriation:
General Fund—Federal $375,000
State Building Construction Account—State $725,000
Subtotal Appropriation $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0

TOTAL $1,100,000

NEW SECTION. **Sec. 3187. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Springs Production Shift (30000723)

Appropriation:

State Building Construction Account—State $4,620,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,620,000

NEW SECTION. **Sec. 3188. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal $1,014,000
Prior Biennia (Expenditures) $1,986,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 3189. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Fishway Improvements/Diversions (91000033)

Reappropriation:

State Building Construction Account—State $7,003,000
Prior Biennia (Expenditures) $997,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3190. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account—State $16,109,000
Prior Biennia (Expenditures) $18,666,000
Future Biennia (Projected Costs) $0
TOTAL $34,775,000

NEW SECTION. **Sec. 3191. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Access Sites (91000044)

Reappropriation:

State Building Construction Account—State $2,518,000
Prior Biennia (Expenditures) $4,888,000
Future Biennia (Projected Costs) $0
TOTAL $7,406,000

NEW SECTION. **Sec. 3192. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Fish Passage Barriers (Culverts) (91000045)

Reappropriation:

State Building Construction Account—State $515,000
Prior Biennia (Expenditures) $980,000
Future Biennia (Projected Costs) $0
TOTAL $1,495,000

NEW SECTION. **Sec. 3193. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account—State $390,000
Prior Biennia (Expenditures) $290,000
Future Biennia (Projected Costs) $0
TOTAL $680,000

NEW SECTION. **Sec. 3194. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs Development (92000026)

Reappropriation:

State Building Construction Account—State $640,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $1,891,000

NEW SECTION. **Sec. 3195. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs (92000034)

Reappropriation:

State Building Construction Account—State $497,000
Prior Biennia (Expenditures) $3,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3196. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000479)

Reappropriation:
State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $7,475,000
Future Biennia (Projected Costs) $0
TOTAL $9,975,000

NEW SECTION. **Sec. 3197. FOR THE PUGET SOUND PARTNERSHIP**
Community Partnership Restoration Grants (30000007)
Reappropriation:
General Fund—Federal $1,575,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $1,625,000

NEW SECTION. **Sec. 3198. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Land Acquisition Grants (20052021)
Reappropriation:
General Fund—Federal $2,360,000
Appropriation:
General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $82,158,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $109,518,000

NEW SECTION. **Sec. 3199. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Forest Legacy (30000060)
Reappropriation:
General Fund—Federal $4,020,000
Appropriation:
General Fund—Federal $14,000,000
Prior Biennia (Expenditures) $16,980,000
Future Biennia (Projected Costs) $56,000,000
TOTAL $91,000,000

NEW SECTION. **Sec. 3200. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Forest Riparian Easement Program (30000198)
Appropriation:
State Building Construction Account—State $3,500,000
Prior Biennia (Expenditures) $2,999,000
Future Biennia (Projected Costs) $14,000,000
TOTAL $20,499,000

NEW SECTION. **Sec. 3201. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Trust Land Transfer (30000200)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely to the department to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, DNR community forest open space, or recreation purposes. The approved list of properties for lease or transfer is identified in the LEAP capital document No. 2015-4, developed March 27, 2015.

(2) Property transferred under this section must be appraised and transferred at fair market value. By September 30, 2015, the department must deposit in the common school construction account the portion of the appropriation in this section that represents the estimated value of the timber on the transferred properties. This transfer must be made in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The portion of the appropriation in this section that represents the value of the land transferred must be deposited in the natural resources real property replacement account.

(3) Property subject to lease agreements under this section must be appraised at fair market value. Lease terms must be fifty years with options to renew for an additional fifty years. Lease payments must be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and must be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. No later than September 30, 2015, the department must transfer to the common school construction account the portion of the appropriation in this section that is attributable to receipts from lease payments.

(4) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs and may not exceed one and nine-tenths percent of the appropriation.

(5) Intergrant exchanges between common school and other trust lands of equal value may occur if the exchange is in the interest of each trust, as determined by the board of natural resources.

(6) Prior to or concurrent with conveyance of these properties, the department, with full cooperation of the receiving agencies, shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Lease agreements for properties identified in subsection (1) of this section must include terms that restrict use of the property to the intended purpose for the term of the lease. Transfer and lease agreements may include provisions for

receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(7) The department and receiving agencies shall work in good faith to carry out the intent of this section. However, the department or receiving agencies may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the common school trust or the receiving agency.

(8) $26,422,000 of the appropriation must be deposited in the common school construction account by September 30, 2015. The department shall execute trust land transfers so that after the deduction of reasonable costs as provided in subsection (4) of this section on an aggregate basis eighty percent or more of the total appropriation value is timber value or lease payments and is deposited in the common school construction account. To achieve the eighty percent requirement, the department may choose to lease properties originally intended as transfers or transfer properties originally intended as leases.

(9) By June 30, 2017, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:
State Building Construction Account—State $37,746,000
Prior Biennia (Expenditures) $115,735,000
Future Biennia (Projected Costs) $240,000,000
TOTAL $393,481,000

NEW SECTION. **Sec. 3202. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Sustainable Recreation (30000207)

Appropriation:
State Building Construction Account—State $4,600,000
Prior Biennia (Expenditures) $2,500,000
Future Biennia (Projected Costs) $18,400,000
TOTAL $25,500,000

NEW SECTION. **Sec. 3203. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Road Maintenance and Abandonment Plans (RMAP) (30000211)

Reappropriation:
State Building Construction Account—State $138,000
Prior Biennia (Expenditures) $1,862,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3204. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Community Forest Trust (30000217)

Appropriation:
State Building Construction Account—State $3,442,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,442,000

NEW SECTION. **Sec. 3205. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Rivers and Habitat Open Space Program (30000221)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $500,000
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,500,000

NEW SECTION. **Sec. 3206. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Trust Land Replacement (30000222)

Appropriation:
Nat Res Real Property Replacement—State $15,000,000
Resources Management Cost Account—State $15,000,000
Subtotal Appropriation $30,000,000
Prior Biennia (Expenditures) $50,500,000
Future Biennia (Projected Costs) $242,000,000
TOTAL $322,500,000

NEW SECTION. **Sec. 3207. FOR THE DEPARTMENT OF NATURAL RESOURCES**
State Forest Land Replacement (30000223)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in counties with a population of twenty-five thousand or less which are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The total appropriation is to be used equally for the transfer of qualifying state forest lands in the qualifying counties.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forest land, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. The department shall identify eligible properties for transfer, consistent with subsection (1) of this section, in consultation with the applicable counties, and may not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $1,500,000
Future Biennia (Projected Costs) $6,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3208. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Hazard Reduction (30000224)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for forest health restoration treatments on state lands. The appropriation may be used for project planning, site preparation, permitting, mechanical treatments, thinning treatments, or prescribed burning.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $4,000,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $29,000,000

NEW SECTION. **Sec. 3209. FOR THE DEPARTMENT OF NATURAL RESOURCES**

DNR Olympic Region Shop Fire Recovery (30000225)

Appropriation:

State Building Construction Account—State $544,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $544,000

NEW SECTION. **Sec. 3210. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Blanchard Working Forest (30000231)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $5,500,000
TOTAL $7,500,000

NEW SECTION. **Sec. 3211. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Programmatic (30000237)

Appropriation:

State Building Construction Account—State $540,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $540,000

NEW SECTION. **Sec. 3212. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Preservation (30000238)

Appropriation:

State Building Construction Account—State $4,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3213. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Contaminated Sites Cleanup and Settlement (30000240)

The appropriation in this section is subject to the following conditions and limitations:

(1) $261,000 is provided solely for the state's share of liability under the model toxics control act for the cleanup of lead contamination at a rock pit now owned by plum creek timber company.

(2) $95,000 is provided solely for the contaminated soils cleanup at the Cedar creek correction center.

(3) $125,000 is provided solely for the webster nursery pesticides and groundwater cleanup.

(4) $375,000 is provided solely for the underground storage tank cleanup of contaminated soils of an old fueling station at the department of natural resources, SE region headquarters' parking lot that is within the city of Ellensburg new drinking water supply wellhead protection area.

Appropriation:

Environmental Legacy Stewardship Account—State $856,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $856,000

NEW SECTION. **Sec. 3214. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Natural Areas Facilities Preservation and Access (30000241)

Appropriation:
State Building Construction Account—State $3,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $11,100,000

NEW SECTION. **Sec. 3215. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Road Maintenance and Abandonment Plan (RMAP) (91000040)
Reappropriation:
State Building Construction Account—State $240,000
Appropriation:
State Building Construction Account—State $7,900,000
Prior Biennia (Expenditures) $6,594,000
Future Biennia (Projected Costs) $2,524,000
TOTAL $17,258,000

NEW SECTION. **Sec. 3216. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Puget Sound Corps (91000046)
Reappropriation:
Aquatic Lands Enhancement Account—State $200,000
Appropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $12,800,000
Future Biennia (Projected Costs) $24,000,000
TOTAL $43,000,000

NEW SECTION. **Sec. 3217. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Barbeque Flats Road Access (91000081)
Reappropriation:
State Building Construction Account—State $480,000
Prior Biennia (Expenditures) $20,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3218. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Quinault Coastal Forest and Watershed Restoration Grant (92000019)
Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3219. FOR THE DEPARTMENT OF AGRICULTURE**
Animal Disease Traceability (91000004)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to work with industry partners to continue and to enhance development of the in-state animal disease traceability system. The reappropriation shall be used to develop or enhance electronic cattle transaction reporting, electronic certificate of veterinary inspection, and, as resources permit, electronic livestock inspection systems.
Reappropriation:
Public Facility Construction Loan Revolving
Account—State $249,000
Prior Biennia (Expenditures) $632,000
Future Biennia (Projected Costs) $0
TOTAL $881,000

PART 4
TRANSPORTATION

NEW SECTION. **Sec. 4001. FOR THE WASHINGTON STATE PATROL**
FTA Access Road Reconstruction (30000059)
Appropriation:
Fire Service Training Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $950,000
TOTAL $1,950,000

NEW SECTION. **Sec. 4002. FOR THE WASHINGTON STATE PATROL**
Fire Training Academy Burn Building Replacement (30000071)
Reappropriation:
Fire Service Training Account—State $200,000
Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0

TOTAL $6,500,000

PART 5
EDUCATION

NEW SECTION. **Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account—State $5,432,000
Prior Biennia (Expenditures) $30,083,000
Future Biennia (Projected Costs) $0
TOTAL $35,515,000

NEW SECTION. **Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2009-11 School Construction Asst. Grant Program (30000031)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Common School Construction Account—State $7,968,000
Prior Biennia (Expenditures) $389,161,000
Future Biennia (Projected Costs) $0
TOTAL $397,129,000

NEW SECTION. **Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2011-13 School Construction Assistance Program (30000071)

Reappropriation:

Common School Construction Account—State $59,299,000
Prior Biennia (Expenditures) $497,839,000
Future Biennia (Projected Costs) $0
TOTAL $557,138,000

NEW SECTION. **Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State $2,060,000
Prior Biennia (Expenditures) $21,503,000
Future Biennia (Projected Costs) $0
TOTAL $23,563,000

NEW SECTION. **Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account—State $338,000
Prior Biennia (Expenditures) $11,181,000
Future Biennia (Projected Costs) $0
TOTAL $11,519,000

NEW SECTION. **Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account—State $1,183,000
Prior Biennia (Expenditures) $18,225,000
Future Biennia (Projected Costs) $0
TOTAL $19,408,000

NEW SECTION. **Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $6,801,000
Future Biennia (Projected Costs) $0
TOTAL $7,901,000

NEW SECTION. **Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2013-15 School Construction Assistance Program - Maintenance (30000145)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $154,741,000
Common School Construction Account—State $100,456,000
Subtotal Reappropriation $255,197,000
Prior Biennia (Expenditures) $132,250,000
Future Biennia (Projected Costs) $0
TOTAL $387,447,000

NEW SECTION. **Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center East Growth (30000159)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $1,702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,702,000

NEW SECTION. **Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Building 100 Modernization (30000160)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Clark county skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $300,000

NEW SECTION. **Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center Core Growth (30000161)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $325,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $325,000

NEW SECTION. **Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Capital Program Administration (30000165)

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent of public instruction will publish to its web site and report to the office of financial management, the appropriate committees of the legislature, and the legislative evaluation and accountability program a list of local school district projects submitted for school construction assistance within seven business days of the grant program deadline. The report must be updated within seven days following the superintendent of public instruction's final grant award decisions. The report must include, but not be limited to:

(a) School district;

(b) Project name;

(c) Estimated square footage by proposed project type;

(d) Estimated total of all project costs and estimated total construction contract cost;

(e) Funding sources and election dates, if applicable; and

(f) Intent to front-fund the project.

(2) The superintendent of public instruction will provide to the office of financial management and the legislative evaluation and accountability program committee in electronic database form the following:

(a) Study and survey information beginning with grants awarded July 1, 2015; and

(b) All available inventory and condition of schools data.

Appropriation:

Common School Construction Account—State $2,924,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,244,000
TOTAL $15,168,000

NEW SECTION. **Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 Energy Grants (30000167)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) Grants shall be awarded for projects that use the energy savings performance contracting method under chapter 39.35C RCW or an equivalent method of evaluating and delivering energy operational costs savings improvements.

(b) Projects that do not use energy savings performance contracting must: (i) Verify energy and operational cost savings for ten years or until the energy and operational costs savings pay for the project, whichever is shorter; (ii) follow the department of enterprise service's energy savings performance contracting method guidelines; and (iii) employ a licensed engineer for the energy audit, design, and construction.

(c) The office of the superintendent of public instruction may require third-party verification of savings if a project is not implemented by an energy savings performance contracting method as outlined in chapter 39.35C RCW. If required, third-party verification must be conducted either by an energy savings performance contractor qualified by the department of enterprise services, or a licensed engineer that is a certified energy manager.

(2) Projects must be weighted and prioritized based on the following criteria and in the following order: (a) Healthiest next generation initiative: Priority consideration shall be given to applicants that demonstrate improved health and safety through (i) reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington

state university extension energy program; (b) prior grant award: Priority consideration must be given to applicants that did not receive grant awards from appropriations provided in section 5023, chapter 19, Laws of 2013 2nd sp. sess.; (c) leverage ratio: The higher the leverage ratio of guaranteed energy savings and utility or other incentives to state grant, the higher the project ranking; (d) energy savings: The higher the simple payback for energy savings, not to exceed the useful life of the energy conservation measure, the higher the project ranking; and (e) persistence: The more extensively a project ensures the persistence of energy operational cost savings through ongoing measurement, verification, and reporting over the life of a project, the higher the project ranking.

(3) In order to be eligible for energy cost savings grants under this section, school districts must complete an investment grade audit prior to application or have completed an audit in the 2015-2017 biennium.

(4)(a) The superintendent of public instruction must pay one-half of the preliminary audit, up to five cents per square foot, if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the other one-half of the cost of the preliminary audit if the project does not meet their predetermined cost-effectiveness criteria.

(b) The energy savings performance contractor may not charge for an investment grade audit if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the full price of an investment grade audit if they do not proceed with a project that meets the school district's predetermined cost-effectiveness criteria.

(5) Applicants must submit documentation that demonstrates energy and operational cost savings resulting from the installation of the energy equipment and improvements. The energy savings analysis must be performed by a licensed engineer and the documentation must include, but is not limited to, the following:

(a) A description of the energy equipment and improvements; and

(b) A description of the energy and operational cost savings.

(6) Each school district is limited to one grant award and no more than $1,000,000.

(7) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(8) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $48,000,000

NEW SECTION. **Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) $771,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(2) The office of the superintendent of public instruction, in consultation with the technical advisory committee, must develop a formula-based method of allocating energy incentives that would be administered through the school construction assistance program to increase energy efficiency and the use of renewable resources. The recommended formula-based method must be submitted to the office of financial management and the appropriate committees of the legislature by December 31, 2015.

(3) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to reduce kindergarten through third grade class sizes in remaining schools.

(4) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program to the Marysville school district to replace the school cafeteria.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. Eligible area must be calculated as follows for STEM pilot projects and skill centers: (a) Eligible area for STEM pilot projects is one thousand, four hundred, forty square feet per science lab and/or classroom combination; and one thousand, forty square feet per science classroom; and (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget.

Appropriation:

State Building Construction Account—State $387,667,000
Common School Construction Account—State $235,162,000
Common School Construction Account—Federal $4,650,000
Subtotal Appropriation $627,479,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,637,893,000
TOTAL $4,265,372,000

NEW SECTION. **Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Full Day Kindergarten Capacity Grants (30000174)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for providing space to support full-day kindergarten enrollment to those school districts with a demonstrated need. Grants may be applied for new construction, portable classrooms, or retrofits to existing facilities to accommodate kindergarten enrollment.

(2) The office of the superintendent of public instruction shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following: (a) Prioritizing districts eligible

to receive the grant to those that have a lower ending fund balance; (b) considering a district's ability to raise funds through levies or bonds in the prior ten year period; (c) prioritizing projects that will provide full-day kindergarten at high poverty schools; and (d) requiring any district receiving funding provided in this section to demonstrate an inability to provide space for full-day kindergarten enrollment within existing school facilities.

(3) Portable classrooms funded through this grant program do not count against a district's eligibility for the school construction assistance program.

(4) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the portables being financed.

Appropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids - Healthy Schools Grants (91000406)

The appropriation in this section is subject to the following conditions and limitations:

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following: (a) Districts or schools may apply for grants but no single district may receive more than $200,000 of the appropriation; (b) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facilities' needs; (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to support Washington's healthiest next generation efforts; and (d) prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(2) A maximum of $2,000,000 of the appropriation is for competitive equipment assistance grants consistent with chapter . . ., Laws of 2015 (House Bill No. 1164).

(3) A maximum of $1,000,000 of the appropriation is for the purchase and installation of water bottle filling stations.

(4) The remainder of the appropriation may be used to purchase equipment or make repairs and renovations related to improving children's health and may include, but are not limited to, the following: (a) Fitness playground equipment, covered play, physical education equipment or related structures or renovation; (b) garden related structures and greenhouses to provide students access to fresh produce; and (c) kitchen equipment or upgrades.

(5) If grant applications for purposes of subsections (2) and (3) of this section are insufficient to exhaust the maximum amounts specified in those subsections, the remaining amounts may be expended for purposes of subsection (4) of this section.

(6) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:

State Building Construction Account—State..... $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000017)

Reappropriation:

State Building Construction Account—State..... $415,000
Prior Biennia (Expenditures) $39,585,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000024)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000025)

Reappropriation:

State Building Construction Account—State..... $4,186,000
Prior Biennia (Expenditures) $2,814,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

San Juan Island School District STEM Vocational Bldg Renovation (91000027)

Reappropriation:

State Building Construction Account—State..... $166,000
Prior Biennia (Expenditures)..... $834,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,000,000

NEW SECTION. **Sec. 5021. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Wenatchee Valley Skills Center (92000004)

Reappropriation:
State Building Construction Account—State..... $2,167,000
Prior Biennia (Expenditures)..... $7,333,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $9,500,000

NEW SECTION. **Sec. 5022. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEWTECH (Spokane Area Professional-Technical Skills Center) (92000005)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to NEWTECH (Spokane area professional-technical skills center) in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Reappropriation:
State Building Construction Account—State..... $7,786,000

Appropriation:
School Construction and Skill Centers Building Account..... $500,000
Prior Biennia (Expenditures)..... $5,901,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $14,187,000

NEW SECTION. **Sec. 5023. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Puget Sound Skills Center (92000007)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Puget Sound skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:
State Building Construction Account—State..... $3,600,000
Prior Biennia (Expenditures)..... $1,500,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,100,000

NEW SECTION. **Sec. 5024. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (92000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 602, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State..... $510,000
Prior Biennia (Expenditures)..... $26,890,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $27,400,000

NEW SECTION. **Sec. 5025. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center Sunnyside Satellite (92000013)

Reappropriation:
State Building Construction Account—State..... $343,000
Prior Biennia (Expenditures)..... $5,882,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $6,225,000

NEW SECTION. **Sec. 5026. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

School Security Improvement Grants (92000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State..... $5,756,000
Prior Biennia (Expenditures)..... $900,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $6,656,000

NEW SECTION. **Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Delta High School (92000017)

Reappropriation:
State Building Construction Account—State..... $3,227,000
Prior Biennia (Expenditures)..... $2,173,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,400,000

NEW SECTION. **Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

STEM Pilot Program (91000402)

The appropriation in this section is subject to the following conditions and limitations:

(1) The amounts in this section are provided solely for the superintendent of public instruction to provide STEM pilot project grants to school districts. These grants constitute the districts' local funding for purposes of eligibility for the school construction assistance program under RCW 28A.525.166. Subject to the terms in this section, school districts are eligible to receive grants if they have a special housing burden due to lack of sufficient space for science classrooms and labs to enable students to meet statutory graduation requirements.

(2) The superintendent shall award grants to eligible school districts under the following conditions:

(a) A district must demonstrate a lack of sufficient space of science classrooms and labs to facilitate meeting statutory graduation requirements;

(b) The district has secured private donations of cash, like-kind, or equipment in a value of no less than two-hundred fifty thousand dollars. Before the superintendent may provide funding assistance through the school construction assistance program, the district must provide verification of the donation to the superintendent;

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the Cascade mountains.

(3) The superintendent, in consultation with the Washington STEM education innovation alliance, shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that secure private donations of cash, like-kind, or equipment in value no less than two-hundred fifty thousand dollars weighted by the ratio of school district enrollments to value of donation;

(b) A district's ability to raise funds through levies or bonds in the prior ten-year period; and

(c) Priority for applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(4) For purposes of grant applications made in the 2015-2017 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction for (a) five years following acceptance of the project by the school district board of directors, or (b) the date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors; whichever date is earliest.

(5) Each school district is limited to one grant award of no more than $3,000,000.

(6) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(7) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 5029. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000404)

The appropriation in this section is subject to the following conditions and limitations:

(1) $10,000,000 of the appropriation in this section is provided solely for renovations of Magnolia elementary school and E.C. Hughes elementary school.

(2) $5,000,000 of the appropriation is provided solely for the replacement of the Marysville Pilchuck high school cafeteria.

Appropriation:

State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 5030. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000033)

Reappropriation:

State Building Construction Account—State $100,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 5031. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000088)

Appropriation:

State Building Construction Account—State $820,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,920,000
TOTAL $2,740,000

NEW SECTION. **Sec. 5032. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Public Works (30000023)

Reappropriation:
State Building Construction Account—State $972,000
Prior Biennia (Expenditures) $28,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 5033. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Works - Preservation (30000025)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,000,000
TOTAL $2,500,000

NEW SECTION. **Sec. 5034. FOR THE UNIVERSITY OF WASHINGTON**

Denny Hall Renovation (20081002)
Reappropriation:
State Building Construction Account—State $27,300,000
Prior Biennia (Expenditures) $5,590,000
Future Biennia (Projected Costs) $0
TOTAL $32,890,000

NEW SECTION. **Sec. 5035. FOR THE UNIVERSITY OF WASHINGTON**

Lewis Hall Renovation (20081003)
Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $3,915,000
Future Biennia (Projected Costs) $0
TOTAL $4,065,000

NEW SECTION. **Sec. 5036. FOR THE UNIVERSITY OF WASHINGTON**

Burke Museum (20082850)
Reappropriation:
State Building Construction Account—State $650,000
Appropriation:
State Building Construction Account—State $26,000,000
Prior Biennia (Expenditures) $3,150,000
Future Biennia (Projected Costs) $0
TOTAL $29,800,000

NEW SECTION. **Sec. 5037. FOR THE UNIVERSITY OF WASHINGTON**

Health Sciences Education Phase I - T-Wing Renovation/Addition (30000486)
Appropriation:
State Building Construction Account—State $623,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $93,377,000
TOTAL $94,000,000

NEW SECTION. **Sec. 5038. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Bothell (30000378)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $57,600,000
TOTAL $58,100,000

NEW SECTION. **Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Minor Capital Repairs - Preservation (30000494)
Reappropriation:
University of Washington Building Account—State $4,200,000
Prior Biennia (Expenditures) $42,554,000
TOTAL $46,754,000

NEW SECTION. **Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON**

School of Nursing Simulation Learning Lab (30000600)

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON**
Health Sciences Interprofessional Education Classroom Phase I (30000602)
Appropriation:
State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON**
Computer Science and Engineering Expansion (30000603)
Appropriation:
State Building Construction Account—State $6,033,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $33,967,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5043. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Minor Capital Repairs - Preservation (30000604)
Appropriation:
University of Washington Building Account—State $43,175,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $172,700,000
TOTAL $215,875,000

NEW SECTION. **Sec. 5044. FOR THE UNIVERSITY OF WASHINGTON**
Preventive Facility Maintenance and Building System Repairs (30000714)
Appropriation:
University of Washington Building Account—State $25,825,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $103,300,000
TOTAL $129,125,000

NEW SECTION. **Sec. 5045. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Urban/Science Education Facility (91000014)
Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,400,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 5046. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Campus Soil Remediation (92000002)
Appropriation:
State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 5047. FOR THE WASHINGTON STATE UNIVERSITY**
Washington State University Pullman - Troy Hall Renovation (20061030)
Reappropriation:
State Building Construction Account—State $850,000
Washington State University Building Account—State $400,000
Subtotal Reappropriation $1,250,000
Appropriation:
State Building Construction Account—State $30,282,000
Prior Biennia (Expenditures) $771,000
Future Biennia (Projected Costs) $0
TOTAL $32,303,000

NEW SECTION. **Sec. 5048. FOR THE WASHINGTON STATE UNIVERSITY**
Clean Technology Laboratory (30000069)
Reappropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $24,835,000
Future Biennia (Projected Costs) $0
TOTAL $32,835,000

NEW SECTION. **Sec. 5049. FOR THE WASHINGTON STATE UNIVERSITY**

2013-15 Minor Works - Preservation, Safety, and Infrastructure (30000849)
Reappropriation:
State Building Construction Account—State $650,000
Washington State University Building Account—State $1,720,000
Subtotal Reappropriation $2,370,000
Prior Biennia (Expenditures) $26,194,000
Future Biennia (Projected Costs) $0
TOTAL $28,564,000

NEW SECTION. **Sec. 5050. FOR THE WASHINGTON STATE UNIVERSITY**
2015-17 Minor Works - Preservation (30001188)
Appropriation:
Washington State University Building Account—State $41,885,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $134,340,000
TOTAL $176,225,000

NEW SECTION. **Sec. 5051. FOR THE WASHINGTON STATE UNIVERSITY**
Washington State University Tri-Cities - Academic Building (30001190)
Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $68,600,000
TOTAL $69,000,000

NEW SECTION. **Sec. 5052. FOR THE WASHINGTON STATE UNIVERSITY**
Global Animal Health Building (30001322)
Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $59,400,000
TOTAL $61,300,000

NEW SECTION. **Sec. 5053. FOR THE WASHINGTON STATE UNIVERSITY**
Preventive Facility Maintenance and Building System Repairs (30001324)
Appropriation:
Washington State University Building Account—State $10,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,115,000

NEW SECTION. **Sec. 5054. FOR THE WASHINGTON STATE UNIVERSITY**
Everett University Center (91000026)
Reappropriation:
State Building Construction Account—State $4,000,000
Appropriation:
State Building Construction Account—State $54,563,000
Prior Biennia (Expenditures) $6,000,000
Future Biennia (Projected Costs) $0
TOTAL $64,563,000

NEW SECTION. **Sec. 5055. FOR THE WASHINGTON STATE UNIVERSITY**
Joint Center for Deployment and Research in Earth Abundant Materials (91000029)
The appropriation in this section is subject to the following conditions and limitations:

(1) Funding is provided solely for capital improvements, infrastructure, and equipment, to support: (a) A transformative program in earth-abundant materials to accelerate the development of next generation clean energy and transportation technologies in Washington; (b) a coordinated framework and resources that can facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the use of earth-abundant materials for manufactured clean technologies or recycling of advanced materials used in clean technologies; and (c) environmentally responsible processes in the areas of manufacturing and recycling of advanced materials used in clean technologies.

(2) Administration of the appropriation is under the joint authority of the Washington State University and the University of Washington. Washington State University and the University of Washington, in consultation with the regional universities, the Pacific Northwest national laboratory, and industry experts, shall develop criteria for providing funding for specific projects at public four-year institutions of higher education to stay within the appropriation level provided in this section. Funding for administrative offices may be provided for administrative offices west of the crest of the Cascade mountains only.

(3) The office of the state treasurer must manage the issuance of bonds associated with approved equipment funding so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:
State Building Construction Account—State $2,000,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 5056. FOR THE WASHINGTON STATE UNIVERSITY**

Inventory and Condition of Schools Data Collection (91000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for the Washington State University extension energy office to complete collection, input, and verification of data of public school facilities in the inventory and condition of schools system administered and maintained by the superintendent of public instruction.

(2) The legislature intends to complete the data collection, input, and verification of the inventory and condition of public school facilities in order to make informed decisions about K-12 school facility and capacity needs to fulfill current educational graduation requirements and class-size ratios. These decisions are best made when based on accurate data collected in a thorough and consistent manner by professionals experienced in making such inventory and condition assessments for public institutions.

(3) The Washington State University extension energy office shall conduct on-site visits to assess inventory and condition of all facilities for school districts that have no current study and survey as defined in RCW 28A.525.050 on file with the superintendent of public instruction as of July 1, 2015, or no pending study and survey to be filed with the superintendent through an outstanding study and survey grant award. The data collected through on-site visits must be input into the inventory and condition of schools system.

(4) The Washington State University extension energy office shall input into the inventory and condition of schools system applicable data of inventory and condition of school facilities from all current studies and surveys on file with the superintendent of public instruction as of July 1, 2015. The data must be input into the system in a manner that captures older information and data first. As studies and surveys from outstanding grant awards are filed with the superintendent, the Washington State University extension energy office shall input data into the system once current study and survey data has been input. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section.

(5) The Washington State University extension energy office shall conduct on-site verification of data for school districts whose current studies and surveys on file with the superintendent will expire by June 30, 2017. Data verification must be conducted to evaluate the study and survey process as a tool to collect accurate inventory and condition of schools data upon which policymakers can make informed decisions regarding school facility and capacity needs. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section and once sufficient data has been input into the system per subsection (4) of this section to conduct on-site visits to verification.

(6) As a general condition of appropriations provided to the superintendent of public instruction in this act, the superintendent of public instruction and each state school district shall provide requested facilities information and access to facilities in a timely manner to enable the Washington State University extension energy office to complete the tasks, oversight, and reporting requirements assigned in this section.

(7) The Washington State University extension energy office shall report progress of data collection, input, and verification to the appropriate committees of the legislature no later than December 1, 2015. The Washington State University extension energy office must complete all work in this section and make a final report to the appropriate committees of the legislature no later than December 1, 2016.

Appropriation:
Common School Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5057. FOR THE EASTERN WASHINGTON UNIVERSITY**

University Science Center - Science I (30000001)

Appropriation:
State Building Construction Account—State $4,791,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $55,444,000
TOTAL $60,635,000

NEW SECTION. **Sec. 5058. FOR THE EASTERN WASHINGTON UNIVERSITY**

Upgrade/Repair Campus Water System (30000422)

Reappropriation:
State Building Construction Account—State $3,533,000
Eastern Washington University Capital Projects Account—State $1,770,000
Subtotal Reappropriation $5,303,000
Prior Biennia (Expenditures) $1,975,000
Future Biennia (Projected Costs) $0
TOTAL $7,278,000

NEW SECTION. **Sec. 5059. FOR THE EASTERN WASHINGTON UNIVERSITY**

University Science Center - Science II (30000466)

Appropriation:
State Building Construction Account—State $5,575,000
Prior Biennia (Expenditures) $350,000
Future Biennia (Projected Costs) $67,290,000
TOTAL $73,215,000

NEW SECTION. **Sec. 5060. FOR THE EASTERN WASHINGTON UNIVERSITY**

Eastern Washington University Minor Works Preservation (30000468)

Reappropriation:
Eastern Washington University Capital Projects
Account—State $2,293,000
Prior Biennia (Expenditures) $6,207,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000
NEW SECTION. **Sec. 5061. FOR THE EASTERN WASHINGTON UNIVERSITY**
Infrastructure Renewal I (30000506)
Appropriation:
State Building Construction Account—State $9,949,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,949,000
NEW SECTION. **Sec. 5062. FOR THE EASTERN WASHINGTON UNIVERSITY**
Renovate Science (30000507)
Appropriation:
State Building Construction Account—State $350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $52,000,000
TOTAL $52,350,000
NEW SECTION. **Sec. 5063. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Facility Preservation (30000513)
Appropriation:
State Building Construction Account—State $8,167,000
Eastern Washington University Capital Projects Account—
State $3,500,000
Subtotal Appropriation $11,667,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $56,000,000
TOTAL $67,667,000
NEW SECTION. **Sec. 5064. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Program (30000516)
Appropriation:
Eastern Washington University Capital Projects Account—
State $3,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $19,500,000
NEW SECTION. **Sec. 5065. FOR THE EASTERN WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000547)
Appropriation:
Eastern Washington University Capital Projects Account—
State $2,217,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,868,000
TOTAL $11,085,000
NEW SECTION. **Sec. 5066. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Science Building (30000045)
Reappropriation:
State Building Construction Account—State $42,000,000
Prior Biennia (Expenditures) $21,771,000
Future Biennia (Projected Costs) $0
TOTAL $63,771,000
NEW SECTION. **Sec. 5067. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Samuelson Communication and Technology Center (SCTC) (30000451)
Reappropriation:
State Building Construction Account—State $1,600,000
Appropriation:
State Building Construction Account—State $58,677,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $63,677,000
NEW SECTION. **Sec. 5068. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000448)
Reappropriation:
State Building Construction Account—State $430,000

Prior Biennia (Expenditures) $9,780,000
Future Biennia (Projected Costs) $0
TOTAL $10,210,000

NEW SECTION. **Sec. 5069. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Nutrition Science (30000456)
Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $44,400,000
TOTAL $48,981,000

NEW SECTION. **Sec. 5070. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Brooks Library Learning Commons (30000530)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5071. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000615)
Reappropriation:
Central Washington University Capital Projects Account—State $1,500,000
Prior Biennia (Expenditures) $5,500,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5072. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000684)
Appropriation:
State Building Construction Account—State $6,659,000
Central Washington University Capital Projects Account—State $787,000
Subtotal Appropriation $7,446,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,640,000
TOTAL $28,086,000

NEW SECTION. **Sec. 5073. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Bouillon Hall Renovation (30000711)
Appropriation:
State Building Construction Account—State $4,977,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,977,000

NEW SECTION. **Sec. 5074. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Program (30000723)
Appropriation:
Central Washington University Capital Projects Account—State $3,777,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,768,000
TOTAL $8,545,000

NEW SECTION. **Sec. 5075. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Lind Hall Renovation (30000738)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5076. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000740)
Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5077. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Old Heat - Plant Annex (30000767)

Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5078. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000770)
Appropriation:
Central Washington University Capital Projects Account—State $2,422,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,422,000

NEW SECTION. **Sec. 5079. FOR THE EVERGREEN STATE COLLEGE**
Facility Preservation (30000084)
Reappropriation:
The Evergreen State College Capital Projects Account—State $100,000
Prior Biennia (Expenditures) $6,600,000
Future Biennia (Projected Costs) $0
TOTAL $6,700,000

NEW SECTION. **Sec. 5080. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab II, 2nd Floor Renovation (30000117)
Reappropriation:
State Building Construction Account—State $575,000
Prior Biennia (Expenditures) $4,119,000
Future Biennia (Projected Costs) $0
TOTAL $4,694,000

NEW SECTION. **Sec. 5081. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab I Basement Renovation (30000118)
Reappropriation:
State Building Construction Account—State $1,525,000
Appropriation:
State Building Construction Account—State $3,240,000
Prior Biennia (Expenditures) $280,000
Future Biennia (Projected Costs) $0
TOTAL $5,045,000

NEW SECTION. **Sec. 5082. FOR THE EVERGREEN STATE COLLEGE**
Seminar I Renovation (30000125)
Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,318,000
TOTAL $23,718,000

NEW SECTION. **Sec. 5083. FOR THE EVERGREEN STATE COLLEGE**
Facilities Preservation (30000457)
Appropriation:
State Building Construction Account—State $4,720,000
The Evergreen State College Capital Projects Account—State $5,628,000
Subtotal Appropriation $10,348,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,180,000
TOTAL $50,528,000

NEW SECTION. **Sec. 5084. FOR THE EVERGREEN STATE COLLEGE**
Minor Works Program (30000487)
Appropriation:
The Evergreen State College Capital Projects Account—State $1,164,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,140,000
TOTAL $10,304,000

NEW SECTION. **Sec. 5085. FOR THE EVERGREEN STATE COLLEGE**
Lecture Hall Remodel (30000493)
Reappropriation:
State Building Construction Account—State $300,000

Appropriation:
State Building Construction Account—State $16,310,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $17,861,000

NEW SECTION. **Sec. 5086. FOR THE EVERGREEN STATE COLLEGE**
Preventive Facility Maintenance and Building System Repairs (30000612)
Appropriation:
The Evergreen State College Capital Projects Account—State $783,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,132,000
TOTAL $3,915,000

NEW SECTION. **Sec. 5087. FOR THE WESTERN WASHINGTON UNIVERSITY**
Carver Academic Renovation (20081060)
Reappropriation:
State Building Construction Account—State $323,000
Appropriation:
State Building Construction Account—State $48,903,000
Prior Biennia (Expenditures) $7,051,000
Future Biennia (Projected Costs) $0
TOTAL $56,277,000

NEW SECTION. **Sec. 5088. FOR THE WESTERN WASHINGTON UNIVERSITY**
North Campus Utility Upgrade (30000426)
Reappropriation:
State Building Construction Account—State $600,000
Prior Biennia (Expenditures) $2,982,000
Future Biennia (Projected Costs) $0
TOTAL $3,582,000

NEW SECTION. **Sec. 5089. FOR THE WESTERN WASHINGTON UNIVERSITY**
Performing Arts Exterior Renewal (30000428)
Reappropriation:
State Building Construction Account—State $387,000
Prior Biennia (Expenditures) $2,560,000
Future Biennia (Projected Costs) $0
TOTAL $2,947,000

NEW SECTION. **Sec. 5090. FOR THE WESTERN WASHINGTON UNIVERSITY**
Classroom and Lab Upgrades Phase 2 (30000518)
Reappropriation:
State Building Construction Account—State $1,800,000
Western Washington University Capital Projects Account—State $400,000
Subtotal Reappropriation $2,200,000
Prior Biennia (Expenditures) $2,546,000
Future Biennia (Projected Costs) $0
TOTAL $4,746,000

NEW SECTION. **Sec. 5091. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000524)
Reappropriation:
Western Washington University Capital Projects Account—State $750,000
Prior Biennia (Expenditures) $6,750,000
Future Biennia (Projected Costs) $0
TOTAL $7,500,000

NEW SECTION. **Sec. 5092. FOR THE WESTERN WASHINGTON UNIVERSITY**
Science Building Renovation and Addition (30000598)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $97,215,000
TOTAL $97,715,000

NEW SECTION. **Sec. 5093. FOR THE WESTERN WASHINGTON UNIVERSITY**
2015-17 Classroom and Lab Upgrades (30000600)
Appropriation:
Western Washington University Capital Projects Account—State $4,400,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,400,000

NEW SECTION. **Sec. 5094. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000615)
Appropriation:
State Building Construction Account—State $7,035,000
Western Washington University Capital Projects Account—State $4,886,000
Subtotal Appropriation $11,921,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $64,422,000
TOTAL $76,343,000

NEW SECTION. **Sec. 5095. FOR THE WESTERN WASHINGTON UNIVERSITY**
Preventive Facility Maintenance and Building System Repairs (30000757)
Appropriation:
Western Washington University Capital Projects Account—State $3,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $14,456,000
TOTAL $18,070,000

NEW SECTION. **Sec. 5096. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (20074004)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5137, chapter 520, Laws of 2007.
(3) The reappropriation in this section is subject to the provisions of section 5044, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $340,000
Prior Biennia (Expenditures) $9,565,000
Future Biennia (Projected Costs) $0
TOTAL $9,905,000

NEW SECTION. **Sec. 5097. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Project Capital Grants (30000011)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 5120, chapter 497, Laws of 2009.
(2) The reappropriation in this section is subject to the provisions of section 5045, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $9,225,000
Future Biennia (Projected Costs) $0
TOTAL $9,425,000

NEW SECTION. **Sec. 5098. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (30000117)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the provisions of section 622, chapter 1, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $6,782,000
Future Biennia (Projected Costs) $0
TOTAL $7,082,000

NEW SECTION. **Sec. 5099. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation - Minor Works Projects (30000164)
Reappropriation:
State Building Construction Account—State $830,000
Prior Biennia (Expenditures) $1,653,000
Future Biennia (Projected Costs) $0
TOTAL $2,483,000

NEW SECTION. **Sec. 5100. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Heritage Capital Grants Projects (30000170)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5093, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $4,700,000

Prior Biennia (Expenditures) $5,131,000
Future Biennia (Projected Costs) $0
TOTAL $9,831,000

NEW SECTION. **Sec. 5101. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
History Museum Membrane System Replacement (30000220)

Appropriation:
State Building Construction Account—State $1,805,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,805,000

NEW SECTION. **Sec. 5102. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation – Minor Works Projects (30000222)

Appropriation:
State Building Construction Account—State $2,515,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,515,000

NEW SECTION. **Sec. 5103. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (30000237)

The appropriation in this section is subject to the following conditions and limitations:
(1) The appropriation is subject to the provisions of RCW 27.34.330.
(2) The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Pantages centennial: Façade restoration	$685,000
Chong Wa parapet preservation	$66,000
Rehabilitation of historic structures	$750,000
Renovation heating of interior space of Balfour dock	$1,000,000
Town hall historic restoration: Phase one of construction	$1,000,000
Washington hall restoration	$452,000
Rehabilitation of Ritzville library for ADA compliance	$138,000
Quartermaster and dental surgery renovation project	$309,000
Skagit city school restoration	$91,000
Yamasaki courtyard restoration project	$129,000
Prairie line trail historic interpretation project	$400,000
Ancich netshed restoration	$662,000
Chimney, gutter, and kitchen restoration	$11,000
Federal building rehabilitation - phases II and III	$920,000
Preservation of the Colville Indian agency cabin in Chewelah	$33,000
Arthur Foss preservation and restoration phase II	$166,000
Seaport landing development - renovation of building #8	$1,000,000
Si view community center rehabilitation project phase II	$130,000
Revitalization to historic wells house for community use	$26,000
Chiyo's garden phase II	$108,000
Historic community center, library, and city hall restoration	$185,000
Sea mar latino history and cultural center	$654,000
Olympia waldorf school - the next 100 years	$20,000
Chinook school restoration - final phase	$79,000
Phase III of Worthington park - Quilcene	$244,000
El centro de la raza community access and security project	$100,000
Steam locomotives changed everything	$199,000
The artifact/exhibit environmental conservation project	$8,000
F/V Shenandoah restoration project - phase three	$41,000
Henderson house and Tumwater historic district interpretive	$50,000
Carnegie library renovation phase II	$344,000
Total	**$10,000,000**

Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5104. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**
Minor Works - Preservation (30000038)

Appropriation:
State Building Construction Account—State $702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0

TOTAL $702,000

NEW SECTION. **Sec. 5105. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College: Campus Classrooms (20062696)

Reappropriation:

State Building Construction Account—State $417,000
Prior Biennia (Expenditures) $19,199,000
Future Biennia (Projected Costs) $0
TOTAL $19,616,000

NEW SECTION. **Sec. 5106. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

South Puget Sound Community College: Learning Resource Center (20062698)

Reappropriation:

State Building Construction Account—State $953,000
Prior Biennia (Expenditures) $32,708,000
Future Biennia (Projected Costs) $0
TOTAL $33,661,000

NEW SECTION. **Sec. 5107. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clover Park Technical College: Allied Health Care Facility (20062699)

Reappropriation:

State Building Construction Account—State $944,000
Prior Biennia (Expenditures) $21,389,000
Future Biennia (Projected Costs) $0
TOTAL $22,333,000

NEW SECTION. **Sec. 5108. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Community College: Technical Education Building (20081220)

Reappropriation:

State Building Construction Account—State $3,294,000
Prior Biennia (Expenditures) $23,136,000
Future Biennia (Projected Costs) $0
TOTAL $26,430,000

NEW SECTION. **Sec. 5109. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Everett Community College: Index Hall Replacement (20081221)

Reappropriation:

State Building Construction Account—State $1,194,000
Prior Biennia (Expenditures) $35,120,000
Future Biennia (Projected Costs) $0
TOTAL $36,314,000

NEW SECTION. **Sec. 5110. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Green River Community College: Trades and Industry Building (20081222)

Reappropriation:

State Building Construction Account—State $11,606,000
Prior Biennia (Expenditures) $17,013,000
Future Biennia (Projected Costs) $0
TOTAL $28,619,000

NEW SECTION. **Sec. 5111. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Grays Harbor College: Science and Math Building (20081226)

Reappropriation:

State Building Construction Account—State $14,700,000
Prior Biennia (Expenditures) $29,444,000
Future Biennia (Projected Costs) $0
TOTAL $44,144,000

NEW SECTION. **Sec. 5112. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Tacoma Community College: Health Careers Center (20082701)

Reappropriation:

State Building Construction Account—State $7,639,000
Prior Biennia (Expenditures) $33,534,000
Future Biennia (Projected Costs) $0
TOTAL $41,173,000

NEW SECTION. **Sec. 5113. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bellevue Community College: Health Science Building (20082702)

Reappropriation:

State Building Construction Account—State $9,636,000
Prior Biennia (Expenditures) $22,090,000
Future Biennia (Projected Costs) $0
TOTAL $31,726,000

NEW SECTION. **Sec. 5114. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:
State Building Construction Account—State $15,428,000
Prior Biennia (Expenditures) $11,019,000
Future Biennia (Projected Costs) $0
TOTAL $26,447,000

NEW SECTION. **Sec. 5115. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Columbia Basin College: Social Science Center (20082704)
Reappropriation:
State Building Construction Account—State $595,000
Appropriation:
State Building Construction Account—State $14,505,000
Prior Biennia (Expenditures) $481,000
Future Biennia (Projected Costs) $0
TOTAL $15,581,000

NEW SECTION. **Sec. 5116. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $29,979,000
Prior Biennia (Expenditures) $7,073,000
Future Biennia (Projected Costs) $0
TOTAL $37,052,000

NEW SECTION. **Sec. 5117. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Fort Worden Building 202 (30000114)
Reappropriation:
State Building Construction Account—State $3,876,000
Prior Biennia (Expenditures) $501,000
Future Biennia (Projected Costs) $0
TOTAL $4,377,000

NEW SECTION. **Sec. 5118. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Seattle Central Community College: Seattle Maritime Academy (30000120)
Reappropriation:
State Building Construction Account—State $14,590,000
Prior Biennia (Expenditures) $2,238,000
Future Biennia (Projected Costs) $0
TOTAL $16,828,000

NEW SECTION. **Sec. 5119. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Yakima Valley Community College: Palmer Martin Building (30000121)
Reappropriation:
State Building Construction Account—State $5,947,000
Prior Biennia (Expenditures) $14,293,000
Future Biennia (Projected Costs) $0
TOTAL $20,240,000

NEW SECTION. **Sec. 5120. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Olympic College: College Instruction Center (30000122)
Reappropriation:
State Building Construction Account—State $1,152,000
Appropriation:
State Building Construction Account—State $48,516,000
Prior Biennia (Expenditures) $2,472,000
Future Biennia (Projected Costs) $0
TOTAL $52,140,000

NEW SECTION. **Sec. 5121. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Centralia Community College: Student Services (30000123)
Reappropriation:
State Building Construction Account—State $631,000
Appropriation:
State Building Construction Account—State $31,385,000
Prior Biennia (Expenditures) $1,886,000
Future Biennia (Projected Costs) $0
TOTAL $33,902,000

NEW SECTION. **Sec. 5122. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Allied Health and Early Childhood Development Center (30000126)
Reappropriation:
State Building Construction Account—State $903,000
Appropriation:
State Building Construction Account—State $23,790,000

Prior Biennia (Expenditures) $907,000
Future Biennia (Projected Costs) $0
TOTAL $25,600,000

NEW SECTION. **Sec. 5123. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Seattle Community College: Cascade Court (30000128)
Reappropriation:
State Building Construction Account—State $983,000
Appropriation:
State Building Construction Account—State $28,231,000
Prior Biennia (Expenditures) $1,104,000
Future Biennia (Projected Costs) $0
TOTAL $30,318,000

NEW SECTION. **Sec. 5124. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
North Seattle Community College: Technology Building Renewal (30000129)
Reappropriation:
State Building Construction Account—State $1,922,000
Prior Biennia (Expenditures) $23,497,000
Future Biennia (Projected Costs) $0
TOTAL $25,419,000

NEW SECTION. **Sec. 5125. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Renton Technical College: Automotive Complex Renovation (30000134)
Reappropriation:
State Building Construction Account—State $449,000
Appropriation:
State Building Construction Account—State $15,250,000
Prior Biennia (Expenditures) $1,134,000
Future Biennia (Projected Costs) $0
TOTAL $16,833,000

NEW SECTION. **Sec. 5126. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Science, Engineering, Technology Building (30000137)
Reappropriation:
State Building Construction Account—State $6,581,000
Prior Biennia (Expenditures) $1,239,000
Future Biennia (Projected Costs) $0
TOTAL $7,820,000

NEW SECTION. **Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Whatcom Community College: Learning Commons (30000138)
Reappropriation:
State Building Construction Account—State $1,029,000
Prior Biennia (Expenditures) $793,000
Future Biennia (Projected Costs) $0
TOTAL $1,822,000

NEW SECTION. **Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30000723)
Reappropriation:
Community/Technical College Capital Projects
Account—State $1,765,000
Community and Technical College Forest Reserve
Account—State $60,000
Gardner-Evans Higher Education Construction
Account—State $115,000
Subtotal Reappropriation $1,940,000
Prior Biennia (Expenditures) $16,852,000
Future Biennia (Projected Costs) $0
TOTAL $18,792,000

NEW SECTION. **Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Preservation (30000779)
Reappropriation:
Community/Technical College Capital Projects
Account—State $965,000
Prior Biennia (Expenditures) $16,635,000
Future Biennia (Projected Costs) $0
TOTAL $17,600,000

NEW SECTION. **Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Roof Repairs (30000844)
Reappropriation:

Community/Technical College Capital Projects
Account—State $554,000
Prior Biennia (Expenditures) $7,231,000
Future Biennia (Projected Costs) $0
TOTAL $7,785,000

NEW SECTION. **Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Facility Repairs (30000897)
Reappropriation:
State Building Construction Account—State $2,905,000
Prior Biennia (Expenditures) $19,229,000
Future Biennia (Projected Costs) $0
TOTAL $22,134,000

NEW SECTION. **Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Site Repairs (30000941)
Reappropriation:
Community/Technical College Capital Projects
Account—State $71,000
Prior Biennia (Expenditures) $2,503,000
Future Biennia (Projected Costs) $0
TOTAL $2,574,000

NEW SECTION. **Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Washington Aerospace Training and Research Center (30000979)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 4, chapter 1, Laws of 2013, 3rd sp. sess.
Reappropriation:
State Building Construction Account—State $840,000
Prior Biennia (Expenditures) $660,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Big Bend: Professional-Technical Education Center (30000981)
Appropriation:
State Building Construction Account—State $2,040,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,490,000
TOTAL $36,530,000

NEW SECTION. **Sec. 5135. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane: Main Building South Wing Renovation (30000982)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.
Appropriation:
State Building Construction Account—State $2,823,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,742,000
TOTAL $27,565,000

NEW SECTION. **Sec. 5136. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Highline: Health and Life Sciences (30000983)
Appropriation:
State Building Construction Account—State $2,932,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,850,000
TOTAL $26,782,000

NEW SECTION. **Sec. 5137. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30001038)
Appropriation:
State Building Construction Account—State $22,456,000
Community/Technical College Capital Projects Account—
State $1,744,000
Subtotal Appropriation $24,200,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $24,200,000

NEW SECTION. **Sec. 5138. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Preservation (30001106)

Appropriation:

Community/Technical College Capital Projects Account—
State $19,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $19,360,000

NEW SECTION. **Sec. 5139. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Roof Repairs (30001155)

Appropriation:

Community/Technical College Capital Projects Account—
State $12,534,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $12,534,000

NEW SECTION. **Sec. 5140. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Facility Repairs (30001182)

Appropriation:

Community/Technical College Capital Projects Account—
State $20,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $20,733,000

NEW SECTION. **Sec. 5141. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Site Repairs (30001216)

Appropriation:

Community/Technical College Capital Projects Account—
State $2,829,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,829,000

NEW SECTION. **Sec. 5142. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Preventive Maintenance and Building System Repairs (30001286)

Appropriation:

Community/Technical College Capital Projects Account—
State $22,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $91,200,000
TOTAL $114,000,000

PART 6
2015 SUPPLEMENTAL CAPITAL BUDGET

NEW SECTION. **Sec. 6001.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:**FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Grants (30000006)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation in this section is subject to the provisions of section 1011, chapter 36, Laws of 2010 1st sp. sess.

(2) The reappropriation in this section is provided solely for the Federal Way performing arts center.

Reappropriation:

State Building Construction Account—State $218,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $8,699,000

Sec. 6002. 2013 2nd sp.s. c 19 s 1073 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Drinking Water State Revolving Fund Loan Program (30000189)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$4,400,000 for fiscal year 2014 and~~)) $4,400,000 from the drinking water assistance account—state for fiscal year 2015 is provided solely as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Appropriation:

((~~State Building Construction Account—State~~ ..... ~~$8,800,000~~))
Drinking Water Assistance Account—State $4,400,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Appropriation ..... ((~~$208,800,000~~))
$204,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $680,000,000
TOTAL ..... ((~~$888,800,000~~))
$884,400,000

Sec. 6003. 2013 3rd sp.s. c 1 s 3 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Renton Aerospace Training Center Construction (((~~92000151~~))) (30000724)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction of the Renton aerospace training center.

Appropriation:
State Building Construction Account—State ..... ((~~$5,000,000~~))
$10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$5,000,000~~))
$10,000,000

Sec. 6004. 2013 2nd sp.s. c 19 s 1074 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The appropriations in this section are subject to the following conditions and limitations:

(1) All expenditures from the state taxable building construction account—state appropriation in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2) For any project funded from the state taxable building construction account—state appropriation in this section, state funds must not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(3)(a) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely to create a revolving loan fund to support the widespread use of proven building energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) To create the loan fund, the department shall provide grant funds to a competitively selected nonprofit lender that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines for the lender related to applicant eligibility, the screening process, and evaluation and selection criteria. The criteria must include requiring evidence of support for the proposed project from the impacted community and consistency with economic growth strategies and plans of the affected local governments. Applications for loans from the revolving fund must disclose all sources of public funding to be provided for a project. The nonprofit lender must use the revolving loan fund to make affordable loans for projects including, but not limited to: Residential and commercial energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(d) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(e) Projects seeking financing of solar installations under this section must agree in contract to not participate in the cost-recovery program under RCW 82.16.120.

(4) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to advance renewable energy technologies by public and private electrical utilities that serve retail customers in the state. The department shall work with utilities to offer matching grants for projects that demonstrate new smart grid technologies. The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. Applications for grants must disclose all sources of public funding to be provided for a project. The grant funds must be used to fund projects that demonstrate how to: Integrate intermittent renewables through energy storage and information technology, dispatch energy storage resources from utility control rooms, use the thermal properties and electric load of commercial buildings and district energy systems to store energy, or otherwise improve the reliability and reduce the costs of intermittent or distributed renewable energy.

(5) $6,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to match federal funds used to develop and demonstrate clean energy technologies. The department shall work with the University of Washington, Washington State University, and the Pacific Northwest National Laboratory to offer matching funds for projects including, but not limited to: Advancing energy storage and solar technologies, and federal manufacturing innovation centers related to use of light-weight carbon fiber components to advance energy efficiency in the aeronautical, automotive, and marine sectors.

(6) The department must report on number and results of projects funded through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2014.

(7) The energy recovery act account—federal appropriation in this section is provided solely for loans, loan guarantees, and grants that encourage the establishment of innovative and sustainable industries for renewable energy and energy efficiency technology, consistent with provisions of RCW 43.325.040 (energy freedom account).

Appropriation:

State Taxable Building Construction Account—
State $36,000,000
Energy Recovery Act Account—((~~Federal~~)) State $4,000,000
Subtotal Appropriation $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

Sec. 6005. 2013 2nd sp.s. c 19 s 1077 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	**Authorized Amount**
City of Bremerton Puget Sound Naval Safety Project	$1,300,000
Fairchild Airforce Base	$2,700,000
City of Lynnwood Main Street Improvements	$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	$1,500,000
Kittitas County Infrastructure and Facilities	$5,000,000
City of Kennewick Industrial Land	$1,000,000
Perry Tech Institute Building	$1,000,000
City of Buckley Drinking Water Improvements	$350,000
((~~Coronado~~)) Carbonado Reservoir Replacement	$525,000
Hopelink Cleveland Street Project	$1,000,000
Redmond Connector	$1,300,000
Washougal ((~~Storm Water Decant Facility~~)) Wastewater Treatment Plant	$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	$500,000
Everett/Tulalip Water Pipeline Construction	$1,000,000
((~~Renton Aerospace Training Center Construction~~	~~$5,000,000~~))
Renton Riverview Bridge Replacement	$1,100,000
Omak City Sewer, Collection System, and Treatment Plant	$2,000,000
Harper Pier Replacement	$800,000
University Place Main Street Redevelopment	$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	$185,000
Quincy Industrial Water Reclamation & Reuse	$700,000
NW Medical School	$136,000
Ione - 8th St Lift Station Replacement	$165,000
Stevens PUD Projects	$532,000
Port Orchard Bay St. Pedestrian Path - Phase 2	$336,000
Dekalb Pier - Phase 2	$255,000
Kenmore Village	$300,000
South Kirkland TOD/Cross Kirkland Corridor	$1,300,000
Washington Agriculture Discovery Center	$100,000
Mountlake Terrace Mainstreet Grant	$2,000,000
Issaquah - North Roadway Network Improvement	$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	$500,000

City of Shelton Wastewater	$1,500,000
Port of Moses Lake Firefighting System	$300,000
Seattle Chinatown/ID Development	$500,000
TOTAL	((~~$42,109,000~~)) $37,109,000

Appropriation:
State Building Construction Account—State ..... ((~~$35,009,000~~)) $30,009,000
Public Facility Construction Loan Revolving Account—State $7,100,000
Subtotal Appropriation ..... ((~~$42,109,000~~)) $37,109,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$42,109,000~~)) $37,109,000

Sec. 6006. 2013 2nd sp.s. c 19 s 1078 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects That Strengthen Communities and Quality of Life (92000230)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section from the state building construction account—state is provided solely for design development to align ongoing planning for the replacement of the Seattle multimodal terminal at Colman dock with the creation of a public park. The scope of work must provide a design plan that includes an elevated park and corresponding amenities above the terminal. Design development shall be delivered through the city of Seattle. The scope of this project does not preclude any current plans for Colman dock to replace or seismically upgrade the facility, nor does it reduce the amount of general and commercial traffic, high occupancy vehicles, transit, bicyclist and pedestrian movement.

(8) $500,000 of the appropriation from the environmental legacy stewardship account—state is provided solely for an investigation of possible contaminated soils around the Colman dock.

(9) The appropriation is provided solely for the following list of projects:

Projects that Strengthen Communities & Quality of Life	**Authorized Amount**
Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	$1,000,000
LaConner Boardwalk	$1,600,000
Kent Interurban Trail Connector	$750,000
Town of Concrete Public Safety Building	$785,000
Complete Development of Ashford Park Facilities	$1,000,000
Jackson Park Renovation	$1,000,000
South Whatcom Library Construction	$90,000
Guemes Channel Trail Project	$700,000
Seabrook Trail	$437,000
Vashon Island Allied Arts	$2,000,000
Federal Way Performing Arts	$2,000,000
Japanese Gulch Land Acquisition	$1,000,000
Milton - Triangle Park ADA Upgrades	$225,000
Langston Hughes Performing Arts Center - Storage	$150,000
Wood Pellet Heat in Schools Pilot	$500,000
((~~Snohomish County Sheriff's Office South Precinct~~)) Young Island	$1,000,000
Ravensdale Park	$650,000
Worthington Park	$210,000
Eastside Tacoma Community Center	$400,000
((~~228th Street Trail~~	~~$500,000~~))
Institute for Community Leadership	$275,000
FISH of Vancouver/Nonprofit Community Service Center	$1,000,000

Yelm Community Center	$1,000,000
Ellensburg Depot	$500,000
Roslyn City Hall	$400,000
Northwest Carriage Museum	$375,000
People's Community Center and Pool	$500,000
((~~Town of Concrete Fire and Life Safety Facility~~	~~$500,000~~))
Chehalis Pool	$250,000
Mount Rainier Park Ranger Memorial	$60,000
McAllister Air Museum	$500,000
Repairs to Stevenson Grange	$50,000
Meydenbauer Park Improvements	$3,000,000
Sixty Acres Park Enhancements	$750,000
Covington Community Park Phase 2	$2,100,000
Johnson Farm Museum - Anderson Island	$250,000
Nikolai Project	$40,000
Ft. Steilacoom Building Preservation	$250,000
Plaza Roberto Maestas - Building the Beloved Community	$1,000,000
Seattle Multimodal Terminal at Colman Dock/Public Park	$2,000,000
Confluence Project	$747,000
Castle Rock Citywide Residential Street Project	$504,000
UWAVE	$30,000
Transit-Community Center	$800,000
Mt. Spokane Lodge	$250,000
TOTAL	((~~$33,128,000~~)) $32,128,000

Appropriation:
State Building Construction Account—State ..... ((~~$32,628,000~~)) $31,628,000
Environmental Legacy Stewardship Account—State $500,000
Subtotal Appropriation ..... ((~~$33,128,000~~)) $32,128,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$33,128,000~~)) $32,128,000

Sec. 6007. 2013 2nd sp.s. c 19 s 1090 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Higher Education Preservation Information (91000427)

((~~The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to refresh preservation information that resides in the state's comparable framework for higher education buildings including any necessary revisions or adjustments that will enable more direct translation of information, updates for last renewal or replacement of major systems, and quality assurance field sampling. In executing this continued capital study, the office of financial management shall consult the legislative fiscal committees about its workplan to ensure field sampling of facilities prioritized for renovation or replacement, and timely delivery of assembled facilities information and related capital models in an easy to understand format. As a general condition, upon appropriations provided to higher education agencies in this act, the state board for community and technical colleges and each state baccalaureate institution shall provide requested facilities information in a timely manner to enable the office of financial management to complete the tasks and oversight assigned in this section.~~)) The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely to further develop a comparable framework methodology to equalize the facility condition assessments by higher education institutions. The methodology will improve upon the existing state facility inventory and condition assessment systems to collect and convey the information. The inventory system may include facility system replacement or renewals including costs, quality assurance field sampling data, and tracking of condition rating adjustments.

Appropriation:
University of Washington Building Account—State ..... ((~~$130,000~~)) $116,000
Washington State University Building Account—State ..... ((~~$94,000~~)) $85,000
Eastern Washington University Capital Projects Account—State ..... ((~~$23,000~~)) $21,000
Central Washington University Capital Projects Account—State ..... ((~~$19,000~~)) $17,000
The Evergreen State College Capital Projects Account—State ..... ((~~$13,000~~))

$12,000

Western Washington University Capital Projects
Account—State ..... ((~~$21,000~~))
$19,000
Subtotal Appropriation ..... ((~~$300,000~~))
$270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$300,000~~
$270,000

Sec. 6008. 2013 2nd sp.s. c 19 s 1091 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool (91000428)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency and management reserves included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the state parks and recreation commission, the department of corrections, the department of enterprise services, and the department of health. Eligible construction projects are only projects that had project cost reductions. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:
State Building Construction Account—State ..... ((~~$4,000,000~~))
$1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,000,000~~
$1,875,000

Sec. 6009. 2013 2nd sp. s. c 19 s 1093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Roof Replacement/Exterior Foam Insulation Repairs (30000546)

Reappropriation:
State Building Construction Account—State ..... ((~~$510,000~~))
$33,000
Prior Biennia (Expenditures) ..... ((~~$3,972,000~~))
$4,409,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,482,000~~
$4,442,000

Sec. 6010. 2013 2nd sp.s. c 19 s 1099 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:
State Building Construction Account—State ..... ((~~$1,075,000~~))
$1,013,000

Appropriation:
State Building Construction Account—State ..... ((~~$851,000~~))
$410,000
Prior Biennia (Expenditures) ..... ((~~$104,000~~))
$166,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,030,000~~
$1,589,000

Sec. 6011. 2013 2nd sp.s. c 19 s 1108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior Repairs (30000604)

Appropriation:
State Building Construction Account—State ..... ((~~$1,000,000~~))
$1,075,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,000,000~~
$1,075,000

Sec. 6012. 2013 2nd sp.s. c 19 s 1104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Underground Utility Repairs (30000687)

Appropriation:
State Building Construction Account—State ..... ((~~$1,983,000~~)) $2,613,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,827,000
TOTAL ..... ~~$10,810,000~~ $11,440,000

Sec. 6013. 2013 2nd sp.s. c 19 s 1105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Repairs Phase 1 (91000009)

The appropriations in this section are subject to the following conditions and limitations: The natural resource building repairs phase 1 project must include at a minimum the multipurpose room water infiltration project and the roof project. After this work is completed, the department may include work that was in the department's 2013-2015 capital budget request for other repairs to the building.

Appropriation:
State Building Construction Account—State ..... ((~~$4,161,000~~)) $4,041,000
Thurston County Capital Facilities Construction Account—State $940,000
Subtotal Appropriation ..... ((~~$5,101,000~~)) $4,981,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$5,101,000~~ $4,981,000

Sec. 6014. 2013 2nd sp.s. c 19 s 2024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: WSR Living Units Roofs (30000542)

Appropriation:
State Building Construction Account—State ..... ((~~$1,785,000~~)) $1,868,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,785,000~~ $1,868,000

Sec. 6015. 2013 2nd sp.s. c 19 s 2028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)

Appropriation:
State Building Construction Account—State ..... ((~~$2,569,000~~)) $2,649,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,569,000~~ $2,649,000

Sec. 6016. 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$7,750,000 for fiscal year 2014 and $7,750,000~~)) $15,500,000 for fiscal year 2015 of the ((~~state building construction~~)) water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control loan program ((~~loan~~)).

Appropriation:
((~~State Building Construction Account—State~~ ..... ~~$15,500,000~~))
Water Pollution Control Revolving Account—State ..... ((~~$184,500,000~~)) $200,000,000
Water Pollution Control Revolving Account—Federal $50,000,000
Subtotal Appropriation $250,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $510,000,000
TOTAL $760,000,000

Sec. 6017. 2013 2nd sp.s. c 19 s 3058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to develop mitigation options and alternative water sources or tools to make water available for stream flows and for rural domestic permit-exempt uses within the ((~~Carpenter/Fisher, East Nookachamps, and Upper Nookachamps subbasins~~)) Skagit River watershed. Up to $500,000 of the amount specified shall be used to develop a rural domestic demonstration project to determine if surface or groundwater infiltration can mitigate for ground water use during low flow periods to meet the mitigation requirements of chapter 173-503 WAC.

Reappropriation:

State Building Construction Account—State $2,156,000
Prior Biennia (Expenditures) $69,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

Sec. 6018. 2013 2nd sp.s. c 19 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips: Wastewater Treatment System (30000523)

Appropriation:

State Building Construction Account—State ..... ((~~$4,079,000~~)) $4,532,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,079,000~~ $4,532,000

Sec. 6019. 2013 2nd sp.s. c 19 s 3190 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal $2,328,000

Appropriation:

General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$3,000,000~~ $7,000,000

Sec. 6020. 2013 2nd sp.s. c 19 s 3212 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

Community Partnership Restoration Grants (30000007)

Reappropriation:

General Fund—Federal ..... ((~~$1,155,000~~)) $1,575,000
Prior Biennia (Expenditures) ..... ((~~$445,000~~)) $50,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,600,000~~ $1,625,000

Sec. 6021. 2013 2nd sp.s. c 19 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State ..... ((~~$12,962,000~~)) $11,082,000
Prior Biennia (Expenditures) $12,481,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,443,000~~ $23,563,000

Sec. 6022. 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-2015 School Construction Assistance Program - Maintenance (30000145)

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,340,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) $933,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(3) The office of the superintendent of public instruction must improve web-based access by taxpayers to school capacity and actual enrollment in order to understand possible opportunities to increase efficiency through consolidation. The office of the superintendent of public instruction must post this capacity and enrollment information on its web site.

(4) Funds from this appropriation may be used to match federal dollars provided by the office of economic adjustment for school replacement facilities located on military bases.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program to the Evergreen (Clark County) School District to address the school construction emergency resulting from the fire that destroyed the Crestline School.

(6) The space allocations for state funding assistance purposes for districts with senior or four-year high schools with fewer than four hundred students, as outlined in WAC 392-343-035, must be computed in accordance with the following formula:

Number of Headcount Student-Grades 9-12	**Maximum Space Allocation Per Facility**
0-200	42,000 square feet
201-300	48,000 square feet
301-or more	52,000 square feet

Appropriation:

State Building Construction Account—State $285,355,000

Common School Construction Account—State ..... ((~~$208,232,000~~))
$100,593,000

Common School Construction Account—Federal $1,500,000

Subtotal Appropriation ..... ((~~$495,087,000~~))
$387,448,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) ..... ((~~$3,099,310,000~~))
$3,099,270,000

TOTAL ..... ((~~$3,594,397,000~~))
$3,486,718,000

Sec. 6023. 2013 2nd sp.s. c 19 s 5015 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WA-NIC (Washington Network for Innovative Careers) Skills Center - Snoqualmie Valley School District/Bellevue Community College (92000006)

Reappropriation:

State Building Construction Account—State ..... ((~~$1,715,000~~))
$31,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$1,715,000~~
$31,000

Sec. 6024. 2013 2nd sp.s. c 19 s 5025 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Security Improvement Grants (92000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for nonrecurring costs associated with school facility safety projects consistent with chapter 233, Laws of 2013 (Second Engrossed Substitute Senate Bill No. 5197).

Appropriation:

State Building Construction Account—State ..... ((~~$10,000,000~~))
$6,656,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$10,000,000~~
$6,656,000

Sec. 6025. 2013 2nd sp.s. c 19 s 5055 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Pullman Pedestrian Bridge (91000028)

Appropriation:

Washington State University Building Account—State ..... ((~~$1,500,000~~))
$0

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$1,500,000~~
$0

Sec. 6026. 2013 2nd sp.s. c 19 s 5108 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:
State Building Construction Account—State $219,000
Appropriation:
State Building Construction Account—State ..... ((~~$23,808,000~~)) $24,519,000
Prior Biennia (Expenditures) $1,709,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,736,000~~ $26,447,000

Sec. 6027. 2013 2nd sp.s. c 19 s 5110 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $1,335,000
Appropriation:
State Building Construction Account—State ..... ((~~$33,784,000~~)) $34,478,000
Prior Biennia (Expenditures) $1,239,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$36,358,000~~ $37,052,000

Sec. 6028. 2013 2nd sp.s. c 19 s 7043 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Toxic Control Account: For transfer to the Local Toxic Control Account $4,000,000
Environmental Legacy Stewardship Account: For transfer to the Local Toxic Control Account $12,000,000
State Taxable Building Construction Account: For transfer to the drinking water assistance account, $4,400,000 for fiscal year 2015 ..... $4,400,000
State Taxable Building Construction Account: For transfer to the water pollution control revolving account, $15,500,000 for fiscal year 2015 ..... $15,500,000

Sec. 6029. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2013-2015 biennium, amounts in the public facilities construction loan revolving account may be used for the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2013-2015 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

NEW SECTION. **Sec. 6030.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:

To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 6031.** 2013 2nd sp.s. c 19 s 7013 (uncodified) is repealed.

PART 7
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 7001.** RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are thirty-six million nine hundred sixty-four thousand dollars for the 2015-2017 biennium, two hundred thirty-one million four hundred thirty-nine thousand dollars for the 2017-2019 biennium, and three hundred twenty-four million six hundred three thousand dollars for the 2019-2021 biennium.

NEW SECTION. **Sec. 7002.** ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

State agencies may enter into agreements with the department of enterprise services and the state treasurer's office to develop requests to the legislature for acquisition of properties and facilities through financial contracts. The agreements may include charges for services rendered.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Criminal justice training commission: Enter into a financing contract for up to $6,672,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the dormitory.

(4) Department of enterprise services: Enter into a financing contract for up to $63,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new building for the utility and transportation commission, and other agencies as identified by the office of financial management, at the pro arts site on the capitol campus.

(5) Department of enterprise services: Enter into a financing contract for up to $20,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the Seattle community justice center.

(6) Department of enterprise services: Enter into a financing contract for up to $69,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new office building at 1063 Capitol Way South, Olympia.

(7) Department of ecology: Enter into a financing contract for up to $180,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for programmatic improvements to the headquarters building and the eastern regional office.

(8) Department of ecology: Enter into a financing contract for up to $760,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for preservation improvements to the headquarters building.

(9) Central Washington University: Enter into a financing contract for up to $8,414,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a welcome center.

(10) The Evergreen State College: Enter into a financing contract for up to $12,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase a permanent location for the Tacoma program.

(11) Western Washington University: Enter into a financing contract for up to $16,310,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the carver building renovation.

(12) Eastern Washington University: Enter into a financing contract for up to $10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Washington street facility project.

(13) Community and technical colleges:

(a) Enter into a financing contract on behalf of Centralia Community College for up to $5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the student services building.

(b) Enter into a financing contract on behalf of Centralia Community College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase or construct student housing.

(c) Enter into a financing contract on behalf of Clark College for up to $8,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the culinary arts facility.

(d) Enter into a financing contract on behalf of Clark College for up to $35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a student recreation center.

(e) Enter into a financing contract on behalf of Columbia Basin College for up to $7,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a health science center.

(f) Enter into a financing contract on behalf of Green River College for up to $15,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an aviation program center.

(g) Enter into a financing contract on behalf of Highline College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the maintenance and grounds building.

(h) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(i) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate and expand the Myklebust gymnasium.

(j) Enter into a financing contract on behalf of Tacoma Community College for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to expand a health and wellness center.

(k) Enter into a financing contract on behalf of Walla Walla Community College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a workforce and business development center.

(14) Enter into a financing contract on behalf of the department of fish and wildlife for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct or purchase a new office and warehouse building near Vancouver.

NEW SECTION. **Sec. 7003.** (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over $10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. **Sec. 7004.** To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of $10,000,000 may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, including life-cycle cost, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. **Sec. 7005.** (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. **Sec. 7006.** (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under $250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. **Sec. 7007.** (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. **Sec. 7008.** (1) Any building project that receives funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Considers all stages of the building's life-cycle, including deconstruction.

(b) Commissioning: Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) Optimize energy performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, reduce the energy use by fifty percent below pre-renovations baseline.

(d) On-site renewable energy: Meet at least thirty percent of the hot water demand through the installation of solar hot water heaters, when life-cycle cost effective. Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) Measurement and verification: Install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Install dashboards inside buildings to display and incentivize occupants on energy use.

(f) Benchmarking: Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. **Sec. 7009.** State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. **Sec. 7010.** Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies and higher education institutions shall comply with the requirements set forth in this executive order.

NEW SECTION. **Sec. 7011.** PUGET SOUND PROTECTION AND RESTORATION. Consistent with RCW 90.71.340, when expending appropriations under this act that contribute to Puget Sound protection and recovery, agencies shall consult with the Puget Sound partnership to ensure that projects and expenditures are either in, or consistent with the 2020 action agenda. These consultations shall include the exchange of information on specific actions, projects, associated funding, performance measures, and other information necessary to track project implementation and ensure alignment with the action agenda. In situations where the Puget Sound partnership finds that a project is not in, or is not consistent with the action agenda, Puget Sound partnership shall document this finding and report back to the governor and legislative fiscal committees.

NEW SECTION. **Sec. 7012.** FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding $200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2015-2017 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Art allocations not expended within the ensuing two biennia will lapse. The commission may use up to $100,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to RCW 28A.335.210.

(5) The executive director of the arts commission shall appoint a study group to review the operations of the one-half of one percent for works of art purchased or commissioned as required by RCW 28A.335.210, 28B.10.027, and 43.17.200. The findings of the review must be reported annually to the office of financial management and the fiscal committees of the legislature by August 15th. The review must include, but is not limited to, the following: (a) Projects purchased or commissioned per biennium; (b) partner agencies; (c) funding sources by fiscal year; (d) artwork costs; (e) administrative costs; (f) collection care costs; and (g) project status.

NEW SECTION. **Sec. 7013.** It is confirmed that the director of the department of enterprise services is authorized under chapter 35A.14 RCW to petition for annexation of the former northern state hospital property to the city of Sedro-Woolley upon the director's determination that such annexation is appropriate and in furtherance of the interests of the state. The director shall consult with the office of financial management prior to making such determination.

Sec. 7014. RCW 27.34.330 and 2006 c 371 s 232 are each amended to read as follows:

The Washington state historical society shall establish a competitive process to solicit proposals for and prioritize heritage capital projects for potential funding in the state capital budget. The society shall adopt rules governing project eligibility and evaluation criteria. Application for funding of specific projects may be made to the society by local governments, public development authorities, nonprofit corporations, tribal governments, and other entities, as determined by the society. The society, with the advice of leaders in the heritage field, including but not limited to representatives from the office of the secretary of state, the eastern Washington state historical society, and the department of archaeology and historic preservation, shall establish and submit a prioritized list of heritage capital projects to the governor and the legislature in the society's biennial capital budget request. The list shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed ten million dollars. The prioritized list shall be developed through open and public meetings and the amount of state funding shall not exceed thirty-three and thirty-three one hundredths percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the society shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

NEW SECTION. **Sec. 7015.** To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. **Sec. 7016.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. **Sec. 7017.** (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

Sec. 7018. RCW 28A.525.166 and 2013 2nd sp.s. c 18 s 514 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

$$\text{Computed State Ratio} = \frac{\text{District adjusted 3-valuation per pupil} \div \text{Total state adjusted valuation per pupil}}{\text{District adjusted 3+valuation per pupil} \div \text{Total state adjusted valuation per pupil}} = -\ \%\ \text{State Funding Assistance}$$

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience courses under RCW 28A.232.010 shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience students subtracted by the headcount of in-district alternative learning experience students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

(6) For the 2015-2017 biennium, schools determined to have a lack of sufficient space to provide all-day kindergarten, reduce class sizes, or provide science classrooms or labs to meet the requirements of law, have a special housing burden condition similar to those defined under subsection (5)(b) of this section, creating a like emergency. For the 2015-2017 biennium, school districts are entitled to additional percentage points for school construction projects that have a special housing burden condition only. The additional percentage points are determined by (a) student enrollments in the free and reduced price meals program, and (b) donations of cash, like-kind, or equipment from private sources. The additional percentage points under (a) of this subsection are twenty percent of the percent of student enrollments eligible and enrolled in the free and reduced price meals program. The additional percentage points under (b) of this subsection are determined by enrollments of the school district and the value of the private donation as follows:

District Enrollments	$250K-$499K	Value of Donation $500K-$1M	>$1M
Less than 2,000	10	15	20
2,000-4,000	5	10	15
More than 4,000	0	5	10

Sec. 7019. RCW 28A.525.172 and 2006 c 263 s 314 are each amended to read as follows:

All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules adopted by the superintendent of public instruction, considering policy recommendations from the school

facilities citizen advisory panel. Studies and surveys shall be conducted by the superintendent for the purpose of securing information relating to (((~~(a) [(1)]~~))) (1) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (((~~(b) [(2)]~~))) (2) the ability of such districts to provide capital funds by local effort, (((~~(c) [(3)]~~))) (3) the need for improvement of school administrative units and school attendance areas among or within such districts, and (((~~(d) [(4)]~~))) (4) any other pertinent matters. For the 2015-2017 biennium, the superintendent may not conduct studies and surveys for the purpose of this section.

NEW SECTION. **Sec. 7020.** NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . ., Laws of 2015 (Substitute House Bill No. 1166, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. **Sec. 7021.** COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

NEW SECTION. **Sec. 7022.** The office of financial management, in consultation with the fiscal committees of the legislature, may select capital projects that have completed predesign to undergo a budget evaluation study. The budget evaluation study team approach using value engineering techniques and life cycle cost analysis must be utilized by the office of financial management in conducting the studies. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature and agencies in a timely manner following the study. Funds from the project appropriation must be used by the office of financial management through an interagency agreement with the affected agencies to cover the cost of the study.

NEW SECTION. **Sec. 7023.** RESEARCH ON TRANSFER OF FEDERAL LANDS TO WASHINGTON STATE. Staff from the appropriate legislative committees shall use existing studies and available literature to research the potential costs, revenues, and policy impacts of transferring federal lands to state ownership. The research must include:

(1) Costs to the state of: (a) Land management related to wildfires, forest health, invasive species management, and public access; (b) addressing deferred forest health issues and ongoing maintenance; (c) payments in lieu of taxes; (d) state program development; and (e) other potential costs.

(2) Revenues to the state from: (a) Current and increased timber cut-rates; (b) mineral lease revenues; (c) recreation fees; (d) grazing fees; (e) permanent common school account investment income; and (f) other potential revenues.

(3) Policy research related to the endangered species act, the mining law of 1872, and other federal-state impacts.

(4) The research may not include consideration of revenues or costs of transferring public lands into private ownership status.

(5) A report on this research must be provided to appropriate legislative committees by December 1, 2015.

Sec. 7024. RCW 28B.20.725 and 2013 2nd sp.s. c 19 s 7027 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. (((~~However, during the 2011-2013 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.~~))) However, during the 2013-2015 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2015-2017 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7025. RCW 28B.15.310 and 2013 2nd sp.s. c 19 s 7028 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. (((~~During the 2011-2013 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance and utility costs.~~))) During the 2013-2015 biennium, sums credited to the Washington State University building account shall also be used for

routine facility maintenance, utility costs, and facility condition assessments. During the 2015-2017 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 7026. RCW 28B.15.210 and 2013 2nd sp.s. c 19 s 7026 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). During the 2013-2015 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2015-2017 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

Sec. 7027. RCW 28B.30.750 and 2013 2nd sp.s. c 19 s 7029 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ((~~However, during the 2011-2013 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.~~)) However, during the 2013-2015 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2015-2017 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7028. RCW 28B.35.370 and 2013 2nd sp.s. c 19 s 7030 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. ((~~During the 2011-2013 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments. However, during the 2015-2017 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7029. RCW 28B.50.360 and 2013 2nd sp.s. c 19 s 7031 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of building fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ((~~During the 2011-2013 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs. However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7030. RCW 43.34.080 and 2013 2nd sp.s. c 19 s 7015 are each amended to read as follows:

(1) The capitol campus design advisory committee is established as an advisory group to the capitol committee and the director of enterprise services to review programs, planning, design, and landscaping of state capitol facilities and grounds and to make recommendations that will contribute to the attainment of architectural, aesthetic, functional, and environmental excellence in design and maintenance of capitol facilities on campus and located in neighboring communities.

(2) The advisory committee shall consist of the following persons who shall be appointed by and serve at the pleasure of the director of enterprise services:

(a) Two architects;

(b) A landscape architect; and

(c) An urban planner.

The director of enterprise services shall appoint the chair and vice chair and shall provide the staff and resources necessary for implementing this section. The advisory committee shall meet at least once every ninety days and at the call of the chair.

The members of the committee shall be reimbursed as provided in RCW 43.03.220 and 44.04.120.

(3) The advisory committee shall also consist of the secretary of state and two members of the house of representatives, one from each caucus, who shall be appointed by the speaker of the house of representatives, and two members of the senate, one from each caucus, who shall be appointed by the president of the senate.

(4) The advisory committee shall review plans and designs affecting state capitol facilities as they are developed. The advisory committee's review shall include:

(a) The process of solicitation and selection of appropriate professional design services including design-build proposals;

(b) Compliance with the capitol campus master plan and design concepts as adopted by the capitol committee;

(c) The design, siting, and grouping of state capitol facilities relative to the service needs of state government and the impact upon the local community's economy, environment, traffic patterns, and other factors;

(d) The relationship of overall state capitol facility planning to the respective comprehensive plans for long-range urban development of the cities of Olympia, Lacey, and Tumwater, and Thurston county; and

(e) Landscaping plans and designs, including planting proposals, street furniture, sculpture, monuments, and access to the capitol campus and buildings.

(5) For development of the property known as the 1063 block, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

(6) During the 2015-2017 fiscal biennium, for development of the property known as the pro arts site, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

Sec. 7031. RCW 43.155.050 and 2013 2nd sp.s. c 4 s 983 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During

the ((~~2011-2013 and 2013-2015~~)) 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to ((~~the general fund,~~)) the water pollution control revolving account((~~,~~)) and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ((~~During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board.~~)) During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.

Sec. 7032. RCW 43.155.070 and 2013 2nd sp.s. c 19 s 7032 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board must consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;

(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;

(g) The cost of the project compared to the size of the local government and amount of loan money available;

(h) The number of communities served by or funding the project;

(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;

(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and

(m) Other criteria that the board considers advisable.

(5) For the ((~~2013-2015~~)) 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:

(a) The board must develop a process for numerically ranking applications for construction loans submitted by local governments. The board must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages nonstate funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services, public transit, and transportation;

(G) Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and

(H) Reduction of the overall cost of public infrastructure; and

(xi) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before November 1, ((~~2014~~)) 2016, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature. The maximum amount of funding that the board may recommend for any jurisdiction is ten million dollars per biennium. For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

(6) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(7) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(8) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.

(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.

(11) To qualify for loans or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(12) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(13) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium, for projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan.

(14)(a) ((~~For public works assistance account application rounds conducted during the 2013-2015 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federally funded drinking water and clean water state revolving funds operated by the state departments of health and ecology. The board, department of ecology, and department of health must jointly develop evaluation criteria and application procedures that will increase access of eligible drinking water and wastewater projects to the public works assistance account for short-term preconstruction financing and to the federally funded state revolving funds for construction financing. The procedures must also strengthen coordinated funding of preconstruction and construction projects.~~)) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federal funds to finance local infrastructure including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology.

(b) For all construction loan projects proposed to the legislature for funding during the ((~~2013-2015~~)) 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship.

(((~~(c) By December 1, 2013, the board must recommend to the appropriate committees of the legislature statutory language to make permanent these new criteria, procedures, and financing policies.~~)))

Sec. 7033. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used to continue and enhance the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department

of agriculture. During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

Sec. 7034. RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish; ((~~and~~))

(v) During the 2013-2015 fiscal biennium, actions at the University of Washington for reducing ocean acidification;

(w) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section ((~~3159~~)) 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account; and

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under ((~~(c)[(e)]~~)) (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under ((~~(c)[(e)]~~)) (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (((~~(e)~~[~~(e)~~])) (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(((~~(d)~~ [~~(f)~~])) (f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 fiscal biennium, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited

procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. effects [affects] the ability of a potentially liable person to receive public funding.

(10) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program ((~~and for storm water grants~~)) and for the storm water financial assistance program administered by the department of ecology.

NEW SECTION. **Sec. 7035.** (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between $25,000 and $1,000,000 each, with the exception of higher education minor works projects that may be valued up to $2,000,000. All projects must meet the criteria included in this subsection (2)(a). These projects should be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed $1,000,000, or $2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

NEW SECTION. **Sec. 7036. FOR THE STATE TREASURER—TRANSFERS**

Public works assistance account—state: For transfer
to the water pollution control revolving account,
$6,000,000 for fiscal year 2016 and $6,000,000 for
fiscal year 2017 ..... $12,000,000

Public works assistance account—state: For transfer
to the drinking water assistance account, $4,400,000
for fiscal year 2016 and $4,400,000 for fiscal
year 2017 ..... $8,800,000

NEW SECTION. **Sec. 7037.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7038.** The office of financial management, in accordance with RCW 28B.77.070 and 43.88D.010, shall include the following in the scoring process:

(1) The office of financial management shall develop a single prioritized list that includes all projects requesting funding, with the exception of minor works and predesign requests. Predesigns must be on a separate prioritized list.

(2) The office of financial management shall weight the reasonableness of cost criteria based on the following criteria in the following order: (a) Expected maximum allowable construction costs per square foot; and (b) life-cycle cost analysis using the office of financial management's life-cycle cost tool.

(3) Prior legislative commitment to the project funding of predesign or design must be included in the scoring criteria.

(4) Projects must be scored only once unless the office of financial management, or the requesting school, find that the project scope or budget has significantly changed.

Sec. 7039. RCW 43.131.413 and 2010 c 245 s 12 are each amended to read as follows:

The alternative process for awarding contracts established in RCW 28B.20.744 terminates June 30, ((~~2015~~)) 2017, as provided in RCW 43.131.414.

Sec. 7040. RCW 43.131.414 and 2010 c 245 s 13 are each amended to read as follows:

RCW 28B.20.744, as now existing or hereafter amended, is repealed, effective June 30, ((~~2016~~)) 2018.

NEW SECTION. **Sec. 7041.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Beginning on page 1, line 3 of the amendment, strike all material through "immediately." on page 249, line 25, and insert the following:

"NEW SECTION. **Sec. 7042.** (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2017, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2016" or "FY 2016" means the period beginning July 1, 2015, and ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the period beginning July 1, 2016, and ending June 30, 2017.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2017-2019 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2015, from the 2013-2015 biennial appropriations for each project.

PART 1
GENERAL GOVERNMENT

NEW SECTION. **Sec. 1001. FOR THE SECRETARY OF STATE**

Library - Archives Building (30000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for a predesign to determine: (a) Necessary program space for the state library currently located in Tumwater, and additional archive space; and (b) capital budget requirements, including the use of fees collected by the secretary of state that will support a certificate of participation for the financing of the construction of the facility, and future operating costs.

(2) The study must consider the use of the general administration building site as a possible location; and any benefits or consequences may be identified at this site or other sites considered.

(3) The office of financial management shall determine the maximum use of the site and consider the consolidation of other state agencies, including separately elected officials.

(4) The building must be a high performance building as described in section 7008 of this act and the construction must be procured using a performance based method including design-build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $55,428,000
TOTAL $55,678,000

NEW SECTION. **Sec. 1002. FOR THE SECRETARY OF STATE**

Minor Works (91000007)

Appropriation:

State Building Construction Account—State $1,007,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,007,000

NEW SECTION. **Sec. 1003. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account—State $434,000
Prior Biennia (Expenditures) $45,458,000
Future Biennia (Projected Costs) $0
TOTAL $45,892,000

NEW SECTION. **Sec. 1004. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20064010)

Reappropriation:

Rural Washington Loan Account—State $2,383,000
Prior Biennia (Expenditures) $1,744,000
Future Biennia (Projected Costs) $0
TOTAL $4,127,000

NEW SECTION. **Sec. 1005. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—State $1,822,000
Prior Biennia (Expenditures) $205,000
Future Biennia (Projected Costs) $0
TOTAL $2,027,000

NEW SECTION. **Sec. 1006. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:
State Taxable Building Construction Account—
State $1,405,000
Washington Housing Trust Account—State $86,000
Subtotal Reappropriation $1,491,000
Prior Biennia (Expenditures) $198,509,000
Future Biennia (Projected Costs) $0
TOTAL $200,000,000

NEW SECTION. **Sec. 1007. FOR THE DEPARTMENT OF COMMERCE**
Job Development Fund Grants (20074010)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007 and section 1005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State Building Construction Account—State $3,987,000
Prior Biennia (Expenditures) $44,943,000
Future Biennia (Projected Costs) $0
TOTAL $48,930,000

NEW SECTION. **Sec. 1008. FOR THE DEPARTMENT OF COMMERCE**
Local and Community Projects (20084001)

The reappropriation in this section is subject to the following conditions and limitations: Except as directed otherwise prior to the effective date of this section, the department shall not expend the reappropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the reappropriation is released for design costs only.

Reappropriation:
State Building Construction Account—State $113,000
Prior Biennia (Expenditures) $127,577,000
Future Biennia (Projected Costs) $0
TOTAL $127,690,000

NEW SECTION. **Sec. 1009. FOR THE DEPARTMENT OF COMMERCE**
Community Development Fund (20084850)

Reappropriation:
State Building Construction Account—State $1,213,000
Prior Biennia (Expenditures) $19,703,000
Future Biennia (Projected Costs) $0
TOTAL $20,916,000

NEW SECTION. **Sec. 1010. FOR THE DEPARTMENT OF COMMERCE**
Building for the Arts (30000006)

Reappropriation:
State Building Construction Account—State $1,594,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $10,075,000

NEW SECTION. **Sec. 1011. FOR THE DEPARTMENT OF COMMERCE**
Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:
Washington Housing Trust Account—State $276,000
Prior Biennia (Expenditures) $129,724,000
Future Biennia (Projected Costs) $0
TOTAL $130,000,000

NEW SECTION. **Sec. 1012. FOR THE DEPARTMENT OF COMMERCE**
2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:
State Building Construction Account—State $1,991,000
Prior Biennia (Expenditures) $11,431,000
Future Biennia (Projected Costs) $0
TOTAL $13,422,000

NEW SECTION. **Sec. 1013. FOR THE DEPARTMENT OF COMMERCE**
Drinking Water State Revolving Fund Loan Program (30000095)

Reappropriation:
Drinking Water Assistance Account—State $6,451,000
Drinking Water Assistance Repayment Account—State $90,368,000
Subtotal Reappropriation $96,819,000
Prior Biennia (Expenditures) $10,863,000

Future Biennia (Projected Costs) $0
TOTAL $107,682,000

NEW SECTION. **Sec. 1014. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000097)

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $2,104,000
Prior Biennia (Expenditures) $2,896,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1015. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,506,000
Prior Biennia (Expenditures) $44,494,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 1016. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program (30000103)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Public Works Assistance Account—State $90,734,000
Prior Biennia (Expenditures) $233,851,000
Future Biennia (Projected Costs) $0
TOTAL $324,585,000

NEW SECTION. **Sec. 1017. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Grants (30000102)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1027, chapter 49, Laws of 2011, 1st sp. sess.

(2) The reappropriation is provided solely for the University District food bank project.

Reappropriation:

State Building Construction Account—State $573,000
Prior Biennia (Expenditures) $12,830,000
Future Biennia (Projected Costs) $0
TOTAL $13,403,000

NEW SECTION. **Sec. 1018. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (30000166)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,887,000
Prior Biennia (Expenditures) $14,930,000
Future Biennia (Projected Costs) $0
TOTAL $16,817,000

NEW SECTION. **Sec. 1019. FOR THE DEPARTMENT OF COMMERCE**

Weatherization (91000247)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,313,000
Prior Biennia (Expenditures) $19,687,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1020. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy Partnership (30000175)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is provided solely for implementation of the recommendations of the clean energy leadership council by providing state matching funds for projects that:

(a) Integrate energy efficiency and renewable energy in buildings;

(b) Integrate renewable energy into the regional electrical grid;

(c) Advance bioenergy in the state.

(2) State funding must not exceed fifty percent of the total program or project funds.

(3) Eligible projects must:

(a) Involve a majority of companies that are located in Washington state;
(b) Represent a substantially new solution that is not widely available today; and
(c) Be designed to generate solutions that are applicable both inside and outside of the state.

Reappropriation:
Public Facility Construction Loan Revolving Account—
State $4,828,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL $5,500,000

NEW SECTION. **Sec. 1021. FOR THE DEPARTMENT OF COMMERCE**
Financing Energy/Water Efficiency (30000180)

Reappropriation:
Public Works Assistance Account—State $4,886,000
Prior Biennia (Expenditures) $114,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1022. FOR THE DEPARTMENT OF COMMERCE**
Public Works Assistance Account Program 2013 Loan List (30000184)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1016, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:
Public Works Assistance Account—State $82,786,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $82,786,000

NEW SECTION. **Sec. 1023. FOR THE DEPARTMENT OF COMMERCE**
Youth Recreational Facilities Grants (30000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1062, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $2,568,000
Prior Biennia (Expenditures) $1,563,000
Future Biennia (Projected Costs) $0
TOTAL $4,131,000

NEW SECTION. **Sec. 1024. FOR THE DEPARTMENT OF COMMERCE**
Building for the Arts Grants (30000186)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1063, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,301,000
Prior Biennia (Expenditures) $6,903,000
Future Biennia (Projected Costs) $0
TOTAL $10,204,000

NEW SECTION. **Sec. 1025. FOR THE DEPARTMENT OF COMMERCE**
Building Communities Fund Grants (30000188)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $2,692,000
Prior Biennia (Expenditures) $2,587,000
Future Biennia (Projected Costs) $0
TOTAL $5,279,000

NEW SECTION. **Sec. 1026. FOR THE DEPARTMENT OF COMMERCE**
Drinking Water State Revolving Fund Loan Program (30000189)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Reappropriation:
Drinking Water Assistance Account—State $4,400,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Reappropriation $204,400,000
Prior Biennia (Expenditures) $8,800,000
Future Biennia (Projected Costs) $0
TOTAL $213,200,000

NEW SECTION. **Sec. 1027. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $5,052,000
Prior Biennia (Expenditures) $3,948,000
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1028. FOR THE DEPARTMENT OF COMMERCE**

Weatherization (30000192)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1076, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $4,291,000
Prior Biennia (Expenditures) $15,709,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1029. FOR THE DEPARTMENT OF COMMERCE**

2013-2015 Energy Efficiency Grants (30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $21,714,000
Prior Biennia (Expenditures) $3,286,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1030. FOR THE DEPARTMENT OF COMMERCE**

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 1031. FOR THE DEPARTMENT OF COMMERCE**

ARRA SEP Revolving Loans (30000725)

Appropriation:

Energy Recovery Act Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,500,000

NEW SECTION. **Sec. 1032. FOR THE DEPARTMENT OF COMMERCE**

Behavioral Health: Evaluation and Treatment Centers Grant Program (91000644)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the department of social and health services, to issue at least three grants, one of which will be to the Woodmont recovery center, to hospitals or other entities to establish new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities with sixteen or fewer beds for the purpose of providing short-term detention services through the publicly funded mental health system. Funds may be used for construction and equipment costs associated with establishment of the community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities. These funds may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of grants and priority must be given to those proposals to establish new community hospital inpatient psychiatric beds or free-standing evaluation and treatment facilities. The criteria must include:

(a) Evidence that the application was developed in collaboration with one or more regional support networks, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical access to short-term detention services under chapter 71.05 RCW in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act at chapter 71.05 RCW;

(d) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(e) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(f) A detailed estimate of the costs associated with opening the beds; and

(g) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(2) To accommodate the emergent need for inpatient psychiatric services, the department of health and the department of commerce, in collaboration with the department of social and health services shall establish a concurrent and expedited process for the purpose of grant applicants meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities.

(3) $3,000,000 is provided for the Swedish Ballard psychiatric unit.

Appropriation:

State Building Construction Account—State..... $9,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $9,000,000

NEW SECTION. **Sec. 1033. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2)(a) $10,000,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(f) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(3) $6,600,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(4)(a) $13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(5)(a) $10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(6) $400,000 of the state building construction account—state is provided solely for capital funding of wood energy conversion projects at public facilities.

(7) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

Appropriation:

State Taxable Building Construction Account—State..... $17,000,000
State Building Construction Account—State..... $23,400,000
Subtotal Appropriation..... $40,400,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $240,000,000
TOTAL $280,400,000

NEW SECTION. **Sec. 1034. FOR THE DEPARTMENT OF COMMERCE**

Substance Abuse and Mental Health Facilities (91000646)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1035. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2016 Loan List (30000727)

The appropriation in this section is subject to the following conditions and limitations: $69,733,000 is provided solely for the ranked list of projects in LEAP capital document number 2015-1, developed March 27, 2015.

Appropriation:
Public Works Assistance Account—State $69,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $349,733,000

NEW SECTION. **Sec. 1036. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Program (30000731)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Spokane children's theatre $18,000
KEXP's new home at Seattle center $1,866,000
Admiral theatre renovation 2.0 ..... $100,000
Kirkland arts center - capital improvements project $48,000
Uniontown creativity center addition and site improvements $123,000
San Juan islands museum of art $650,000
KidsQuest children's museum - good to grow capital campaign $2,000,000
Cornish playhouse $232,000
ACT theatre eagles auditorium restoration and renovation $303,000
Music works northwest park 118 building renovation $64,000
New hands on children's museum $393,000
TOTAL $5,797,000

Appropriation:
State Building Construction Account—State $5,797,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $21,600,000
TOTAL $27,397,000

NEW SECTION. **Sec. 1037. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Program (30000792)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Youth activity wing at the Tom Taylor family YMCA $515,000
BGCB main club project $1,200,000
BGCB hidden valley fieldhouse project $1,200,000
Sultan boys & girls club $340,000
Stanwood-Camano family YMCA $1,200,000
YMCA camp Terry environmental recreation center $500,000
Mukilteo boys & girls club $1,200,000
Lummi youth wellness center renovation project $1,200,000
TOTAL $7,355,000

Appropriation:

State Building Construction Account—State $7,355,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $39,355,000

NEW SECTION. **Sec. 1038. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Program (30000803)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Rainier Beach urban farm and wetlands $307,000
Whatcom county emergency food hub $575,000
Hopelink Redmond integrated services center $2,400,000
Riverside drive building purchase $138,000
Centerforce $98,000
Eritrean association community kitchen $58,000
Tonasket food bank building acquisition $22,000
Building for the future $300,000
Entiat Valley community services resource center $100,000
Pike market neighborhood center $500,000
Opportunity council renovation project $170,000
FareStart facility expansion to the Pacific tower $438,000
Walla Walla community teen center $475,000
El Centro de la Raza community access & parking improvements $600,000
Good ground capital campaign $300,000
Renewed hope capital campaign $66,000
International community health services (ICHS) $3,500,000
Casa latina: A home for opportunity $150,000
Centerstone building renovation $1,500,000
PSRS office building conversion $212,000
Prairie oaks $200,000
Leschi center renovation $1,000,000
Everett family YMCA $2,000,000
Behavioral healthcare center for children, youth and families $2,000,000
Phoenix rising $250,000
Gordon family YMCA (Sumner, WA) $2,000,000
Community grief support and recovery center $1,000,000
Auburn youth resources campus expansion $500,000
TOTAL $20,859,000

Appropriation:
State Building Construction Account—State $20,859,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $140,859,000

NEW SECTION. **Sec. 1039. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Appropriation (30000833)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to award loans and grants on a competitive basis to affordable housing projects statewide that will produce, at a minimum, a total of 1,900 homes and 500 seasonal beds, in the following categories and amounts:

(a) For people with chronic mental illness, 281 homes;

(b) For homeless families with children, 529 homes;

(c) For people with disabilities, developmental disabilities, veterans, and others, 500 homes; of that number, a minimum of 100 must be for veterans;

(d) For homeless youth, 200 homes;

(e) For farmworkers, 190 homes and 500 seasonal beds;

(f) For seniors, 200 homes.

(2) If upon review of completed applications, the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Taxable Building Construction Account—State $80,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $220,000,000
TOTAL $300,000,000

NEW SECTION. **Sec. 1040. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Community Economic Revitalization Board Program (30000834)

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1856 or other legislation that provides an exception for counties with the state's highest unemployment rates to the community economic revitalization board program's median hourly wage requirement is not enacted by June 30, 2015, the appropriation from the state taxable building construction account—state in this section shall lapse.

Appropriation:

State Taxable Building Construction Account—State $2,000,000
Public Facility Construction Loan Revolving Account—
State $8,100,000
Subtotal Appropriation $10,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $28,000,000
TOTAL $38,100,000

NEW SECTION. **Sec. 1041. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency and Solar Grants (30000835)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $5,630,000 for fiscal year 2016 and $5,630,000 for fiscal year 2017 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least ten percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(2) $3,750,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for Washington-manufactured products.

(3) $1,650,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) $225,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

Appropriation:

State Building Construction Account—State $30,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $150,000,000

NEW SECTION. **Sec. 1042. FOR THE DEPARTMENT OF COMMERCE**

Ultra-Efficient Affordable Housing Demonstration (30000836)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for loans or grants to low-income housing developers to design and construct ultra-high energy efficient housing projects including single and multifamily units;

(2) By December 1, 2015, in consultation with professional building, energy efficiency and housing finance organizations, the office of financial management and appropriate legislative staff, the department shall develop a process that is designed to solicit, evaluate and fund ultra-high energy efficient housing projects as part of the housing trust fund competitive program.

(3) To receive funding, a project must demonstrate energy-saving and renewable energy systems designed to reach net-zero energy use after housing is fully occupied and must provide a life-cycle cost analysis report to the department; and

(4) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(a) Whether the proposed design has demonstrated that the project will achieve net-zero energy use when fully occupied;

(b) The life cycle cost of the project;

(c) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(d) The extent to which the project leverages nonstate funds;

(e) The extent to which the project is ready to proceed to construction;

(f) Whether the project promotes sustainable use of resources and environmental quality;

(g) Whether the project is being well-managed to fund maintenance and capital depreciation;

(h) Reduction of housing and utilities carbon footprint; and

(i) Other criteria that the department considers necessary to achieve the purpose of this program.

Appropriation:

State Taxable Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1043. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Portfolio Preservation Program (30000837)

Appropriation:

Washington Housing Trust Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 1044. FOR THE DEPARTMENT OF COMMERCE**

Weatherization Matchmaker Program (30000838)

Appropriation:

State Building Construction Account—State $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $60,000,000
TOTAL $80,000,000

NEW SECTION. **Sec. 1045. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Drinking Water State Revolving Fund Loan Program (30000840)

The appropriations in this section are subject to the following conditions and limitations:

(1) $4,400,000 of the drinking water assistance account for fiscal year 2016 and $4,400,000 of the drinking water assistance account for fiscal year 2017 is provided as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(3) The agency must encourage local government use of federally-funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State $120,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $480,000,000
TOTAL $600,000,000

NEW SECTION. **Sec. 1046. FOR THE DEPARTMENT OF COMMERCE**

Community Energy Efficiency Program (30000845)

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 1047. FOR THE DEPARTMENT OF COMMERCE**

2016 Local and Community Projects (30000846)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section is provided solely for the Fairchild air force base protection and community empowerment project. Of that amount, $200,000 is provided for the purchase of twenty acres of land for development of affordable housing. The remaining $1,300,000 is provided for the county's purchase of mobile home parks in order to reduce the use of the accident potential zone for residential purposes. If the county subsequently rezones, develops, and leases the mobile home park property for commercial or industrial uses, the county must repay to the state the $1,300,000 appropriation in its entirety within ten years.

(8) The appropriation is provided solely for the following list of projects:

AHCC reclaimed water project $709,000
Appleway trail $1,000,000
Basin 3 sewer rehabilitation center $1,000,000
Bellevue downtown park inspiration playground and sensory garden $500,000
Bender fields parking lot and restrooms $1,000,000
Blackhills community soccer complex safety projects $750,000
Bremerton children's dental clinic $396,000
Brewster reservoir replacement project $1,000,000
Brookville gardens community park improvements $1,200,000
Camas-Washougal Babe Ruth youth baseball improve Louis Bloch park $10,000
Cancer immunotherapy facility-Seattle children's research institute $5,000,000
Caribou trail apartments $100,000
Carnegie improvements for the rapid recidivism reduction program $1,000,000
Cascade mental health care evaluation and treatment unit $2,992,000
Cavalero park - Region park facility/skateboard park $500,000
CDM caregiving services: Clark county aging care resource center $900,000
Centerville school heating upgrades $46,000
Chambers creek regional park pier extension and moorage $2,500,000
City of Lynden-riverview road construction $850,000
City of Lynden-safe routes to school and Kaemingk trail gap elimination $300,000
City of Mt. Vernon downtown flood protect project & riverfront trail $1,500,000
City of Pateros water system $1,500,000
City of Stanwood police station/city hall relocation $300,000
Confluence area parks upgrade and restoration $1,000,000
Covington community park $2,000,000
Critical roof repair - Edmonds center for the arts (ECA) gym $250,000
Cross park, Pierce county $500,000
Dawson place child advocacy center building completion project $161,000
DeKalb street pier $500,000
DNR/City of Castle Rock exchange $80,000
Drug abuse prevention center $96,000
DuPont historical museum renovation $46,000
East Tacoma Community Center $1,000,000
Emergency generator for kidney resource center $226,000
Enumclaw expo center $350,000
Fairchild air force base protection & community empowerment project $1,500,000
Federal Way performing arts and conference center $2,000,000
Franklin Pierce early learning center $2,000,000
Gateway center project $900,000
Gratzer park ball fields $200,000
Grays Harbor navigation improvement project $2,000,000
Green river gorge open space buffer, Kummer connection $750,000
Guy Cole center revitalization $450,000
Historic renovation of stucco and roofs $300,000
Hopelink at ronald commons $750,000
Irvine slough stormwater separation $500,000
Kahlotus highway sewer force main $2,750,000
Key Pen civics center $50,000
KiBe high school parking $125,000
Kitsap humane society - shelter renovation $90,000
Lacey boys & girls club $29,000
Life support $1,250,000
Main street revitalization project $1,000,000
Martin Luther King Jr. family outreach center expansion

project $85,000
Mercer arena energy savings & sustainability funding $450,000
Meridian center for health $2,250,000
Minor road water reservoir replacement $1,500,000
Mt. Spokane guest services building & preservation/maintenance of existing facilities $520,000
North Kitsap fishline food bank $750,000
Onalaska community tennis and sports courts $80,000
Opera house ADA access $356,000
PCAF's building for the future $350,000
Pe Ell second street $197,000
Pike place market front project $800,000
Police station security/hardening $38,000
Port of Centralia-Centralia station $500,000
PROVAIL TBI residential facility $450,000
Renovate senior center $400,000
Rochester boys & girls club $38,000
Rockford treatment facility improvements project $600,000
Roslyn renaissance-NW improve company building renovation project $500,000
S 228th street interurban trail connector $500,000
Sammamish rowing association boathouse $500,000
SE 240th St. watermain system improvement project $700,000
Seattle theatre group $131,000
Sentinel way restoration $450,000
Snohomish veterans memorial rebuild $10,000
South sound shoreline and heritage protection $900,000
Splash pad/foundation: Centralia outdoor pool restoration project $200,000
Springbrook park neighborhood connection project $300,000
SR 532 flood berm and bike/pedestrian path $85,000
St. Vincent food bank & community services construction project $400,000
Sunset neighborhood park $2,000,000
The gathering house job training café $14,000
The salvation army Clark county: Corps community center $1,200,000
Tulalip water pipeline $3,000,000
Twin bridges historical museum facility rehabilitation $62,000
Twisp civic building $500,000
Veterans center $600,000
Washington green schools $105,000
Washougal senior/community center roof/HVAC replace & kitchen improvements $300,000
Water meter and system improvement program $500,000
White river restoration project $850,000
Willapa behavioral health safety improvement project $75,000
Yakima children's museum center $50,000
Yelm community center $500,000
Yelm senior center $80,000
TOTAL $71,782,000
Appropriation:
State Building Construction Account—State $71,782,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $71,782,000

NEW SECTION. **Sec. 1048. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Local Governments (91000241)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 301, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,732,000
Prior Biennia (Expenditures) $16,268,000
Future Biennia (Projected Costs) $0
TOTAL $18,000,000

NEW SECTION. **Sec. 1049. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Higher Education (91000242)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 307, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $5,077,000
Prior Biennia (Expenditures) $14,923,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1050. FOR THE DEPARTMENT OF COMMERCE**

Public Works Pre-Construction Loan Program (91000319)

Reappropriation:

Public Works Assistance Account—State $767,000
Prior Biennia (Expenditures) $2,233,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1051. FOR THE DEPARTMENT OF COMMERCE**

Housing for Families with Children (91000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 310, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $2,472,000
Prior Biennia (Expenditures) $5,778,000
Future Biennia (Projected Costs) $0
TOTAL $8,250,000

NEW SECTION. **Sec. 1052. FOR THE DEPARTMENT OF COMMERCE**

Housing for Seniors and People with Physical Disabilities (91000411)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 311, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $4,350,000
Prior Biennia (Expenditures) $5,316,000
Future Biennia (Projected Costs) $0
TOTAL $9,666,000

NEW SECTION. **Sec. 1053. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000412)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $190,000
Prior Biennia (Expenditures) $935,000
Future Biennia (Projected Costs) $0
TOTAL $1,125,000

NEW SECTION. **Sec. 1054. FOR THE DEPARTMENT OF COMMERCE**

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,996,000
Prior Biennia (Expenditures) $22,948,000
Future Biennia (Projected Costs) $0
TOTAL $28,944,000

NEW SECTION. **Sec. 1055. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000414)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $1,055,000
Future Biennia (Projected Costs) $0
TOTAL $6,215,000

NEW SECTION. **Sec. 1056. FOR THE DEPARTMENT OF COMMERCE**

Housing for People At Risk of Homelessness (91000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 312, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $959,000
Prior Biennia (Expenditures) $1,541,000

Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 1057. FOR THE DEPARTMENT OF COMMERCE**

Housing for Low-Income Households (91000416)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $2,689,000
Prior Biennia (Expenditures) $293,000
Future Biennia (Projected Costs) $0
TOTAL $2,982,000

NEW SECTION. **Sec. 1058. FOR THE DEPARTMENT OF COMMERCE**

2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,889,000
Prior Biennia (Expenditures) $7,734,000
Future Biennia (Projected Costs) $0
TOTAL $9,623,000

NEW SECTION. **Sec. 1059. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects 2012 (91000437)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $1,035,000
Future Biennia (Projected Costs) $0
TOTAL $2,835,000

NEW SECTION. **Sec. 1060. FOR THE DEPARTMENT OF COMMERCE**

Pacific Medical Center (91000445)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for window repair, replacement, and weatherization, or for tenant improvements at Pacific tower made or provided on behalf of Seattle College district.

Reappropriation:
State Taxable Building Construction Account—State $2,405,000
State Building Construction Account—State $9,818,000
Subtotal Reappropriation $12,223,000

Appropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $7,777,000
Future Biennia (Projected Costs) $0
TOTAL $26,000,000

NEW SECTION. **Sec. 1061. FOR THE DEPARTMENT OF COMMERCE**

Sand Point Building 9 (91000446)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1068, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $9,802,000
Prior Biennia (Expenditures) $4,198,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 1062. FOR THE DEPARTMENT OF COMMERCE**

Mental Health Beds (91000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1071, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,644,000
Prior Biennia (Expenditures) $1,356,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1063. FOR THE DEPARTMENT OF COMMERCE**

Housing for Homeless Veterans (91000455)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $9,001,000
Prior Biennia (Expenditures) $366,000
Future Biennia (Projected Costs) $0
TOTAL $9,367,000

NEW SECTION. **Sec. 1064. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $19,723,000
Prior Biennia (Expenditures) $7,327,000
Future Biennia (Projected Costs) $0
TOTAL $27,050,000

NEW SECTION. **Sec. 1065. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Developmental Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $6,392,000
Prior Biennia (Expenditures) $2,627,000
Future Biennia (Projected Costs) $0
TOTAL $9,019,000

NEW SECTION. **Sec. 1066. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000459)

Reappropriation:
State Taxable Building Construction Account—State $5,735,000
Prior Biennia (Expenditures) $329,000
Future Biennia (Projected Costs) $0
TOTAL $6,064,000

NEW SECTION. **Sec. 1067. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Project Backfill (91000581)

Reappropriation:
State Building Construction Account—State $3,263,000
Prior Biennia (Expenditures) $154,737,000
Future Biennia (Projected Costs) $0
TOTAL $158,000,000

NEW SECTION. **Sec. 1068. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (91000582)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Energy Recovery Act Account—State $4,000,000
State Taxable Building Construction Account—State $8,924,000
State Building Construction Account—State $19,069,000
Subtotal Reappropriation $31,993,000
Prior Biennia (Expenditures) $8,007,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 1069. FOR THE DEPARTMENT OF COMMERCE**

Innovation Partnership Zones - Facilities and Infrastructure (92000089)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 309, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,725,000
Prior Biennia (Expenditures) $9,795,000
Future Biennia (Projected Costs) $0
TOTAL $13,520,000

NEW SECTION. **Sec. 1070. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board Administered Economic Development, Innovation, and Export Grants (92000096)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $4,267,000
Public Works Assistance Account—State $14,595,000
Subtotal Reappropriation $18,862,000
Prior Biennia (Expenditures) $13,736,000

Future Biennia (Projected Costs) $0
TOTAL $32,598,000

NEW SECTION. **Sec. 1071. FOR THE DEPARTMENT OF COMMERCE**

Main Street Improvement Grants (92000098)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 305, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
Public Works Assistance Account—State $355,000
State Building Construction Account—State $3,115,000
Subtotal Reappropriation $3,470,000
Prior Biennia (Expenditures) $11,380,000
Future Biennia (Projected Costs) $0
TOTAL $14,850,000

NEW SECTION. **Sec. 1072. FOR THE DEPARTMENT OF COMMERCE**

Brownfield Redevelopment Grants (92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for redevelopment of the Bellingham waterfront.

Reappropriation:
Local Toxics Control Account—State $1,194,000
Prior Biennia (Expenditures) $306,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1073. FOR THE DEPARTMENT OF COMMERCE**

Port and Export Related Infrastructure (92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $13,603,000
Prior Biennia (Expenditures) $19,547,000
Future Biennia (Projected Costs) $0
TOTAL $33,150,000

NEW SECTION. **Sec. 1074. FOR THE DEPARTMENT OF COMMERCE**

Projects for Jobs and Economic Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1077, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Public Facility Construction Loan Revolving Account—State $7,100,000
State Building Construction Account—State $22,256,000
Subtotal Reappropriation $29,356,000
Prior Biennia (Expenditures) $7,753,000
Future Biennia (Projected Costs) $0
TOTAL $37,109,000

NEW SECTION. **Sec. 1075. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth and Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $12,695,000
Prior Biennia (Expenditures) $6,982,000
Future Biennia (Projected Costs) $0
TOTAL $19,677,000

NEW SECTION. **Sec. 1076. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities and Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1078, chapter 19, Laws of 2013 2nd sp.s. and section 6006 of this act.

Reappropriation:
Environmental Legacy Stewardship Account—State $395,000
State Building Construction Account—State $22,372,000
Subtotal Reappropriation $22,767,000
Prior Biennia (Expenditures) $9,361,000
Future Biennia (Projected Costs) $0
TOTAL $32,128,000

NEW SECTION. **Sec. 1077. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account—State..... $246,000
Prior Biennia (Expenditures)..... $1,254,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,500,000

NEW SECTION. **Sec. 1078. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Catastrophic Flood Relief (20084850)

The appropriation in this section is subject to the following conditions and limitations:

(1) Up to $26,800,000 of the appropriation is for advancing the long-term strategy for the Chehalis Basin projects to reduce flood damage and restore aquatic species including a programmatic environmental impact statement, data collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, and other parties.

(2) Up to $23,200,000 of the appropriation is for construction of local priority flood protection and habitat restoration projects.

(3) Up to one percent of the appropriation provided in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Reappropriation:
State Building Construction Account—State..... $12,484,000

Appropriation:
State Building Construction Account—State..... $50,000,000
Prior Biennia (Expenditures)..... $25,203,000
Future Biennia (Projected Costs)..... $120,000,000
TOTAL..... $207,687,000

NEW SECTION. **Sec. 1079. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Office of Financial Management Capital Budget Staff (30000045)

Appropriation:
State Building Construction Account—State..... $1,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $4,000,000
TOTAL..... $5,000,000

NEW SECTION. **Sec. 1080. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Oversight of State Facilities (30000046)

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall conduct space studies and make recommendations to the legislature on the state's space standards including alternative workplace strategies. State agencies shall provide space use data in a format prescribed by the office of financial management to support this effort. The office of financial management shall report the results and recommendations to the legislative fiscal committees by July 1, 2016.

(2) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall update the lease space requirements to reflect high performance building standards and any other components that may improve the conditions of leased space.

Appropriation:
State Building Construction Account—State..... $1,040,000
Thurston County Capital Facilities Account—State..... $1,120,000
Subtotal Appropriation..... $2,160,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $2,160,000

NEW SECTION. **Sec. 1081. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (90000300)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the department of corrections, the department of social and health services, the department of enterprise services, the criminal justice training commission, the department of veterans affairs, the parks and recreation commission, and the department of fish and wildlife. Eligible construction projects are only projects that had cost reductions as kept on file with the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:
State Building Construction Account—State..... $5,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,000,000

NEW SECTION. **Sec. 1082. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repairs (90000301)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be

eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1083. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repair Pool for K-12 Public Schools (90000302)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility. To be eligible for funds from the emergency repair pool, an emergency declaration must be signed by the school district board of directors and the superintendent of public instruction, and submitted to the office of financial management for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:

Common School Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1084. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Chehalis River Basin Flood Relief Projects (91000398)

Reappropriation:

State Building Construction Account—State $206,000
Prior Biennia (Expenditures) $4,794,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1085. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Preservation Information (91000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6007 of this act.

Reappropriation:

University of Washington Building Account—State $116,000
Washington State University Building
Account—State $85,000
Eastern Washington University Capital Projects
Account—State $21,000
Central Washington University Capital Projects
Account—State $17,000
The Evergreen State College Capital Projects
Account—State $12,000
Western Washington University Capital Projects
Account—State $19,000
Subtotal Reappropriation $270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $270,000

NEW SECTION. **Sec. 1086. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (91000428)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1091, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,875,000

NEW SECTION. **Sec. 1087. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Culverts in Three State Agencies (92000004)
Reappropriation:
State Building Construction Account—State $4,516,000
Prior Biennia (Expenditures) $2,484,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 1088. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
East Plaza - Water Infiltration and Elevator Repairs (30000548)
Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $2,603,000
Future Biennia (Projected Costs) $0
TOTAL $3,103,000

NEW SECTION. **Sec. 1089. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
NRB Garage Fire Suppression System Repairs (30000578)
Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,738,000
Future Biennia (Projected Costs) $0
TOTAL $2,238,000

NEW SECTION. **Sec. 1090. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Minor Works Preservation (30000635)
Reappropriation:
State Building Construction Account—State $1,477,000
Thurston County Capital Facilities Account—State $501,000
Subtotal Reappropriation $1,978,000
Prior Biennia (Expenditures) $2,050,000
Future Biennia (Projected Costs) $0
TOTAL $4,028,000

NEW SECTION. **Sec. 1091. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Minor Works Preservation (30000722)
The appropriations in this section are subject to the following conditions and limitations: No minor works funds may be allotted until a parking strategy is completed. Up to $300,000 of the appropriation in this section is provided for the department to develop a capitol campus parking strategy. The strategy must include: (1) During the legislative sessions a reduction of agency reserve stalls from twenty-six percent to fifteen percent as recommended by the 2014 state of Washington parking and transportation study; (2) incorporating parking attendants or parking arms to accept payment for campus parking during the legislative sessions; (3) install at least two electronic boards that show the available parking capacity in the east plaza garage. The department shall report to all fiscal committees on its progress by November 1, 2015.
Appropriation:
Thurston County Capital Facilities Account—State $850,000
State Building Construction Account—State $9,002,000
State Vehicle Parking Account—State $300,000
Subtotal Appropriation $10,152,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $19,000,000
TOTAL $29,152,000

NEW SECTION. **Sec. 1092. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Old Capitol - Exterior and Interior Repairs (30000724)
Appropriation:
Thurston County Capital Facilities Account—State $1,500,000
State Building Construction Account—State $1,500,000
Subtotal Appropriation $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1093. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
West Campus Historic Buildings Exterior Preservation (30000727)
Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1094. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
East Plaza - Structure and Elevator Repairs (30000717)
Appropriation:
State Building Construction Account—State $8,239,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $27,442,000
TOTAL $35,681,000

NEW SECTION. **Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Utility Repairs - Sunken Garden to General Administration (30000731)

Appropriation:
State Building Construction Account—State $5,569,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,661,000
TOTAL $24,230,000

NEW SECTION. **Sec. 1096. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Heating Systems Repairs - Phase 1 (30000730)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to competitively contract an energy audit on the capitol campus steam system. The audit must consider converting to centralized hot water boilers and using a heat recovery power system.

Appropriation:
Thurston County Capital Facilities Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1097. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Critical Network Standardization and Connectivity (30000732)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for installing any remaining building meters as needed on the capitol campus, and providing building performance data electronically. Dashboard displays must be installed in the three legislative buildings.

Appropriation:
Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1098. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Physical Security & Safety Improvements (30000728)

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 1099. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Court Major Exterior and Building Systems Renewal (30000738)

The appropriation in this section is provided solely for development of a plan that identifies the existing building deficiencies and recommended project specific improvements with cost estimates to be completed as funding becomes available. Urgent repairs to this building will be prioritized against the other projects in the department of enterprise services' minor works project list.

Appropriation:
Enterprise Services Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,220,000
TOTAL $1,370,000

NEW SECTION. **Sec. 1100. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Lake Long-term Management Planning (30000740)

Appropriation:
Enterprise Services Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 1101. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Engineering and Architectural Services: Staffing (30000762)

(1) The appropriation in this section is provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450. The service charge is increased from 2.15 percent to 2.27 percent of total project costs to reduce the number of projects assigned to each manager. The intended results of the increased fee are improved accountability, reduced project delays, and reduced the number and cost of change orders. At the end of each fiscal year, the department must report to the office of financial management and the fiscal committees of the legislature on performance improvements resulting from the increased management fee, including the following:

(a) The number of projects managed by each manager compared to previous biennia;

(b) Projects that were not completed on schedule and the reasons for delays; and

(c) The number and cost of the change orders and the reason for each change order.

(2) The department shall convene a group of private sector architects and contractors with state agency facilities personnel, at a minimum of twice per year, to share at a minimum, information on high performance methods, ideas, operating and maintenance issues, and cost. The

facility personnel must be from the community and technical colleges, the four-year institutions of higher education, and any other state agencies that have recently completed a new building or are currently in the construction phase.

(3) The department, with assistance from the capital projects authority review board, shall provide recommendations to the governor, house capital budget committee, and senate ways and means committee, on ways to improve the project delivery methods. It must include, at a minimum, methods to incorporate more architectural and engineering firms and contractors to be eligible for design build projects, and methods for including high performance criteria with incentives for the architectural and engineering firm and contractor to meet the performance measures in design-bid-build project delivery methods.

Appropriation:

State Building Construction Account—State $9,800,000
Thurston County Capital Facilities Account—State $3,000,000
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Subtotal Appropriation $14,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,800,000

NEW SECTION. **Sec. 1102. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

NRB Garage Fire Suppression System & Critical Repairs (30000719)

Appropriation:

State Building Construction Account—State $8,077,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,516,000
TOTAL $9,593,000

NEW SECTION. **Sec. 1103. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Building and Grounds Facilities Replacements (30000759)

Appropriation:

State Building Construction Account—State $2,477,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,477,000

NEW SECTION. **Sec. 1104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Steam System and Chiller Upgrades (91000014)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1106, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Thurston County Capital Facilities Account—State $1,074,000
State Building Construction Account—State $1,802,000
Subtotal Reappropriation $2,876,000
Prior Biennia (Expenditures) $1,121,000
Future Biennia (Projected Costs) $0
TOTAL $3,997,000

NEW SECTION. **Sec. 1105. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Exterior Lighting Upgrades (30000736)

The appropriation in this section is subject to the following conditions and limitations: The department shall pursue energy services contracts as much as is feasible to provide funding.

Appropriation:

Thurston County Capital Facilities Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Archives Building and Capitol Court HVAC Upgrades (91000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1107, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $70,000
Prior Biennia (Expenditures) $930,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1107. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

State Capitol Master Plan (30000760)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to identify potential development sites, and any infrastructure that may be needed for further development.

(2) The department shall provide a list to all fiscal committees of designated parking areas with: (a) Permanent capitol campus FTEs; (b) temporary capitol campus FTEs; (c) state agency reserve spaces; (d) state agency vehicles; (e) state agency motor pool vehicles; and (f)

nonstate agency vehicles. The department shall also provide a prioritized list of parking spaces that ranks campus FTEs as the highest priority. Other parking locations in Thurston county may also be considered.

Appropriation:

Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Utilities & Transportation Commission Building (91000432)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life-cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act. The project will be alternatively financed as authorized in section 7002 of this act.

Appropriation:

Public Service Revolving Account—State $2,000,000
Enterprise Services Account—State $3,000,000
Subtotal Appropriation $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1109. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

1063 Block Replacement (91000016)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1109, chapter 19, Laws of 2013 2nd sp. sess., except that the building will be alternatively financed as authorized by and subject to the conditions of section 7002 of this act.

Reappropriation:

State Building Construction Account—State $9,138,000
Prior Biennia (Expenditures) $3,862,000
Future Biennia (Projected Costs) $0
TOTAL $13,000,000

NEW SECTION. **Sec. 1110. FOR THE MILITARY DEPARTMENT**

Pierce County Readiness Center (30000593)

Reappropriation:

Military Department Capital Account—State $2,758,000
State Building Construction Account—State $3,269,000
General Fund—Federal $24,876,000
Subtotal Reappropriation $30,903,000
Prior Biennia (Expenditures) $2,698,000
Future Biennia (Projected Costs) $0
TOTAL $33,601,000

NEW SECTION. **Sec. 1111. FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)

The reappropriation and appropriations in this section are subject to the following conditions and limitations: The military department shall transfer title of the Olympia armory to the Thurston county boys and girls club when the Thurston county readiness center is completed.

Reappropriation:

State Building Construction Account—State $2,750,000

Appropriation:

State Building Construction Account—State $7,883,000
General Fund—Federal $34,207,000
Subtotal Appropriation $42,090,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $44,890,000

NEW SECTION. **Sec. 1112. FOR THE MILITARY DEPARTMENT**

Minor Works Preservation - 2013-2015 Biennium (30000602)

Reappropriation:

State Building Construction Account—State $307,000
General Fund—Federal $1,082,000
Subtotal Reappropriation $1,389,000
Prior Biennia (Expenditures) $3,837,000
Future Biennia (Projected Costs) $2,500,000
TOTAL $7,726,000

NEW SECTION. **Sec. 1113. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2013-2015 Biennium (30000605)
Reappropriation:
General Fund—Federal $8,893,000
Prior Biennia (Expenditures) $4,032,000
Future Biennia (Projected Costs) $0
TOTAL $12,925,000

NEW SECTION. **Sec. 1114. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2015-2017 Biennium (30000702)
Appropriation:
State Building Construction Account—State $7,267,000
General Fund—Federal $10,195,000
Subtotal Appropriation $17,462,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $17,462,000

NEW SECTION. **Sec. 1115. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2015-2017 Biennium (30000744)
Appropriation:
State Building Construction Account—State $5,163,000
General Fund—Federal $15,953,000
Subtotal Appropriation $21,116,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $21,116,000

NEW SECTION. **Sec. 1116. FOR THE MILITARY DEPARTMENT**
Montesano Readiness Center Roof Replacement and Tenant Improvements (30000805)
Appropriation:
General Fund—Federal $1,500,000
State Building Construction Account—State $3,750,000
Subtotal Appropriation $5,250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 1117. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic County Courthouse Grants Program (30000010)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,400,000
TOTAL $11,900,000

NEW SECTION. **Sec. 1118. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic Courthouse Preservation Grants (92000001)
Reappropriation:
State Building Construction Account—State $1,696,000
Prior Biennia (Expenditures) $304,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1119. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Heritage Barn Preservation Program (92000002)
Reappropriation:
State Building Construction Account—State $256,000
Prior Biennia (Expenditures) $244,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

PART 2
HUMAN SERVICES

NEW SECTION. **Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Naselle Youth Camp - Three Cottages: Renovation (20081222)
Reappropriation:
State Building Construction Account—State $1,703,000
Prior Biennia (Expenditures) $197,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital New Kitchen and Commissary Building (20081319)

Appropriation:
State Building Construction Account—State $27,600,000
Prior Biennia (Expenditures) $828,000
Future Biennia (Projected Costs) $0
TOTAL $28,428,000

NEW SECTION. **Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Medical Lake Campus - Laundry Building: New Construction (20082371)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,100,000
TOTAL $10,250,000

NEW SECTION. **Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (91000037)
Appropriation:
State Building Construction Account—State $14,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,100,000

NEW SECTION. **Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Fircrest School Electrical Service Rehabilitation (30000415)

The appropriation in this section is provided solely for electrical service rehabilitation and improvements on campus. The department of social and health services will also coordinate with the department of health to install a new and separate electrical service for the public health laboratory.

Appropriation:
State Building Construction Account—State $5,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,200,000

NEW SECTION. **Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Program Projects: Statewide (30001859)
Appropriation:
State Building Construction Account—State $755,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $20,755,000

NEW SECTION. **Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (30002235)
Reappropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $10,155,000
Future Biennia (Projected Costs) $0
TOTAL $14,155,000

NEW SECTION. **Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Child Study and Treatment Center - Orcas: Acute Treatment Addition (30002733)
Appropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Building Systems Replacement (30002735)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $4,450,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,450,000

NEW SECTION. **Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Echo Glen - Housing Unit: Acute Mental Health Unit (30002736)
Appropriation:
State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Eastern State Hospital - Westlake: Nurse Call System (30002739)
Appropriation:
State Building Construction Account—State $1,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,200,000

NEW SECTION. **Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Yakima Valley School - Main Building: Roofing Replacement (30002742)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Green Hill School: New Acute Mental Health Unit (30002745)
Appropriation:
State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - Forensic Services: Two Wards Addition (30002765)
Appropriation:
State Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,700,000
TOTAL $22,500,000

NEW SECTION. **Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Psychiatric Intensive Care Unit and Competency Restoration (30002773)
Appropriation:
State Building Construction Account—State $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital - Water System: Improvements (30003215)
Appropriation:
State Building Construction Account—State $2,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,115,000

NEW SECTION. **Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Wards Preservation and Renewal (30003240)
Appropriation:
State Building Construction Account—State $1,350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,350,000

NEW SECTION. **Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Special Commitment Center: Kitchen and Dining Room Upgrades (20081506)
Appropriation:
State Building Construction Account—State $3,760,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,760,000

NEW SECTION. **Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Wards Preservation and Renewal (30003241)
Appropriation:
State Building Construction Account—State $1,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Building Systems Replacement (30003244)
Appropriation:
State Building Construction Account—State $3,600,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,600,000

NEW SECTION. **Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital and Western State Hospital - All Wards: Patient Safety Improvements (91000019)
Reappropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,569,000
Prior Biennia (Expenditures) $2,800,000
Future Biennia (Projected Costs) $3,180,000
TOTAL $10,549,000

NEW SECTION. **Sec. 2022. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Wing Addition (30000301)
Appropriation:
State Building Construction Account—State $3,049,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,049,000

NEW SECTION. **Sec. 2023. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Lab Conversion (30000302)
Appropriation:
State Building Construction Account—State $1,141,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,141,000

NEW SECTION. **Sec. 2024. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Program (30000315)
Appropriation:
State Building Construction Account—State $322,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $322,000

NEW SECTION. **Sec. 2025. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Assistance Program (30000323)
Reappropriation:
Drinking Water Assistance Account—Federal $23,225,000
Prior Biennia (Expenditures) $5,575,000
Future Biennia (Projected Costs) $0
TOTAL $28,800,000

NEW SECTION. **Sec. 2026. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Facility Preservation (30000328)
Appropriation:
State Building Construction Account—State $277,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $277,000

NEW SECTION. **Sec. 2027. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Preconstruction Loans (30000334)
Appropriation:
Drinking Water Assistance Repayment Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,000,000
TOTAL $30,000,000

NEW SECTION. **Sec. 2028. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Assistance Program (30000336)
Appropriation:
Drinking Water Assistance Account—Federal $32,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $128,000,000
TOTAL $160,000,000

NEW SECTION. **Sec. 2029. FOR THE DEPARTMENT OF HEALTH**
Safe Reliable Drinking Water Grants (92000002)
Reappropriation:

State Building Construction Account—State $1,428,000
Prior Biennia (Expenditures) $10,210,000
Future Biennia (Projected Costs) $0
TOTAL $11,638,000

NEW SECTION. **Sec. 2030. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Walla Walla Nursing Facility (20082008)
Reappropriation:
State Building Construction Account—State $14,357,000
General Fund—Federal $24,000,000
Subtotal Reappropriation $38,357,000
Prior Biennia (Expenditures) $2,568,000
Future Biennia (Projected Costs) $0
TOTAL $40,925,000

NEW SECTION. **Sec. 2031. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Minor Works Facilities Preservation (30000094)
Reappropriation:
State Building Construction Account—State $675,000
Prior Biennia (Expenditures) $638,000
Future Biennia (Projected Costs) $0
TOTAL $1,313,000

NEW SECTION. **Sec. 2032. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Feasibility Study/Predesign for Washington Soldiers Home Skilled Nursing Replacement (30000090)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $125,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $125,000

NEW SECTION. **Sec. 2033. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Minor Works Facilities Preservation (30000174)
Appropriation:
State Building Construction Account—State $3,095,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,690,000
TOTAL $12,785,000

NEW SECTION. **Sec. 2034. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
South Central Washington State Veterans Cemetery Feasibility (30000151)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 2035. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Eastern Washington Cemetery Upgrade (30000152)
Appropriation:
State Building Construction Account—State $270,000
General Fund—Federal $2,422,000
Subtotal Appropriation $2,692,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,692,000

NEW SECTION. **Sec. 2036. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: Close Sewer Lagoon (20082022)
Reappropriation:
State Building Construction Account—State $214,000
Appropriation:
State Building Construction Account—State $8,801,000
Prior Biennia (Expenditures) $1,177,000
Future Biennia (Projected Costs) $0
TOTAL $10,192,000

NEW SECTION. **Sec. 2037. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Transformers and Switches (30000143)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $12,699,000
TOTAL $12,849,000

NEW SECTION. **Sec. 2038. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Roof and Equipment Replacement (30000195)
Appropriation:
State Building Construction Account—State $5,658,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,658,000

NEW SECTION. **Sec. 2039. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: MSC and Rec Building Roofs (30000548)
Appropriation:
State Building Construction Account—State $1,808,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,808,000

NEW SECTION. **Sec. 2040. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: CI Food Factory Remodel (30000567)
Appropriation:
State Building Construction Account—State $2,163,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,163,000

NEW SECTION. **Sec. 2041. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Replace Fire Alarm System (30000724)
Reappropriation:
State Building Construction Account—State $2,001,000
Prior Biennia (Expenditures) $615,000
Future Biennia (Projected Costs) $0
TOTAL $2,616,000

NEW SECTION. **Sec. 2042. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Replace Fire Alarm System (30000725)
Reappropriation:
State Building Construction Account—State $1,950,000
Prior Biennia (Expenditures) $1,449,000
Future Biennia (Projected Costs) $0
TOTAL $3,399,000

NEW SECTION. **Sec. 2043. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Security Electronics Renovations (30000726)
Reappropriation:
State Building Construction Account—State $3,830,000
Prior Biennia (Expenditures) $1,217,000
Future Biennia (Projected Costs) $0
TOTAL $5,047,000

NEW SECTION. **Sec. 2044. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Replace Fire Alarm System (30000727)
Reappropriation:
State Building Construction Account—State $950,000
Prior Biennia (Expenditures) $1,699,000
Future Biennia (Projected Costs) $0
TOTAL $2,649,000

NEW SECTION. **Sec. 2045. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Support Building Repair Fire Detection System (30000733)
Reappropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $808,000
Future Biennia (Projected Costs) $0
TOTAL $1,058,000

NEW SECTION. **Sec. 2046. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Security Video System (30000801)
Reappropriation:
State Building Construction Account—State $2,908,000
Prior Biennia (Expenditures) $968,000
Future Biennia (Projected Costs) $0
TOTAL $3,876,000

NEW SECTION. **Sec. 2047. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Security Video System (30000791)
Reappropriation:
State Building Construction Account—State $4,363,000
Prior Biennia (Expenditures) $2,609,000
Future Biennia (Projected Costs) $0
TOTAL $6,972,000

NEW SECTION. **Sec. 2048. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Security Video System (30000795)
Reappropriation:
State Building Construction Account—State $3,843,000
Prior Biennia (Expenditures) $1,390,000
Future Biennia (Projected Costs) $0
TOTAL $5,233,000

NEW SECTION. **Sec. 2049. FOR THE DEPARTMENT OF CORRECTIONS**
Minor Works Preservation (30000734)
Reappropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $8,600,000
Future Biennia (Projected Costs) $0
TOTAL $10,100,000

NEW SECTION. **Sec. 2050. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Security Video System (30000800)
Appropriation:
State Building Construction Account—State $6,038,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,038,000

NEW SECTION. **Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Security Video System (30000802)
Reappropriation:
State Building Construction Account—State $2,150,000
Prior Biennia (Expenditures) $1,271,000
Future Biennia (Projected Costs) $0
TOTAL $3,421,000

NEW SECTION. **Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: SOU IMU Security Video (30000803)
Reappropriation:
State Building Construction Account—State $1,806,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $2,640,000

NEW SECTION. **Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS**
Washington State Penitentiary: Education Building Roof (30000820)
Appropriation:
State Building Construction Account—State $1,525,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,525,000

NEW SECTION. **Sec. 2054. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: MSU Bathroom Renovation (30000975)
Appropriation:
State Building Construction Account—State $1,720,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,720,000

NEW SECTION. **Sec. 2055. FOR THE DEPARTMENT OF CORRECTIONS**
Statewide: Minor Works - Preservation Projects (30001013)
Appropriation:
State Building Construction Account—State $25,181,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $65,095,000
TOTAL $90,276,000

NEW SECTION. **Sec. 2056. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Access Road Culvert Replacement and Road Resurfacing (30001078)
Appropriation:
State Building Construction Account—State $1,500,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2057. FOR THE DEPARTMENT OF CORRECTIONS**
Washington State Penitentiary: Program and Support Building (30001101)
Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $15,014,000
TOTAL $16,914,000

NEW SECTION. **Sec. 2058. FOR THE DEPARTMENT OF CORRECTIONS**
Prison Capacity Expansion (30001105)
The appropriation in this section is subject to the following conditions and limitations: The department shall research best practices for treatment of mental illness for offenders, and design and construct the facility to provide this treatment. The department shall also include costs for continuing mental health supervision with community supervision in the predesign. The department may assign minimum security offenders for maintenance or other activities as needed.
Appropriation:
State Building Construction Account—State $5,300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $184,000,000
TOTAL $189,300,000

NEW SECTION. **Sec. 2059. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**
Omnibus Minor Works (30000017)
Appropriation:
State Building Construction Account—State $456,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $456,000

PART 3
NATURAL RESOURCES

NEW SECTION. **Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY**
Water Supply Facilities (19742006)
Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $345,000
Prior Biennia (Expenditures) $20,205,000
Future Biennia (Projected Costs) $0
TOTAL $20,550,000

NEW SECTION. **Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY**
Low-Level Nuclear Waste Disposal Trench Closure (19972012)
Reappropriation:
Site Closure Account—State $10,917,000
Appropriation:
Site Closure Account—State $3,675,000
Prior Biennia (Expenditures) $4,516,000
Future Biennia (Projected Costs) $0
TOTAL $19,108,000

NEW SECTION. **Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY**
Twin Lake Aquifer Recharge Project (20042951)
Reappropriation:
State Building Construction Account—State $156,000
Prior Biennia (Expenditures) $594,000
Future Biennia (Projected Costs) $0
TOTAL $750,000

NEW SECTION. **Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY**
Water Supply Facilities (20044006)
Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $50,000
Prior Biennia (Expenditures) $13,468,000
Future Biennia (Projected Costs) $0
TOTAL $13,518,000

NEW SECTION. **Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY**
Quad Cities Water Right Mitigation (20052852)
Reappropriation:
State Building Construction Account—State $421,000

Prior Biennia (Expenditures) $1,179,000
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 136, chapter 371, Laws of 2006.

Reappropriation:
State Building Construction Account—State $317,000
Prior Biennia (Expenditures) $12,483,000
Future Biennia (Projected Costs) $0
TOTAL $12,800,000

NEW SECTION. **Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Basin Water Supply Development Program (20062950)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:
Columbia River Basin Taxable Bond Water Supply Development Account—State $1,770,000
Columbia River Basin Water Supply Development Account—State $6,075,000
Subtotal Reappropriation $7,845,000
Prior Biennia (Expenditures) $83,655,000
Future Biennia (Projected Costs) $0
TOTAL $91,500,000

NEW SECTION. **Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY**

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $289,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (20084008)

Reappropriation:
State Building Construction Account—State $11,754,000
Prior Biennia (Expenditures) $81,121,000
Future Biennia (Projected Costs) $0
TOTAL $92,875,000

NEW SECTION. **Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (20084010)

Reappropriation:
State Building Construction Account—State $221,000
Water Quality Capital Account—State $43,000
State Toxics Control Account—State $570,000
Subtotal Reappropriation $834,000
Prior Biennia (Expenditures) $66,036,000
Future Biennia (Projected Costs) $0
TOTAL $66,870,000

NEW SECTION. **Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Loan Program (20084011)

Reappropriation:
Water Pollution Control Revolving Account—State $14,581,000
Prior Biennia (Expenditures) $125,419,000
Future Biennia (Projected Costs) $0
TOTAL $140,000,000

NEW SECTION. **Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Storage Feasibility Study (20084026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3035, chapter 497, Laws of 2009.

Reappropriation:
State Building Construction Account—State $82,000
Prior Biennia (Expenditures) $5,168,000
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3054, chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account—State $1,456,000
Prior Biennia (Expenditures) $12,544,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000007)

Reappropriation:

Water Pollution Control Revolving Account—Federal ARRA $766,000
Water Pollution Control Revolving Account—State $3,970,000
Subtotal Reappropriation $4,736,000
Prior Biennia (Expenditures) $173,964,000
Future Biennia (Projected Costs) $0
TOTAL $178,700,000

NEW SECTION. **Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000008)

Reappropriation:

State Building Construction Account—State $3,838,000
Prior Biennia (Expenditures) $26,162,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:

State Building Construction Account—State $715,000
Prior Biennia (Expenditures) $5,285,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY**

Kittitas Groundwater Study (30000029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3001, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)—State $76,000
Prior Biennia (Expenditures) $624,000
Future Biennia (Projected Costs) $0
TOTAL $700,000

NEW SECTION. **Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $1,327,000
Local Toxics Control Account—State $9,165,000
Subtotal Reappropriation $10,492,000
Prior Biennia (Expenditures) $65,419,000
Future Biennia (Projected Costs) $0
TOTAL $75,911,000

NEW SECTION. **Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000142)

Reappropriation:

Water Pollution Control Revolving Account—Federal $1,792,000
Water Pollution Control Revolving Account—State $21,050,000
Subtotal Reappropriation $22,842,000
Prior Biennia (Expenditures) $14,158,000
Future Biennia (Projected Costs) $0
TOTAL $37,000,000

NEW SECTION. **Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:
Cleanup Settlement Account—State $1,959,000
State Toxics Control Account—State $3,666,000
Subtotal Reappropriation $5,625,000
Prior Biennia (Expenditures) $35,573,000
Future Biennia (Projected Costs) $0
TOTAL $41,198,000

NEW SECTION. **Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY**
Settlement Funding to Clean Up Toxic Sites (30000145)
Reappropriation:
Cleanup Settlement Account—State $185,000
Prior Biennia (Expenditures) $8,315,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY**
Centennial Clean Water Program (30000208)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 48, Laws of 2011 1st sp. sess.
Reappropriation:
State Toxics Control Account—State $12,341,000
Prior Biennia (Expenditures) $21,759,000
Future Biennia (Projected Costs) $0
TOTAL $34,100,000

NEW SECTION. **Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY**
Water Pollution Control Revolving Fund Program (30000209)
Reappropriation:
Water Pollution Control Revolving Account—Federal $51,095,000
Water Pollution Control Revolving Account—State $85,631,000
Subtotal Reappropriation $136,726,000
Prior Biennia (Expenditures) $55,418,000
Future Biennia (Projected Costs) $0
TOTAL $192,144,000

NEW SECTION. **Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY**
Watershed Plan Implementation and Flow Achievement (30000213)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 49, Laws of 2011 1st sp. sess.
Reappropriation:
State Building Construction Account—State $2,254,000
Prior Biennia (Expenditures) $5,746,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grant Program (30000216)
Reappropriation:
Local Toxics Control Account—State $32,216,000
Prior Biennia (Expenditures) $31,618,000
Future Biennia (Projected Costs) $0
TOTAL $63,834,000

NEW SECTION. **Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY**
Eastern Washington Clean Sites Initiative (30000217)
Reappropriation:
State Toxics Control Account—State $2,117,000
Prior Biennia (Expenditures) $3,883,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY**
Safe Soils Remediation Program - Central Washington (30000263)
Reappropriation:
State Toxics Control Account—State $682,000
Prior Biennia (Expenditures) $3,029,000
Future Biennia (Projected Costs) $0
TOTAL $3,711,000

NEW SECTION. **Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (30000265)
Reappropriation:
State Toxics Control Account—State $1,896,000

Prior Biennia (Expenditures) $14,504,000
Future Biennia (Projected Costs) $0
TOTAL $16,400,000

NEW SECTION. **Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY**
Yakima Basin Integrated Water Management Plan Implementation (30000278)
Reappropriation:
State Building Construction Account—State $208,000
Prior Biennia (Expenditures) $1,792,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY**
ASARCO - Tacoma Smelter Plume and Mines (30000280)
Reappropriation:
Cleanup Settlement Account—State $6,841,000
Prior Biennia (Expenditures) $13,806,000
Future Biennia (Projected Costs) $0
TOTAL $20,647,000

NEW SECTION. **Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY**
Padilla Bay Federal Capital Projects (30000282)
Reappropriation:
General Fund—Federal $791,000
Prior Biennia (Expenditures) $9,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY**
Coastal Wetlands Federal Funds Administration (30000283)
Reappropriation:
General Fund—Federal $10,695,000
Prior Biennia (Expenditures) $12,505,000
Future Biennia (Projected Costs) $0
TOTAL $23,200,000

NEW SECTION. **Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY**
Statewide Storm Water Projects (30000294)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3041, chapter 4, Laws of 2011 1st sp. sess.
Reappropriation:
Local Toxics Control Account—State $14,411,000
Prior Biennia (Expenditures) $15,589,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY**
Waste Tire Pile Cleanup and Prevention (30000322)
Reappropriation:
Waste Tire Removal Account—State $388,000
Prior Biennia (Expenditures) $612,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY**
Mercury Switch Removal (30000323)
Reappropriation:
State Toxics Control Account—State $365,000
Prior Biennia (Expenditures) $135,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Diesel Emissions (30000324)
Reappropriation:
State Toxics Control Account—State $2,380,000
Prior Biennia (Expenditures) $2,120,000
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Wood Stove Emissions (30000325)
Reappropriation:
State Toxics Control Account—State $2,180,000
Prior Biennia (Expenditures) $1,820,000

Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000326)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental Legacy Stewardship Account—State $36,634,000
Prior Biennia (Expenditures) $13,366,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000327)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $184,110,000
Subtotal Reappropriation $234,110,000
Prior Biennia (Expenditures) $15,890,000
Future Biennia (Projected Costs) $0
TOTAL $250,000,000

NEW SECTION. **Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000328)

Reappropriation:

General Fund—Federal $9,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,800,000

NEW SECTION. **Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:

State Building Construction Account—State $8,695,000
Prior Biennia (Expenditures) $1,305,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000332)

Reappropriation:

State Building Construction Account—State $3,048,000
Prior Biennia (Expenditures) $7,000
Future Biennia (Projected Costs) $0
TOTAL $3,055,000

NEW SECTION. **Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY**

Dungeness Water Supply and Mitigation (30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,003,000
Prior Biennia (Expenditures) $47,000
Future Biennia (Projected Costs) $0
TOTAL $2,050,000

NEW SECTION. **Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The reappropriations in this section are subject to the following conditions and limitations: Up to $400,000 of the reappropriation in this section is provided solely for the department to contract, after a competitive bidding process, for the clean up and remediation of the former Ruston Way tunnel.

Reappropriation:

State Building Construction Account—State $717,000
Cleanup Settlement Account—State $26,672,000
Subtotal Reappropriation $27,389,000
Prior Biennia (Expenditures) $7,271,000
Future Biennia (Projected Costs) $0
TOTAL $34,660,000

NEW SECTION. **Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY**

Padilla Bay Federal Capital Projects - Programmatic (30000335)

Reappropriation:
General Fund—Federal $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (30000337)
Reappropriation:
Environmental Legacy Stewardship Account—State $19,100,000
Prior Biennia (Expenditures) $12,400,000
Future Biennia (Projected Costs) $0
TOTAL $31,500,000

NEW SECTION. **Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY**
Eastern Washington Clean Sites Initiative (30000351)
Reappropriation:
Environmental Legacy Stewardship Account—State $6,735,000
Prior Biennia (Expenditures) $3,565,000
Future Biennia (Projected Costs) $0
TOTAL $10,300,000

NEW SECTION. **Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY**
Columbia River Water Supply Development Program (30000372)
Reappropriation:
Columbia River Basin Water Supply Development Account—
State $16,052,000
Columbia River Basin Taxable Bond Water Supply
Development Account—State $28,113,000
Subtotal Reappropriation $44,165,000
Prior Biennia (Expenditures) $30,335,000
Future Biennia (Projected Costs) $0
TOTAL $74,500,000

NEW SECTION. **Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY**
Local Toxics Grants for Cleanup and Prevention (20064008)
Reappropriation:
State Building Construction Account—State $8,296,000
Prior Biennia (Expenditures) $90,604,000
Future Biennia (Projected Costs) $0
TOTAL $98,900,000

NEW SECTION. **Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY**
Yakima River Basin Water Supply (30000373)
Reappropriation:
State Building Construction Account—State $12,162,000
Prior Biennia (Expenditures) $19,938,000
Future Biennia (Projected Costs) $0
TOTAL $32,100,000

NEW SECTION. **Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grants (30000374)
Reappropriation:
Local Toxics Control Account—State $45,779,000
Prior Biennia (Expenditures) $16,758,000
Future Biennia (Projected Costs) $0
TOTAL $62,537,000

NEW SECTION. **Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY**
Water Irrigation Efficiencies Program (30000389)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $3,804,000
Prior Biennia (Expenditures) $196,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY**
Coordinated Prevention Grants (CPG) (30000426)
Appropriation:
State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000

TOTAL $135,000,000

NEW SECTION. **Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000427)

The appropriations in this section are subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial clean water program grant.

(2) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States Department of Agriculture - Rural Development.

Appropriation:

State Building Construction Account—State $10,000,000
Local Toxics Control Account—State $10,000,000
Subtotal Appropriation $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $180,000,000

NEW SECTION. **Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Diesel Emissions (30000428)

Appropriation:

State Toxics Control Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Woodstove Emissions (30000429)

Appropriation:

State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY**

Swift Creek Natural Asbestos Flood Control and Cleanup (30000430)

Appropriation:

State Building Construction Account—State $3,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,200,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY**

Waste Tire Pile Cleanup and Prevention (30000431)

Appropriation:

Waste Tire Removal Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000432)

Appropriation:

State Toxics Control Account—State $11,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,772,000
TOTAL $24,772,000

NEW SECTION. **Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000458)

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $285,000,000

NEW SECTION. **Sec. 3061. FOR THE DEPARTMENT OF ECOLOGY**

Leaking Tank Model Remedies (30000490)

Appropriation:

State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3062. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000534)

The appropriations in this section are subject to the following conditions and limitations:

(1) $6,000,000 of the water pollution control revolving account—state for fiscal year 2016 and $6,000,000 of the water pollution control revolving account—state for fiscal year 2017 is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control program loan.

(3) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $141,000,000
Subtotal Appropriation $191,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $800,000,000
TOTAL $991,000,000

NEW SECTION. **Sec. 3063. FOR THE DEPARTMENT OF ECOLOGY**

Stormwater Financial Assistance Program (30000535)

Appropriation:

Local Toxics Control Account—State $3,000,000
State Building Construction Account—State $60,000,000
Subtotal Appropriation $63,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $343,000,000

NEW SECTION. **Sec. 3064. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000536)

Appropriation:

General Fund—Federal $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3065. FOR THE DEPARTMENT OF ECOLOGY**

Floodplains by Design (30000537)

Appropriation:

State Building Construction Account—State $43,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $92,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3066. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000538)

Appropriation:

Cleanup Settlement Account—State $12,146,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $67,900,000
TOTAL $80,046,000

NEW SECTION. **Sec. 3067. FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxics Sites – Puget Sound (30000542)

Appropriation:

State Toxics Control Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $72,763,000
TOTAL $87,763,000

NEW SECTION. **Sec. 3068. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000587)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department of ecology and the state conservation commission shall give preference in order of priority to projects located in the 16 fish critical basins, other water short basins, and basins with significant water resource and instream flow problems. Projects that are not within basins as described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be placed as a purchase or a lease in the trust water rights program to enhance instream flows. The proportion of saved water placed in the trust water

rights program must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency. The percentage of the public investment may not exceed eighty-five percent of the total cost of the conservation measure or irrigation efficiency.

(3) Up to $300,000 of the appropriation in this section may be allocated for the purchase and installation of flow meters that are implemented in cooperation with the Washington State Department of Fish and Wildlife fish screening program authorized under RCW 77.57.070.

Appropriation:

State Building Construction Account—State..... $4,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $16,000,000
TOTAL..... $20,000,000

NEW SECTION. **Sec. 3069. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000588)

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,000,000 of the Columbia River basin water supply development account—state is provided solely for the Sullivan Lake water supply project to replace funds that were diverted to fund repairs to the Moses Lake irrigation and reclamation district dam.

(2) $2,000,000 of the Columbia River basin water supply development account—state is provided solely for water conservation projects identified in the coordinated water conservation plan prepared jointly by irrigation districts and the office of Columbia River.

(3) $1,000,000 of the Columbia River basin water supply development account—state is provided solely for Walla Walla integrated planning.

(4) $1,000,000 of the Columbia River basin water supply development account—state is provided solely for the Methow Valley irrigation district instream flow improvement project.

(5) $800,000 of the Columbia River basin water supply development account—state is provided solely for department costs for project management, oversight, technical assistance, financial management and administration related to implementing capital projects.

(6) $1,000,000 of the Columbia River basin water supply revenue recovery account—state is provided solely for water leased from the port of Walla Walla that will be provided by the office of Columbia River on a temporary permit basis to end users.

(7) $1,200,000 of the Columbia River basin water supply revenue recovery account—state is provided solely for a water service contract with the United States bureau of reclamation to provide water from Lake Roosevelt to end users.

Appropriation:

Columbia River Basin Water Supply Revenue Recovery Account—State..... $2,200,000
Columbia River Basin Water Supply Development Account—State..... $6,800,000
Subtotal Appropriation..... $9,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $19,761,000
TOTAL..... $28,761,000

NEW SECTION. **Sec. 3070. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000589)

Appropriation:

State Building Construction Account—State..... $3,055,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $15,600,000
TOTAL..... $18,655,000

NEW SECTION. **Sec. 3071. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Supply (30000590)

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,200,000 of the state building construction account—state is provided solely for a fish habitat enhancement program to address mainstem and tributary habitat restoration priorities.

(2) $4,900,000 of the state taxable building construction account—bonds is provided solely for a downstream/upstream fish passage facility at the Cle Elum reservoir.

(3) $2,000,000 of the state taxable building construction account—bonds is provided solely for the Keechelus to Kachess pipeline.

(4) $2,900,000 of the state taxable building construction account—bonds is provided solely for the Kachess inactive storage project.

(5) $300,000 of the state taxable building construction account—bonds is provided solely for the Kittitas county aquifer storage and recovery project.

(6) $2,200,000 of the state building construction account—state is provided solely for agricultural conservation projects.

(7) $500,000 of the state building construction account—state is provided solely for water bank/exchange programs.

Appropriation:

State Building Construction Account—State..... $4,900,000
State Taxable Building Construction Account—State..... $10,100,000
Subtotal Appropriation..... $15,000,000
Prior Biennia (Expenditures)..... $32,100,000
Future Biennia (Projected Costs)..... $120,000,000
TOTAL..... $167,100,000

NEW SECTION. **Sec. 3072. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000591)

Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $28,000,000

NEW SECTION. **Sec. 3073. FOR THE DEPARTMENT OF ECOLOGY**
Habitat Mitigation (91000007)
Reappropriation:
State Building Construction Account—State $3,051,000
Prior Biennia (Expenditures) $1,349,000
Future Biennia (Projected Costs) $0
TOTAL $4,400,000

NEW SECTION. **Sec. 3074. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (91000032)
Reappropriation:
State Toxics Control Account—State $6,637,000
Prior Biennia (Expenditures) $2,633,000
Future Biennia (Projected Costs) $0
TOTAL $9,270,000

NEW SECTION. **Sec. 3075. FOR THE DEPARTMENT OF ECOLOGY**
FY 2012 Statewide Stormwater Grant Program (91000053)
Reappropriation:
Local Toxics Control Account—State $14,789,000
Prior Biennia (Expenditures) $9,284,000
Future Biennia (Projected Costs) $0
TOTAL $24,073,000

NEW SECTION. **Sec. 3076. FOR THE DEPARTMENT OF ECOLOGY**
Stormwater Retrofit and LID Competitive Grants (91000054)
Reappropriation:
Local Toxics Control Account—State $6,952,000
Prior Biennia (Expenditures) $7,511,000
Future Biennia (Projected Costs) $0
TOTAL $14,463,000

NEW SECTION. **Sec. 3077. FOR THE DEPARTMENT OF ECOLOGY**
Skagit Mitigation (91000181)
Reappropriation:
State Building Construction Account—State $1,423,000
Prior Biennia (Expenditures) $802,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

NEW SECTION. **Sec. 3078. FOR THE DEPARTMENT OF ECOLOGY**
Protect Communities from Flood and Drought (92000002)
Reappropriation:
State Building Construction Account—State $228,000
Prior Biennia (Expenditures) $14,747,000
Future Biennia (Projected Costs) $0
TOTAL $14,975,000

NEW SECTION. **Sec. 3079. FOR THE DEPARTMENT OF ECOLOGY**
Wastewater Treatment and Water Reclamation (92000041)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $151,000
Prior Biennia (Expenditures) $3,279,000
Future Biennia (Projected Costs) $0
TOTAL $3,430,000

NEW SECTION. **Sec. 3080. FOR THE DEPARTMENT OF ECOLOGY**
Flood Levee Improvements (92000057)
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 503, chapter 1, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $301,000
Local Toxics Control Account—State $2,510,000
Subtotal Reappropriation $2,811,000
Prior Biennia (Expenditures) $5,689,000
Future Biennia (Projected Costs) $0

TOTAL $8,500,000

NEW SECTION. **Sec. 3081. FOR THE DEPARTMENT OF ECOLOGY**

Ground Water Management Yakima Basin (92000061)

Reappropriation:

Columbia River Basin Water Supply Development Account—State $189,000
Prior Biennia (Expenditures) $261,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3082. FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Improvements (92000076)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3081, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental Legacy Stewardship Account—State $91,456,000
Prior Biennia (Expenditures) $8,544,000
Future Biennia (Projected Costs) $0
TOTAL $100,000,000

NEW SECTION. **Sec. 3083. FOR THE DEPARTMENT OF ECOLOGY**

Floodplain Management and Control Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $40,389,000
Prior Biennia (Expenditures) $9,611,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3084. FOR THE DEPARTMENT OF ECOLOGY**

Lower Yakima GWMA Program Development (92000085)

Reappropriation:

State Building Construction Account—State $1,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,614,000

NEW SECTION. **Sec. 3085. FOR THE POLLUTION LIABILITY INSURANCE AGENCY**

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section must be used for projects that provide a benefit to the public through removal, replacement or upgrade of underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and cleanup of contamination caused by legacy petroleum releases. All projects must develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the agency.

(2)(a) $1,800,000 of the appropriation is provided solely to design a capital financial assistance program to provide underground storage tank owners and operators with financial resources to remove, replace or upgrade underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and to clean up contamination caused by legacy petroleum releases.

(b) The design must:

(i) Assess options for program structure and administration, and develop a recommended program design, financial management plan and staffing model;

(ii) Include data and legal analysis of statewide need, availability of existing fund sources for grants and loans, assessment of owner and operator willingness to participate and potential environmental and economic impacts of the loan program.

(iii) As part of the program design, the agency must conduct a pilot demonstration of a capital grant program that includes three study sites with aging tanks, demonstrated impact to either soil or groundwater, or both, and serious financial hardship, as defined in chapter 374-60 WAC. Each study site may not cost more than $600,000.

(3) The agency shall conduct the study in consultation with the office of financial management, and internal and external agency stakeholders.

(4) The agency must provide a final report of the program design, as well as any associated legislative and budget recommendations, to the governor and legislature by October 1, 2015.

Appropriation:

Pollution Liability Insurance Program Trust Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3086. FOR THE STATE PARKS AND RECREATION COMMISSION**

Dosewallips Wastewater Treatment System (30000523)

Reappropriation:

State Building Construction Account—State $27,000

Prior Biennia (Expenditures) $4,505,000
Future Biennia (Projected Costs) $0
TOTAL $4,532,000

NEW SECTION. **Sec. 3087. FOR THE STATE PARKS AND RECREATION COMMISSION**
Lewis & Clark Replace Wastewater System (30000544)
Reappropriation:
State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $382,000
Future Biennia (Projected Costs) $0
TOTAL $1,077,000

NEW SECTION. **Sec. 3088. FOR THE STATE PARKS AND RECREATION COMMISSION**
Deception Pass - Kukutali Access and Interpretation (30000774)
Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $64,000
Future Biennia (Projected Costs) $0
TOTAL $225,000

NEW SECTION. **Sec. 3089. FOR THE STATE PARKS AND RECREATION COMMISSION**
Flaming Geyser State Park Infrastructure (30000810)
Reappropriation:
State Building Construction Account—State $848,000
Prior Biennia (Expenditures) $477,000
Future Biennia (Projected Costs) $0
TOTAL $1,325,000

NEW SECTION. **Sec. 3090. FOR THE STATE PARKS AND RECREATION COMMISSION**
Millersylvania Replace Environmental Learning Center Cabins (30000821)
Reappropriation:
State Building Construction Account—State $481,000
Prior Biennia (Expenditures) $608,000
Future Biennia (Projected Costs) $0
TOTAL $1,089,000

NEW SECTION. **Sec. 3091. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facility and Infrastructure Preservation (30000845)
Reappropriation:
State Building Construction Account—State $1,797,000
Prior Biennia (Expenditures) $8,203,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3092. FOR THE STATE PARKS AND RECREATION COMMISSION**
Wallace Falls Footbridge (91000047)
Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $336,000
Future Biennia (Projected Costs) $0
TOTAL $486,000

NEW SECTION. **Sec. 3093. FOR THE STATE PARKS AND RECREATION COMMISSION**
Spencer Spit Water System Replacement (30000140)
Reappropriation:
State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $288,000
Future Biennia (Projected Costs) $0
TOTAL $983,000

NEW SECTION. **Sec. 3094. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Worden - Housing Areas Exterior Improvements (30000287)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,858,000
TOTAL $3,358,000

NEW SECTION. **Sec. 3095. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane Road Improvements, Stage 2D (30000693)
Appropriation:
State Building Construction Account—State $2,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,400,000

NEW SECTION. **Sec. 3096. FOR THE STATE PARKS AND RECREATION COMMISSION**
Camano Island Day Use Access and Facility Renovation (30000782)
Reappropriation:
State Building Construction Account—State $107,000
Appropriation:
State Building Construction Account—State $1,212,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $1,513,000

NEW SECTION. **Sec. 3097. FOR THE STATE PARKS AND RECREATION COMMISSION**
Belfair Replace Failing Electrical Supply to Main Camp Loop (30000813)
Appropriation:
State Building Construction Account—State $1,180,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,180,000

NEW SECTION. **Sec. 3098. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Flagler - Replace Failing Electrical Power Historic District (30000815)
Appropriation:
State Building Construction Account—State $1,173,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,173,000

NEW SECTION. **Sec. 3099. FOR THE STATE PARKS AND RECREATION COMMISSION**
Kopachuck Day Use Development (30000820)
Reappropriation:
State Building Construction Account—State $10,000
Appropriation:
State Building Construction Account—State $1,341,000
Prior Biennia (Expenditures) $309,000
Future Biennia (Projected Costs) $0
TOTAL $1,660,000

NEW SECTION. **Sec. 3100. FOR THE STATE PARKS AND RECREATION COMMISSION**
Flaming Geyser Day Use Renovation (30000832)
Reappropriation:
State Building Construction Account—State $642,000
Prior Biennia (Expenditures) $360,000
Future Biennia (Projected Costs) $0
TOTAL $1,002,000

NEW SECTION. **Sec. 3101. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Health and Safety (30000839)
Appropriation:
State Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,160,000

NEW SECTION. **Sec. 3102. FOR THE STATE PARKS AND RECREATION COMMISSION**
Twanoh State Park Stormwater Improvements (30000851)
Reappropriation:
State Building Construction Account—State $160,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $354,000

NEW SECTION. **Sec. 3103. FOR THE STATE PARKS AND RECREATION COMMISSION**
Rocky Reach - Trail Development (30000853)
Reappropriation:
State Building Construction Account—State $535,000
Prior Biennia (Expenditures) $3,220,000
Future Biennia (Projected Costs) $0
TOTAL $3,755,000

NEW SECTION. **Sec. 3104. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (30000854)
Reappropriation:
State Building Construction Account—State $767,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $0

TOTAL $1,048,000

NEW SECTION. **Sec. 3105. FOR THE STATE PARKS AND RECREATION COMMISSION**

Clean Vessel Boating Pump-Out Grants (30000856)

Appropriation:

General Fund—Federal $2,600,000
Prior Biennia (Expenditures) $2,600,000
Future Biennia (Projected Costs) $10,400,000
TOTAL $15,600,000

NEW SECTION. **Sec. 3106. FOR THE STATE PARKS AND RECREATION COMMISSION**

Local Grant Authority (30000857)

Appropriation:

Parks Renewal and Stewardship Account—Private/Local $1,000,000
Prior Biennia (Expenditures) $1,200,000
Future Biennia (Projected Costs) $4,000,000
TOTAL $6,200,000

NEW SECTION. **Sec. 3107. FOR THE STATE PARKS AND RECREATION COMMISSION**

Federal Grant Authority (30000858)

Appropriation:

General Fund—Federal $750,000
Prior Biennia (Expenditures) $1,750,000
Future Biennia (Projected Costs) $3,000,000
TOTAL $5,500,000

NEW SECTION. **Sec. 3108. FOR THE STATE PARKS AND RECREATION COMMISSION**

Sequim Bay Address Failing Retaining Wall (30000861)

Appropriation:

State Building Construction Account—State $1,122,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,122,000

NEW SECTION. **Sec. 3109. FOR THE STATE PARKS AND RECREATION COMMISSION**

Mount Spokane - Nordic Area Improvements and Horse Camp Development (30000877)

Appropriation:

State Building Construction Account—State $6,042,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,042,000

NEW SECTION. **Sec. 3110. FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide - Cabins, Yurts, and Associated Park Improvement (30000883)

Appropriation:

State Building Construction Account—State $1,153,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,153,000

NEW SECTION. **Sec. 3111. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fish Barrier Removal (Lawsuit) (30000944)

Appropriation:

State Building Construction Account—State $2,034,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,034,000

NEW SECTION. **Sec. 3112. FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide - Facility and Infrastructure Backlog Reduction (30000946)

Appropriation:

State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,000,000
TOTAL $24,000,000

NEW SECTION. **Sec. 3113. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler - WWI Historic Facilities Preservation (30000100)

Appropriation:

State Building Construction Account—State $5,970,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,970,000

NEW SECTION. **Sec. 3114. FOR THE STATE PARKS AND RECREATION COMMISSION**

Riverside Fisk Property Lake Spokane (Long Lake) Initial Park Access (30000971)

Appropriation:
State Building Construction Account—State $1,072,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,072,000

NEW SECTION. **Sec. 3115. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facilities and Infrastructures (30000947)

Appropriation:
State Building Construction Account—State $11,117,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $250,000
TOTAL $11,367,000

NEW SECTION. **Sec. 3116. FOR THE STATE PARKS AND RECREATION COMMISSION**
Steamboat Rock - Replace Failing Sewage Lift Stations (30000948)

Appropriation:
State Building Construction Account—State $1,229,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,229,000

NEW SECTION. **Sec. 3117. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)

Appropriation:
State Building Construction Account—State $2,557,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,557,000

NEW SECTION. **Sec. 3118. FOR THE STATE PARKS AND RECREATION COMMISSION**
Parkland Acquisition (30000976)

The appropriation in this section is subject to the following conditions and limitations: $225,000 or thereabouts must be used for the purchase of Young Island.

Appropriation:
Parkland Acquisition Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3119. FOR THE STATE PARKS AND RECREATION COMMISSION**
Backlog Repairs and Enhanced Amenities (92000007)

Reappropriation:
State Building Construction Account—State $794,000
Prior Biennia (Expenditures) $8,610,000
Future Biennia (Projected Costs) $0
TOTAL $9,404,000

NEW SECTION. **Sec. 3120. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (20084011)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3146, chapter 520, Laws of 2007.

Reappropriation:
Outdoor Recreation Account—State $291,000
Habitat Conservation Account—State $2,523,000
Subtotal Reappropriation $2,814,000
Prior Biennia (Expenditures) $95,678,000
Future Biennia (Projected Costs) $0
TOTAL $98,492,000

NEW SECTION. **Sec. 3121. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Salmon Recovery Funding Board Programs (20084851)

Reappropriation:
State Building Construction Account—State $639,000
Prior Biennia (Expenditures) $59,361,000
Future Biennia (Projected Costs) $0
TOTAL $60,000,000

NEW SECTION. **Sec. 3122. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (30000002)

Reappropriation:
Farmlands Preservation Account—State $257,000
Outdoor Recreation Account—State $307,000
Riparian Protection Account—State $911,000

Habitat Conservation Account—State $3,672,000
Subtotal Reappropriation $5,147,000
Prior Biennia (Expenditures) $64,298,000
Future Biennia (Projected Costs) $0
TOTAL $69,445,000

NEW SECTION. **Sec. 3123. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000080)

Reappropriation:
State Building Construction Account—State $366,000
Prior Biennia (Expenditures) $32,634,000
Future Biennia (Projected Costs) $0
TOTAL $33,000,000

NEW SECTION. **Sec. 3124. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000138)

Reappropriation:
Recreation Resources Account—State $1,589,000
Prior Biennia (Expenditures) $6,411,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3125. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000139)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:
Farmlands Preservation Account—State $195,000
Outdoor Recreation Account—State $3,694,000
Habitat Conservation Account—State $3,985,000
Subtotal Reappropriation $7,874,000
Prior Biennia (Expenditures) $34,126,000
Future Biennia (Projected Costs) $0
TOTAL $42,000,000

NEW SECTION. **Sec. 3126. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000140)

Reappropriation:
State Building Construction Account—State $3,497,000
General Fund—Federal $23,169,000
Subtotal Reappropriation $26,666,000
Prior Biennia (Expenditures) $43,396,000
Future Biennia (Projected Costs) $0
TOTAL $70,062,000

NEW SECTION. **Sec. 3127. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation Fund (30000142)

Reappropriation:
General Fund—Federal $1,313,000
Prior Biennia (Expenditures) $2,687,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3128. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3B, revised April 10, 2013.

Reappropriation:
Aquatic Lands Enhancement Account—State $845,000
Prior Biennia (Expenditures) $5,616,000
Future Biennia (Projected Costs) $0
TOTAL $6,461,000

NEW SECTION. **Sec. 3129. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000146)

Reappropriation:
General Fund—Federal $1,328,000
Prior Biennia (Expenditures) $3,672,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3130. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account—State $2,975,000
Prior Biennia (Expenditures) $12,025,000
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3131. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account—State $560,000
Prior Biennia (Expenditures) $4,440,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3132. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Farmlands Preservation Account—State $3,218,000
Riparian Protection Account—State $4,973,000
Habitat Conservation Account—State $14,918,000
Outdoor Recreation Account—State $14,918,000
Subtotal Reappropriation $38,027,000
Prior Biennia (Expenditures) $26,973,000
Future Biennia (Projected Costs) $0
TOTAL $65,000,000

NEW SECTION. **Sec. 3133. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $7,886,000
General Fund—Federal $37,278,000
Subtotal Reappropriation $45,164,000
Prior Biennia (Expenditures) $29,836,000
Future Biennia (Projected Costs) $0
TOTAL $75,000,000

NEW SECTION. **Sec. 3134. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000207)

Reappropriation:

Recreation Resources Account—State $3,309,000
Prior Biennia (Expenditures) $3,054,000
Future Biennia (Projected Costs) $0
TOTAL $6,363,000

NEW SECTION. **Sec. 3135. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000208)

Reappropriation:

NOVA Program Account—State $5,100,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3136. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State $3,900,000
Prior Biennia (Expenditures) $2,100,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3137. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:

State Building Construction Account—State $44,058,000
Prior Biennia (Expenditures) $25,942,000
Future Biennia (Projected Costs) $0
TOTAL $70,000,000

NEW SECTION. **Sec. 3138. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:
State Building Construction Account—State $5,500,000
Prior Biennia (Expenditures) $4,500,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3139. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Firearms Range Account—State $315,000
Prior Biennia (Expenditures) $485,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3140. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000214)

Reappropriation:
General Fund—Federal $1,500,000
Prior Biennia (Expenditures) $3,500,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3141. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000215)

Reappropriation:
General Fund—Federal $880,000
Prior Biennia (Expenditures) $1,320,000
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 3142. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000216)

Reappropriation:
General Fund—Federal $3,400,000
Prior Biennia (Expenditures) $600,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3143. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000218)

Reappropriation:
State Building Construction Account—State $990,000
Prior Biennia (Expenditures) $1,010,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3144. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000220)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-2, developed March 27, 2015.

Appropriation:
Farmlands Preservation Account—State $6,500,000
Riparian Protection Account—State $12,500,000
Habitat Conservation Account—State $28,000,000
Outdoor Recreation Account—State $28,000,000
Subtotal Appropriation $75,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $300,000,000
TOTAL $375,000,000

NEW SECTION. **Sec. 3145. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000221)

The appropriation in this section is subject to the following conditions and limitations: $500,000 of the state building construction account—state is provided solely for the city of Bothell to preserve the Wayne golf course land, situated along the Sammamish river and Burke-Gilman trail, for fish habitat.

Appropriation:
State Building Construction Account—State $40,000,000
General Fund—Federal $60,000,000
Subtotal Appropriation $100,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $400,000,000
TOTAL $500,000,000

NEW SECTION. **Sec. 3146. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Boating Facilities Program (30000222)
Appropriation:
Recreation Resources Account—State $9,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $37,800,000
TOTAL $47,160,000

NEW SECTION. **Sec. 3147. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Nonhighway Off-Road Vehicle Activities (30000223)
Appropriation:
NOVA Program Account—State $8,670,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,770,000
TOTAL $43,440,000

NEW SECTION. **Sec. 3148. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Youth Athletic Facilities (30000224)
Appropriation:
State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,000,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3149. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Aquatic Lands Enhancement Account (30000225)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-3, developed March 27, 2015.
Appropriation:
Aquatic Lands Enhancement Account—State $5,000,000
State Building Construction Account—State $4,500,000
Subtotal Appropriation $9,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $26,400,000
TOTAL $35,900,000

NEW SECTION. **Sec. 3150. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Puget Sound Acquisition and Restoration (30000226)
Appropriation:
State Building Construction Account—State $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $200,000,000

NEW SECTION. **Sec. 3151. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Puget Sound Estuary and Salmon Restoration Program (30000227)
Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3152. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Firearms and Archery Range Recreation (30000228)
Appropriation:
Firearms Range Account—State $580,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,320,000
TOTAL $2,900,000

NEW SECTION. **Sec. 3153. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Recreational Trails Program (30000229)
Appropriation:
General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000

TOTAL $25,000,000

NEW SECTION. **Sec. 3154. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000230)

Appropriation:

General Fund—Federal $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,800,000
TOTAL $11,000,000

NEW SECTION. **Sec. 3155. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000231)

Appropriation:

General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3156. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000233)

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3157. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (91000097)

Reappropriation:

State Toxics Control Account—State $1,118,000
Prior Biennia (Expenditures) $8,882,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3158. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Coastal Restoration Grants (91000448)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Black river watershed conservation and restoration	$650,000
Cathlamet selective fisheries	$300,000
Coal creek culvert to bridge	$162,000
Darlin creek conservation and restoration	$1,300,000
Ellsworth creek watershed restoration	$950,000
Greenhead slough barrier removal	$75,000
Improved gears for the lower Columbia fishery	$200,000
Lower Forks creek restoration	$2,150,000
Makah tribe salmon restoration	$174,000
Middle fork Hoquiam culvert correction	$76,000
Middle fork Satsop culvert correction	$97,000
Pulling together: Jobs in restoration	$550,000
Quinault nearshore habitat restoration	$343,000
Restoration of Elochoman and Grays river basins	$535,000
Restoration of prairies and wetlands	$200,000
Satsop river watershed restoration	$150,000
Scammon creek barrier removal	$188,000
West fork Satsop culvert correction	$96,000
Total	**$8,196,000**

Appropriation:

State Building Construction Account—State $8,196,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $8,196,000

NEW SECTION. **Sec. 3159. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Recreation Grants (92000055)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3173, chapter 19, Laws of 2013, 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,942,000
Prior Biennia (Expenditures) $1,688,000
Future Biennia (Projected Costs) $0

TOTAL $3,630,000

NEW SECTION. **Sec. 3160. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Cost Share - State Match (30000009)

Reappropriation:

State Building Construction Account—State..... $800,000

Appropriation:

State Building Construction Account—State..... $2,600,000
Prior Biennia (Expenditures) $1,790,000
Future Biennia (Projected Costs)..... $11,400,000
TOTAL $16,590,000

NEW SECTION. **Sec. 3161. FOR THE STATE CONSERVATION COMMISSION**

Natural Resources Investment for the Economy and Environment (30000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in nonshellfish growing areas.

Reappropriation:

General Fund—Federal..... $1,000,000
State Building Construction Account—State..... $1,250,000
Subtotal Reappropriation $2,250,000

Appropriation:

State Building Construction Account—State..... $5,000,000
Prior Biennia (Expenditures) $7,750,000
Future Biennia (Projected Costs)..... $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3162. FOR THE STATE CONSERVATION COMMISSION**

CREP PIP Loan Program (30000011)

Reappropriation:

Conservation Assistance Revolving Account—State $150,000
Prior Biennia (Expenditures) $30,000
Future Biennia (Projected Costs)..... $400,000
TOTAL $580,000

NEW SECTION. **Sec. 3163. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Contract Funding (30000012)

Reappropriation:

State Building Construction Account—State..... $500,000

Appropriation:

State Building Construction Account—State..... $1,000,000
Prior Biennia (Expenditures) $1,731,000
Future Biennia (Projected Costs)..... $8,924,000
TOTAL $12,155,000

NEW SECTION. **Sec. 3164. FOR THE STATE CONSERVATION COMMISSION**

Match for Federal RCPP Program (30000017)

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—federal appropriation is provided solely for implementation of the five conservation projects in Washington state approved for grant awards as part of the United States department of agriculture regional conservation partnership program authorized under the 2014 farm bill:

(a) Palouse river watershed implementation partnership;

(b) Precision conservation for salmon and water quality in the Puget Sound;

(c) Upper Columbia irrigation enhancement project;

(d) Yakama nation on-reservation lower Yakima basin restoration project; and

(e) Confederated tribes of the Colville reservation water quality and habitat improvement project.

(2) The state building construction account—state is provided solely for state match to the United States department of agriculture regional conservation partnership program.

Appropriation:

State Building Construction Account—State..... $5,000,000
General Fund—Federal..... $23,000,000
Subtotal Appropriation..... $28,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $28,000,000

NEW SECTION. **Sec. 3165. FOR THE STATE CONSERVATION COMMISSION**

Improve Shellfish Growing Areas (30000018)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in shellfish growing areas.

Appropriation:

State Building Construction Account—State..... $4,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3166. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $7,004,000

Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $3,491,000
Future Biennia (Projected Costs) $21,454,000
TOTAL $41,949,000

NEW SECTION. **Sec. 3167. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Voights Creek Hatchery (20081003)

Reappropriation:
State Building Construction Account—State $3,398,000
Prior Biennia (Expenditures) $11,899,000
Future Biennia (Projected Costs) $0
TOTAL $15,297,000

NEW SECTION. **Sec. 3168. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

Appropriation:
State Wildlife Account—State $600,000
Prior Biennia (Expenditures) $1,080,000
Future Biennia (Projected Costs) $2,400,000
TOTAL $4,080,000

NEW SECTION. **Sec. 3169. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitigation Projects and Dedicated Funding (20082048)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3191, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Wildlife Account—State $500,000
Special Wildlife Account—Private/Local $1,077,000
General Fund—Private/Local $1,866,000
General Fund—Federal $27,008,000
Subtotal Reappropriation $30,451,000

Appropriation:
State Wildlife Account—State $500,000
General Fund—Private/Local $1,000,000
Special Wildlife Account—Federal $1,000,000
Special Wildlife Account—Private/Local $1,000,000
General Fund—Federal $9,000,000
Subtotal Appropriation $12,500,000
Prior Biennia (Expenditures) $104,524,000
Future Biennia (Projected Costs) $54,000,000
TOTAL $201,475,000

NEW SECTION. **Sec. 3170. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Lake Rufus Woods Fishing Access (91000151)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,000,000
TOTAL $3,000,000

NEW SECTION. **Sec. 3171. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000727)

Appropriation:
State Building Construction Account—State $9,780,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $80,000,000
TOTAL $89,780,000

NEW SECTION. **Sec. 3172. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)

Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $4,300,000

NEW SECTION. **Sec. 3173. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Wooten Wildlife Area Improve Flood Plain (30000481)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3207, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $106,000
General Fund—Federal $1,000,000
Subtotal Reappropriation $1,106,000

Appropriation:
General Fund—Federal $2,600,000
State Building Construction Account—State $2,000,000
Subtotal Appropriation $4,600,000
Prior Biennia (Expenditures) $1,994,000
Future Biennia (Projected Costs) $12,722,000
TOTAL $20,422,000

NEW SECTION. **Sec. 3174. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puyallup Hatchery Rebuild (30000589)

Appropriation:
State Building Construction Account—State $571,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,177,000
TOTAL $9,748,000

NEW SECTION. **Sec. 3175. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Spring Hatchery Renovation (30000214)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,722,000
TOTAL $12,222,000

NEW SECTION. **Sec. 3176. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Samish Hatchery Intakes (30000276)

Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,221,000
TOTAL $4,921,000

NEW SECTION. **Sec. 3177. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minter Hatchery Intakes (30000277)

Appropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $7,948,000
TOTAL $8,198,000

NEW SECTION. **Sec. 3178. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hoodsport Hatchery Adult Pond Renovation (30000686)

Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,346,000
TOTAL $4,046,000

NEW SECTION. **Sec. 3179. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Nasselle Hatchery Renovation (30000671)

Appropriation:
State Building Construction Account—State $275,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,556,000
TOTAL $13,831,000

NEW SECTION. **Sec. 3180. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Replace Fire Damaged Fencing (30000655)

Reappropriation:
State Building Construction Account—State $1,225,000
Prior Biennia (Expenditures) $387,000
Future Biennia (Projected Costs) $0
TOTAL $1,612,000

NEW SECTION. **Sec. 3181. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Soos Creek Hatchery Renovation (30000661)
Appropriation:
State Building Construction Account—State $17,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,103,000
TOTAL $26,103,000

NEW SECTION. **Sec. 3182. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Edmonds Pier Renovation (30000664)
Appropriation:
State Building Construction Account—State $800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3183. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Marblemount Hatchery - Renovating Jordan Creek Intake (30000666)
Appropriation:
State Building Construction Account—State $2,293,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,293,000

NEW SECTION. **Sec. 3184. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Lake Whatcom Hatchery - Replace Intake and Pipeline (30000667)
Appropriation:
State Building Construction Account—State $1,354,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,354,000

NEW SECTION. **Sec. 3185. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Fir Island Farm Estuary Restoration Project (30000673)
Appropriation:
State Building Construction Account—State $500,000
General Fund—Federal $15,500,000
Subtotal Appropriation $16,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $16,000,000

NEW SECTION. **Sec. 3186. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works - Programmatic (30000682)
Appropriation:
General Fund—Federal $375,000
State Building Construction Account—State $725,000
Subtotal Appropriation $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 3187. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Eells Springs Production Shift (30000723)
Appropriation:
State Building Construction Account—State $4,620,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,620,000

NEW SECTION. **Sec. 3188. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Mitchell Act Federal Grant (91000021)
Reappropriation:
General Fund—Federal $1,014,000
Prior Biennia (Expenditures) $1,986,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 3189. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Fishway Improvements/Diversions (91000033)
Reappropriation:
State Building Construction Account—State $7,003,000
Prior Biennia (Expenditures) $997,000
Future Biennia (Projected Costs) $0

TOTAL $8,000,000

NEW SECTION. **Sec. 3190. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account—State $16,109,000
Prior Biennia (Expenditures) $18,666,000
Future Biennia (Projected Costs) $0
TOTAL $34,775,000

NEW SECTION. **Sec. 3191. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Access Sites (91000044)

Reappropriation:

State Building Construction Account—State $2,518,000
Prior Biennia (Expenditures) $4,888,000
Future Biennia (Projected Costs) $0
TOTAL $7,406,000

NEW SECTION. **Sec. 3192. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Fish Passage Barriers (Culverts) (91000045)

Reappropriation:

State Building Construction Account—State $515,000
Prior Biennia (Expenditures) $980,000
Future Biennia (Projected Costs) $0
TOTAL $1,495,000

NEW SECTION. **Sec. 3193. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account—State $390,000
Prior Biennia (Expenditures) $290,000
Future Biennia (Projected Costs) $0
TOTAL $680,000

NEW SECTION. **Sec. 3194. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs Development (92000026)

Reappropriation:

State Building Construction Account—State $640,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $1,891,000

NEW SECTION. **Sec. 3195. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs (92000034)

Reappropriation:

State Building Construction Account—State $497,000
Prior Biennia (Expenditures) $3,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3196. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000479)

Reappropriation:

State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $7,475,000
Future Biennia (Projected Costs) $0
TOTAL $9,975,000

NEW SECTION. **Sec. 3197. FOR THE PUGET SOUND PARTNERSHIP**

Community Partnership Restoration Grants (30000007)

Reappropriation:

General Fund—Federal $1,575,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $1,625,000

NEW SECTION. **Sec. 3198. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Land Acquisition Grants (20052021)

Reappropriation:

General Fund—Federal $2,360,000

Appropriation:

General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $82,158,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $109,518,000

NEW SECTION. **Sec. 3199. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Legacy (30000060)

Reappropriation:

General Fund—Federal..... $4,020,000

Appropriation:

General Fund—Federal..... $14,000,000
Prior Biennia (Expenditures)..... $16,980,000
Future Biennia (Projected Costs)..... $56,000,000
TOTAL..... $91,000,000

NEW SECTION. **Sec. 3200. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Riparian Easement Program (30000198)

Appropriation:

State Building Construction Account—State..... $3,500,000
Prior Biennia (Expenditures)..... $2,999,000
Future Biennia (Projected Costs)..... $14,000,000
TOTAL..... $20,499,000

NEW SECTION. **Sec. 3201. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer (30000200)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely to the department to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, DNR community forest open space, or recreation purposes. The approved list of properties for lease or transfer is identified in the LEAP capital document No. 2015-4, developed March 27, 2015.

(2) Property transferred under this section must be appraised and transferred at fair market value. By September 30, 2015, the department must deposit in the common school construction account the portion of the appropriation in this section that represents the estimated value of the timber on the transferred properties. This transfer must be made in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The portion of the appropriation in this section that represents the value of the land transferred must be deposited in the natural resources real property replacement account.

(3) Property subject to lease agreements under this section must be appraised at fair market value. Lease terms must be fifty years with options to renew for an additional fifty years. Lease payments must be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and must be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. No later than September 30, 2015, the department must transfer to the common school construction account the portion of the appropriation in this section that is attributable to receipts from lease payments.

(4) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs and may not exceed one and nine-tenths percent of the appropriation.

(5) Intergrant exchanges between common school and other trust lands of equal value may occur if the exchange is in the interest of each trust, as determined by the board of natural resources.

(6) Prior to or concurrent with conveyance of these properties, the department, with full cooperation of the receiving agencies, shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Lease agreements for properties identified in subsection (1) of this section must include terms that restrict use of the property to the intended purpose for the term of the lease. Transfer and lease agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(7) The department and receiving agencies shall work in good faith to carry out the intent of this section. However, the department or receiving agencies may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the common school trust or the receiving agency.

(8) $26,422,000 of the appropriation must be deposited in the common school construction account by September 30, 2015. The department shall execute trust land transfers so that after the deduction of reasonable costs as provided in subsection (4) of this section on an aggregate basis eighty percent or more of the total appropriation value is timber value or lease payments and is deposited in the common school construction account. To achieve the eighty percent requirement, the department may choose to lease properties originally intended as transfers or transfer properties originally intended as leases.

(9) By June 30, 2017, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:

State Building Construction Account—State..... $37,746,000
Prior Biennia (Expenditures)..... $115,735,000
Future Biennia (Projected Costs)..... $240,000,000
TOTAL..... $393,481,000

NEW SECTION. **Sec. 3202. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Sustainable Recreation (30000207)

Appropriation:

State Building Construction Account—State..... $4,600,000

Prior Biennia (Expenditures) $2,500,000
Future Biennia (Projected Costs) $18,400,000
TOTAL $25,500,000

NEW SECTION. **Sec. 3203. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Road Maintenance and Abandonment Plans (RMAP) (30000211)

Reappropriation:
State Building Construction Account—State $138,000
Prior Biennia (Expenditures) $1,862,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3204. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Community Forest Trust (30000217)

Appropriation:
State Building Construction Account—State $3,442,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,442,000

NEW SECTION. **Sec. 3205. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Rivers and Habitat Open Space Program (30000221)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $500,000
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,500,000

NEW SECTION. **Sec. 3206. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Replacement (30000222)

Appropriation:
Nat Res Real Property Replacement—State $15,000,000
Resources Management Cost Account—State $15,000,000
Subtotal Appropriation $30,000,000
Prior Biennia (Expenditures) $50,500,000
Future Biennia (Projected Costs) $242,000,000
TOTAL $322,500,000

NEW SECTION. **Sec. 3207. FOR THE DEPARTMENT OF NATURAL RESOURCES**

State Forest Land Replacement (30000223)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in counties with a population of twenty-five thousand or less which are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The total appropriation is to be used equally for the transfer of qualifying state forest lands in the qualifying counties.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forest land, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. The department shall identify eligible properties for transfer, consistent with subsection (1) of this section, in consultation with the applicable counties, and may not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $1,500,000
Future Biennia (Projected Costs) $6,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3208. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Hazard Reduction (30000224)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for forest health restoration treatments on state lands. The appropriation may be used for project planning, site preparation, permitting, mechanical treatments, thinning treatments, or prescribed burning.

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $4,000,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $29,000,000

NEW SECTION. **Sec. 3209. FOR THE DEPARTMENT OF NATURAL RESOURCES**

DNR Olympic Region Shop Fire Recovery (30000225)
Appropriation:
State Building Construction Account—State $544,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $544,000

NEW SECTION. **Sec. 3210. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Blanchard Working Forest (30000231)
Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $5,500,000
TOTAL $7,500,000

NEW SECTION. **Sec. 3211. FOR THE DEPARTMENT OF NATURAL RESOURCES**
2015-2017 Minor Works Programmatic (30000237)
Appropriation:
State Building Construction Account—State $540,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $540,000

NEW SECTION. **Sec. 3212. FOR THE DEPARTMENT OF NATURAL RESOURCES**
2015-2017 Minor Works Preservation (30000238)
Appropriation:
State Building Construction Account—State $4,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3213. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Contaminated Sites Cleanup and Settlement (30000240)
The appropriation in this section is subject to the following conditions and limitations:
(1) $261,000 is provided solely for the state's share of liability under the model toxics control act for the cleanup of lead contamination at a rock pit now owned by plum creek timber company.
(2) $95,000 is provided solely for the contaminated soils cleanup at the Cedar creek correction center.
(3) $125,000 is provided solely for the webster nursery pesticides and groundwater cleanup.
(4) $375,000 is provided solely for the underground storage tank cleanup of contaminated soils of an old fueling station at the department of natural resources, SE region headquarters' parking lot that is within the city of Ellensburg new drinking water supply wellhead protection area.
Appropriation:
Environmental Legacy Stewardship Account—State $856,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $856,000

NEW SECTION. **Sec. 3214. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Natural Areas Facilities Preservation and Access (30000241)
Appropriation:
State Building Construction Account—State $3,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $11,100,000

NEW SECTION. **Sec. 3215. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Road Maintenance and Abandonment Plan (RMAP) (91000040)
Reappropriation:
State Building Construction Account—State $240,000
Appropriation:
State Building Construction Account—State $7,900,000
Prior Biennia (Expenditures) $6,594,000
Future Biennia (Projected Costs) $2,524,000
TOTAL $17,258,000

NEW SECTION. **Sec. 3216. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Puget Sound Corps (91000046)
The appropriation in this section is subject to the following conditions and limitations: $1,200,000 of the state building construction account—state is provided solely for implementation of Substitute Senate Bill No. 5166 (concerning the management of forage fish resources). If the bill is not enacted by June 30, 2015, the amount provided in this subsection shall lapse.
Reappropriation:
Aquatic Lands Enhancement Account—State $200,000
Appropriation:

State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $12,800,000
Future Biennia (Projected Costs) $24,000,000
TOTAL $43,000,000

NEW SECTION. **Sec. 3217. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Barbeque Flats Road Access (91000081)

Reappropriation:
State Building Construction Account—State $480,000
Prior Biennia (Expenditures) $20,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3218. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Quinault Coastal Forest and Watershed Restoration Grant (92000019)

Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3219. FOR THE DEPARTMENT OF AGRICULTURE**

Animal Disease Traceability (91000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to work with industry partners to continue and to enhance development of the in-state animal disease traceability system. The reappropriation shall be used to develop or enhance electronic cattle transaction reporting, electronic certificate of veterinary inspection, and, as resources permit, electronic livestock inspection systems.

Reappropriation:
Public Facility Construction Loan Revolving Account—State $249,000
Prior Biennia (Expenditures) $632,000
Future Biennia (Projected Costs) $0
TOTAL $881,000

PART 4
TRANSPORTATION

NEW SECTION. **Sec. 4001. FOR THE WASHINGTON STATE PATROL**

FTA Access Road Reconstruction (30000059)

Appropriation:
Fire Service Training Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $950,000
TOTAL $1,950,000

NEW SECTION. **Sec. 4002. FOR THE WASHINGTON STATE PATROL**

Fire Training Academy Burn Building Replacement (30000071)

Reappropriation:
Fire Service Training Account—State $200,000

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0
TOTAL $6,500,000

PART 5
EDUCATION

NEW SECTION. **Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pierce County Skills Center (20084856)

Reappropriation:
State Building Construction Account—State $5,432,000
Prior Biennia (Expenditures) $30,083,000
Future Biennia (Projected Costs) $0
TOTAL $35,515,000

NEW SECTION. **Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2009-11 School Construction Asst. Grant Program (30000031)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Common School Construction Account—State $7,968,000
Prior Biennia (Expenditures) $389,161,000
Future Biennia (Projected Costs) $0
TOTAL $397,129,000

NEW SECTION. **Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2011-13 School Construction Assistance Program (30000071)

Reappropriation:

Common School Construction Account—State $59,299,000
Prior Biennia (Expenditures) $497,839,000
Future Biennia (Projected Costs) $0
TOTAL $557,138,000

NEW SECTION. **Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State $2,060,000
Prior Biennia (Expenditures) $21,503,000
Future Biennia (Projected Costs) $0
TOTAL $23,563,000

NEW SECTION. **Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account—State $338,000
Prior Biennia (Expenditures) $11,181,000
Future Biennia (Projected Costs) $0
TOTAL $11,519,000

NEW SECTION. **Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account—State $1,183,000
Prior Biennia (Expenditures) $18,225,000
Future Biennia (Projected Costs) $0
TOTAL $19,408,000

NEW SECTION. **Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $6,801,000
Future Biennia (Projected Costs) $0
TOTAL $7,901,000

NEW SECTION. **Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2013-15 School Construction Assistance Program - Maintenance (30000145)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $154,741,000
Common School Construction Account—State $100,456,000
Subtotal Reappropriation $255,197,000
Prior Biennia (Expenditures) $132,250,000
Future Biennia (Projected Costs) $0
TOTAL $387,447,000

NEW SECTION. **Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center East Growth (30000159)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $1,702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,702,000

NEW SECTION. **Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Building 100 Modernization (30000160)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Clark county skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $300,000

NEW SECTION. **Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center Core Growth (30000161)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $325,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $325,000

NEW SECTION. **Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Capital Program Administration (30000165)

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent of public instruction will publish to its web site and report to the office of financial management, the appropriate committees of the legislature, and the legislative evaluation and accountability program a list of local school district projects submitted for school construction assistance within seven business days of the grant program deadline. The report must be updated within seven days following the superintendent of public instruction's final grant award decisions. The report must include, but not be limited to:

(a) School district;

(b) Project name;

(c) Estimated square footage by proposed project type;

(d) Estimated total of all project costs and estimated total construction contract cost;

(e) Funding sources and election dates, if applicable; and

(f) Intent to front-fund the project.

(2) The superintendent of public instruction will provide to the office of financial management and the legislative evaluation and accountability program committee in electronic database form the following:

(a) Study and survey information beginning with grants awarded July 1, 2015; and

(b) All available inventory and condition of schools data.

Appropriation:

Common School Construction Account—State $2,924,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,244,000
TOTAL $15,168,000

NEW SECTION. **Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 Energy Grants (30000167)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) Grants shall be awarded for projects that use the energy savings performance contracting method under chapter 39.35C RCW or an equivalent method of evaluating and delivering energy operational costs savings improvements.

(b) Projects that do not use energy savings performance contracting must: (i) Verify energy and operational cost savings for ten years or until the energy and operational costs savings pay for the project, whichever is shorter; (ii) follow the department of enterprise service's energy savings performance contracting method guidelines; and (iii) employ a licensed engineer for the energy audit, design, and construction.

(c) The office of the superintendent of public instruction may require third-party verification of savings if a project is not implemented by an energy savings performance contracting method as outlined in chapter 39.35C RCW. If required, third-party verification must be conducted either by an energy savings performance contractor qualified by the department of enterprise services, or a licensed engineer that is a certified energy manager.

(2) Projects must be weighted and prioritized based on the following criteria and in the following order: (a) Healthiest next generation initiative: Priority consideration shall be given to applicants that demonstrate improved health and safety through (i) reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington state university extension energy program; (b) prior grant award: Priority consideration must be given to applicants that did not receive grant awards from appropriations provided in section 5023, chapter 19, Laws of 2013 2nd sp. sess.; (c) leverage ratio: The higher the leverage ratio of guaranteed energy savings and utility or other incentives to state grant, the higher the project ranking; (d) energy savings: The higher the simple payback for energy savings, not to exceed the useful life of the energy conservation measure, the higher the project ranking; and (e) persistence: The more extensively a project ensures the persistence of energy operational cost savings through ongoing measurement, verification, and reporting over the life of a project, the higher the project ranking.

(3) In order to be eligible for energy cost savings grants under this section, school districts must complete an investment grade audit prior to application or have completed an audit in the 2015-2017 biennium.

(4)(a) The superintendent of public instruction must pay one-half of the preliminary audit, up to five cents per square foot, if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the other one-half of the cost of the preliminary audit if the project does not meet their predetermined cost-effectiveness criteria.

(b) The energy savings performance contractor may not charge for an investment grade audit if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the full price of an investment grade audit if they do not proceed with a project that meets the school district's predetermined cost-effectiveness criteria.

(5) Applicants must submit documentation that demonstrates energy and operational cost savings resulting from the installation of the energy equipment and improvements. The energy savings analysis must be performed by a licensed engineer and the documentation must include, but is not limited to, the following:

(a) A description of the energy equipment and improvements; and

(b) A description of the energy and operational cost savings.

(6) Each school district is limited to one grant award and no more than $1,000,000.

(7) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(8) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State..... $8,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $40,000,000
TOTAL..... $48,000,000

NEW SECTION. **Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) $771,000 of the common school construction account—state is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(2) $990,000 of the common school construction account—state is provided solely for the Spokane valley technical skills center to construct five science classrooms.

(3) The office of the superintendent of public instruction, in consultation with the technical advisory committee, must develop a formula-based method of allocating energy incentives that would be administered through the school construction assistance program to increase energy efficiency and the use of renewable resources. The recommended formula-based method must be submitted to the office of financial management and the appropriate committees of the legislature by December 31, 2015.

(4) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to reduce kindergarten through third grade class sizes in remaining schools.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. For purposes of determining state funding assistance, eligible area must be calculated as follows: (a) Eligible area for STEM pilot projects is one thousand, four hundred, forty square feet per science lab and/or classroom combination; and one thousand, forty square feet per science classroom. Total eligible area per STEM pilot project must not exceed fourteen thousand, four hundred square feet; (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget. Eligible area for the Spokane Valley Technical Skills Center must not exceed five thousand, four hundred square feet, and; (c) eligible area for replacement of the cafeteria at Marysville-Pilchuck high school is ten thousand, five hundred square feet.

Appropriation:

State Building Construction Account—State..... $387,667,000
Common School Construction Account—State..... $235,162,000
Common School Construction Account—Federal..... $4,650,000
Subtotal Appropriation..... $627,479,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $3,637,893,000
TOTAL..... $4,265,372,000

NEW SECTION. **Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Full Day Kindergarten Capacity Grants (30000174)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for providing space to support full-day kindergarten enrollment to those school districts with a demonstrated need. Grants may be applied for new construction, portable classrooms, or retrofits to existing facilities to accommodate kindergarten enrollment.

(2) The office of the superintendent of public instruction shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following: (a) Prioritizing districts eligible to receive the grant to those that have a lower ending fund balance; (b) considering a district's ability to raise funds through levies or bonds in the prior ten year period; (c) prioritizing projects that will provide full-day kindergarten at high poverty schools; and (d) requiring any district receiving funding provided in this section to demonstrate an inability to provide space for full-day kindergarten enrollment within existing school facilities.

(3) Portable classrooms funded through this grant program do not count against a district's eligibility for the school construction assistance program.

(4) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the portables being financed.

Appropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $10,000,000

NEW SECTION. **Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids - Healthy Schools Grants (91000406)

The appropriation in this section is subject to the following conditions and limitations:

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following: (a) Districts or schools may apply for grants but no single district may receive more than $200,000 of the appropriation; (b) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facilities' needs; (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to support Washington's healthiest next generation efforts; and (d) prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(2) A maximum of $2,000,000 of the appropriation is for competitive equipment assistance grants consistent with chapter . . ., Laws of 2015 (House Bill No. 1164).

(3) A maximum of $1,000,000 of the appropriation is for the purchase and installation of water bottle filling stations.

(4) The remainder of the appropriation may be used to purchase equipment or make repairs and renovations related to improving children's health and may include, but are not limited to, the following: (a) Fitness playground equipment, covered play, physical education equipment or related structures or renovation; (b) garden related structures and greenhouses to provide students access to fresh produce; and (c) kitchen equipment or upgrades.

(5) If grant applications for purposes of subsections (2) and (3) of this section are insufficient to exhaust the maximum amounts specified in those subsections, the remaining amounts may be expended for purposes of subsection (4) of this section.

(6) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000017)

Reappropriation:
State Building Construction Account—State $415,000
Prior Biennia (Expenditures) $39,585,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000024)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000025)

Reappropriation:
State Building Construction Account—State $4,186,000
Prior Biennia (Expenditures) $2,814,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

San Juan Island School District STEM Vocational Bldg Renovation (91000027)

Reappropriation:
State Building Construction Account—State $166,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 5021. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Wenatchee Valley Skills Center (92000004)

Reappropriation:
State Building Construction Account—State $2,167,000
Prior Biennia (Expenditures) $7,333,000
Future Biennia (Projected Costs) $0
TOTAL $9,500,000

NEW SECTION. **Sec. 5022. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEWTECH (Spokane Area Professional-Technical Skills Center) (92000005)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to NEWTECH (Spokane area professional-technical skills center) in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Reappropriation:
State Building Construction Account—State..... $7,786,000
Appropriation:
School Construction and Skill Centers Building Account..... $500,000
Prior Biennia (Expenditures)..... $5,901,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $14,187,000

NEW SECTION. **Sec. 5023. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Puget Sound Skills Center (92000007)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Puget Sound skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:
State Building Construction Account—State..... $3,600,000
Prior Biennia (Expenditures)..... $1,500,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,100,000

NEW SECTION. **Sec. 5024. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Distressed Schools (92000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 602, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State..... $510,000
Prior Biennia (Expenditures)..... $26,890,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $27,400,000

NEW SECTION. **Sec. 5025. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Yakima Valley Technical Skills Center Sunnyside Satellite (92000013)

Reappropriation:
State Building Construction Account—State..... $343,000
Prior Biennia (Expenditures)..... $5,882,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $6,225,000

NEW SECTION. **Sec. 5026. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
School Security Improvement Grants (92000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State..... $5,756,000
Prior Biennia (Expenditures)..... $900,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $6,656,000

NEW SECTION. **Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Delta High School (92000017)

Reappropriation:
State Building Construction Account—State..... $3,227,000
Prior Biennia (Expenditures)..... $2,173,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,400,000

NEW SECTION. **Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
STEM Pilot Program (91000402)

The appropriation in this section is subject to the following conditions and limitations:

(1) The amounts in this section are provided solely for the superintendent of public instruction to provide STEM pilot project grants to school districts. These grants constitute the districts' local funding for purposes of eligibility for the school construction assistance program under RCW 28A.525.166. Subject to the terms in this section, school districts are eligible to receive grants if they have a special housing burden due to lack of sufficient space for science classrooms and labs to enable students to meet statutory graduation requirements.

(2) The superintendent shall award grants to eligible school districts under the following conditions:

(a) A district must demonstrate a lack of sufficient space of science classrooms and labs to facilitate meeting statutory graduation requirements;

(b) The district has secured private donations of cash, like-kind, or equipment in a value of no less than two-hundred fifty thousand dollars. Before the superintendent may provide funding assistance through the school construction assistance program, the district must provide verification of the donation to the superintendent;

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the Cascade mountains.

(3) The superintendent, in consultation with the Washington STEM education innovation alliance, shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that secure private donations of cash, like-kind, or equipment in value no less than two-hundred fifty thousand dollars weighted by the ratio of school district enrollments to value of donation;

(b) A district's ability to raise funds through levies or bonds in the prior ten-year period; and

(c) Priority for applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(4) For purposes of grant applications made in the 2015-2017 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction for (a) five years following acceptance of the project by the school district board of directors, or (b) the date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors; whichever date is earliest.

(5) Each school district is limited to one grant award of no more than $3,000,000.

(6) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(7) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $15,000,000

NEW SECTION. **Sec. 5029. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000404)

The appropriation in this section is subject to the following conditions and limitations:

(1) $10,000,000 of the appropriation in this section is provided solely for renovations of Magnolia elementary school and E.C. Hughes elementary school.

(2) $5,000,000 of the appropriation is provided solely for the replacement of the Marysville Pilchuck high school cafeteria.

Appropriation:

State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $15,000,000

NEW SECTION. **Sec. 5030. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000033)

Reappropriation:

State Building Construction Account—State..... $100,000
Prior Biennia (Expenditures)..... $400,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $500,000

NEW SECTION. **Sec. 5031. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000088)

Appropriation:

State Building Construction Account—State..... $820,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $1,920,000
TOTAL..... $2,740,000

NEW SECTION. **Sec. 5032. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Public Works (30000023)

Reappropriation:

State Building Construction Account—State..... $972,000
Prior Biennia (Expenditures)..... $28,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,000,000

NEW SECTION. **Sec. 5033. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Works - Preservation (30000025)

Appropriation:

State Building Construction Account—State..... $500,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $2,000,000
TOTAL..... $2,500,000

NEW SECTION. **Sec. 5034. FOR THE UNIVERSITY OF WASHINGTON**

Denny Hall Renovation (20081002)

Reappropriation:

State Building Construction Account—State $27,300,000
Prior Biennia (Expenditures) $5,590,000
Future Biennia (Projected Costs) $0
TOTAL $32,890,000

NEW SECTION. **Sec. 5035. FOR THE UNIVERSITY OF WASHINGTON**
Lewis Hall Renovation (20081003)
Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $3,915,000
Future Biennia (Projected Costs) $0
TOTAL $4,065,000

NEW SECTION. **Sec. 5036. FOR THE UNIVERSITY OF WASHINGTON**
Burke Museum (20082850)
Reappropriation:
State Building Construction Account—State $650,000
Appropriation:
State Building Construction Account—State $26,000,000
Prior Biennia (Expenditures) $3,150,000
Future Biennia (Projected Costs) $0
TOTAL $29,800,000

NEW SECTION. **Sec. 5037. FOR THE UNIVERSITY OF WASHINGTON**
Health Sciences Education Phase I - T-Wing Renovation/Addition (30000486)
Appropriation:
State Building Construction Account—State $623,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $93,377,000
TOTAL $94,000,000

NEW SECTION. **Sec. 5038. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Bothell (30000378)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $57,600,000
TOTAL $58,100,000

NEW SECTION. **Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Minor Capital Repairs - Preservation (30000494)
Reappropriation:
University of Washington Building Account—State $4,200,000
Prior Biennia (Expenditures) $42,554,000
TOTAL $46,754,000

NEW SECTION. **Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON**
School of Nursing Simulation Learning Lab (30000600)
Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON**
Health Sciences Interprofessional Education Classroom Phase I (30000602)
Appropriation:
State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON**
Computer Science and Engineering Expansion (30000603)
Appropriation:
State Building Construction Account—State $6,033,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $33,967,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5043. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Minor Capital Repairs - Preservation (30000604)
Appropriation:
University of Washington Building Account—State $43,175,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $172,700,000
TOTAL $215,875,000

NEW SECTION. **Sec. 5044. FOR THE UNIVERSITY OF WASHINGTON**
Preventive Facility Maintenance and Building System Repairs (30000714)
Appropriation:
University of Washington Building Account—State $25,825,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $103,300,000
TOTAL $129,125,000

NEW SECTION. **Sec. 5045. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Urban/Science Education Facility (91000014)
Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,400,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 5046. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Campus Soil Remediation (92000002)
Appropriation:
State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 5047. FOR THE WASHINGTON STATE UNIVERSITY**
Washington State University Pullman - Troy Hall Renovation (20061030)
Reappropriation:
State Building Construction Account—State $850,000
Washington State University Building Account—State $400,000
Subtotal Reappropriation $1,250,000
Appropriation:
State Building Construction Account—State $30,282,000
Prior Biennia (Expenditures) $771,000
Future Biennia (Projected Costs) $0
TOTAL $32,303,000

NEW SECTION. **Sec. 5048. FOR THE WASHINGTON STATE UNIVERSITY**
Clean Technology Laboratory (30000069)
Reappropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $24,835,000
Future Biennia (Projected Costs) $0
TOTAL $32,835,000

NEW SECTION. **Sec. 5049. FOR THE WASHINGTON STATE UNIVERSITY**
2013-15 Minor Works - Preservation, Safety, and Infrastructure (30000849)
Reappropriation:
State Building Construction Account—State $650,000
Washington State University Building Account—State $1,720,000
Subtotal Reappropriation $2,370,000
Prior Biennia (Expenditures) $26,194,000
Future Biennia (Projected Costs) $0
TOTAL $28,564,000

NEW SECTION. **Sec. 5050. FOR THE WASHINGTON STATE UNIVERSITY**
2015-17 Minor Works - Preservation (30001188)
Appropriation:
Washington State University Building Account—State $41,885,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $134,340,000

TOTAL $176,225,000

NEW SECTION. **Sec. 5051. FOR THE WASHINGTON STATE UNIVERSITY**

Washington State University Tri-Cities - Academic Building (30001190)

Appropriation:

State Building Construction Account—State..... $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $68,600,000
TOTAL $69,000,000

NEW SECTION. **Sec. 5052. FOR THE WASHINGTON STATE UNIVERSITY**

Global Animal Health Building (30001322)

Appropriation:

State Building Construction Account—State..... $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $59,400,000
TOTAL $61,300,000

NEW SECTION. **Sec. 5053. FOR THE WASHINGTON STATE UNIVERSITY**

Preventive Facility Maintenance and Building System Repairs (30001324)

Appropriation:

Washington State University Building Account—
State $10,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,115,000

NEW SECTION. **Sec. 5054. FOR THE WASHINGTON STATE UNIVERSITY**

Everett University Center (91000026)

Reappropriation:

State Building Construction Account—State..... $4,000,000

Appropriation:

State Building Construction Account—State..... $54,563,000
Prior Biennia (Expenditures) $6,000,000
Future Biennia (Projected Costs) $0
TOTAL $64,563,000

NEW SECTION. **Sec. 5055. FOR THE WASHINGTON STATE UNIVERSITY**

Joint Center for Deployment and Research in Earth Abundant Materials (91000029)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding is provided solely for capital improvements, infrastructure, and equipment, to support: (a) A transformative program in earth-abundant materials to accelerate the development of next generation clean energy and transportation technologies in Washington; (b) a coordinated framework and resources that can facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the use of earth-abundant materials for manufactured clean technologies or recycling of advanced materials used in clean technologies; and (c) environmentally responsible processes in the areas of manufacturing and recycling of advanced materials used in clean technologies.

(2) Administration of the appropriation is under the joint authority of the Washington State University and the University of Washington. Washington State University and the University of Washington, in consultation with the regional universities, the Pacific Northwest national laboratory, and industry experts, shall develop criteria for providing funding for specific projects at public four-year institutions of higher education to stay within the appropriation level provided in this section. Funding for administrative offices may be provided for administrative offices west of the crest of the Cascade mountains only.

(3) The office of the state treasurer must manage the issuance of bonds associated with approved equipment funding so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:

State Building Construction Account—State..... $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 5056. FOR THE WASHINGTON STATE UNIVERSITY**

Inventory and Condition of Schools Data Collection (91000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for the Washington State University extension energy office to complete collection, input, and verification of data of public school facilities in the inventory and condition of schools system administered and maintained by the superintendent of public instruction.

(2) The legislature intends to complete the data collection, input, and verification of the inventory and condition of public school facilities in order to make informed decisions about K-12 school facility and capacity needs to fulfill current educational graduation requirements and class-size ratios. These decisions are best made when based on accurate data collected in a thorough and consistent manner by professionals experienced in making such inventory and condition assessments for public institutions.

(3) The Washington State University extension energy office shall conduct on-site visits to assess inventory and condition of all facilities for school districts that have no current study and survey as defined in RCW 28A.525.050 on file with the superintendent of public instruction

as of July 1, 2015, or no pending study and survey to be filed with the superintendent through an outstanding study and survey grant award. The data collected through on-site visits must be input into the inventory and condition of schools system.

(4) The Washington State University extension energy office shall input into the inventory and condition of schools system applicable data of inventory and condition of school facilities from all current studies and surveys on file with the superintendent of public instruction as of July 1, 2015. The data must be input into the system in a manner that captures older information and data first. As studies and surveys from outstanding grant awards are filed with the superintendent, the Washington State University extension energy office shall input data into the system once current study and survey data has been input. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section.

(5) The Washington State University extension energy office shall conduct on-site verification of data for school districts whose current studies and surveys on file with the superintendent will expire by June 30, 2017. Data verification must be conducted to evaluate the study and survey process as a tool to collect accurate inventory and condition of schools data upon which policymakers can make informed decisions regarding school facility and capacity needs. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section and once sufficient data has been input into the system per subsection (4) of this section to conduct on-site visits to verification.

(6) As a general condition of appropriations provided to the superintendent of public instruction in this act, the superintendent of public instruction and each state school district shall provide requested facilities information and access to facilities in a timely manner to enable the Washington State University extension energy office to complete the tasks, oversight, and reporting requirements assigned in this section.

(7) The Washington State University extension energy office shall report progress of data collection, input, and verification to the appropriate committees of the legislature no later than December 1, 2015. The Washington State University extension energy office must complete all work in this section and make a final report to the appropriate committees of the legislature no later than December 1, 2016.

Appropriation:
Common School Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5057. FOR THE EASTERN WASHINGTON UNIVERSITY**
University Science Center - Science I (30000001)
Appropriation:
State Building Construction Account—State $4,791,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $55,444,000
TOTAL $60,635,000

NEW SECTION. **Sec. 5058. FOR THE EASTERN WASHINGTON UNIVERSITY**
Upgrade/Repair Campus Water System (30000422)
Reappropriation:
State Building Construction Account—State $3,533,000
Eastern Washington University Capital Projects Account—State $1,770,000
Subtotal Reappropriation $5,303,000
Prior Biennia (Expenditures) $1,975,000
Future Biennia (Projected Costs) $0
TOTAL $7,278,000

NEW SECTION. **Sec. 5059. FOR THE EASTERN WASHINGTON UNIVERSITY**
University Science Center - Science II (30000466)
Appropriation:
State Building Construction Account—State $5,575,000
Prior Biennia (Expenditures) $350,000
Future Biennia (Projected Costs) $67,290,000
TOTAL $73,215,000

NEW SECTION. **Sec. 5060. FOR THE EASTERN WASHINGTON UNIVERSITY**
Eastern Washington University Minor Works Preservation (30000468)
Reappropriation:
Eastern Washington University Capital Projects Account—State $2,293,000
Prior Biennia (Expenditures) $6,207,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 5061. FOR THE EASTERN WASHINGTON UNIVERSITY**
Infrastructure Renewal I (30000506)
Appropriation:
State Building Construction Account—State $9,949,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,949,000

NEW SECTION. **Sec. 5062. FOR THE EASTERN WASHINGTON UNIVERSITY**
Renovate Science (30000507)

Appropriation:
State Building Construction Account—State $350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $52,000,000
TOTAL $52,350,000
NEW SECTION. **Sec. 5063. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Facility Preservation (30000513)
Appropriation:
State Building Construction Account—State $8,167,000
Eastern Washington University Capital Projects Account—
State $3,500,000
Subtotal Appropriation $11,667,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $56,000,000
TOTAL $67,667,000
NEW SECTION. **Sec. 5064. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Program (30000516)
Appropriation:
Eastern Washington University Capital Projects Account—
State $3,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $19,500,000
NEW SECTION. **Sec. 5065. FOR THE EASTERN WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000547)
Appropriation:
Eastern Washington University Capital Projects Account—
State $2,217,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,868,000
TOTAL $11,085,000
NEW SECTION. **Sec. 5066. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Science Building (30000045)
Reappropriation:
State Building Construction Account—State $42,000,000
Prior Biennia (Expenditures) $21,771,000
Future Biennia (Projected Costs) $0
TOTAL $63,771,000
NEW SECTION. **Sec. 5067. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Samuelson Communication and Technology Center (SCTC) (30000451)
Reappropriation:
State Building Construction Account—State $1,600,000
Appropriation:
State Building Construction Account—State $58,677,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $63,677,000
NEW SECTION. **Sec. 5068. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000448)
Reappropriation:
State Building Construction Account—State $430,000
Prior Biennia (Expenditures) $9,780,000
Future Biennia (Projected Costs) $0
TOTAL $10,210,000
NEW SECTION. **Sec. 5069. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Nutrition Science (30000456)
Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $44,400,000
TOTAL $48,981,000
NEW SECTION. **Sec. 5070. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Brooks Library Learning Commons (30000530)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5071. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000615)
Reappropriation:
Central Washington University Capital Projects
Account—State $1,500,000
Prior Biennia (Expenditures) $5,500,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5072. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000684)
Appropriation:
State Building Construction Account—State $6,659,000
Central Washington University Capital Projects Account—
State $787,000
Subtotal Appropriation $7,446,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,640,000
TOTAL $28,086,000

NEW SECTION. **Sec. 5073. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Bouillon Hall Renovation (30000711)
Appropriation:
State Building Construction Account—State $4,977,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,977,000

NEW SECTION. **Sec. 5074. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Program (30000723)
Appropriation:
Central Washington University Capital Projects Account—
State $3,777,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,768,000
TOTAL $8,545,000

NEW SECTION. **Sec. 5075. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Lind Hall Renovation (30000738)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5076. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000740)
Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5077. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Old Heat - Plant Annex (30000767)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5078. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000770)
Appropriation:
Central Washington University Capital Projects Account—
State $2,422,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,422,000

NEW SECTION. **Sec. 5079. FOR THE EVERGREEN STATE COLLEGE**
Facility Preservation (30000084)

Reappropriation:
The Evergreen State College Capital Projects Account—State $100,000
Prior Biennia (Expenditures) $6,600,000
Future Biennia (Projected Costs) $0
TOTAL $6,700,000

NEW SECTION. **Sec. 5080. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab II, 2nd Floor Renovation (30000117)
Reappropriation:
State Building Construction Account—State $575,000
Prior Biennia (Expenditures) $4,119,000
Future Biennia (Projected Costs) $0
TOTAL $4,694,000

NEW SECTION. **Sec. 5081. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab I Basement Renovation (30000118)
Reappropriation:
State Building Construction Account—State $1,525,000
Appropriation:
State Building Construction Account—State $3,240,000
Prior Biennia (Expenditures) $280,000
Future Biennia (Projected Costs) $0
TOTAL $5,045,000

NEW SECTION. **Sec. 5082. FOR THE EVERGREEN STATE COLLEGE**
Seminar I Renovation (30000125)
Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,318,000
TOTAL $23,718,000

NEW SECTION. **Sec. 5083. FOR THE EVERGREEN STATE COLLEGE**
Facilities Preservation (30000457)
Appropriation:
State Building Construction Account—State $4,720,000
The Evergreen State College Capital Projects Account—State $5,628,000
Subtotal Appropriation $10,348,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,180,000
TOTAL $50,528,000

NEW SECTION. **Sec. 5084. FOR THE EVERGREEN STATE COLLEGE**
Minor Works Program (30000487)
Appropriation:
The Evergreen State College Capital Projects Account—State $1,164,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,140,000
TOTAL $10,304,000

NEW SECTION. **Sec. 5085. FOR THE EVERGREEN STATE COLLEGE**
Lecture Hall Remodel (30000493)
Reappropriation:
State Building Construction Account—State $300,000
Appropriation:
State Building Construction Account—State $16,310,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $17,861,000

NEW SECTION. **Sec. 5086. FOR THE EVERGREEN STATE COLLEGE**
Preventive Facility Maintenance and Building System Repairs (30000612)
Appropriation:
The Evergreen State College Capital Projects Account—State $783,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,132,000
TOTAL $3,915,000

NEW SECTION. **Sec. 5087. FOR THE WESTERN WASHINGTON UNIVERSITY**
Carver Academic Renovation (20081060)

Reappropriation:
State Building Construction Account—State $323,000
Appropriation:
State Building Construction Account—State $48,903,000
Prior Biennia (Expenditures) $7,051,000
Future Biennia (Projected Costs) $0
TOTAL $56,277,000

NEW SECTION. **Sec. 5088. FOR THE WESTERN WASHINGTON UNIVERSITY**
North Campus Utility Upgrade (30000426)
Reappropriation:
State Building Construction Account—State $600,000
Prior Biennia (Expenditures) $2,982,000
Future Biennia (Projected Costs) $0
TOTAL $3,582,000

NEW SECTION. **Sec. 5089. FOR THE WESTERN WASHINGTON UNIVERSITY**
Performing Arts Exterior Renewal (30000428)
Reappropriation:
State Building Construction Account—State $387,000
Prior Biennia (Expenditures) $2,560,000
Future Biennia (Projected Costs) $0
TOTAL $2,947,000

NEW SECTION. **Sec. 5090. FOR THE WESTERN WASHINGTON UNIVERSITY**
Classroom and Lab Upgrades Phase 2 (30000518)
Reappropriation:
State Building Construction Account—State $1,800,000
Western Washington University Capital Projects Account—State $400,000
Subtotal Reappropriation $2,200,000
Prior Biennia (Expenditures) $2,546,000
Future Biennia (Projected Costs) $0
TOTAL $4,746,000

NEW SECTION. **Sec. 5091. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000524)
Reappropriation:
Western Washington University Capital Projects Account—State $750,000
Prior Biennia (Expenditures) $6,750,000
Future Biennia (Projected Costs) $0
TOTAL $7,500,000

NEW SECTION. **Sec. 5092. FOR THE WESTERN WASHINGTON UNIVERSITY**
Science Building Renovation and Addition (30000598)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $97,215,000
TOTAL $97,715,000

NEW SECTION. **Sec. 5093. FOR THE WESTERN WASHINGTON UNIVERSITY**
2015-17 Classroom and Lab Upgrades (30000600)
Appropriation:
Western Washington University Capital Projects Account—State $4,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,400,000

NEW SECTION. **Sec. 5094. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000615)
Appropriation:
State Building Construction Account—State $7,035,000
Western Washington University Capital Projects Account—State $4,886,000
Subtotal Appropriation $11,921,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $64,422,000
TOTAL $76,343,000

NEW SECTION. **Sec. 5095. FOR THE WESTERN WASHINGTON UNIVERSITY**
Preventive Facility Maintenance and Building System Repairs (30000757)

Appropriation:
Western Washington University Capital Projects Account—
State $3,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $14,456,000
TOTAL $18,070,000

NEW SECTION. **Sec. 5096. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (20074004)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5137, chapter 520, Laws of 2007.
(3) The reappropriation in this section is subject to the provisions of section 5044, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $340,000
Prior Biennia (Expenditures) $9,565,000
Future Biennia (Projected Costs) $0
TOTAL $9,905,000

NEW SECTION. **Sec. 5097. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Project Capital Grants (30000011)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 5120, chapter 497, Laws of 2009.
(2) The reappropriation in this section is subject to the provisions of section 5045, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $9,225,000
Future Biennia (Projected Costs) $0
TOTAL $9,425,000

NEW SECTION. **Sec. 5098. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (30000117)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the provisions of section 622, chapter 1, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $6,782,000
Future Biennia (Projected Costs) $0
TOTAL $7,082,000

NEW SECTION. **Sec. 5099. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation - Minor Works Projects (30000164)
Reappropriation:
State Building Construction Account—State $830,000
Prior Biennia (Expenditures) $1,653,000
Future Biennia (Projected Costs) $0
TOTAL $2,483,000

NEW SECTION. **Sec. 5100. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Heritage Capital Grants Projects (30000170)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5093, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $4,700,000
Prior Biennia (Expenditures) $5,131,000
Future Biennia (Projected Costs) $0
TOTAL $9,831,000

NEW SECTION. **Sec. 5101. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
History Museum Membrane System Replacement (30000220)
Appropriation:
State Building Construction Account—State $1,805,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,805,000

NEW SECTION. **Sec. 5102. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation – Minor Works Projects (30000222)
Appropriation:
State Building Construction Account—State $2,515,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $10,000,000
TOTAL $12,515,000

NEW SECTION. **Sec. 5103. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (30000237)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Pantages centennial: Façade restoration	$685,000
Chong Wa parapet preservation	$66,000
Rehabilitation of historic structures	$750,000
Renovation heating of interior space of Balfour dock	$1,000,000
Town hall historic restoration: Phase one of construction	$1,000,000
Washington hall restoration	$452,000
Rehabilitation of Ritzville library for ADA compliance	$138,000
Quartermaster and dental surgery renovation project	$309,000
Skagit city school restoration	$91,000
Yamasaki courtyard restoration project	$129,000
Prairie line trail historic interpretation project	$400,000
Ancich netshed restoration	$662,000
Chimney, gutter, and kitchen restoration	$11,000
Federal building rehabilitation - phases II and III	$920,000
Preservation of the Colville Indian agency cabin in Chewelah	$33,000
Arthur Foss preservation and restoration phase II	$166,000
Seaport landing development - renovation of building #8	$1,000,000
Si view community center rehabilitation project phase II	$130,000
Revitalization to historic wells house for community use	$26,000
Chiyo's garden phase II	$108,000
Historic community center, library, and city hall restoration	$185,000
Sea mar latino history and cultural center	$654,000
Olympia waldorf school - the next 100 years	$20,000
Chinook school restoration - final phase	$79,000
Phase III of Worthington park - Quilcene	$244,000
El centro de la raza community access and security project	$100,000
Steam locomotives changed everything	$199,000
The artifact/exhibit environmental conservation project	$8,000
F/V Shenandoah restoration project - phase three	$41,000
Henderson house and Tumwater historic district interpretive	$50,000
Carnegie library renovation phase II	$344,000
Total	**$10,000,000**

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5104. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation (30000038)

Appropriation:

State Building Construction Account—State $702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $702,000

NEW SECTION. **Sec. 5105. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College: Campus Classrooms (20062696)

Reappropriation:

State Building Construction Account—State $417,000
Prior Biennia (Expenditures) $19,199,000
Future Biennia (Projected Costs) $0
TOTAL $19,616,000

NEW SECTION. **Sec. 5106. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

South Puget Sound Community College: Learning Resource Center (20062698)

Reappropriation:

State Building Construction Account—State $953,000
Prior Biennia (Expenditures) $32,708,000
Future Biennia (Projected Costs) $0
TOTAL $33,661,000

NEW SECTION. **Sec. 5107. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clover Park Technical College: Allied Health Care Facility (20062699)
Reappropriation:
State Building Construction Account—State $944,000
Prior Biennia (Expenditures) $21,389,000
Future Biennia (Projected Costs) $0
TOTAL $22,333,000
NEW SECTION. **Sec. 5108. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane Community College: Technical Education Building (20081220)
Reappropriation:
State Building Construction Account—State $3,294,000
Prior Biennia (Expenditures) $23,136,000
Future Biennia (Projected Costs) $0
TOTAL $26,430,000
NEW SECTION. **Sec. 5109. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Everett Community College: Index Hall Replacement (20081221)
Reappropriation:
State Building Construction Account—State $1,194,000
Prior Biennia (Expenditures) $35,120,000
Future Biennia (Projected Costs) $0
TOTAL $36,314,000
NEW SECTION. **Sec. 5110. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Green River Community College: Trades and Industry Building (20081222)
Reappropriation:
State Building Construction Account—State $11,606,000
Prior Biennia (Expenditures) $17,013,000
Future Biennia (Projected Costs) $0
TOTAL $28,619,000
NEW SECTION. **Sec. 5111. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Grays Harbor College: Science and Math Building (20081226)
Reappropriation:
State Building Construction Account—State $14,700,000
Prior Biennia (Expenditures) $29,444,000
Future Biennia (Projected Costs) $0
TOTAL $44,144,000
NEW SECTION. **Sec. 5112. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Tacoma Community College: Health Careers Center (20082701)
Reappropriation:
State Building Construction Account—State $7,639,000
Prior Biennia (Expenditures) $33,534,000
Future Biennia (Projected Costs) $0
TOTAL $41,173,000
NEW SECTION. **Sec. 5113. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Bellevue Community College: Health Science Building (20082702)
Reappropriation:
State Building Construction Account—State $9,636,000
Prior Biennia (Expenditures) $22,090,000
Future Biennia (Projected Costs) $0
TOTAL $31,726,000
NEW SECTION. **Sec. 5114. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Bates Technical College: Mohler Communications Technology Center (20082703)
Reappropriation:
State Building Construction Account—State $15,428,000
Prior Biennia (Expenditures) $11,019,000
Future Biennia (Projected Costs) $0
TOTAL $26,447,000
NEW SECTION. **Sec. 5115. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Columbia Basin College: Social Science Center (20082704)
Reappropriation:
State Building Construction Account—State $595,000
Appropriation:
State Building Construction Account—State $14,505,000
Prior Biennia (Expenditures) $481,000
Future Biennia (Projected Costs) $0
TOTAL $15,581,000
NEW SECTION. **Sec. 5116. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $29,979,000
Prior Biennia (Expenditures) $7,073,000
Future Biennia (Projected Costs) $0
TOTAL $37,052,000

NEW SECTION. **Sec. 5117. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Fort Worden Building 202 (30000114)
Reappropriation:
State Building Construction Account—State $3,876,000
Prior Biennia (Expenditures) $501,000
Future Biennia (Projected Costs) $0
TOTAL $4,377,000

NEW SECTION. **Sec. 5118. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Seattle Central Community College: Seattle Maritime Academy (30000120)
Reappropriation:
State Building Construction Account—State $14,590,000
Prior Biennia (Expenditures) $2,238,000
Future Biennia (Projected Costs) $0
TOTAL $16,828,000

NEW SECTION. **Sec. 5119. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Yakima Valley Community College: Palmer Martin Building (30000121)
Reappropriation:
State Building Construction Account—State $5,947,000
Prior Biennia (Expenditures) $14,293,000
Future Biennia (Projected Costs) $0
TOTAL $20,240,000

NEW SECTION. **Sec. 5120. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Olympic College: College Instruction Center (30000122)
Reappropriation:
State Building Construction Account—State $1,152,000
Appropriation:
State Building Construction Account—State $48,516,000
Prior Biennia (Expenditures) $2,472,000
Future Biennia (Projected Costs) $0
TOTAL $52,140,000

NEW SECTION. **Sec. 5121. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Centralia Community College: Student Services (30000123)
Reappropriation:
State Building Construction Account—State $631,000
Appropriation:
State Building Construction Account—State $31,385,000
Prior Biennia (Expenditures) $1,886,000
Future Biennia (Projected Costs) $0
TOTAL $33,902,000

NEW SECTION. **Sec. 5122. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Allied Health and Early Childhood Development Center (30000126)
Reappropriation:
State Building Construction Account—State $903,000
Appropriation:
State Building Construction Account—State $23,790,000
Prior Biennia (Expenditures) $907,000
Future Biennia (Projected Costs) $0
TOTAL $25,600,000

NEW SECTION. **Sec. 5123. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Seattle Community College: Cascade Court (30000128)
Reappropriation:
State Building Construction Account—State $983,000
Appropriation:
State Building Construction Account—State $28,231,000
Prior Biennia (Expenditures) $1,104,000
Future Biennia (Projected Costs) $0
TOTAL $30,318,000

NEW SECTION. **Sec. 5124. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
North Seattle Community College: Technology Building Renewal (30000129)
Reappropriation:

State Building Construction Account—State $1,922,000
Prior Biennia (Expenditures) $23,497,000
Future Biennia (Projected Costs) $0
TOTAL $25,419,000

NEW SECTION. **Sec. 5125. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Renton Technical College: Automotive Complex Renovation (30000134)
Reappropriation:
State Building Construction Account—State $449,000
Appropriation:
State Building Construction Account—State $15,250,000
Prior Biennia (Expenditures) $1,134,000
Future Biennia (Projected Costs) $0
TOTAL $16,833,000

NEW SECTION. **Sec. 5126. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Science, Engineering, Technology Building (30000137)
Reappropriation:
State Building Construction Account—State $6,581,000
Prior Biennia (Expenditures) $1,239,000
Future Biennia (Projected Costs) $0
TOTAL $7,820,000

NEW SECTION. **Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Whatcom Community College: Learning Commons (30000138)
Reappropriation:
State Building Construction Account—State $1,029,000
Prior Biennia (Expenditures) $793,000
Future Biennia (Projected Costs) $0
TOTAL $1,822,000

NEW SECTION. **Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30000723)
Reappropriation:
Community/Technical College Capital Projects
Account—State $1,765,000
Community and Technical College Forest Reserve
Account—State $60,000
Gardner-Evans Higher Education Construction
Account—State $115,000
Subtotal Reappropriation $1,940,000
Prior Biennia (Expenditures) $16,852,000
Future Biennia (Projected Costs) $0
TOTAL $18,792,000

NEW SECTION. **Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Preservation (30000779)
Reappropriation:
Community/Technical College Capital Projects
Account—State $965,000
Prior Biennia (Expenditures) $16,635,000
Future Biennia (Projected Costs) $0
TOTAL $17,600,000

NEW SECTION. **Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Roof Repairs (30000844)
Reappropriation:
Community/Technical College Capital Projects
Account—State $554,000
Prior Biennia (Expenditures) $7,231,000
Future Biennia (Projected Costs) $0
TOTAL $7,785,000

NEW SECTION. **Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Facility Repairs (30000897)
Reappropriation:
State Building Construction Account—State $2,905,000
Prior Biennia (Expenditures) $19,229,000
Future Biennia (Projected Costs) $0
TOTAL $22,134,000

NEW SECTION. **Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Site Repairs (30000941)
Reappropriation:

Community/Technical College Capital Projects
Account—State $71,000
Prior Biennia (Expenditures) $2,503,000
Future Biennia (Projected Costs) $0
TOTAL $2,574,000

NEW SECTION. **Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Edmonds Community College: Washington Aerospace Training and Research Center (30000979)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 4, chapter 1, Laws of 2013, 3rd sp. sess.

Reappropriation:
State Building Construction Account—State $840,000
Prior Biennia (Expenditures) $660,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Big Bend: Professional-Technical Education Center (30000981)

Appropriation:
State Building Construction Account—State $2,040,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,490,000
TOTAL $36,530,000

NEW SECTION. **Sec. 5135. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane: Main Building South Wing Renovation (30000982)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $2,823,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,742,000
TOTAL $27,565,000

NEW SECTION. **Sec. 5136. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Highline: Health and Life Sciences (30000983)

Appropriation:
State Building Construction Account—State $2,932,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,850,000
TOTAL $26,782,000

NEW SECTION. **Sec. 5137. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Program (30001038)

Appropriation:
State Building Construction Account—State $22,456,000
Community/Technical College Capital Projects Account—
State $1,744,000
Subtotal Appropriation $24,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $24,200,000

NEW SECTION. **Sec. 5138. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Preservation (30001106)

Appropriation:
Community/Technical College Capital Projects Account—
State $19,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $19,360,000

NEW SECTION. **Sec. 5139. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Roof Repairs (30001155)

Appropriation:
Community/Technical College Capital Projects Account—
State $12,534,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $12,534,000

NEW SECTION. **Sec. 5140. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Facility Repairs (30001182)
Appropriation:
Community/Technical College Capital Projects Account—
State $20,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $20,733,000

NEW SECTION. **Sec. 5141. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Site Repairs (30001216)
Appropriation:
Community/Technical College Capital Projects Account—
State $2,829,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,829,000

NEW SECTION. **Sec. 5142. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Preventive Maintenance and Building System Repairs (30001286)
Appropriation:
Community/Technical College Capital Projects Account—
State $22,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $91,200,000
TOTAL $114,000,000

PART 6
2015 SUPPLEMENTAL CAPITAL BUDGET

NEW SECTION. **Sec. 6001.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:**FOR THE DEPARTMENT OF COMMERCE**
Building for the Arts Grants (30000006)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 1011, chapter 36, Laws of 2010 1st sp. sess.
(2) The reappropriation in this section is provided solely for the Federal Way performing arts center.
Reappropriation:
State Building Construction Account—State $218,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $8,699,000

Sec. 6002. 2013 2nd sp.s. c 19 s 1073 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Drinking Water State Revolving Fund Loan Program (30000189)
The appropriations in this section are subject to the following conditions and limitations:
(1) ((~~$4,400,000 for fiscal year 2014 and~~)) $4,400,000 from the drinking water assistance account—state for fiscal year 2015 is provided solely as state match for federal safe drinking water funds.
(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.
Appropriation:
((~~State Building Construction Account—State~~ ..... ~~$8,800,000~~))
Drinking Water Assistance Account—State $4,400,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Appropriation ..... ((~~$208,800,000~~)) $204,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $680,000,000
TOTAL ..... ((~~$888,800,000~~)) $884,400,000

Sec. 6003. 2013 3rd sp.s. c 1 s 3 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Renton Aerospace Training Center Construction (((~~92000151~~))) (30000724)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction of the Renton aerospace training center.

Appropriation:
State Building Construction Account—State ..... ((~~$5,000,000~~)) $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$5,000,000~~)) $10,000,000

Sec. 6004. 2013 2nd sp.s. c 19 s 1074 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The appropriations in this section are subject to the following conditions and limitations:

(1) All expenditures from the state taxable building construction account—state appropriation in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2) For any project funded from the state taxable building construction account—state appropriation in this section, state funds must not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(3)(a) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely to create a revolving loan fund to support the widespread use of proven building energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) To create the loan fund, the department shall provide grant funds to a competitively selected nonprofit lender that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines for the lender related to applicant eligibility, the screening process, and evaluation and selection criteria. The criteria must include requiring evidence of support for the proposed project from the impacted community and consistency with economic growth strategies and plans of the affected local governments. Applications for loans from the revolving fund must disclose all sources of public funding to be provided for a project. The nonprofit lender must use the revolving loan fund to make affordable loans for projects including, but not limited to: Residential and commercial energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(d) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(e) Projects seeking financing of solar installations under this section must agree in contract to not participate in the cost-recovery program under RCW 82.16.120.

(4) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to advance renewable energy technologies by public and private electrical utilities that serve retail customers in the state. The department shall work with utilities to offer matching grants for projects that demonstrate new smart grid technologies. The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. Applications for grants must disclose all sources of public funding to be provided for a project. The grant funds must be used to fund projects that demonstrate how to: Integrate intermittent renewables through energy storage and information technology, dispatch energy storage resources from utility control rooms, use the thermal properties and electric load of commercial buildings and district energy systems to store energy, or otherwise improve the reliability and reduce the costs of intermittent or distributed renewable energy.

(5) $6,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to match federal funds used to develop and demonstrate clean energy technologies. The department shall work with the University of Washington, Washington State University, and the Pacific Northwest National Laboratory to offer matching funds for projects including, but not limited to: Advancing energy storage and solar technologies, and federal manufacturing innovation centers related to use of light-weight carbon fiber components to advance energy efficiency in the aeronautical, automotive, and marine sectors.

(6) The department must report on number and results of projects funded through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2014.

(7) The energy recovery act account—federal appropriation in this section is provided solely for loans, loan guarantees, and grants that encourage the establishment of innovative and sustainable industries for renewable energy and energy efficiency technology, consistent with provisions of RCW 43.325.040 (energy freedom account).

Appropriation:
State Taxable Building Construction Account—
State $36,000,000
Energy Recovery Act Account—((~~Federal~~)) State $4,000,000
Subtotal Appropriation $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

Sec. 6005. 2013 2nd sp.s. c 19 s 1077 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	**Authorized Amount**
City of Bremerton Puget Sound Naval Safety Project	$1,300,000
Fairchild Airforce Base	$2,700,000
City of Lynnwood Main Street Improvements	$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	$1,500,000
Kittitas County Infrastructure and Facilities	$5,000,000
City of Kennewick Industrial Land	$1,000,000
Perry Tech Institute Building	$1,000,000
City of Buckley Drinking Water Improvements	$350,000
((~~Coronado~~)) Carbonado Reservoir Replacement	$525,000
Hopelink Cleveland Street Project	$1,000,000
Redmond Connector	$1,300,000
Washougal ((~~Storm Water Decant Facility~~)) Wastewater Treatment Plant	$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	$500,000
Everett/Tulalip Water Pipeline Construction	$1,000,000
((~~Renton Aerospace Training Center Construction~~	~~$5,000,000~~))
Renton Riverview Bridge Replacement	$1,100,000
Omak City Sewer, Collection System, and Treatment Plant	$2,000,000
Harper Pier Replacement	$800,000
University Place Main Street Redevelopment	$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	$185,000
Quincy Industrial Water Reclamation & Reuse	$700,000
NW Medical School	$136,000
Ione - 8th St Lift Station Replacement	$165,000
Stevens PUD Projects	$532,000
Port Orchard Bay St. Pedestrian Path - Phase 2	$336,000
Dekalb Pier - Phase 2	$255,000
Kenmore Village	$300,000
South Kirkland TOD/Cross Kirkland Corridor	$1,300,000
Washington Agriculture Discovery Center	$100,000
Mountlake Terrace Mainstreet Grant	$2,000,000
Issaquah - North Roadway Network Improvement	$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	$500,000
City of Shelton Wastewater	$1,500,000
Port of Moses Lake Firefighting System	$300,000
Seattle Chinatown/ID Development	$500,000
TOTAL	((~~$42,109,000~~)) $37,109,000

Appropriation:

State Building Construction Account—State ..... ((~~$35,009,000~~)) $30,009,000

Public Facility Construction Loan Revolving Account—State $7,100,000

Subtotal Appropriation ..... ((~~$42,109,000~~)) $37,109,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ((~~$42,109,000~~)) $37,109,000

Sec. 6006. 2013 2nd sp.s. c 19 s 1078 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects That Strengthen Communities and Quality of Life (92000230)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section from the state building construction account—state is provided solely for design development to align ongoing planning for the replacement of the Seattle multimodal terminal at Colman dock with the creation of a public park. The scope of work must provide a design plan that includes an elevated park and corresponding amenities above the terminal. Design development shall be delivered through the city of Seattle. The scope of this project does not preclude any current plans for Colman dock to replace or seismically upgrade the facility, nor does it reduce the amount of general and commercial traffic, high occupancy vehicles, transit, bicyclist and pedestrian movement.

(8) $500,000 of the appropriation from the environmental legacy stewardship account—state is provided solely for an investigation of possible contaminated soils around the Colman dock.

(9) The appropriation is provided solely for the following list of projects:

Projects that Strengthen Communities & Quality of Life	**Authorized Amount**
Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	$1,000,000
LaConner Boardwalk	$1,600,000
Kent Interurban Trail Connector	$750,000
Town of Concrete Public Safety Building	$785,000
Complete Development of Ashford Park Facilities	$1,000,000
Jackson Park Renovation	$1,000,000
South Whatcom Library Construction	$90,000
Guemes Channel Trail Project	$700,000
Seabrook Trail	$437,000
Vashon Island Allied Arts	$2,000,000
Federal Way Performing Arts	$2,000,000
Japanese Gulch Land Acquisition	$1,000,000
Milton - Triangle Park ADA Upgrades	$225,000
Langston Hughes Performing Arts Center - Storage	$150,000
Wood Pellet Heat in Schools Pilot	$500,000
((~~Snohomish County Sheriff's Office South Precinct~~)) Young Island	$1,000,000
Ravensdale Park	$650,000
Worthington Park	$210,000
Eastside Tacoma Community Center	$400,000
((~~228th Street Trail~~	~~$500,000~~))
Institute for Community Leadership	$275,000
FISH of Vancouver/Nonprofit Community Service Center	$1,000,000
Yelm Community Center	$1,000,000
Ellensburg Depot	$500,000
Roslyn City Hall	$400,000
Northwest Carriage Museum	$375,000
People's Community Center and Pool	$500,000
((~~Town of Concrete Fire and Life Safety Facility~~	~~$500,000~~))
Chehalis Pool	$250,000
Mount Rainier Park Ranger Memorial	$60,000
McAllister Air Museum	$500,000
Repairs to Stevenson Grange	$50,000
Meydenbauer Park Improvements	$3,000,000
Sixty Acres Park Enhancements	$750,000
Covington Community Park Phase 2	$2,100,000
Johnson Farm Museum - Anderson Island	$250,000
Nikolai Project	$40,000
Ft. Steilacoom Building Preservation	$250,000

Plaza Roberto Maestas - Building the Beloved Community	$1,000,000
Seattle Multimodal Terminal at Colman Dock/Public Park	$2,000,000
Confluence Project	$747,000
Castle Rock Citywide Residential Street Project	$504,000
UWAVE	$30,000
Transit-Community Center	$800,000
Mt. Spokane Lodge	$250,000
TOTAL	((~~$33,128,000~~)) $32,128,000

Appropriation:
State Building Construction Account—State ..... ((~~$32,628,000~~)) $31,628,000
Environmental Legacy Stewardship Account—State $500,000
Subtotal Appropriation ..... ((~~$33,128,000~~)) $32,128,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$33,128,000~~)) $32,128,000

Sec. 6007. 2013 2nd sp.s. c 19 s 1090 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Higher Education Preservation Information (91000427)

((~~The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to refresh preservation information that resides in the state's comparable framework for higher education buildings including any necessary revisions or adjustments that will enable more direct translation of information, updates for last renewal or replacement of major systems, and quality assurance field sampling. In executing this continued capital study, the office of financial management shall consult the legislative fiscal committees about its workplan to ensure field sampling of facilities prioritized for renovation or replacement, and timely delivery of assembled facilities information and related capital models in an easy to understand format.~~)) The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely to further develop a comparable framework methodology to equalize the facility condition assessments by higher education institutions. The methodology will improve upon the existing state facility inventory and condition assessment systems to collect and convey the information. The inventory system may include facility system replacement or renewals including costs, quality assurance field sampling data, and tracking of condition rating adjustments. As a general condition, upon appropriations provided to higher education agencies in this act, the state board for community and technical colleges and each state baccalaureate institution shall provide requested facilities information in a timely manner to enable the office of financial management to complete the tasks and oversight assigned in this section.

Appropriation:
University of Washington Building Account—State ..... ((~~$130,000~~)) $116,000
Washington State University Building Account—State ..... ((~~$94,000~~)) $85,000
Eastern Washington University Capital Projects Account—State ..... ((~~$23,000~~)) $21,000
Central Washington University Capital Projects Account—State ..... ((~~$19,000~~)) $17,000
The Evergreen State College Capital Projects Account—State ..... ((~~$13,000~~)) $12,000
Western Washington University Capital Projects Account—State ..... ((~~$21,000~~)) $19,000
Subtotal Appropriation ..... ((~~$300,000~~)) $270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$300,000~~ $270,000

Sec. 6008. 2013 2nd sp.s. c 19 s 1091 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool (91000428)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency and management reserves included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal

committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the state parks and recreation commission, the department of corrections, the department of enterprise services, and the department of health. Eligible construction projects are only projects that had project cost reductions. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:

State Building Construction Account—State.... ((~~$4,000,000~~)) $1,875,000

Prior Biennia (Expenditures).... $0

Future Biennia (Projected Costs).... $0

TOTAL.... ~~$4,000,000~~ $1,875,000

Sec. 6009. 2013 2nd sp. s. c 19 s 1093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Roof Replacement/Exterior Foam Insulation Repairs (30000546)

Reappropriation:

State Building Construction Account—State.... ((~~$510,000~~)) $33,000

Prior Biennia (Expenditures).... ((~~$3,972,000~~)) $4,409,000

Future Biennia (Projected Costs).... $0

TOTAL.... ~~$4,482,000~~ $4,442,000

Sec. 6010. 2013 2nd sp.s. c 19 s 1099 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:

State Building Construction Account—State.... ((~~$1,075,000~~)) $1,013,000

Appropriation:

State Building Construction Account—State.... ((~~$851,000~~)) $410,000

Prior Biennia (Expenditures).... ((~~$104,000~~)) $166,000

Future Biennia (Projected Costs).... $0

TOTAL.... ~~$2,030,000~~ $1,589,000

Sec. 6011. 2013 2nd sp.s. c 19 s 1108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior Repairs (30000604)

Appropriation:

State Building Construction Account—State.... ((~~$1,000,000~~)) $1,075,000

Prior Biennia (Expenditures).... $0

Future Biennia (Projected Costs).... $0

TOTAL.... ~~$1,000,000~~ $1,075,000

Sec. 6012. 2013 2nd sp.s. c 19 s 1104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Underground Utility Repairs (30000687)

Appropriation:

State Building Construction Account—State.... ((~~$1,983,000~~)) $2,613,000

Prior Biennia (Expenditures).... $0

Future Biennia (Projected Costs).... $8,827,000

TOTAL.... ~~$10,810,000~~ $11,440,000

Sec. 6013. 2013 2nd sp.s. c 19 s 1105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Repairs Phase 1 (91000009)

The appropriations in this section are subject to the following conditions and limitations: The natural resource building repairs phase 1 project must include at a minimum the multipurpose room water infiltration project and the roof project. After this work is completed, the department may include work that was in the department's 2013-2015 capital budget request for other repairs to the building.

Appropriation:

State Building Construction Account—State.... ((~~$4,161,000~~)) $4,041,000

Thurston County Capital Facilities Construction
Account—State $940,000
Subtotal Appropriation ..... ((~~$5,101,000~~)) $4,981,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$5,101,000~~ $4,981,000

Sec. 6014. 2013 2nd sp.s. c 19 s 2024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: WSR Living Units Roofs (30000542)

Appropriation:
State Building Construction Account—State ..... ((~~$1,785,000~~)) $1,868,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,785,000~~ $1,868,000

Sec. 6015. 2013 2nd sp.s. c 19 s 2028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)

Appropriation:
State Building Construction Account—State ..... ((~~$2,569,000~~)) $2,649,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,569,000~~ $2,649,000

Sec. 6016. 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$7,750,000 for fiscal year 2014 and $7,750,000~~)) $15,500,000 for fiscal year 2015 of the ((~~state building construction~~)) water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control loan program ((~~loan~~)).

Appropriation:
((~~State Building Construction Account—State~~ ..... ~~$15,500,000~~))
Water Pollution Control Revolving Account—
State ..... ((~~$184,500,000~~)) $200,000,000
Water Pollution Control Revolving
Account—Federal $50,000,000
Subtotal Appropriation $250,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $510,000,000
TOTAL $760,000,000

Sec. 6017. 2013 2nd sp.s. c 19 s 3058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to develop mitigation options and alternative water sources or tools to make water available for stream flows and for rural domestic permit-exempt uses within the ((~~Carpenter/Fisher, East Nookachamps, and Upper Nookachamps subbasins~~)) Skagit River watershed. Up to $500,000 of the amount specified shall be used to develop a rural domestic demonstration project to determine if surface or groundwater infiltration can mitigate for ground water use during low flow periods to meet the mitigation requirements of chapter 173-503 WAC.

Reappropriation:
State Building Construction Account—State $2,156,000
Prior Biennia (Expenditures) $69,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

Sec. 6018. 2013 2nd sp.s. c 19 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips: Wastewater Treatment System (30000523)

Appropriation:
State Building Construction Account—State.... ((~~$4,079,000~~))
$4,532,000
Prior Biennia (Expenditures).... $0
Future Biennia (Projected Costs).... $0
TOTAL.... ~~$4,079,000~~
$4,532,000

Sec. 6019. 2013 2nd sp.s. c 19 s 3190 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:
General Fund—Federal.... $2,328,000

Appropriation:
General Fund—Federal.... $4,000,000
Prior Biennia (Expenditures).... $672,000
Future Biennia (Projected Costs).... $0
TOTAL.... ~~$3,000,000~~
$7,000,000

Sec. 6020. 2013 2nd sp.s. c 19 s 3212 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

Community Partnership Restoration Grants (30000007)

Reappropriation:
General Fund—Federal.... ((~~$1,155,000~~))
$1,575,000
Prior Biennia (Expenditures).... ((~~$445,000~~))
$50,000
Future Biennia (Projected Costs).... $0
TOTAL.... ~~$1,600,000~~
$1,625,000

Sec. 6021. 2013 2nd sp.s. c 19 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

Reappropriation:
State Building Construction Account—State.... ((~~$12,962,000~~))
$11,082,000
Prior Biennia (Expenditures).... $12,481,000
Future Biennia (Projected Costs).... $0
TOTAL.... ~~$25,443,000~~
$23,563,000

Sec. 6022. 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-2015 School Construction Assistance Program - Maintenance (30000145)

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,340,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) $933,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(3) The office of the superintendent of public instruction must improve web-based access by taxpayers to school capacity and actual enrollment in order to understand possible opportunities to increase efficiency through consolidation. The office of the superintendent of public instruction must post this capacity and enrollment information on its web site.

(4) Funds from this appropriation may be used to match federal dollars provided by the office of economic adjustment for school replacement facilities located on military bases.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program to the Evergreen (Clark County) School District to address the school construction emergency resulting from the fire that destroyed the Crestline School.

(6) The space allocations for state funding assistance purposes for districts with senior or four-year high schools with fewer than four hundred students, as outlined in WAC 392-343-035, must be computed in accordance with the following formula:

Number of Headcount Student-Grades 9-12	**Maximum Space Allocation Per Facility**
0-200	42,000 square feet
201-300	48,000 square feet
301-or more	52,000 square feet

Appropriation:
State Building Construction Account—State.... $285,355,000

Common School Construction Account—State ..... ((~~$208,232,000~~))
$100,593,000
Common School Construction Account—Federal $1,500,000
Subtotal Appropriation ..... ((~~$495,087,000~~))
$387,448,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) ..... ((~~$3,099,310,000~~))
$3,099,270,000
TOTAL ..... ((~~$3,594,397,000~~))
$3,486,718,000

Sec. 6023. 2013 2nd sp.s. c 19 s 5015 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WA-NIC (Washington Network for Innovative Careers) Skills Center - Snoqualmie Valley School District/Bellevue Community College (92000006)

Reappropriation:
State Building Construction Account—State ..... ((~~$1,715,000~~))
$31,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,715,000~~
$31,000

Sec. 6024. 2013 2nd sp.s. c 19 s 5025 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Security Improvement Grants (92000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for nonrecurring costs associated with school facility safety projects consistent with chapter 233, Laws of 2013 (Second Engrossed Substitute Senate Bill No. 5197).

Appropriation:
State Building Construction Account—State ..... ((~~$10,000,000~~))
$6,656,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$10,000,000~~
$6,656,000

Sec. 6025. 2013 2nd sp.s. c 19 s 5055 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Pullman Pedestrian Bridge (91000028)

Appropriation:
Washington State University Building
Account—State ..... ((~~$1,500,000~~))
$0
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,500,000~~
$0

Sec. 6026. 2013 2nd sp.s. c 19 s 5108 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:
State Building Construction Account—State $219,000

Appropriation:
State Building Construction Account—State ..... ((~~$23,808,000~~))
$24,519,000
Prior Biennia (Expenditures) $1,709,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,736,000~~
$26,447,000

Sec. 6027. 2013 2nd sp.s. c 19 s 5110 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)

Reappropriation:
State Building Construction Account—State $1,335,000

Appropriation:
State Building Construction Account—State ..... ((~~$33,784,000~~))
$34,478,000
Prior Biennia (Expenditures) $1,239,000

Future Biennia (Projected Costs) $0
TOTAL ..... ~~$36,358,000~~ $37,052,000

Sec. 6028. 2013 2nd sp.s. c 19 s 7043 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Toxic Control Account: For transfer to the Local Toxic Control Account $4,000,000

Environmental Legacy Stewardship Account: For transfer to the Local Toxic Control Account $12,000,000

State Taxable Building Construction Account: For transfer to the drinking water assistance account, $4,400,000 for fiscal year 2015 ..... $4,400,000

State Taxable Building Construction Account: For transfer to the water pollution control revolving account, $15,500,000 for fiscal year 2015 ..... $15,500,000

Sec. 6029. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2013-2015 biennium, amounts in the public facilities construction loan revolving account may be used for the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2013-2015 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

NEW SECTION. **Sec. 6030.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:

To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 6031.** 2013 2nd sp.s. c 19 s 7013 (uncodified) is repealed.

PART 7
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 7001.** RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are thirty-six million nine hundred sixty-four thousand dollars for the 2015-2017 biennium, two hundred thirty-one million four hundred thirty-nine thousand dollars for the 2017-2019 biennium, and three hundred twenty-four million six hundred three thousand dollars for the 2019-2021 biennium.

NEW SECTION. **Sec. 7002.** ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

State agencies may enter into agreements with the department of enterprise services and the state treasurer's office to develop requests to the legislature for acquisition of properties and facilities through financial contracts. The agreements may include charges for services rendered.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Criminal justice training commission: Enter into a financing contract for up to $6,672,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the dormitory.

(4) Department of enterprise services: Enter into a financing contract for up to $63,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new building for the utility and transportation commission, and other agencies as identified by the office of financial management, at the pro arts site on the capitol campus.

(5) Department of enterprise services: Enter into a financing contract for up to $20,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the Seattle community justice center.

(6) Department of enterprise services: Enter into a financing contract for up to $69,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new office building at 1063 Capitol Way South, Olympia.

(7) Department of ecology: Enter into a financing contract for up to $180,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for programmatic improvements to the headquarters building and the eastern regional office.

(8) Department of ecology: Enter into a financing contract for up to $760,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for preservation improvements to the headquarters building.

(9) Central Washington University: Enter into a financing contract for up to $8,414,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a welcome center.

(10) The Evergreen State College: Enter into a financing contract for up to $12,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase a permanent location for the Tacoma program.

(11) Western Washington University: Enter into a financing contract for up to $16,310,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the carver building renovation.

(12) Eastern Washington University: Enter into a financing contract for up to $10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Washington street facility project.

(13) Community and technical colleges:

(a) Enter into a financing contract on behalf of Centralia Community College for up to $5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the student services building.

(b) Enter into a financing contract on behalf of Centralia Community College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase or construct student housing.

(c) Enter into a financing contract on behalf of Clark College for up to $8,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the culinary arts facility.

(d) Enter into a financing contract on behalf of Clark College for up to $35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a student recreation center.

(e) Enter into a financing contract on behalf of Columbia Basin College for up to $7,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a health science center.

(f) Enter into a financing contract on behalf of Green River College for up to $15,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an aviation program center.

(g) Enter into a financing contract on behalf of Highline College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the maintenance and grounds building.

(h) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(i) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate and expand the Myklebust gymnasium.

(j) Enter into a financing contract on behalf of Tacoma Community College for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to expand a health and wellness center.

(k) Enter into a financing contract on behalf of Walla Walla Community College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a workforce and business development center.

(14) Department of fish and wildlife: Enter into a financing contract for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct or purchase a new office and warehouse building near Vancouver.

NEW SECTION. **Sec. 7003.** (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over $10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. **Sec. 7004.** To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of $10,000,000 may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, including life-cycle cost, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. **Sec. 7005.** (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. **Sec. 7006.** (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the

appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under $250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. **Sec. 7007.** (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. **Sec. 7008.** (1) Any building project that receives funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Considers all stages of the building's life-cycle, including deconstruction.

(b) Commissioning: Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) Optimize energy performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, reduce the energy use by fifty percent below pre-renovations baseline.

(d) On-site renewable energy: Meet at least thirty percent of the hot water demand through the installation of solar hot water heaters, when life-cycle cost effective. Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) Measurement and verification: Install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Install dashboards inside buildings to display and incentivize occupants on energy use.

(f) Benchmarking: Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. **Sec. 7009.** State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. **Sec. 7010.** Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies and higher education institutions shall comply with the requirements set forth in this executive order.

NEW SECTION. **Sec. 7011.** PUGET SOUND PROTECTION AND RESTORATION. Consistent with RCW 90.71.340, when expending appropriations under this act that contribute to Puget Sound protection and recovery, agencies shall consult with the Puget Sound partnership to ensure that projects and expenditures are either in, or consistent with the 2020 action agenda. These consultations shall include the exchange of information on specific actions, projects, associated funding, performance measures, and other information necessary to track project implementation and ensure alignment with the action agenda. In situations where the Puget Sound partnership finds that a project is not in, or is not consistent with the action agenda, Puget Sound partnership shall document this finding and report back to the governor and legislative fiscal committees.

NEW SECTION. **Sec. 7012.** FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding $200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2015-2017 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Art allocations not expended within the ensuing two biennia will lapse. The commission may use up to $100,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to RCW 28A.335.210.

(5) The executive director of the arts commission shall appoint a study group to review the operations of the one-half of one percent for works of art purchased or commissioned as required by RCW 28A.335.210, 28B.10.027, and 43.17.200. The findings of the review must be reported annually to the office of financial management and the fiscal committees of the legislature by August 15th. The review must include, but is not limited to, the following: (a) Projects purchased or commissioned per biennium; (b) partner agencies; (c) funding sources by fiscal year; (d) artwork costs; (e) administrative costs; (f) collection care costs; and (g) project status.

NEW SECTION. **Sec. 7013.** It is confirmed that the director of the department of enterprise services is authorized under chapter 35A.14 RCW to petition for annexation of the former northern state hospital property to the city of Sedro-Woolley upon the director's determination that such annexation is appropriate and in furtherance of the interests of the state. The director shall consult with the office of financial management prior to making such determination.

Sec. 7014. RCW 27.34.330 and 2006 c 371 s 232 are each amended to read as follows:

The Washington state historical society shall establish a competitive process to solicit proposals for and prioritize heritage capital projects for potential funding in the state capital budget. The society shall adopt rules governing project eligibility and evaluation criteria. Application for funding of specific projects may be made to the society by local governments, public development authorities, nonprofit corporations, tribal governments, and other entities, as determined by the society. The society, with the advice of leaders in the heritage field, including but not limited to representatives from the office of the secretary of state, the eastern Washington state historical society, and the department of archaeology and historic preservation, shall establish and submit a prioritized list of heritage capital projects to the governor and the legislature in the society's biennial capital budget request. The list shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed ten million dollars. The prioritized list shall be developed through open and public meetings and the amount of state funding shall not exceed thirty-three and thirty-three one hundredths percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the society shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

NEW SECTION. **Sec. 7015.** To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. **Sec. 7016.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. **Sec. 7017.** (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

Sec. 7018. RCW 28A.525.166 and 2013 2nd sp.s. c 18 s 514 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

$$\text{Computed State Ratio} = \frac{\text{District adjusted 3-valuation per pupil} \div \text{Total state adjusted valuation per pupil}}{\text{District adjusted 3+valuation per pupil} \div \text{Total state adjusted valuation per pupil}} = - \%\ \text{State Funding Assistance}$$

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the

superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience courses under RCW 28A.232.010 shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience students subtracted by the headcount of in-district alternative learning experience students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

(6) For the 2015-2017 biennium, schools determined to have a lack of sufficient space to provide all-day kindergarten, reduce class sizes, or provide science classrooms or labs to meet the requirements of law, have a special housing burden condition similar to those defined under subsection (5)(b) of this section, creating a like emergency. For the 2015-2017 biennium, school districts are entitled to additional percentage points for school construction projects that have a special housing burden condition only. The additional percentage points are determined by (a) student enrollments in the free and reduced price meals program, and (b) donations of cash, like-kind, or equipment from private sources. The additional percentage points under (a) of this subsection are twenty percent of the percent of student enrollments eligible and enrolled in the free and reduced price meals program. The additional percentage points under (b) of this subsection are determined by enrollments of the school district and the value of the private donation as follows:

District Enrollments	$250K-$499K	Value of Donation $500K-$1M	>$1M
Less than 2,000	10	15	20
2,000-4,000	5	10	15
More than 4,000	0	5	10

Sec. 7019. RCW 28A.525.172 and 2006 c 263 s 314 are each amended to read as follows:

All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules adopted by the superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel. Studies and surveys shall be conducted by the superintendent for the purpose of securing information relating to (((~~(a) [(1)]~~))) (1) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (((~~(b) [(2)]~~))) (2) the ability of such districts to provide capital funds by local effort, (((~~(c) [(3)]~~))) (3) the need for improvement of school administrative units and school attendance areas among or within such districts, and (((~~(d) [(4)]~~))) (4) any other pertinent matters. For the 2015-2017 biennium, the superintendent may not conduct studies and surveys for the purpose of this section.

NEW SECTION. **Sec. 7020.** NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . ., Laws of 2015 (Substitute House Bill No. 1166, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. **Sec. 7021.** COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or

that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

NEW SECTION. **Sec. 7022.** The office of financial management, in consultation with the fiscal committees of the legislature, may select capital projects that have completed predesign to undergo a budget evaluation study. The budget evaluation study team approach using value engineering techniques and life cycle cost analysis must be utilized by the office of financial management in conducting the studies. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature and agencies in a timely manner following the study. Funds from the project appropriation must be used by the office of financial management through an interagency agreement with the affected agencies to cover the cost of the study.

NEW SECTION. **Sec. 7023.** RESEARCH ON TRANSFER OF FEDERAL LANDS TO WASHINGTON STATE. Staff from the appropriate legislative committees shall use existing studies and available literature to research the potential costs, revenues, and policy impacts of transferring federal lands to state ownership. The research must include:

(1) Costs to the state of: (a) Land management related to wildfires, forest health, invasive species management, and public access; (b) addressing deferred forest health issues and ongoing maintenance; (c) payments in lieu of taxes; (d) state program development; and (e) other potential costs.

(2) Revenues to the state from: (a) Current and increased timber cut-rates; (b) mineral lease revenues; (c) recreation fees; (d) grazing fees; (e) permanent common school account investment income; and (f) other potential revenues.

(3) Policy research related to the endangered species act, the mining law of 1872, and other federal-state impacts.

(4) The research may not include consideration of revenues or costs of transferring public lands into private ownership status.

(5) A report on this research must be provided to appropriate legislative committees by December 1, 2015.

Sec. 7024. RCW 28B.20.725 and 2013 2nd sp.s. c 19 s 7027 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ((~~However, during the 2011-2013 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.~~)) However, during the 2013-2015 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2015-2017 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7025. RCW 28B.15.310 and 2013 2nd sp.s. c 19 s 7028 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. ((~~During the 2011-2013 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance and utility costs.~~)) During the 2013-2015 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2015-2017 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 7026. RCW 28B.15.210 and 2013 2nd sp.s. c 19 s 7026 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). During the 2013-2015 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2015-2017 biennium, sums credited to the University of Washington building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

Sec. 7027. RCW 28B.30.750 and 2013 2nd sp.s. c 19 s 7029 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ((~~However, during the 2011-2013 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.~~)) However, during the 2013-2015 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2015-2017 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7028. RCW 28B.35.370 and 2013 2nd sp.s. c 19 s 7030 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. ((~~During the 2011-2013 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments. However, during the 2015-2017 biennium, sums in the respective capital accounts shall also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7029. RCW 28B.50.360 and 2013 2nd sp.s. c 19 s 7031 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of building fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ((~~During the 2011-2013 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility

costs. However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7030. RCW 43.34.080 and 2013 2nd sp.s. c 19 s 7015 are each amended to read as follows:

(1) The capitol campus design advisory committee is established as an advisory group to the capitol committee and the director of enterprise services to review programs, planning, design, and landscaping of state capitol facilities and grounds and to make recommendations that will contribute to the attainment of architectural, aesthetic, functional, and environmental excellence in design and maintenance of capitol facilities on campus and located in neighboring communities.

(2) The advisory committee shall consist of the following persons who shall be appointed by and serve at the pleasure of the director of enterprise services:

(a) Two architects;

(b) A landscape architect; and

(c) An urban planner.

The director of enterprise services shall appoint the chair and vice chair and shall provide the staff and resources necessary for implementing this section. The advisory committee shall meet at least once every ninety days and at the call of the chair.

The members of the committee shall be reimbursed as provided in RCW 43.03.220 and 44.04.120.

(3) The advisory committee shall also consist of the secretary of state and two members of the house of representatives, one from each caucus, who shall be appointed by the speaker of the house of representatives, and two members of the senate, one from each caucus, who shall be appointed by the president of the senate.

(4) The advisory committee shall review plans and designs affecting state capitol facilities as they are developed. The advisory committee's review shall include:

(a) The process of solicitation and selection of appropriate professional design services including design-build proposals;

(b) Compliance with the capitol campus master plan and design concepts as adopted by the capitol committee;

(c) The design, siting, and grouping of state capitol facilities relative to the service needs of state government and the impact upon the local community's economy, environment, traffic patterns, and other factors;

(d) The relationship of overall state capitol facility planning to the respective comprehensive plans for long-range urban development of the cities of Olympia, Lacey, and Tumwater, and Thurston county; and

(e) Landscaping plans and designs, including planting proposals, street furniture, sculpture, monuments, and access to the capitol campus and buildings.

(5) For development of the property known as the 1063 block, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

(6) During the 2015-2017 fiscal biennium, for development of the property known as the pro arts site, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

Sec. 7031. RCW 43.19.501 and 2011 1st sp.s. c 50 s 943 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. For the 2007-2009 biennium, moneys in the account may be used for predesign identified in section 1037, chapter 328, Laws of 2008. For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.

During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the Thurston county capital facilities account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 7032. RCW 43.155.050 and 2013 2nd sp.s. c 4 s 983 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the ((~~2011-2013 and 2013-2015~~)) 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to ((~~the general fund,~~)) the water pollution control revolving account((~~,~~)) and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ((~~During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board.~~)) During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.

Sec. 7033. RCW 43.155.070 and 2013 2nd sp.s. c 19 s 7032 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a

capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board must consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;

(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;

(g) The cost of the project compared to the size of the local government and amount of loan money available;

(h) The number of communities served by or funding the project;

(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;

(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and

(m) Other criteria that the board considers advisable.

(5) For the ((~~2013-2015~~)) 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:

(a) The board must develop a process for numerically ranking applications for construction loans submitted by local governments. The board must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages nonstate funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services, public transit, and transportation;

(G) Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and

(H) Reduction of the overall cost of public infrastructure; and

(xi) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before November 1, ((~~2014~~)) 2016, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature. The maximum amount of funding that the board may recommend for any jurisdiction is ten million dollars per biennium. For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

(6) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(7) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(8) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.

(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.

(11) To qualify for loans or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(12) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(13) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium, for projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan.

(14)(a) ((~~For public works assistance account application rounds conducted during the 2013-2015 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federally funded drinking water and clean water state revolving funds operated by the state departments of health and ecology. The board, department of ecology, and department of health must jointly develop evaluation criteria and application procedures that will increase access of eligible drinking water and wastewater projects to the public works assistance account for short-term preconstruction financing and to the federally funded state revolving funds for construction financing. The procedures must also strengthen coordinated funding of preconstruction and construction projects.~~)) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federal funds to finance local infrastructure including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology.

(b) For all construction loan projects proposed to the legislature for funding during the ((~~2013-2015~~)) 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship.

(((~~(c) By December 1, 2013, the board must recommend to the appropriate committees of the legislature statutory language to make permanent these new criteria, procedures, and financing policies.~~))

Sec. 7034. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used to continue and enhance the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

Sec. 7035. RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish; ((~~and~~))

(v) During the 2013-2015 fiscal biennium, actions at the University of Washington for reducing ocean acidification;

(w) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section ((~~3159~~)) 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account; and

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under (((~~(c)~~)[(e)])) (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (((~~(c)~~)[(e)])) (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under ((~~(e)[(e)]~~)) (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(((~~(d) [(f)]~~)) (f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 fiscal biennium, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. effects [affects] the ability of a potentially liable person to receive public funding.

(10) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program ((~~and for storm water grants~~)) and for the storm water financial assistance program administered by the department of ecology.

NEW SECTION. **Sec. 7036.** (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended

on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between $25,000 and $1,000,000 each, with the exception of higher education minor works projects that may be valued up to $2,000,000. All projects must meet the criteria included in this subsection (2)(a). These projects should be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed $1,000,000, or $2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

NEW SECTION. **Sec. 7037. FOR THE STATE TREASURER—TRANSFERS**

Public works assistance account—state: For transfer to the water pollution control revolving account, $6,000,000 for fiscal year 2016 and $6,000,000 for fiscal year 2017 ..... $12,000,000

Public works assistance account—state: For transfer to the drinking water assistance account, $4,400,000 for fiscal year 2016 and $4,400,000 for fiscal year 2017 ..... $8,800,000

NEW SECTION. **Sec. 7038.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7039.** The office of financial management, in accordance with RCW 28B.77.070 and 43.88D.010, shall include the following in the scoring process:

(1) The office of financial management shall develop a single prioritized list that includes all projects requesting funding, with the exception of minor works and predesign requests. Predesigns must be on a separate prioritized list.

(2) The office of financial management shall weight the reasonableness of cost criteria based on the following criteria in the following order: (a) Expected maximum allowable construction costs per square foot; and (b) life-cycle cost analysis using the office of financial management's life-cycle cost tool.

(3) Prior legislative commitment to the project funding of predesign or design must be included in the scoring criteria.

(4) Projects must be scored only once unless the office of financial management, or the requesting school, find that the project scope or budget has significantly changed.

Sec. 7040. RCW 43.131.413 and 2010 c 245 s 12 are each amended to read as follows:

The alternative process for awarding contracts established in RCW 28B.20.744 terminates June 30, ((~~2015~~)) 2017, as provided in RCW 43.131.414.

Sec. 7041. RCW 43.131.414 and 2010 c 245 s 13 are each amended to read as follows:

RCW 28B.20.744, as now existing or hereafter amended, is repealed, effective June 30, ((~~2016~~)) 2018.

NEW SECTION. **Sec. 7042.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Referred to Committee on .

March 30, 2015

HB 1645 Prime Sponsor, Representative Pollet: Concerning youth substance use prevention associated with tobacco and drug delivery e-cigarettes and vapor products. Reported by Committee on Commerce & Gaming

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Blake; Kirby and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Scott and Vick.

Referred to Committee on Appropriations.

March 31, 2015

HB 2136 Prime Sponsor, Representative Carlyle: Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Finance. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Condotta; Dunshee; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dent; Fagan; Hunt, G. and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives MacEwen; Stokesbary and Van Werven.

Passed to Committee on Rules for second reading.

April 1, 2015

ESB 5014 Prime Sponsor, Senator Honeyford: Concerning best practices for water banks. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Chandler; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member and Schmick.

MINORITY recommendation: Without recommendation. Signed by Representatives Dunshee and Orcutt.

Passed to Committee on Rules for second reading.

March 31, 2015

SB 5024 Prime Sponsor, Senator Benton: Making conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 7043.** RCW 2.36.054 and 2011 1st sp.s. c 43 s 812 are each amended to read as follows:

Unless otherwise specified by rule of the supreme court, the jury source list and master jury list for each county shall be created as provided by this section.

(1) The superior court of each county, after consultation with the county clerk and county auditor of that jurisdiction, shall annually notify the consolidated technology services agency not later than March 1st of each year of its election to use either a jury source list that is merged by the county or a jury source list that is merged by the consolidated technology services agency. The consolidated technology services agency shall annually furnish at no charge to the superior court of each county a separate list of the registered voters residing in that county as supplied annually by the secretary of state and a separate list of driver's license and identicard holders residing in that county as supplied annually by the department of licensing, or a merged list of all such persons residing in that county, in accordance with the annual notification required by this subsection. The lists provided by the consolidated technology services agency shall be in an electronic format mutually agreed upon by the superior court requesting it and the ((~~department of information services~~)) consolidated technology services agency. The annual merger of the list of registered voters residing in each county with the list of licensed drivers and identicard holders residing in each county to form a jury source list for each county shall be in accordance with the standards and methodology established in this chapter or by superseding court rule whether the merger is accomplished by the consolidated technology services agency or by a county.

(2) Persons on the lists of registered voters and driver's license and identicard holders shall be identified by a minimum of last name, first name, middle initial where available, date of birth, gender, and county of residence. Identifying information shall be used when merging the lists to ensure to the extent reasonably possible that persons are only listed once on the merged list. Conflicts in addresses are to be resolved by using the most recent record by date of last vote in a general election, date of driver's license or identicard address change or date of voter registration.

(3) The consolidated technology services agency shall provide counties that elect to receive a jury source list merged by the consolidated technology services agency with a list of names which are possible duplicates that cannot be resolved based on the identifying information required under subsection (2) of this section. If a possible duplication cannot subsequently be resolved satisfactorily through reasonable efforts by the county receiving the merged list, the possible duplicate name shall be stricken from the jury source list until the next annual jury source list is prepared.

Sec. 7044. RCW 2.36.057 and 1993 c 408 s 1 are each amended to read as follows:

The supreme court is requested to adopt court rules to be effective by September 1, 1994, regarding methodology and standards for merging the list of registered voters in Washington state with the list of licensed drivers and identicard holders in Washington state for purposes of creating an expanded jury source

list. The rules should specify the standard electronic format or formats in which the lists will be provided to requesting superior courts by the department of ((~~information services~~)) enterprise services. In the interim, and until such court rules become effective, the methodology and standards provided in RCW 2.36.054 shall apply. An expanded jury source list shall be available to the courts for use by September 1, 1994.

Sec. 7045. RCW 2.36.0571 and 1993 c 408 s 2 are each amended to read as follows:

Not later than January 1, 1994, the secretary of state, the department of licensing, and the department of ((~~information services~~)) enterprise services shall adopt administrative rules as necessary to provide for the implementation of the methodology and standards established pursuant to RCW 2.36.057 and 2.36.054 or by supreme court rule.

Sec. 7046. RCW 2.68.060 and 2010 c 282 s 7 are each amended to read as follows:

The administrative office of the courts, under the direction of the judicial information system committee, shall:

(1) Develop a judicial information system information technology portfolio consistent with the provisions of RCW ((~~43.105.172~~)) 43.41A.110;

(2) Participate in the development of an enterprise-based statewide information technology strategy ((~~as defined in RCW 43.105.019~~));

(3) Ensure the judicial information system information technology portfolio is organized and structured to clearly indicate participation in and use of enterprise-wide information technology strategies;

(4) As part of the biennial budget process, submit the judicial information system information technology portfolio to the chair and ranking member of the ways and means committees of the house of representatives and the senate, the office of financial management, and the ((~~department of information services~~)) office of the chief information officer.

Sec. 7047. RCW 4.92.110 and 2009 c 433 s 3 are each amended to read as follows:

No action subject to the claim filing requirements of RCW 4.92.100 shall be commenced against the state, or against any state officer, employee, or volunteer, acting in such capacity, for damages arising out of tortious conduct until sixty calendar days have elapsed after the claim is presented to the office of risk management ((~~division~~)) in the department of enterprise services. The applicable period of limitations within which an action must be commenced shall be tolled during the sixty calendar day period. For the purposes of the applicable period of limitations, an action commenced within five court days after the sixty calendar day period has elapsed is deemed to have been presented on the first day after the sixty calendar day period elapsed.

Sec. 7048. RCW 4.96.020 and 2012 c 250 s 2 are each amended to read as follows:

(1) The provisions of this section apply to claims for damages against all local governmental entities and their officers, employees, or volunteers, acting in such capacity.

(2) The governing body of each local governmental entity shall appoint an agent to receive any claim for damages made under this chapter. The identity of the agent and the address where he or she may be reached during the normal business hours of the local governmental entity are public records and shall be recorded with the auditor of the county in which the entity is located. All claims for damages against a local governmental entity, or against any local governmental entity's officers, employees, or volunteers, acting in such capacity, shall be presented to the agent within the applicable period of limitations within which an action must be commenced. A claim is deemed presented when the claim form is delivered in person or is received by the agent by regular mail, registered mail, or certified mail, with return receipt requested, to the agent or other person designated to accept delivery at the agent's office. The failure of a local governmental entity to comply with the requirements of this section precludes that local governmental entity from raising a defense under this chapter.

(3) For claims for damages presented after July 26, 2009, all claims for damages must be presented on the standard tort claim form that is maintained by the office of risk management ((~~division of the office of financial management~~)) in the department of enterprise services, except as allowed under (c) of this subsection. The standard tort claim form must be posted on the ((~~office of financial management's~~)) department of enterprise services' web site.

(a) The standard tort claim form must, at a minimum, require the following information:

(i) The claimant's name, date of birth, and contact information;

(ii) A description of the conduct and the circumstances that brought about the injury or damage;

(iii) A description of the injury or damage;

(iv) A statement of the time and place that the injury or damage occurred;

(v) A listing of the names of all persons involved and contact information, if known;

(vi) A statement of the amount of damages claimed; and

(vii) A statement of the actual residence of the claimant at the time of presenting the claim and at the time the claim arose.

(b) The standard tort claim form must be signed either:

(i) By the claimant, verifying the claim;

(ii) Pursuant to a written power of attorney, by the attorney in fact for the claimant;

(iii) By an attorney admitted to practice in Washington state on the claimant's behalf; or

(iv) By a court-approved guardian or guardian ad litem on behalf of the claimant.

(c) Local governmental entities shall make available the standard tort claim form described in this section with instructions on how the form is to be presented and the name, address, and business hours of the agent of the local governmental entity. If a local governmental entity chooses to also make available its own tort claim form in lieu of the standard tort claim form, the form:

(i) May require additional information beyond what is specified under this section, but the local governmental entity may not deny a claim because of the claimant's failure to provide that additional information;

(ii) Must not require the claimant's social security number; and

(iii) Must include instructions on how the form is to be presented and the name, address, and business hours of the agent of the local governmental entity appointed to receive the claim.

(d) If any claim form provided by the local governmental entity fails to require the information specified in this section, or incorrectly lists the agent with whom the claim is to be filed, the local governmental entity is deemed to have waived any defense related to the failure to provide that specific information or to present the claim to the proper designated agent.

(e) Presenting either the standard tort claim form or the local government tort claim form satisfies the requirements of this chapter.

(f) The amount of damages stated on the claim form is not admissible at trial.

(4) No action subject to the claim filing requirements of this section shall be commenced against any local governmental entity, or against any local governmental entity's officers, employees, or volunteers, acting in such capacity, for damages arising out of tortious conduct until sixty calendar days have elapsed after the claim has first been presented to the agent of the governing body thereof. The applicable period of limitations within which an action

must be commenced shall be tolled during the sixty calendar day period. For the purposes of the applicable period of limitations, an action commenced within five court days after the sixty calendar day period has elapsed is deemed to have been presented on the first day after the sixty calendar day period elapsed.

(5) With respect to the content of claims under this section and all procedural requirements in this section, this section must be liberally construed so that substantial compliance will be deemed satisfactory.

Sec. 7049. RCW 8.26.085 and 2011 c 336 s 281 are each amended to read as follows:

(1) The lead agency, after full consultation with the department of ((~~general administration~~)) enterprise services, shall adopt rules and establish such procedures as the lead agency may determine to be necessary to assure:

(a) That the payments and assistance authorized by this chapter are administered in a manner that is fair and reasonable and as uniform as practicable;

(b) That a displaced person who makes proper application for a payment authorized for that person by this chapter is paid promptly after a move or, in hardship cases, is paid in advance; and

(c) That a displaced person who is aggrieved by a program or project that is under the authority of a state agency or local public agency may have his or her application reviewed by the state agency or local public agency.

(2) The lead agency, after full consultation with the department of ((~~general administration~~)) enterprise services, may adopt such other rules and procedures, consistent with the provisions of this chapter, as the lead agency deems necessary or appropriate to carry out this chapter.

(3) State agencies and local public agencies shall comply with the rules adopted pursuant to this section by April 2, 1989.

Sec. 7050. RCW 15.24.086 and 1994 c 164 s 1 are each amended to read as follows:

All such printing contracts provided for in this section ((~~and RCW 15.24.085~~)) shall be executed and performed under conditions of employment which shall substantially conform to the laws of this state respecting hours of labor, the minimum wage scale, and the rules and regulations of the department of labor and industries regarding conditions of employment, hours of labor, and minimum wages, and the violation of such provision of any contract shall be ground for cancellation thereof.

Sec. 7051. RCW 15.64.060 and 2008 c 215 s 2 are each amended to read as follows:

(1) A farm-to-school program is created within the department to facilitate increased procurement of Washington grown food by schools.

(2) The department, in consultation with the department of health, the office of the superintendent of public instruction, the department of ((~~general administration~~)) enterprise services, and Washington State University, shall, in order of priority:

(a) Identify and develop policies and procedures to implement and evaluate the farm-to-school program, including coordinating with school procurement officials, buying cooperatives, and other appropriate organizations to develop uniform procurement procedures and materials, and practical recommendations to facilitate the purchase of Washington grown food by the common schools. These policies, procedures, and recommendations shall be made available to school districts to adopt at their discretion;

(b) Assist food producers, distributors, and food brokers to market Washington grown food to schools by informing them of food procurement opportunities, bid procedures, school purchasing criteria, and other requirements;

(c) Assist schools in connecting with local producers by informing them of the sources and availability of Washington grown food as well as the nutritional, environmental, and economic benefits of purchasing Washington grown food;

(d) Identify and recommend mechanisms that will increase the predictability of sales for producers and the adequacy of supply for purchasers;

(e) Identify and make available existing curricula, programs and publications that educate students on the nutritional, environmental, and economic benefits of preparing and consuming locally grown food;

(f) Support efforts to advance other farm-to-school connections such as school gardens or farms and farm visits; and

(g) As resources allow, seek additional funds to leverage state expenditures.

(3) The department in cooperation with the office of the superintendent of public instruction shall collect data on the activities conducted pursuant to chapter 215, Laws of 2008 and communicate such data biennially to the appropriate committees of the legislature beginning November 15, 2009. Data collected may include the numbers of schools and farms participating and any increases in the procurement of Washington grown food by the common schools.

(4) As used in this section, RCW ((~~43.19.1905, 43.19.1906,~~)) 28A.335.190, and 28A.235.170, "Washington grown" means grown and packed or processed in Washington.

Sec. 7052. RCW 15.65.285 and 1972 ex.s. c 112 s 2 are each amended to read as follows:

The restrictive provisions of chapter ((~~43.78~~)) 43.19 RCW((~~, as now or hereafter amended,~~)) shall not apply to promotional printing and literature for any commodity board.

Sec. 7053. RCW 15.66.280 and 1972 ex.s. c 112 s 5 are each amended to read as follows:

The restrictive provisions of chapter ((~~43.78~~)) 43.19 RCW ((~~as now or hereafter amended~~)) shall not apply to promotional printing and literature for any commission formed under this chapter.

Sec. 7054. RCW 15.88.070 and 2010 c 8 s 6114 are each amended to read as follows:

The powers and duties of the commission include:

(1) To elect a chair and such officers as the commission deems advisable. The officers shall include a treasurer who is responsible for all receipts and disbursements by the commission and the faithful discharge of whose duties shall be guaranteed by a bond at the sole expense of the commission. The commission shall adopt rules for its own governance, which shall provide for the holding of an annual meeting for the election of officers and transaction of other business and for such other meetings as the commission may direct;

(2) To do all things reasonably necessary to effect the purposes of this chapter. However, the commission shall have no legislative power;

(3) At the pleasure of the commission, to employ and discharge managers, secretaries, agents, attorneys, and employees and to engage the services of independent contractors as the commission deems necessary, to prescribe their duties, and to fix their compensation;

(4) To receive donations of wine from wineries for promotional purposes;

(5) To engage directly or indirectly in the promotion of Washington wine, including without limitation the acquisition in any lawful manner and the dissemination without charge of wine, which dissemination shall not be deemed a sale for any purpose and in which dissemination the commission shall not be deemed a wine producer, supplier, or manufacturer of any kind or the clerk, servant, or agent of a producer, supplier, or manufacturer of any kind. Such dissemination shall be for agricultural development or trade promotion, which may include promotional hosting and shall in the good faith judgment of the commission be in aid of the marketing,

advertising, or sale of wine, or of research related to such marketing, advertising, or sale;

(6) To acquire and transfer personal and real property, establish offices, incur expense, enter into contracts (including contracts for creation and printing of promotional literature, which contracts shall not be subject to chapter ((~~43.78~~)) 43.19 RCW, but which shall be cancelable by the commission unless performed under conditions of employment which substantially conform to the laws of this state and the rules of the department of labor and industries). The commission may create such debt and other liabilities as may be reasonable for proper discharge of its duties under this chapter;

(7) To maintain such account or accounts with one or more qualified public depositaries as the commission may direct, to cause moneys to be deposited therein, and to expend moneys for purposes authorized by this chapter by drafts made by the commission upon such institutions or by other means;

(8) To cause to be kept and annually closed, in accordance with generally accepted accounting principles, accurate records of all receipts, disbursements, and other financial transactions, available for audit by the state auditor;

(9) To create and maintain a list of producers and to disseminate information among and solicit the opinions of producers with respect to the discharge of the duties of the commission, directly or by arrangement with trade associations or other instrumentalities;

(10) To employ, designate as agent, act in concert with, and enter into contracts with any person, council, commission or other entity for the purpose of promoting the general welfare of the vinifera grape industry and particularly for the purpose of assisting in the sale and distribution of Washington wine in domestic and foreign commerce, expending moneys as it may deem necessary or advisable for such purpose and for the purpose of paying its proportionate share of the cost of any program providing direct or indirect assistance to the sale and distribution of Washington wine in domestic or foreign commerce, employing and paying for vendors of professional services of all kinds; and

(11) To sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred upon it by this chapter.

Sec. 7055. RCW 15.89.070 and 2011 c 103 s 16 are each amended to read as follows:

The commission shall:

(1) Elect a chair and officers. The officers must include a treasurer who is responsible for all receipts and disbursements by the commission and the faithful discharge of whose duties shall be guaranteed by a bond at the sole expense of the commission. The commission must adopt rules for its own governance that provide for the holding of an annual meeting for the election of officers and the transaction of other business and for other meetings the commission may direct;

(2) Do all things reasonably necessary to effect the purposes of this chapter. However, the commission has no rule-making power except as provided in this chapter;

(3) Employ and discharge managers, secretaries, agents, attorneys, and employees and engage the services of independent contractors;

(4) Retain, as necessary, the services of private legal counsel to conduct legal actions on behalf of the commission. The retention of a private attorney is subject to review by the office of the attorney general;

(5) Receive donations of beer from producers for promotional purposes under subsections (6) and (7) of this section and for fund-raising purposes under subsection (8) of this section. Donations of beer for promotional purposes may only be disseminated without charge;

(6) Engage directly or indirectly in the promotion of Washington beer, including, without limitation, the acquisition in any lawful manner and the dissemination without charge of beer. This dissemination is not deemed a sale for any purpose and the commission is not deemed a producer, supplier, or manufacturer, or the clerk, servant, or agent of a producer, supplier, distributor, or manufacturer. This dissemination without charge shall be for agricultural development or trade promotion, and not for fund-raising purposes under subsection (8) of this section. Dissemination for promotional purposes may include promotional hosting and must in the good faith judgment of the commission be in the aid of the marketing, advertising, sale of beer, or of research related to such marketing, advertising, or sale;

(7) Promote Washington beer by conducting unique beer tastings without charge;

(8) Beginning July 1, 2007, fund the Washington beer commission through sponsorship of up to twelve beer festivals annually at which beer may be sold to festival participants. For this purpose, the commission would qualify for issue of a special occasion license as an exception to WAC 314-05-020 but must comply with laws under Title 66 RCW and rules adopted by the liquor control board under which such events may be conducted;

(9) Participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, regulation, distribution, sale, or use of beer including activities authorized under RCW 42.17A.635, including the reporting of those activities to the public disclosure commission;

(10) Acquire and transfer personal and real property, establish offices, incur expenses, and enter into contracts, including contracts for the creation and printing of promotional literature. The contracts are not subject to chapter ((~~43.78~~)) 43.19 RCW, and are cancelable by the commission unless performed under conditions of employment that substantially conform to the laws of this state and the rules of the department of labor and industries. The commission may create debt and other liabilities that are reasonable for proper discharge of its duties under this chapter;

(11) Maintain accounts with one or more qualified public depositories as the commission may direct, for the deposit of money, and expend money for purposes authorized by this chapter by drafts made by the commission upon such institutions or by other means;

(12) Cause to be kept and annually closed, in accordance with generally accepted accounting principles, accurate records of all receipts, disbursements, and other financial transactions, available for audit by the state auditor;

(13) Create and maintain a list of producers and disseminate information among and solicit the opinions of producers with respect to the discharge of the duties of the commission, directly or by arrangement with trade associations or other instrumentalities;

(14) Employ, designate as an agent, act in concert with, and enter into contracts with any person, council, commission, or other entity to promote the general welfare of the beer industry and particularly to assist in the sale and distribution of Washington beer in domestic and foreign commerce. The commission shall expend money necessary or advisable for this purpose and to pay its proportionate share of the cost of any program providing direct or indirect assistance to the sale and distribution of Washington beer in domestic or foreign commerce, employing and paying for vendors of professional services of all kinds;

(15) Sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred upon it by this chapter;

(16) Serve as liaison with the liquor control board on behalf of the commission and not for any individual producer;

(17) Receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the commission

and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

Sec. 7056. RCW 15.100.080 and 2010 c 8 s 6115 are each amended to read as follows:

The powers and duties of the commission include:

(1) To elect a chair and such officers as the commission deems advisable. The commission shall adopt rules for its own governance, which provide for the holding of an annual meeting for the election of officers and transaction of other business and for such other meetings as the commission may direct;

(2) To adopt any rules necessary to carry out the purposes of this chapter, in conformance with chapter 34.05 RCW;

(3) To administer and do all things reasonably necessary to carry out the purposes of this chapter;

(4) At the pleasure of the commission, to employ a treasurer who is responsible for all receipts and disbursements by the commission and the faithful discharge of whose duties shall be guaranteed by a bond at the sole expense of the commission;

(5) At the pleasure of the commission, to employ and discharge managers, secretaries, agents, attorneys, and employees and to engage the services of independent contractors as the commission deems necessary, to prescribe their duties, and to fix their compensation;

(6) To engage directly or indirectly in the promotion of Washington forest products and managed forests, and shall in the good faith judgment of the commission be in aid of the marketing, advertising, or sale of forest products, or of research related to such marketing, advertising, or sale of forest products, or of research related to managed forests;

(7) To enforce the provisions of this chapter, including investigating and prosecuting violations of this chapter;

(8) To acquire and transfer personal and real property, establish offices, incur expense, and enter into contracts. Contracts for creation and printing of promotional literature are not subject to chapter ((~~43.78~~)) 43.19 RCW, but such contracts may be canceled by the commission unless performed under conditions of employment which substantially conform to the laws of this state and the rules of the department of labor and industries. The commission may create such debt and other liabilities as may be reasonable for proper discharge of its duties under this chapter;

(9) To maintain such account or accounts with one or more qualified public depositaries as the commission may direct, to cause moneys to be deposited therein, and to expend moneys for purposes authorized by this chapter by drafts made by the commission upon such institutions or by other means;

(10) To cause to be kept and annually closed, in accordance with generally accepted accounting principles, accurate records of all receipts, disbursements, and other financial transactions, available for audit by the state auditor;

(11) To create and maintain a list of producers and to disseminate information among and solicit the opinions of producers with respect to the discharge of the duties of the commission, directly or by arrangement with trade associations or other instrumentalities;

(12) To employ, designate as agent, act in concert with, and enter into contracts with any person, council, commission, or other entity for the purpose of promoting the general welfare of the forest products industry and particularly for the purpose of assisting in the sale and distribution of Washington forest products in domestic and foreign commerce, expending moneys as it may deem necessary or advisable for such purpose and for the purpose of paying its proportionate share of the cost of any program providing direct or indirect assistance to the sale and distribution of Washington forest products in domestic or foreign commerce, and employing and paying for vendors of professional services of all kinds;

(13) To sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred upon it by this chapter;

(14) To propose assessment levels for producers subject to referendum approval under RCW 15.100.110; and

(15) To participate in federal and state agency hearings, meetings, and other proceedings relating to the regulation, production, manufacture, distribution, sale, or use of forest products.

Sec. 7057. RCW 15.115.180 and 2009 c 33 s 19 are each amended to read as follows:

(1) The restrictive provisions of chapter ((~~43.78~~)) 43.19 RCW do not apply to promotional printing and literature for the commission.

(2) All promotional printing contracts entered into by the commission must be executed and performed under conditions of employment that substantially conform to the laws of this state respecting hours of labor, the minimum wage scale, and the rules and regulations of the department of labor and industries regarding conditions of employment, hours of labor, and minimum wages, and the violation of such a provision of any contract is grounds for cancellation of the contract.

Sec. 7058. RCW 17.15.020 and 1997 c 357 s 3 are each amended to read as follows:

Each of the following state agencies or institutions shall implement integrated pest management practices when carrying out the agency's or institution's duties related to pest control:

(1) The department of agriculture;

(2) The state noxious weed control board;

(3) The department of ecology;

(4) The department of fish and wildlife;

(5) The department of transportation;

(6) The parks and recreation commission;

(7) The department of natural resources;

(8) The department of corrections;

(9) The department of ((~~general administration~~)) enterprise services; and

(10) Each state institution of higher education, for the institution's own building and grounds maintenance.

Sec. 7059. RCW 19.27.097 and 2010 c 271 s 302 are each amended to read as follows:

(1) Each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. In addition to other authorities, the county or city may impose conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency. An application for a water right shall not be sufficient proof of an adequate water supply.

(2) Within counties not required or not choosing to plan pursuant to RCW 36.70A.040, the county and the state may mutually determine those areas in the county in which the requirements of subsection (1) of this section shall not apply. The departments of health and ecology shall coordinate on the implementation of this section. Should the county and the state fail to mutually determine those areas to be designated pursuant to this subsection, the county may petition the department of ((~~general administration~~)) enterprise services to mediate or, if necessary, make the determination.

(3) Buildings that do not need potable water facilities are exempt from the provisions of this section. The department of ecology, after consultation with local governments, may adopt rules

to implement this section, which may recognize differences between high-growth and low-growth counties.

Sec. 7060. RCW 19.27.150 and 2010 c 271 s 303 are each amended to read as follows:

Every month a copy of the United States department of commerce, bureau of the census' "report of building or zoning permits issued and local public construction" or equivalent report shall be transmitted by the governing bodies of counties and cities to the department of ((~~general administration~~)) enterprise services.

Sec. 7061. RCW 19.27A.020 and 2010 c 271 s 304 are each amended to read as follows:

(1) The state building code council shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. Climate zone 1 shall include all counties not included in climate zone 2. Climate zone 2 includes: Adams, Chelan, Douglas, Ferry, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman counties.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of ((~~general administration~~)) enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of ((~~general administration~~)) enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

Sec. 7062. RCW 19.27A.190 and 2009 c 423 s 8 are each amended to read as follows:

(1) The requirements of this section apply to the department of ((~~general administration~~)) enterprise services and other qualifying state agencies only to the extent that specific appropriations are provided to those agencies referencing chapter 423, Laws of 2009 or chapter number and this section.

(2) By July 1, 2010, each qualifying public agency shall:

(a) Create an energy benchmark for each reporting public facility using a portfolio manager;

(b) Report to ((~~general administration~~)) the department of enterprise services, the environmental protection agency national energy performance rating for each reporting public facility included in the technical requirements for this rating; and

(c) Link all portfolio manager accounts to the state portfolio manager master account to facilitate public reporting.

(3) By January 1, 2010, ((~~general administration~~)) the department of enterprise services shall establish a state portfolio manager master account. The account must be designed to provide shared reporting for all reporting public facilities.

(4) By July 1, 2010, ((~~general administration~~)) the department of enterprise services shall select a standardized portfolio manager report for reporting public facilities. ((~~General administration~~)) The department of enterprise services, in collaboration with the United States environmental protection agency, shall make the standard report of each reporting public facility available to the public through the portfolio manager web site.

(5) ((~~General administration~~)) The department of enterprise services shall prepare a biennial report summarizing the statewide portfolio manager master account reporting data. The first report must be completed by December 1, 2012. Subsequent reporting shall be completed every two years thereafter.

(6) By July 1, 2010, ((~~general administration~~)) the department of enterprise services shall develop a technical assistance program to facilitate the implementation of a preliminary audit and the investment grade energy audit. ((~~General administration~~)) The department of enterprise services shall design the technical assistance program to utilize audit services provided by utilities or energy services contracting companies when possible.

(7) For a reporting public facility that is leased by the state with a national energy performance rating score below seventy-five, a qualifying public agency may not enter into a new lease or lease renewal on or after January 1, 2010, unless:

(a) A preliminary audit has been conducted within the last two years; and

(b) The owner or lessor agrees to perform an investment grade audit and implement any cost-effective energy conservation measures within the first two years of the lease agreement if the preliminary audit has identified potential cost-effective energy conservation measures.

(8)(a) Except as provided in (b) of this subsection, for each reporting public facility with a national energy performance rating score below fifty, the qualifying public agency, in consultation with ((~~general administration~~)) the department of enterprise services, shall undertake a preliminary energy audit by July 1, 2011. If potential cost-effective energy savings are identified, an investment grade energy audit must be completed by July 1, 2013. Implementation of cost-effective energy conservation measures are required by July 1, 2016. For a major facility that is leased by a state agency, college, or university, energy audits and implementation of cost-effective energy conservation measures are required only for that portion of the facility that is leased by the state agency, college, or university.

(b) A reporting public facility that is leased by the state is deemed in compliance with (a) of this subsection if the qualifying public agency has already complied with the requirements of subsection (7) of this section.

(9) Schools are strongly encouraged to follow the provisions in subsections (2) through (8) of this section.

(10) The director of the department of ((~~general administration~~)) enterprise services, in consultation with the

affected state agencies and the office of financial management, shall review the cost and delivery of agency programs to determine the viability of relocation when a facility leased by the state has a national energy performance rating score below fifty. The department of ((~~general administration~~)) enterprise services shall establish a process to determine viability.

(11) ((~~General administration~~)) The department of enterprise services, in consultation with the office of financial management, shall develop a waiver process for the requirements in subsection (7) of this section. The director of the office of financial management, in consultation with ((~~general administration~~)) the department of enterprise services, may waive the requirements in subsection (7) of this section if the director determines that compliance is not cost-effective or feasible. The director of the office of financial management shall consider the review conducted by the department of ((~~general administration~~)) enterprise services on the viability of relocation as established in subsection (10) of this section, if applicable, prior to waiving the requirements in subsection (7) of this section.

(12) By July 1, 2011, ((~~general administration~~)) the department of enterprise services shall conduct a review of facilities not covered by the national energy performance rating. Based on this review, ((~~general administration~~)) the department of enterprise services shall develop a portfolio of additional facilities that require preliminary energy audits. For these facilities, the qualifying public agency, in consultation with ((~~general administration~~)) the department of enterprise services, shall undertake a preliminary energy audit by July 1, 2012. If potential cost-effective energy savings are identified, an investment grade energy audit must be completed by July 1, 2013.

Sec. 7063. RCW 19.34.100 and 1999 c 287 s 5 are each amended to read as follows:

(1) To obtain or retain a license, a certification authority must:

(a) Provide proof of identity to the secretary;

(b) Employ only certified operative personnel in appropriate positions;

(c) File with the secretary an appropriate, suitable guaranty, unless the certification authority is a city or county that is self-insured or the department of ((~~information services~~)) enterprise services;

(d) Use a trustworthy system;

(e) Maintain an office in this state or have established a registered agent for service of process in this state; and

(f) Comply with all further licensing and practice requirements established by rule by the secretary.

(2) The secretary may by rule create license classifications according to specified limitations, and the secretary may issue licenses restricted according to the limits of each classification.

(3) The secretary may impose license restrictions specific to the practices of an individual certification authority. The secretary shall set forth in writing and maintain as part of the certification authority's license application file the basis for such license restrictions.

(4) The secretary may revoke or suspend a certification authority's license, in accordance with the administrative procedure act, chapter 34.05 RCW, for failure to comply with this chapter or for failure to remain qualified under subsection (1) of this section. The secretary may order the summary suspension of a license pending proceedings for revocation or other action, which must be promptly instituted and determined, if the secretary includes within a written order a finding that the certification authority has either:

(a) Utilized its license in the commission of a violation of a state or federal criminal statute or of chapter 19.86 RCW; or

(b) Engaged in conduct giving rise to a serious risk of loss to public or private parties if the license is not immediately suspended.

(5) The secretary may recognize by rule the licensing or authorization of certification authorities by other governmental entities, in whole or in part, provided that those licensing or authorization requirements are substantially similar to those of this state. If licensing by another government is so recognized:

(a) RCW 19.34.300 through 19.34.350 apply to certificates issued by the certification authorities licensed or authorized by that government in the same manner as it applies to licensed certification authorities of this state; and

(b) The liability limits of RCW 19.34.280 apply to the certification authorities licensed or authorized by that government in the same manner as they apply to licensed certification authorities of this state.

(6) A certification authority that has not obtained a license is not subject to the provisions of this chapter, except as specifically provided.

Sec. 7064. RCW 19.285.060 and 2007 c 1 s 6 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a qualifying utility that fails to comply with the energy conservation or renewable energy targets established in RCW 19.285.040 shall pay an administrative penalty to the state of Washington in the amount of fifty dollars for each megawatt-hour of shortfall. Beginning in 2007, this penalty shall be adjusted annually according to the rate of change of the inflation indicator, gross domestic product-implicit price deflator, as published by the bureau of economic analysis of the United States department of commerce or its successor.

(2) A qualifying utility that does not meet an annual renewable energy target established in RCW 19.285.040(2) is exempt from the administrative penalty in subsection (1) of this section for that year if the commission for investor-owned utilities or the auditor for all other qualifying utilities determines that the utility complied with RCW 19.285.040(2) (d) or (i) or 19.285.050(1).

(3) A qualifying utility must notify its retail electric customers in published form within three months of incurring a penalty regarding the size of the penalty and the reason it was incurred.

(4) The commission shall determine if an investor-owned utility may recover the cost of this administrative penalty in electric rates, and may consider providing positive incentives for an investor-owned utility to exceed the targets established in RCW 19.285.040.

(5) Administrative penalties collected under this chapter shall be deposited into the energy independence act special account which is hereby created. All receipts from administrative penalties collected under this chapter must be deposited into the account. Expenditures from the account may be used only for the purchase of renewable energy credits or for energy conservation projects at public facilities, local government facilities, community colleges, or state universities. The state shall own and retire any renewable energy credits purchased using moneys from the account. Only the director of ((~~general administration~~)) enterprise services or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(6) For a qualifying utility that is an investor-owned utility, the commission shall determine compliance with the provisions of this chapter and assess penalties for noncompliance as provided in subsection (1) of this section.

(7) For qualifying utilities that are not investor-owned utilities, the auditor is responsible for auditing compliance with this chapter and rules adopted under this chapter that apply to those utilities and the attorney general is responsible for enforcing that compliance.

Sec. 7065. RCW 27.34.075 and 1994 c 82 s 2 are each amended to read as follows:

The provisions of chapter ((~~43.78~~)) 43.19 RCW shall not apply to the printing of educational publications of the state historical societies.

Sec. 7066. RCW 27.34.410 and 2007 c 333 s 4 are each amended to read as follows:

(1) The heritage barn preservation fund is created as an account in the state treasury. All receipts from appropriations and private sources must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to provide assistance to owners of heritage barns in Washington state in the stabilization and restoration of their barns so that these historic properties may continue to serve the community.

(2) The department shall minimize the amount of funds that are used for program administration, which shall include consultation with the department of ((~~general administration's~~)) enterprise services' barrier-free facilities program for input regarding accessibility for people with disabilities where public access to historic barns is permitted.

(3) The primary public benefit of funding through the heritage barn preservation program is the preservation and enhancement of significant historic properties that provide economic benefit to the state's citizens and enrich communities throughout the state.

Sec. 7067. RCW 27.48.040 and 1999 c 343 s 2 are each amended to read as follows:

(1) Unless the context clearly requires otherwise, the definitions in this section apply throughout this section.

(a) "State capitol group" includes the legislative building, the insurance building, the Cherberg building, the John L. O'Brien building, the Newhouse building, and the temple of justice building.

(b) "Historic furnishings" means furniture, fixtures, and artwork fifty years of age or older.

(2) The capitol furnishings preservation committee is established to promote and encourage the recovery and preservation of the original and historic furnishings of the state capitol group, prevent future loss of historic furnishings, and review and advise future remodeling and restoration projects as they pertain to historic furnishings. The committee's authority does not extend to the placement of any historic furnishings within the state capitol group.

(3) The capitol furnishings preservation committee account is created in the custody of the state treasurer. All receipts designated for the account from appropriations and from other sources must be deposited into the account. Expenditures from the account may be used only to finance the activities of the capitol furnishings preservation committee. Only the director of the Washington state historical society or the director's designee may authorize expenditures from the account when authorized to do so by the committee. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(4) The committee may:

(a) Authorize the director of the Washington state historical society or the director's designee to expend funds from the capitol furnishings preservation committee account for limited purposes of purchasing and preserving historic furnishings of the state capitol group;

(b) Accept monetary donations, grants, and donations of historic furnishings from, but not limited to, (i) current and former legislators, state officials, and lobbyists; (ii) the families of former legislators, state officials, and lobbyists; and (iii) the general public. Moneys received under this section must be deposited in the capitol furnishings preservation committee account; and

(c) Engage in or encourage fund-raising activities including the solicitation of charitable gifts, grants, or donations specifically for the limited purpose of the recovery of the original and historic furnishings.

(5) The membership of the committee shall include: Two members of the house of representatives, one from each major caucus, appointed by the speaker of the house of representatives; two members of the senate, one from each major caucus, appointed by the president of the senate; the chief clerk of the house of representatives; the secretary of the senate; the governor or the governor's designee; the lieutenant governor or the lieutenant governor's designee; a representative from the office of the secretary of state, the office of the state treasurer, the office of the state auditor, and the office of the insurance commissioner; a representative from the supreme court; a representative from the Washington state historical society, the department of ((~~general administration~~)) enterprise services, and the Thurston county planning council, each appointed by the governor; and three private citizens, appointed by the governor.

(6) Original or historic furnishings from the state capitol group are not surplus property under chapter 43.19 RCW or other authority unless designated as such by the committee.

Sec. 7068. RCW 28A.150.530 and 2006 c 263 s 326 are each amended to read as follows:

(1) In adopting implementation rules, the superintendent of public instruction, in consultation with the department of ((~~general administration~~)) enterprise services, shall review and modify the current requirement for an energy conservation report review by the department of ((~~general administration as provided in WAC 180-27-075~~)) enterprise services.

(2) In adopting implementation rules, the superintendent of public instruction shall:

(a) Review and modify the current requirements for value engineering, constructibility review, and building commissioning ((~~as provided in WAC 180-27-080~~));

(b) Review private and public utility providers' capacity and financial/technical assistance programs for affected public school districts to monitor and report utility consumption for purposes of reporting to the superintendent of public instruction as provided in RCW 39.35D.040;

(c) Coordinate with the department of ((~~general administration~~)) enterprise services, the state board of health, the department of ecology, federal agencies, and other affected agencies as appropriate in their consideration of rules to implement this section.

Sec. 7069. RCW 28A.335.300 and 1991 c 297 s 18 are each amended to read as follows:

Every school board of directors shall consider the purchase of playground matting manufactured from shredded waste tires in undertaking construction or maintenance of playgrounds. The department of ((~~general administration~~)) enterprise services shall upon request assist in the development of product specifications and vendor identification.

Sec. 7070. RCW 28B.10.417 and 2011 1st sp.s. c 47 s 6 are each amended to read as follows:

(1) This section applies only to those persons who are first employed by a higher education institution in a position eligible for participation in an annuity or retirement program under RCW 28B.10.400 prior to July 1, 2011.

(2) A faculty member or other employee exempt from civil service pursuant to RCW 41.06.070 (1)((~~(cc)~~)) (z) and (2) designated by the board of trustees of the applicable regional university or of The Evergreen State College as being subject to an annuity or retirement income plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system, shall retain credit for such service in the Washington state teachers' retirement system and, except as provided in subsection (3) of this section, shall leave his or her accumulated contributions in the teachers' retirement fund. Upon his or her attaining eligibility for retirement under the Washington state

teachers' retirement system, such faculty member or other employee shall receive from the Washington state teachers' retirement system a retirement allowance consisting of an annuity which shall be the actuarial equivalent of his or her accumulated contributions at his or her age when becoming eligible for such retirement and a pension for each year of creditable service established and retained at the time of said designation as provided in RCW 41.32.497. Anyone who on July 1, 1967, was receiving pension payments from the teachers' retirement system based on thirty-five years of creditable service shall thereafter receive a pension based on the total years of creditable service established with the retirement system: PROVIDED, HOWEVER, That any such faculty member or other employee exempt from civil service pursuant to RCW 41.06.070 (1)((~~(cc)~~)) (z) and (2) who, upon attainment of eligibility for retirement under the Washington state teachers' retirement system, is still engaged in public educational employment, shall not be eligible to receive benefits under the Washington state teachers' retirement system until he or she ceases such public educational employment. Any retired faculty member or other employee who enters service in any public educational institution shall cease to receive pension payments while engaged in such service: PROVIDED FURTHER, That such service may be rendered up to seventy-five days in a school year without reduction of pension.

(3) A faculty member or other exempt employee designated by the board of trustees of the applicable regional university or of The Evergreen State College as being subject to the annuity and retirement income plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system may, at his or her election and at any time, on and after midnight June 10, 1959, terminate his or her membership in the Washington state teachers' retirement system and withdraw his or her accumulated contributions and interest in the teachers' retirement fund upon written application to the board of trustees of the Washington state teachers' retirement system. Faculty members or other employees who withdraw their accumulated contributions, on and after the date of withdrawal of contributions, shall no longer be members of the Washington state teachers' retirement system and shall forfeit all rights of membership, including pension benefits, theretofore acquired under the Washington state teachers' retirement system.

Sec. 7071. RCW 35.21.779 and 1995 c 399 s 39 are each amended to read as follows:

(1) In cities or towns where the estimated value of state-owned facilities constitutes ten percent or more of the total assessed valuation, the state agency or institution owning the facilities shall contract with the city or town to pay an equitable share for fire protection services. The contract shall be negotiated as provided in subsections (2) through (6) of this section and shall provide for payment by the agency or institution to the city or town.

(2) A city or town seeking to enter into fire protection contract negotiations shall provide written notification to the department of ((~~community, trade, and economic development~~)) commerce and the state agencies or institutions that own property within the jurisdiction, of its intent to contract for fire protection services. Where there are multiple state agencies located within a single jurisdiction, a city may choose to notify only the department of ((~~community, trade, and economic development~~)) commerce, which in turn shall notify the agencies or institution that own property within the jurisdiction of the city's intent to contract for fire protection services. Any such notification shall be based on the valuation procedures, based on commonly accepted standards, adopted by the department of ((~~community, trade, and economic development~~)) commerce in consultation with the department of ((~~general administration~~)) enterprise services and the association of Washington cities.

(3) The department of ((~~community, trade, and economic development~~)) commerce shall review any such notification to ensure that the valuation procedures and results are accurate. The department will notify each affected city or town and state agency or institution of the results of their review within thirty days of receipt of notification.

(4) The parties negotiating fire protection contracts under this section shall conduct those negotiations in good faith. Whenever there are multiple state agencies located within a single jurisdiction, every effort shall be made by the state to consolidate negotiations on behalf of all affected agencies.

(5) In the event of notification by one of the parties that an agreement cannot be reached on the terms and conditions of a fire protection contract, the director of the department of ((~~community, trade, and economic development~~)) commerce shall mediate a resolution of the disagreement. In the event of a continued impasse, the director of the department of ((~~community, trade, and economic development~~)) commerce shall recommend a resolution.

(6) If the parties reject the recommendation of the director and an impasse continues, the director shall direct the parties to arbitration. The parties shall agree on a neutral arbitrator, and the fees and expenses of the arbitrator shall be shared equally between the parties. The arbitration shall be a final offer, total arbitration, with the arbitrator empowered only to pick the final offer of one of the parties or the recommended resolution by the director of the department of ((~~community, trade, and economic development~~)) commerce. The decision of the arbitrator shall be final, binding, and nonappealable on the parties.

(7) The provisions of this section shall not apply if a city or town and a state agency or institution have contracted pursuant to RCW 35.21.775.

(8) The provisions of this section do not apply to cities and towns not meeting the conditions in subsection (1) of this section. Cities and towns not meeting the conditions of subsection (1) of this section may enter into contracts pursuant to RCW 35.21.775.

Sec. 7072. RCW 35.68.076 and 1989 c 175 s 84 are each amended to read as follows:

The department of ((~~general administration~~)) enterprise services shall, pursuant to chapter 34.05 RCW, the Administrative Procedure Act, adopt several suggested model design, construction, or location standards to aid counties, cities, and towns in constructing curb ramps to allow reasonable access to the crosswalk for ((~~physically handicapped~~)) persons with physical disabilities without uniquely endangering blind persons. The department of ((~~general administration~~)) enterprise services shall consult with ((~~handicapped~~)) persons with physical disabilities, blind persons, counties, cities, and the state building code council in adopting the suggested standards.

Sec. 7073. RCW 35A.65.010 and 1967 ex.s. c 119 s 35A.65.010 are each amended to read as follows:

All printing, binding and stationery work done for any code city shall be done within the state and all proposals, requests and invitations to submit bids, prices or contracts thereon and all contracts for such work shall so stipulate subject to the limitations contained in RCW ((~~43.78.130~~)) 43.19.748 and 35.23.352.

Sec. 7074. RCW 36.28A.070 and 2003 c 102 s 3 are each amended to read as follows:

(1) The Washington association of sheriffs and police chiefs in consultation with the Washington state emergency management office, the Washington association of county officials, the Washington association of cities, the ((~~information services board~~)) office of the chief information officer, the Washington state fire chiefs' association, and the Washington state patrol shall convene a committee to establish guidelines related to the statewide first responder building mapping information system. The committee shall have the following responsibilities:

(a) Develop the type of information to be included in the statewide first responder building mapping information system. The

information shall include, but is not limited to: Floor plans, fire protection information, evacuation plans, utility information, known hazards, and text and digital images showing emergency personnel contact information;

(b) Develop building mapping software standards that must be utilized by all entities participating in the statewide first responder building mapping information system;

(c) Determine the order in which buildings shall be mapped when funding is received;

(d) Develop guidelines on how the information shall be made available. These guidelines shall include detailed procedures and security systems to ensure that the information is only made available to the government entity that either owns the building or is responding to an incident at the building;

(e) Recommend training guidelines regarding using the statewide first responder building mapping information system to the criminal justice training commission and the Washington state patrol fire protection bureau.

(2)(a) Nothing in this section supersedes the authority of the ((~~information services board~~)) office of the chief information officer under chapter ((~~43.105~~)) 43.41A RCW.

(b) Nothing in this section supersedes the authority of state agencies and local governments to control and maintain access to information within their independent systems.

Sec. 7075. RCW 39.04.155 and 2009 c 74 s 1 are each amended to read as follows:

(1) This section provides uniform small works roster provisions to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property that may be used by state agencies and by any local government that is expressly authorized to use these provisions. These provisions may be used in lieu of other procedures to award contracts for such work with an estimated cost of three hundred thousand dollars or less. The small works roster process includes the limited public works process authorized under subsection (3) of this section and any local government authorized to award contracts using the small works roster process under this section may award contracts using the limited public works process under subsection (3) of this section.

(2)(a) A state agency or authorized local government may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work. Where applicable, small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor. The small works roster or rosters shall consist of all responsible contractors who have requested to be on the list, and where required by law are properly licensed or registered to perform such work in this state. A state agency or local government establishing a small works roster or rosters may require eligible contractors desiring to be placed on a roster or rosters to keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the state agency or local government as a condition of being placed on a roster or rosters. At least once a year, the state agency or local government shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. In addition, responsible contractors shall be added to an appropriate roster or rosters at any time they submit a written request and necessary records. Master contracts may be required to be signed that become effective when a specific award is made using a small works roster.

(b) A state agency establishing a small works roster or rosters shall adopt rules implementing this subsection. A local government establishing a small works roster or rosters shall adopt an ordinance or resolution implementing this subsection. Procedures included in rules adopted by the department of ((~~general administration~~)) enterprise services in implementing this subsection must be included in any rules providing for a small works roster or rosters that is adopted by another state agency, if the authority for that state agency to engage in these activities has been delegated to it by the department of ((~~general administration~~)) enterprise services under chapter 43.19 RCW. An interlocal contract or agreement between two or more state agencies or local governments establishing a small works roster or rosters to be used by the parties to the agreement or contract must clearly identify the lead entity that is responsible for implementing the provisions of this subsection.

(c) Procedures shall be established for securing telephone, written, or electronic quotations from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to the lowest responsible bidder, as defined in RCW 39.04.010. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. This subsection does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes. Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. However, if the estimated cost of the work is from one hundred fifty thousand dollars to three hundred thousand dollars, a state agency or local government that chooses to solicit bids from less than all the appropriate contractors on the appropriate small works roster must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The government has the sole option of determining whether this notice to the remaining contractors is made by: (i) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done; (ii) mailing a notice to these contractors; or (iii) sending a notice to these contractors by facsimile or other electronic means. For purposes of this subsection (2)(c), "equitably distribute" means that a state agency or local government soliciting bids may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

(d) A contract awarded from a small works roster under this section need not be advertised.

(e) Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

(3) In lieu of awarding contracts under subsection (2) of this section, a state agency or authorized local government may award a contract for work, construction, alteration, repair, or improvement projects estimated to cost less than thirty-five thousand dollars using the limited public works process provided under this subsection. Public works projects awarded under this subsection are exempt from the other requirements of the small works roster process provided under subsection (2) of this section and are exempt from the requirement that contracts be awarded after advertisement as provided under RCW 39.04.010.

For limited public works projects, a state agency or authorized local government shall solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request. A state agency or authorized local government shall attempt to distribute opportunities for limited public works projects equitably among contractors willing to perform in the

geographic area of the work. A state agency or authorized local government shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded. For limited public works projects, a state agency or authorized local government may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialpersons, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project, however the state agency or authorized local government shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

(4) The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process or limited public works process.

(5)(a) A state agency or authorized local government may use the limited public works process of subsection (3) of this section to solicit and award small works roster contracts to small businesses that are registered contractors with gross revenues under one million dollars annually as reported on their federal tax return.

(b) A state agency or authorized local government may adopt additional procedures to encourage small businesses that are registered contractors with gross revenues under two hundred fifty thousand dollars annually as reported on their federal tax returns to submit quotations or bids on small works roster contracts.

(6) As used in this section, "state agency" means the department of ((~~general administration~~)) enterprise services, the state parks and recreation commission, the department of natural resources, the department of fish and wildlife, the department of transportation, any institution of higher education as defined under RCW 28B.10.016, and any other state agency delegated authority by the department of ((~~general administration~~)) enterprise services to engage in construction, building, renovation, remodeling, alteration, improvement, or repair activities.

Sec. 7076. RCW 39.04.220 and 1996 c 18 s 5 are each amended to read as follows:

(1) In addition to currently authorized methods of public works contracting, and in lieu of the requirements of RCW 39.04.010 and 39.04.020 through 39.04.060, capital projects funded for over ten million dollars authorized by the legislature for the department of corrections to construct or repair facilities may be accomplished under contract using the general contractor/construction manager method described in this section. In addition, the general contractor/construction manager method may be used for up to two demonstration projects under ten million dollars for the department of corrections. Each demonstration project shall aggregate capital projects authorized by the legislature at a single site to total no less than three million dollars with the approval of the office of financial management. The department of ((~~general administration~~)) enterprise services shall present its plan for the aggregation of projects under each demonstration project to the oversight advisory committee established under subsection (2) of this section prior to soliciting proposals for general contractor/construction manager services for the demonstration project.

(2) For the purposes of this section, "general contractor/construction manager" means a firm with which the department of ((~~general administration~~)) enterprise services has selected and negotiated a maximum allowable construction cost to be guaranteed by the firm, after competitive selection through a formal advertisement, and competitive bids to provide services during the design phase that may include life-cycle cost design considerations, value engineering, scheduling, cost estimating, constructability, alternative construction options for cost savings, and sequencing of work, and to act as the construction manager and general contractor during the construction phase. The department of ((~~general administration~~)) enterprise services shall establish an independent oversight advisory committee with representatives of interest groups with an interest in this subject area, the department of corrections, and the private sector, to review selection and contracting procedures and contracting documents. The oversight advisory committee shall discuss and review the progress of the demonstration projects. The general contractor/construction manager method is limited to projects authorized on or before July 1, 1997.

(3) Contracts for the services of a general contractor/construction manager awarded under the authority of this section shall be awarded through a competitive process requiring the public solicitation of proposals for general contractor/construction manager services. Minority and women enterprise total project goals shall be specified in the bid instructions to the general contractor/construction manager finalists. The director of ((~~general administration~~)) enterprise services is authorized to include an incentive clause in any contract awarded under this section for savings of either time or cost or both from that originally negotiated. No incentives granted shall exceed five percent of the maximum allowable construction cost. The director of ((~~general administration~~)) enterprise services or his or her designee shall establish a committee to evaluate the proposals considering such factors as: Ability of professional personnel; past performance in negotiated and complex projects; ability to meet time and budget requirements; location; recent, current, and projected workloads of the firm; and the concept of their proposal. After the committee has selected the most qualified finalists, these finalists shall submit sealed bids for the percent fee, which is the percentage amount to be earned by the general contractor/construction manager as overhead and profit, on the estimated maximum allowable construction cost and the fixed amount for the detailed specified general conditions work. The maximum allowable construction cost may be negotiated between the department of ((~~general administration~~)) enterprise services and the selected firm after the scope of the project is adequately determined to establish a guaranteed contract cost for which the general contractor/construction manager will provide a performance and payment bond. The guaranteed contract cost includes the fixed amount for the detailed specified general conditions work, the negotiated maximum allowable construction cost, the percent fee on the negotiated maximum allowable construction cost, and sales tax. If the department of ((~~general administration~~)) enterprise services is unable to negotiate a satisfactory maximum allowable construction cost with the firm selected that the department of ((~~general administration~~)) enterprise services determines to be fair, reasonable, and within the available funds, negotiations with that firm shall be formally terminated and the department of ((~~general administration~~)) enterprise services shall negotiate with the next low bidder and continue until an agreement is reached or the process is terminated. If the maximum allowable construction cost varies more than fifteen percent from the bid estimated maximum allowable construction cost due to requested and approved changes in the scope by the state, the percent fee shall be renegotiated. All subcontract work shall be competitively bid with public bid openings. Specific contract requirements for women and minority enterprise participation shall be specified in each subcontract bid package that exceeds ten percent of the department's estimated project cost. All subcontractors who bid work over two hundred thousand dollars shall post a bid bond and the awarded subcontractor shall provide a performance and payment bond for their contract amount if required by the general

contractor/construction manager. A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project. Bidding on subcontract work by the general contractor/construction manager or its subsidiaries is prohibited. The general contractor/construction manager may negotiate with the low-responsive bidder only in accordance with RCW 39.04.015 or, if unsuccessful in such negotiations, rebid.

(4) If the project is completed for less than the agreed upon maximum allowable construction cost, any savings not otherwise negotiated as part of an incentive clause shall accrue to the state. If the project is completed for more than the agreed upon maximum allowable construction cost, excepting increases due to any contract change orders approved by the state, the additional cost shall be the responsibility of the general contractor/construction manager.

(5) The powers and authority conferred by this section shall be construed as in addition and supplemental to powers or authority conferred by any other law, and nothing contained in this section may be construed as limiting any other powers or authority of the department of ((~~general administration~~)) enterprise services. However, all actions taken pursuant to the powers and authority granted to the director or the department of ((~~general administration~~)) enterprise services under this section may only be taken with the concurrence of the department of corrections.

Sec. 7077. RCW 39.04.290 and 2001 c 34 s 1 are each amended to read as follows:

(1) A state agency or local government may award contracts of any value for the design, fabrication, and installation of building engineering systems by: (a) Using a competitive bidding process or request for proposals process where bidders are required to provide final specifications and a bid price for the design, fabrication, and installation of building engineering systems, with the final specifications being approved by an appropriate design, engineering, and/or public regulatory body; or (b) using a competitive bidding process where bidders are required to provide final specifications for the final design, fabrication, and installation of building engineering systems as part of a larger project with the final specifications for the building engineering systems portion of the project being approved by an appropriate design, engineering, and/or public regulatory body. The provisions of chapter 39.80 RCW do not apply to the design of building engineering systems that are included as part of a contract described under this section.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Building engineering systems" means those systems where contracts for the systems customarily have been awarded with a requirement that the contractor provide final approved specifications, including fire alarm systems, building sprinkler systems, pneumatic tube systems, extensions of heating, ventilation, or air conditioning control systems, chlorination and chemical feed systems, emergency generator systems, building signage systems, pile foundations, and curtain wall systems.

(b) "Local government" means any county, city, town, school district, or other special district, municipal corporation, or quasi-municipal corporation.

(c) "State agency" means the department of ((~~general administration~~)) enterprise services, the state parks and recreation commission, the department of fish and wildlife, the department of natural resources, any institution of higher education as defined under RCW 28B.10.016, and any other state agency delegated authority by the department of ((~~general administration~~)) enterprise services to engage in building, renovation, remodeling, alteration, improvement, or repair activities.

Sec. 7078. RCW 39.04.320 and 2009 c 197 s 1 are each amended to read as follows:

(1)(a) Except as provided in (b) through (d) of this subsection, from January 1, 2005, and thereafter, for all public works estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(b)(i) This section does not apply to contracts advertised for bid before July 1, 2007, for any public works by the department of transportation.

(ii) For contracts advertised for bid on or after July 1, 2007, and before July 1, 2008, for all public works by the department of transportation estimated to cost five million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after July 1, 2008, and before July 1, 2009, for all public works by the department of transportation estimated to cost three million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after July 1, 2009, for all public works by the department of transportation estimated to cost two million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(c)(i) This section does not apply to contracts advertised for bid before January 1, 2008, for any public works by a school district, or to any project funded in whole or in part by bond issues approved before July 1, 2007.

(ii) For contracts advertised for bid on or after January 1, 2008, for all public works by a school district estimated to cost three million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2009, for all public works by a school district estimated to cost two million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after January 1, 2010, for all public works by a school district estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(d)(i) For contracts advertised for bid on or after January 1, 2010, for all public works by a four-year institution of higher education estimated to cost three million dollars or more, all specifications must require that no less than ten percent of the labor hours be performed by apprentices.

(ii) For contracts advertised for bid on or after January 1, 2011, for all public works by a four-year institution of higher education estimated to cost two million dollars or more, all specifications must require that no less than twelve percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2012, for all public works by a four-year institution of higher education estimated to cost one million dollars or more, all specifications must require that no less than fifteen percent of the labor hours be performed by apprentices.

(2) Awarding entities may adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas;

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation;

(c) Participating contractors have demonstrated a good faith effort to comply with the requirements of RCW 39.04.300 and 39.04.310 and this section; or

(d) Other criteria the awarding entity deems appropriate, which are subject to review by the office of the governor.

(3) The secretary of the department of transportation shall adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas; or

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation.

(4) This section applies to public works contracts awarded by the state, to public works contracts awarded by school districts, and to public works contracts awarded by state four-year institutions of higher education. However, this section does not apply to contracts awarded by state agencies headed by a separately elected public official.

(5)(a) The department of ((~~general administration~~)) enterprise services must provide information and technical assistance to affected agencies and collect the following data from affected agencies for each project covered by this section:

(i) The name of each apprentice and apprentice registration number;

(ii) The name of each project;

(iii) The dollar value of each project;

(iv) The date of the contractor's notice to proceed;

(v) The number of apprentices and labor hours worked by them, categorized by trade or craft;

(vi) The number of journey level workers and labor hours worked by them, categorized by trade or craft; and

(vii) The number, type, and rationale for the exceptions granted under subsection (2) of this section.

(b) The department of labor and industries shall assist the department of ((~~general administration~~)) enterprise services in providing information and technical assistance.

(6) The secretary of transportation shall establish an apprenticeship utilization advisory committee, which shall include statewide geographic representation and consist of equal numbers of representatives of contractors and labor. The committee must include at least one member representing contractor businesses with less than thirty-five employees. The advisory committee shall meet regularly with the secretary of transportation to discuss implementation of this section by the department of transportation, including development of the process to be used to adjust the requirements of this section for a specific project. The committee shall provide a report to the legislature by January 1, 2008, on the effects of the apprentice labor requirement on transportation projects and on the availability of apprentice labor and programs statewide.

(7) At the request of the senate labor, commerce, research and development committee, the house of representatives commerce and labor committee, or their successor committees, and the governor, the department of ((~~general administration~~)) enterprise services and the department of labor and industries shall compile and summarize the agency data and provide a joint report to both committees. The report shall include recommendations on modifications or improvements to the apprentice utilization program and information on skill shortages in each trade or craft.

Sec. 7079. RCW 39.04.330 and 2005 c 12 s 11 are each amended to read as follows:

For purposes of determining compliance with chapter 39.35D RCW, the department of ((~~general administration~~)) enterprise services shall credit the project for using wood products with a credible third party sustainable forest certification or from forests regulated under chapter 76.09 RCW, the Washington forest practices act.

Sec. 7080. RCW 39.04.370 and 2010 c 276 s 1 are each amended to read as follows:

(1) For any public work estimated to cost over one million dollars, the contract must contain a provision requiring the submission of certain information about off-site, prefabricated, nonstandard, project specific items produced under the terms of the contract and produced outside Washington. The information must be submitted to the department of labor and industries under subsection (2) of this section. The information that must be provided is:

(a) The estimated cost of the public works project;

(b) The name of the awarding agency and the title of the public works project;

(c) The contract value of the off-site, prefabricated, nonstandard, project specific items produced outside Washington, including labor and materials; and

(d) The name, address, and federal employer identification number of the contractor that produced the off-site, prefabricated, nonstandard, project specific items.

(2)(a) The required information under this section must be submitted by the contractor or subcontractor as a part of the affidavit of wages paid form filed with the department of labor and industries under RCW 39.12.040. This information is only required to be submitted by the contractor or subcontractor who directly contracted for the off-site, prefabricated, nonstandard, project specific items produced outside Washington.

(b) The department of labor and industries shall include requests for the information about off-site, prefabricated, nonstandard, project specific items produced outside Washington on the affidavit of wages paid form required under RCW 39.12.040.

(c) The department of ((~~general administration~~)) enterprise services shall develop standard contract language to meet the requirements of subsection (1) of this section and make the language available on its web site.

(d) Failure to submit the information required in subsection (1) of this section as part of the affidavit of wages paid form does not constitute a violation of RCW 39.12.050.

(3) For the purposes of this section, "off-site, prefabricated, nonstandard, project specific items" means products or items that are: (a) Made primarily of architectural or structural precast concrete, fabricated steel, pipe and pipe systems, or sheet metal and sheet metal duct work; (b) produced specifically for the public work and not considered to be regularly available shelf items; (c) produced or manufactured by labor expended to assemble or modify standard items; and (d) produced at an off-site location.

(4) The department of labor and industries shall transmit information collected under this section to the capital projects advisory review board created in RCW 39.10.220 for review.

(5) This section applies to contracts entered into between September 1, 2010, and December 31, 2013.

(6) This section does not apply to department of transportation public works projects.

(7) This section does not apply to local transportation public works projects.

Sec. 7081. RCW 39.04.380 and 2011 c 345 s 1 are each amended to read as follows:

(1) The department of ((~~general administration~~)) enterprise services must conduct a survey and compile the results into a list of which states provide a bidding preference on public works contracts for their resident contractors. The list must include details on the type of preference, the amount of the preference, and how the preference is applied. The list must be updated periodically as needed. The initial survey must be completed by November 1, 2011, and by December 1, 2011, the department must submit a report to the appropriate committees of the legislature on the results of the survey. The report must include the list and recommendations necessary to implement the intent of this section and section 2, chapter 345, Laws of 2011.

(2) The department of ((~~general administration~~)) enterprise services must distribute the report, along with the requirements of

this section and section 2, chapter 345, Laws of 2011, to all state and local agencies with the authority to procure public works. The department may adopt rules and procedures to implement the reciprocity requirements in subsection (3) of this section. However, subsection (3) ((~~[of this section]~~)) of this section does not take effect until the department of ((~~general administration~~)) enterprise services has adopted the rules and procedures for reciprocity under this subsection (((~~(2) of this section [this subsection]~~)) or announced that it will not be issuing rules or procedures pursuant to this section.

(3) In any bidding process for public works in which a bid is received from a nonresident contractor from a state that provides a percentage bidding preference, a comparable percentage disadvantage must be applied to the bid of that nonresident contractor. This subsection does not apply until the department of ((~~general administration~~)) enterprise services has adopted the rules and procedures for reciprocity under subsection (2) of this section, or has determined and announced that rules are not necessary for implementation.

(4) A nonresident contractor from a state that provides a percentage bid preference means a contractor that:

(a) Is from a state that provides a percentage bid preference to its resident contractors bidding on public works contracts; and

(b) At the time of bidding on a public works project, does not have a physical office located in Washington.

(5) The state of residence for a nonresident contractor is the state in which the contractor was incorporated or, if not a corporation, the state where the contractor's business entity was formed.

(6) This section does not apply to public works procured pursuant to RCW 39.04.155, 39.04.280, or any other procurement exempt from competitive bidding.

Sec. 7082. RCW 39.24.050 and 1982 c 61 s 3 are each amended to read as follows:

A governmental unit shall, to the maximum extent economically feasible, purchase paper products which meet the specifications established by the department of ((~~general administration~~)) enterprise services under RCW ((~~43.19.538~~)) 39.26.255.

Sec. 7083. RCW 39.30.050 and 1982 c 61 s 4 are each amended to read as follows:

Any contract by a governmental unit shall require the use of paper products to the maximum extent economically feasible that meet the specifications established by the department of ((~~general administration~~)) enterprise services under RCW ((~~43.19.538~~)) 39.26.255.

Sec. 7084. RCW 39.32.020 and 1995 c 137 s 3 are each amended to read as follows:

The director of ((~~general administration~~)) enterprise services is hereby authorized to purchase, lease or otherwise acquire from federal, state, or local government or any surplus property disposal agency thereof surplus property to be used in accordance with the provisions of this chapter.

Sec. 7085. RCW 39.32.040 and 1998 c 105 s 4 are each amended to read as follows:

In purchasing federal surplus property on requisition for any eligible donee the director may advance the purchase price thereof from the ((~~general administration~~)) enterprise services account, and he or she shall then in due course bill the proper eligible donee for the amount paid by him or her for the property plus a reasonable amount to cover the expense incurred by him or her in connection with the transaction. In purchasing surplus property without requisition, the director shall be deemed to take title outright and he or she shall then be authorized to resell from time to time any or all of such property to such eligible donees as desire to avail themselves of the privilege of purchasing. All moneys received in payment for surplus property from eligible donees shall be deposited by the director in the ((~~general administration~~)) enterprise services account. The director shall sell federal surplus property to eligible donees at a price sufficient only to reimburse the ((~~general administration~~)) enterprise services account for the cost of the property to the account, plus a reasonable amount to cover expenses incurred in connection with the transaction. Where surplus property is transferred to an eligible donee without cost to the transferee, the director may impose a reasonable charge to cover expenses incurred in connection with the transaction. The governor, through the director of ((~~general administration~~)) enterprise services, shall administer the surplus property program in the state and shall perform or supervise all those functions with respect to the program, its agencies and instrumentalities.

Sec. 7086. RCW 39.32.060 and 1977 ex.s. c 135 s 5 are each amended to read as follows:

The director of ((~~general administration~~)) enterprise services shall have power to promulgate such rules and regulations as may be necessary to effectuate the purposes of RCW 39.32.010 through 39.32.060 and to carry out the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

Sec. 7087. RCW 39.35.060 and 2001 c 292 s 1 are each amended to read as follows:

The department may impose fees upon affected public agencies for the review of life-cycle cost analyses. The fees shall be deposited in the ((~~general administration~~)) enterprise services account. The purpose of the fees is to recover the costs by the department for review of the analyses. The department shall set fees at a level necessary to recover all of its costs related to increasing the energy efficiency of state-supported new construction. The fees shall not exceed one-tenth of one percent of the total cost of any project or exceed two thousand dollars for any project unless mutually agreed to. The department shall provide detailed calculation ensuring that the energy savings resulting from its review of life-cycle cost analysis justify the costs of performing that review.

Sec. 7088. RCW 39.35A.050 and 2001 c 214 s 19 are each amended to read as follows:

The state department of ((~~general administration~~)) enterprise services shall maintain a registry of energy service contractors and provide assistance to municipalities in identifying available performance-based contracting services.

Sec. 7089. RCW 39.35B.040 and 1986 c 127 s 4 are each amended to read as follows:

The principal executives of all state agencies are responsible for implementing the policy set forth in this chapter. The office of financial management in conjunction with the department of ((~~general administration~~)) enterprise services may establish guidelines for compliance by the state government and its agencies, and state universities and community colleges. The office of financial management shall include within its biennial capital budget instructions:

(1) A discount rate for the use of all agencies in calculating the present value of future costs, and several examples of resultant trade-offs between annual operating costs eliminated and additional capital costs thereby justified; and

(2) Types of projects and building components that are particularly appropriate for life-cycle cost analysis.

Sec. 7090. RCW 39.35C.050 and 1996 c 186 s 409 are each amended to read as follows:

In addition to any other authorities conferred by law:

(1) The department, with the consent of the state agency or school district responsible for a facility, a state or regional university acting independently, and any other state agency acting through the department of ((~~general administration~~)) enterprise services or as otherwise authorized by law, may:

(a) Develop and finance conservation at public facilities in accordance with express provisions of this chapter;

(b) Contract for energy services, including performance-based contracts;

(c) Contract to sell energy savings from a conservation project at public facilities to local utilities or the Bonneville power administration.

(2) A state or regional university acting independently, and any other state agency acting through the department of ((~~general administration~~)) enterprise services or as otherwise authorized by law, may undertake procurements for third-party development of conservation at its facilities.

(3) A school district may:

(a) Develop and finance conservation at school district facilities;

(b) Contract for energy services, including performance-based contracts at school district facilities; and

(c) Contract to sell energy savings from energy conservation projects at school district facilities to local utilities or the Bonneville power administration directly or to local utilities or the Bonneville power administration through third parties.

(4) In exercising the authority granted by subsections (1), (2), and (3) of this section, a school district or state agency must comply with the provisions of RCW 39.35C.040.

Sec. 7091. RCW 39.35C.090 and 1996 c 186 s 413 are each amended to read as follows:

In addition to any other authorities conferred by law:

(1) The department, with the consent of the state agency responsible for a facility, a state or regional university acting independently, and any other state agency acting through the department of ((~~general administration~~)) enterprise services or as otherwise authorized by law, may:

(a) Contract to sell electric energy generated at state facilities to a utility; and

(b) Contract to sell thermal energy produced at state facilities to a utility.

(2) A state or regional university acting independently, and any other state agency acting through the department of ((~~general administration~~)) enterprise services or as otherwise authorized by law, may:

(a) Acquire, install, permit, construct, own, operate, and maintain cogeneration and facility heating and cooling measures or equipment, or both, at its facilities;

(b) Lease state property for the installation and operation of cogeneration and facility heating and cooling equipment at its facilities;

(c) Contract to purchase all or part of the electric or thermal output of cogeneration plants at its facilities;

(d) Contract to purchase or otherwise acquire fuel or other energy sources needed to operate cogeneration plants at its facilities; and

(e) Undertake procurements for third-party development of cogeneration projects at its facilities, with successful bidders to be selected based on the responsible bid, including nonprice elements listed in RCW ((~~43.19.1911~~)) 39.26.160, that offers the greatest net achievable benefits to the state and its agencies.

(3) After July 28, 1991, a state agency shall consult with the department prior to exercising any authority granted by this section.

(4) In exercising the authority granted by subsections (1) and (2) of this section, a state agency must comply with the provisions of RCW 39.35C.080.

Sec. 7092. RCW 39.59.010 and 2002 c 332 s 22 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Bond" means any agreement which may or may not be represented by a physical instrument, including but not limited to bonds, notes, warrants, or certificates of indebtedness, that evidences an obligation under which the issuer agrees to pay a specified amount of money, with or without interest, at a designated time or times either to registered owners or bearers.

(2) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation, authority, or other instrumentality created by such an entity.

(3) "Money market fund" means a mutual fund the portfolio which consists of only bonds having maturities or demand or tender provisions of not more than one year, managed by an investment advisor who has posted with the office of risk management ((~~division of the office of financial management~~)) in the department of enterprise services a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to RCW 39.59.030 (2) or (3).

(4) "Mutual fund" means a diversified mutual fund registered with the federal securities and exchange commission and which is managed by an investment advisor with assets under management of at least five hundred million dollars and with at least five years' experience in investing in bonds authorized for investment by this chapter and who has posted with the office of risk management ((~~division of the office of financial management~~)) in the department of enterprise services a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to RCW 39.59.030(1).

(5) "State" includes a state, agencies, authorities, and instrumentalities of a state, and public corporations created by a state or agencies, authorities, or instrumentalities of a state.

Sec. 7093. RCW 41.04.017 and 2007 c 487 s 1 are each amended to read as follows:

A one hundred fifty thousand dollar death benefit shall be paid as a sundry claim to the estate of an employee of any state agency, the common school system of the state, or institution of higher education who dies as a result of (1) injuries sustained in the course of employment; or (2) an occupational disease or infection that arises naturally and proximately out of employment covered under this chapter, and is not otherwise provided a death benefit through coverage under their enrolled retirement system under chapter 402, Laws of 2003. The determination of eligibility for the benefit shall be made consistent with Title 51 RCW by the department of labor and industries. The department of labor and industries shall notify the director of the department of ((~~general administration~~)) enterprise services by order under RCW 51.52.050.

Sec. 7094. RCW 41.04.220 and 1983 c 3 s 88 are each amended to read as follows:

Any governmental entity other than state agencies, may use the services of the department of ((~~general administration~~)) enterprise services upon the approval of the director, in procuring health benefit programs as provided by RCW

In addition to the exemptions under RCW 41.06.070, the provisions of this chapter shall not apply in the ((~~department of information services~~)) consolidated technology services agency to up to twelve positions in the planning component involved in policy development and/or senior professionals.

Sec. 7097. RCW 42.17A.110 and 2011 1st sp.s. c 43 s 448 and 2011 c 60 s 20 are each reenacted to read as follows:

The commission may:

(1) Adopt, amend, and rescind suitable administrative rules to carry out the policies and purposes of this chapter, which rules shall be adopted under chapter 34.05 RCW. Any rule relating to campaign finance, political advertising, or related forms that would otherwise take effect after June 30th of a general election year shall take effect no earlier than the day following the general election in that year;

(2) Appoint an executive director and set, within the limits established by the office of financial management under RCW 43.03.028, the executive director's compensation. The executive director shall perform such duties and have such powers as the commission may prescribe and delegate to implement and enforce this chapter efficiently and effectively. The commission shall not delegate its authority to adopt, amend, or rescind rules nor may it delegate authority to determine whether an actual violation of this chapter has occurred or to assess penalties for such violations;

(3) Prepare and publish reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

(4) Conduct, as it deems appropriate, audits and field investigations;

(5) Make public the time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(6) Administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence, and require the production of any records relevant to any investigation authorized under this chapter, or any other proceeding under this chapter;

(7) Adopt a code of fair campaign practices;

(8) Adopt rules relieving candidates or political committees of obligations to comply with the election campaign provisions of this chapter, if they have not received contributions nor made expenditures in connection with any election campaign of more than five thousand dollars;

(9) Adopt rules prescribing reasonable requirements for keeping accounts of, and reporting on a quarterly basis, costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. For the purposes of this subsection, "legislative information" means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his or her regular examination of each agency under chapter 43.09 RCW shall review the rules, accounts, and reports and make appropriate findings, comments, and recommendations concerning those agencies; and

(10) Develop and provide to filers a system for certification of reports required under this chapter which are transmitted by facsimile or electronically to the commission. Implementation of the program is contingent on the availability of funds.

Sec. 7098. RCW 43.01.090 and 2005 c 330 s 5 are each amended to read as follows:

The director of ((~~general administration~~)) enterprise services may assess a charge or rent against each state board, commission, agency, office, department, activity, or other occupant or user for payment of a proportionate share of costs for occupancy of buildings, structures, or facilities including but not limited to all costs of acquiring, constructing, operating, and maintaining such buildings, structures, or facilities and the repair, remodeling, or furnishing thereof and for the rendering of any service or the furnishing or providing of any supplies, equipment, historic furnishings, or materials.

The director of ((~~general administration~~)) enterprise services may recover the full costs including appropriate overhead charges of the foregoing by periodic billings as determined by the director including but not limited to transfers upon accounts and advancements into the ((~~general administration~~)) enterprise services account. Charges related to the rendering of real estate services under RCW 43.82.010 and to the operation and maintenance of public and historic facilities at the state capitol, as defined in RCW 79.24.710, shall be allocated separately from other charges assessed under this section. Rates shall be established by the director of ((~~general administration~~)) enterprise services after consultation with the director of financial management. The director of ((~~general administration~~)) enterprise services may allot, provide, or furnish any of such facilities, structures, services, equipment, supplies, or materials to any other public service type occupant or user at such rates or charges as are equitable and reasonably reflect the actual costs of the services provided: PROVIDED, HOWEVER, That the legislature, its duly constituted committees, interim committees and other committees shall be exempted from the provisions of this section.

Upon receipt of such bill, each entity, occupant, or user shall cause a warrant or check in the amount thereof to be drawn in favor of the department of ((~~general administration~~)) enterprise services which shall be deposited in the state treasury to the credit of the ((~~general administration~~)) enterprise services account unless the director of financial management has authorized another method for payment of costs.

Beginning July 1, 1995, the director of ((~~general administration~~)) enterprise services shall assess a capital projects surcharge upon each agency or other user occupying a facility owned and managed by the department of ((~~general administration~~)) enterprise services in Thurston county, excluding state capitol public and historic facilities, as defined in RCW 79.24.710. The capital projects surcharge does not apply to agencies or users that agree to pay all future repairs, improvements, and renovations to the buildings they occupy and a proportional share, as determined by the office of financial management, of all other campus repairs, installations, improvements, and renovations that provide a benefit to the buildings they occupy or that have an agreement with the department of ((~~general administration~~)) enterprise services that contains a charge for a similar purpose, including but not limited to RCW 43.01.091, in an amount greater than the capital projects surcharge. Beginning July 1, 2002, the capital projects surcharge does not apply to department of services for the blind vendors who operate cafeteria services in facilities owned and managed by the department of ((~~general administration~~)) enterprise services; the department shall consider this space to be a common area for purposes of allocating the capital projects surcharge to other building tenants beginning July 1, 2003. The director, after consultation with the director of financial management, shall adopt differential capital project surcharge rates to reflect the differences in facility type and quality. The initial payment structure for this surcharge shall be one dollar per square foot per year. The surcharge shall increase over time to an amount that when combined with the facilities and service charge equals the market rate for similar types of lease space in the area or equals five dollars per square foot per year, whichever is less. The capital projects surcharge shall be in addition to other charges assessed under this section. Proceeds from the capital projects surcharge shall be deposited into the Thurston county capital facilities account created in RCW 43.19.501.

Sec. 7099. RCW 43.01.091 and 1994 c 219 s 19 are each amended to read as follows:

It is hereby declared to be the policy of the state of Washington that each agency or other occupant of newly constructed or substantially renovated facilities owned and operated by the department of ((~~general administration~~)) enterprise services in Thurston county shall proportionally share the debt service costs associated with the original construction or substantial renovation of the facility. Beginning July 1, 1995, each state agency or other occupant of a facility constructed or substantially renovated after July 1, 1992, and owned and operated by the department of ((~~general administration~~)) enterprise services in Thurston county, shall be assessed a charge to pay the principal and interest payments on any bonds or other financial contract issued to finance the construction or renovation or an equivalent charge for similar projects financed by cash sources. In recognition that full payment of debt service costs may be higher than market rates for similar types of facilities or higher than existing agreements for similar charges entered into prior to June 9, 1994, the initial charge may be less than the full cost of principal and interest payments. The charge shall be assessed to all occupants of the facility on a proportional basis based on the amount of occupied space or any unique construction requirements. The office of financial management, in consultation with the department of ((~~general administration~~)) enterprise services, shall develop procedures to implement this section and report to the legislative fiscal committees, by October 1994, their recommendations for implementing this section. The office of financial management shall separately identify in the budget document all payments and the documentation for determining the payments required by this section for each agency and fund source during the current and the two past and future fiscal biennia. The charge authorized in this section is subject to annual audit by the state auditor.

Sec. 7100. RCW 43.01.240 and 1998 c 245 s 46 are each amended to read as follows:

(1) There is hereby established an account in the state treasury to be known as the state agency parking account. All parking income collected from the fees imposed by state agencies on parking spaces at state-owned or leased facilities, including the capitol campus, shall be deposited in the state agency parking account. Only the office of financial management may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures. No agency may receive an allotment greater than the amount of revenue deposited into the state agency parking account.

(2) An agency may, as an element of the agency's commute trip reduction program to achieve the goals set forth in RCW 70.94.527, impose parking rental fees at state-owned and leased properties. These fees will be deposited in the state agency parking account. Each agency shall establish a committee to advise the agency director on parking rental fees, taking into account the market rate of comparable, privately owned rental parking in each region. The agency shall solicit representation of the employee population including, but not limited to, management, administrative staff, production workers, and state employee bargaining units. Funds shall be used by agencies to: (a) Support the agencies' commute trip reduction program under RCW 70.94.521 through 70.94.551; (b) support the agencies' parking program; or (c) support the lease or ownership costs for the agencies' parking facilities.

(3) In order to reduce the state's subsidization of employee parking, after July 1997 agencies shall not enter into leases for employee parking in excess of building code requirements, except as authorized by the director of ((~~general administration~~)) enterprise services. In situations where there are fewer parking spaces than employees at a worksite, parking must be allocated equitably, with no special preference given to managers.

Sec. 7101. RCW 43.01.250 and 2007 c 348 s 206 are each amended to read as follows:

(1) It is in the state's interest and to the benefit of the people of the state to encourage the use of electrical vehicles in order to reduce emissions and provide the public with cleaner air. This section expressly authorizes the purchase of power at state expense to recharge privately and publicly owned plug-in electrical vehicles at state office locations where the vehicles are used for state business, are commute vehicles, or where the vehicles are at the state location for the purpose of conducting business with the state.

(2) The director of the department of ((~~general administration~~)) enterprise services may report to the governor and the appropriate committees of the legislature, as deemed necessary by the director, on the estimated amount of state-purchased electricity consumed by plug-in electrical vehicles if the director of ((~~general administration~~)) enterprise services determines that the use has a significant cost to the state, and on the number of plug-in electric vehicles using state office locations. The report may be combined with the report under section 401, chapter 348, Laws of 2007.

Sec. 7102. RCW 43.01.900 and 2010 1st sp.s. c 7 s 140 are each amended to read as follows:

(1) All documents and papers, equipment, or other tangible property in the possession of the terminated entity shall be delivered to the custody of the entity assuming the responsibilities of the terminated entity or if such responsibilities have been eliminated, documents and papers shall be delivered to the state archivist and equipment or other tangible property to the department of ((~~general administration~~)) enterprise services.

(2) All funds held by, or other moneys due to, the terminated entity shall revert to the fund from which they were appropriated, or if that fund is abolished to the general fund.

(3) All contractual rights and duties of an entity shall be assigned or delegated to the entity assuming the responsibilities of the terminated entity, or if there is none to such entity as the governor shall direct.

(4) All rules and all pending business before any terminated entity shall be continued and acted upon by the entity assuming the responsibilities of the terminated entity.

Sec. 7103. RCW 43.15.020 and 2011 c 158 s 12 are each amended to read as follows:

The lieutenant governor serves as president of the senate and is responsible for making appointments to, and serving on, the committees and boards as set forth in this section.

(1) The lieutenant governor serves on the following boards and committees:

(a) Capitol furnishings preservation committee, RCW 27.48.040;

(b) Washington higher education facilities authority, RCW 28B.07.030;

(c) Productivity board, also known as the employee involvement and recognition board, RCW 41.60.015;

(d) State finance committee, RCW 43.33.010;

(e) State capitol committee, RCW 43.34.010;

(f) Washington health care facilities authority, RCW 70.37.030;

(g) State medal of merit nominating committee, RCW 1.40.020;

(h) Medal of valor committee, RCW 1.60.020; and

(i) Association of Washington generals, RCW 43.15.030.

(2) The lieutenant governor, and when serving as president of the senate, appoints members to the following boards and committees:

(a) Civil legal aid oversight committee, RCW 2.53.010;

(b) Office of public defense advisory committee, RCW 2.70.030;

(c) Washington state gambling commission, RCW 9.46.040;

(d) Sentencing guidelines commission, RCW 9.94A.860;

(e) State building code council, RCW 19.27.070;

(f) Financial education public-private partnership, RCW 28A.300.450;

(g) Joint administrative rules review committee, RCW 34.05.610;

(h) Capital projects advisory review board, RCW 39.10.220;

(i) Select committee on pension policy, RCW 41.04.276;

(j) Legislative ethics board, RCW 42.52.310;

(k) Washington citizens' commission on salaries, RCW 43.03.305;

(l) Legislative oral history committee, RCW 44.04.325;

(m) State council on aging, RCW 43.20A.685;

(n) State investment board, RCW 43.33A.020;

(o) Capitol campus design advisory committee, RCW 43.34.080;

(p) Washington state arts commission, RCW 43.46.015;

(q) ((~~Information services board, RCW 43.105.032;~~

~~(r) Council for children and families, RCW 43.121.020;~~

~~(s)~~)) PNWER-Net working subgroup under chapter 43.147 RCW;

(((~~t~~))) (r) Community economic revitalization board, RCW 43.160.030;

(((~~u~~))) (s) Washington economic development finance authority, RCW 43.163.020;

(((~~v~~))) (t) Life sciences discovery fund authority, RCW 43.350.020;

(((~~w~~))) (u) Legislative children's oversight committee, RCW 44.04.220;

(((~~x~~))) (v) Joint legislative audit and review committee, RCW 44.28.010;

(((~~y~~))) (w) Joint committee on energy supply and energy conservation, RCW 44.39.015;

(((~~z~~))) (x) Legislative evaluation and accountability program committee, RCW 44.48.010;

(((~~aa~~))) (y) Agency council on coordinated transportation, RCW 47.06B.020;

(((~~bb~~))) (z) Washington horse racing commission, RCW 67.16.014;

(((~~cc~~))) (aa) Correctional industries board of directors, RCW 72.09.080;

(((~~dd~~))) (bb) Joint committee on veterans' and military affairs, RCW 73.04.150;

(((~~ee~~))) (cc) Joint legislative committee on water supply during drought, RCW 90.86.020;

(((~~ff~~))) (dd) Statute law committee, RCW 1.08.001; and

(((~~gg~~))) (ee) Joint legislative oversight committee on trade policy, RCW 44.55.020.

Sec. 7104. RCW 43.17.050 and 2009 c 549 s 5060 are each amended to read as follows:

Each department shall maintain its principal office at the state capital. The director of each department may, with the approval of the governor, establish and maintain branch offices at other places than the state capital for the conduct of one or more of the functions of his or her department.

The governor, in his or her discretion, may require all administrative departments of the state and the appointive officers thereof, other than those created by this chapter, to maintain their principal offices at the state capital in rooms to be furnished by the director of ((~~general administration~~)) enterprise services.

Sec. 7105. RCW 43.17.100 and 2009 c 549 s 5062 are each amended to read as follows:

Every appointive state officer and employee of the state shall give a surety bond, payable to the state in such sum as shall be deemed necessary by the director of the department of ((~~general administration~~)) enterprise services, conditioned for the honesty of the officer or employee and for the accounting of all property of the state that shall come into his or her possession by virtue of his or her office or employment, which bond shall be approved as to form by the attorney general and shall be filed in the office of the secretary of state.

The director of ((~~general administration~~)) enterprise services may purchase one or more blanket surety bonds for the coverage required in this section.

Any bond required by this section shall not be considered an official bond and shall not be subject to chapter 42.08 RCW.

Sec. 7106. RCW 43.17.400 and 2007 c 62 s 2 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Disposition" means sales, exchanges, or other actions resulting in a transfer of land ownership.

(b) "State agencies" includes:

(i) The department of natural resources established in chapter 43.30 RCW;

(ii) The department of fish and wildlife established in chapter 43.300 RCW;

(iii) The department of transportation established in chapter 47.01 RCW;

(iv) The parks and recreation commission established in chapter 79A.05 RCW; and

(v) The department of ((~~general administration~~)) enterprise services established in this chapter.

(2) State agencies proposing disposition of state-owned land must provide written notice of the proposed disposition to the legislative authorities of the counties, cities, and towns in which the land is located at least sixty days before entering into the disposition agreement.

(3) The requirements of this section are in addition and supplemental to other requirements of the laws of this state.

Sec. 7107. RCW 43.19.647 and 2007 c 348 s 203 are each amended to read as follows:

(1) In order to allow the motor vehicle fuel needs of state and local government to be satisfied by Washington-produced biofuels as provided in this chapter, the department of ((~~general administration~~)) enterprise services as well as local governments may contract in advance and execute contracts with public or private producers, suppliers, or other parties, for the purchase of appropriate biofuels, as that term is defined in RCW 43.325.010, and biofuel blends. Contract provisions may address items including, but not limited to, fuel standards, price, and delivery date.

(2) The department of ((~~general administration~~)) enterprise services may combine the needs of local government agencies, including ports, special districts, school districts, and municipal corporations, for the purposes of executing contracts for biofuels and to secure a sufficient and stable supply of alternative fuels.

Sec. 7108. RCW 43.19.651 and 2003 c 340 s 1 are each amended to read as follows:

(1) When planning for the capital construction or renovation of a state facility, state agencies shall consider the utilization of fuel cells and renewable or alternative energy sources as a primary source of power for applications that require an uninterruptible power source.

(2) When planning the purchase of back-up or emergency power systems and remote power systems, state agencies shall consider the utilization of fuel cells and renewable or alternative energy sources instead of batteries or internal combustion engines.

(3) The director of ((~~general administration~~)) enterprise services shall develop criteria by which state agencies can identify, evaluate, and develop potential fuel cell applications at state facilities.

(4) For the purposes of this section, "fuel cell" means an electrochemical reaction that generates electric energy by combining atoms of hydrogen and oxygen in the presence of a catalyst.

Sec. 7109. RCW 43.19.670 and 2001 c 214 s 25 are each amended to read as follows:

As used in RCW 43.19.670 through 43.19.685, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Energy audit" means a determination of the energy consumption characteristics of a facility which consists of the following elements:

(a) An energy consumption survey which identifies the type, amount, and rate of energy consumption of the facility and its major energy systems. This survey shall be made by the agency responsible for the facility.

(b) A walk-through survey which determines appropriate energy conservation maintenance and operating procedures and indicates the need, if any, for the acquisition and installation of energy conservation measures and energy management systems. This survey shall be made by the agency responsible for the facility if it has technically qualified personnel available. The director of ((~~general administration~~)) enterprise services shall provide technically qualified personnel to the responsible agency if necessary.

(c) An investment grade audit, which is an intensive engineering analysis of energy conservation and management measures for the facility, net energy savings, and a cost-effectiveness determination. ((~~This element is required only for those facilities designated in the schedule adopted under RCW 43.19.680(2).~~))

(2) "Cost-effective energy conservation measures" means energy conservation measures that the investment grade audit concludes will generate savings sufficient to finance project loans of not more than ten years.

(3) "Energy conservation measure" means an installation or modification of an installation in a facility which is primarily intended to reduce energy consumption or allow the use of an alternative energy source, including:

(a) Insulation of the facility structure and systems within the facility;

(b) Storm windows and doors, multiglazed windows and doors, heat absorbing or heat reflective glazed and coated windows and door systems, additional glazing, reductions in glass area, and other window and door system modifications;

(c) Automatic energy control systems;

(d) Equipment required to operate variable steam, hydraulic, and ventilating systems adjusted by automatic energy control systems;

(e) Solar space heating or cooling systems, solar electric generating systems, or any combination thereof;

(f) Solar water heating systems;

(g) Furnace or utility plant and distribution system modifications including replacement burners, furnaces, and boilers which substantially increase the energy efficiency of the heating system; devices for modifying flue openings which will increase the energy efficiency of the heating system; electrical or mechanical furnace ignitions systems which replace standing gas pilot lights; and utility plant system conversion measures including conversion of existing oil- and gas-fired boiler installations to alternative energy sources;

(h) Caulking and weatherstripping;

(i) Replacement or modification of lighting fixtures which increase the energy efficiency of the lighting system;

(j) Energy recovery systems;

(k) Energy management systems; and

(l) Such other measures as the director finds will save a substantial amount of energy.

(4) "Energy conservation maintenance and operating procedure" means modification or modifications in the maintenance and operations of a facility, and any installations within the facility, which are designed to reduce energy consumption in the facility and which require no significant expenditure of funds.

(5) "Energy management system" has the definition contained in RCW 39.35.030.

(6) "Energy savings performance contracting" means the process authorized by chapter 39.35C RCW by which a company contracts with a state agency to conduct no-cost energy audits, guarantee savings from energy efficiency, provide financing for energy efficiency improvements, install or implement energy efficiency improvements, and agree to be paid for its investment solely from savings resulting from the energy efficiency improvements installed or implemented.

(7) "Energy service company" means a company or contractor providing energy savings performance contracting services.

(8) "Facility" means a building, a group of buildings served by a central energy distribution system, or components of a central energy distribution system.

(9) "Implementation plan" means the annual tasks and budget required to complete all acquisitions and installations necessary to satisfy the recommendations of the energy audit.

Sec. 7110. RCW 43.19.682 and 1993 c 204 s 9 are each amended to read as follows:

The director of the department of ((~~general administration~~)) enterprise services shall seek to further energy conservation objectives among other landscape objectives in planting and maintaining trees upon grounds administered by the department.

Sec. 7111. RCW 43.19.691 and 2005 c 299 s 5 are each amended to read as follows:

(1) Municipalities may conduct energy audits and implement cost-effective energy conservation measures among multiple government entities.

(2) All municipalities shall report to the department if they implemented or did not implement, during the previous biennium, cost-effective energy conservation measures aggregated among multiple government entities. The reports must be submitted to the department by September 1, 2007, and by September 1, 2009. In collecting the reports, the department shall cooperate with the appropriate associations that represent municipalities.

(3) The department shall prepare a report summarizing the reports submitted by municipalities under subsection (2) of this section and shall report to the committee by December 31, 2007, and by December 31, 2009.

(4) For the purposes of this section, the following definitions apply:

(a) "Committee" means the joint committee on energy supply and energy conservation in chapter 44.39 RCW.

(b) "Cost-effective energy conservation measures" has the meaning provided in RCW 43.19.670.

(c) "Department" means the department of ((~~general administration~~)) enterprise services.

(d) "Energy audit" has the meaning provided in RCW 43.19.670.

(e) "Municipality" has the meaning provided in RCW 39.04.010.

Sec. 7112. RCW 43.19.757 and 1965 c 8 s 43.78.160 are each amended to read as follows:

Nothing in RCW ((~~43.78.130, 43.78.140 and 43.78.150~~)) 43.19.748, 43.19.751, and 43.19.754 shall be construed as requiring any public official to accept any such work of inferior quality or workmanship.

Sec. 7113. RCW 43.19A.022 and 2011 1st sp.s. c 43 s 251 are each amended to read as follows:

(1) All state agencies shall purchase one hundred percent recycled content white cut sheet bond paper used in office printers and copiers. State agencies are encouraged to give priority to purchasing from companies that produce paper in facilities that generate energy from a renewable energy source.

(2) State agencies that utilize office printers and copiers that, after reasonable attempts, cannot be calibrated to utilize such paper referenced in subsection (1) of this section, must for those models of equipment:

(a) Purchase paper at the highest recycled content that can be utilized efficiently by the copier or printer;

(b) At the time of lease renewal or at the end of the life-cycle, either lease or purchase a model that will efficiently utilize one hundred percent recycled content white cut sheet bond paper;

(3) Printed projects that require the use of high volume production inserters or high-speed digital devices, such as those used by the department of enterprise services, are not required to meet the one hundred percent recycled content white cut sheet bond paper standard, but must utilize the highest recycled content that can be utilized efficiently by such equipment and not impede the business of agencies.

(4) The department of enterprise services ((~~and the department of information services~~)) shall ((~~work together to~~)) identify for use by agencies one hundred percent recycled paper products that process efficiently through high-speed production equipment and do not impede the business of agencies.

Sec. 7114. RCW 43.19A.040 and 1991 c 297 s 6 are each amended to read as follows:

(1) Each local government shall consider the adoption of policies, rules, or ordinances to provide for the preferential purchase of recycled content products. Any local government may adopt the preferential purchasing policy of the department of ((~~general administration~~)) enterprise services, or portions of such policy, or another policy that provides a preference for recycled content products.

(2) The department of ((~~general administration~~)) enterprise services shall prepare one or more model recycled content preferential purchase policies suitable for adoption by local governments. The model policy shall be widely distributed and provided through the technical assistance and workshops under RCW 43.19A.070.

(3) A local government that is not subject to the purchasing authority of the department of ((~~general administration~~)) enterprise services, and that adopts the preferential purchase policy or rules of the department, shall not be limited by the percentage price preference included in such policy or rules.

Sec. 7115. RCW 43.21F.045 and 1996 c 186 s 103 are each amended to read as follows:

(1) The department shall supervise and administer energy-related activities as specified in RCW 43.330.904 and shall advise the governor and the legislature with respect to energy matters affecting the state.

(2) In addition to other powers and duties granted to the department, the department shall have the following powers and duties:

(a) Prepare and update contingency plans for implementation in the event of energy shortages or emergencies. The plans shall conform to chapter 43.21G RCW and shall include procedures for determining when these shortages or emergencies exist, the state officers and agencies to participate in the determination, and actions to be taken by various agencies and officers of state government in order to reduce hardship and maintain the general welfare during these emergencies. The department shall coordinate the activities undertaken pursuant to this subsection with other persons. The components of plans that require legislation for their implementation shall be presented to the legislature in the form of proposed legislation at the earliest practicable date. The department shall report to the governor and the legislature on probable, imminent, and existing energy shortages, and shall administer energy allocation and curtailment programs in accordance with chapter 43.21G RCW.

(b) Establish and maintain a central repository in state government for collection of existing data on energy resources, including:

(i) Supply, demand, costs, utilization technology, projections, and forecasts;

(ii) Comparative costs of alternative energy sources, uses, and applications; and

(iii) Inventory data on energy research projects in the state conducted under public and/or private auspices, and the results thereof.

(c) Coordinate federal energy programs appropriate for state-level implementation, carry out such energy programs as are assigned to it by the governor or the legislature, and monitor federally funded local energy programs as required by federal or state regulations.

(d) Develop energy policy recommendations for consideration by the governor and the legislature.

(e) Provide assistance, space, and other support as may be necessary for the activities of the state's two representatives to the Pacific northwest electric power and conservation planning council. To the extent consistent with federal law, the director shall request that Washington's councilmembers request the administrator of the Bonneville power administration to reimburse the state for the expenses associated with the support as provided in the Pacific Northwest Electric Power Planning and Conservation Act (P.L. 96-501).

(f) Cooperate with state agencies, other governmental units, and private interests in the prioritization and implementation of the state energy strategy elements and on other energy matters.

(g) Serve as the official state agency responsible for coordinating implementation of the state energy strategy.

(h) No later than December 1, 1982, and by December 1st of each even-numbered year thereafter, prepare and transmit to the governor and the appropriate committees of the legislature a report on the implementation of the state energy strategy and other important energy issues, as appropriate.

(i) Provide support for increasing cost-effective energy conservation, including assisting in the removal of impediments to timely implementation.

(j) Provide support for the development of cost-effective energy resources including assisting in the removal of impediments to timely construction.

(k) Adopt rules, under chapter 34.05 RCW, necessary to carry out the powers and duties enumerated in this chapter.

(l) Provide administrative assistance, space, and other support as may be necessary for the activities of the energy facility site evaluation council, as provided for in RCW 80.50.030.

(m) Appoint staff as may be needed to administer energy policy functions and manage energy facility site evaluation council activities. These employees are exempt from the provisions of chapter 41.06 RCW.

(3) To the extent the powers and duties set out under this section relate to energy education, applied research, and technology transfer programs they are transferred to Washington State University.

(4) To the extent the powers and duties set out under this section relate to energy efficiency in public buildings they are transferred to the department of ((~~general administration~~)) enterprise services.

Sec. 7116. RCW 43.34.090 and 2002 c 164 s 1 are each amended to read as follows:

(1) The legislature shall approve names for new or existing buildings on the state capitol grounds based upon recommendations from the state capitol committee and the director of the department of ((~~general administration~~)) enterprise services, with the advice of the capitol campus design advisory committee, subject to the following limitations:

(a) An existing building may be renamed only after a substantial renovation or a change in the predominant tenant agency headquartered in the building.

(b) A new or existing building may be named or renamed after:

(i) An individual who has played a significant role in Washington history;

(ii) The purpose of the building;

(iii) The single or predominant tenant agency headquartered in the building;

(iv) A significant place name or natural place in Washington;

(v) A Native American tribe located in Washington;

(vi) A group of people or type of person;

(vii) Any other appropriate person consistent with this section as recommended by the director of the department of ((~~general administration~~)) enterprise services.

(c) The names on the facades of the state capitol group shall not be removed.

(2) The legislature shall approve names for new or existing public rooms or spaces on the west capitol campus based upon recommendations from the state capitol committee and the director of the department of ((~~general administration~~)) enterprise services, with the advice of the capitol campus design advisory committee, subject to the following limitations:

(a) An existing room or space may be renamed only after a substantial renovation;

(b) A new or existing room or space may be named or renamed only after:

(i) An individual who has played a significant role in Washington history;

(ii) The purpose of the room or space;

(iii) A significant place name or natural place in Washington;

(iv) A Native American tribe located in Washington;

(v) A group of people or type of person;

(vi) Any other appropriate person consistent with this section as recommended by the director of the department of ((~~general administration~~)) enterprise services.

(3) When naming or renaming buildings, rooms, and spaces under this section, consideration must be given to: (a) Any disparity that exists with respect to the gender of persons after whom buildings, rooms, and spaces are named on the state capitol grounds; (b) the diversity of human achievement; and (c) the diversity of the state's citizenry and history.

(4) For purposes of this section, "state capitol grounds" means buildings and land owned by the state and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, the north capitol campus, the Tumwater campus, the Lacey campus, Sylvester Park, Centennial Park, the Old Capitol Building, and Capitol Lake.

Sec. 7117. RCW 43.82.035 and 2007 c 506 s 4 are each amended to read as follows:

(1) The office of financial management shall design and implement a modified predesign process for any space request to lease, purchase, or build facilities that involve (a) the housing of new state programs, (b) a major expansion of existing state programs, or (c) the relocation of state agency programs. This includes the consolidation of multiple state agency tenants into one facility. The office of financial management shall define facilities that meet the criteria described in (a) and (b) of this subsection.

(2) State agencies shall submit modified predesigns to the office of financial management and the legislature. Modified predesigns must include a problem statement, an analysis of alternatives to address programmatic and space requirements, proposed locations, and a financial assessment. For proposed projects of twenty thousand gross square feet or less, the agency may provide a cost-benefit analysis, rather than a life-cycle cost analysis, as determined by the office of financial management.

(3) Projects that meet the capital requirements for predesign on major facility projects with an estimated project cost of five million dollars or more pursuant to chapter 43.88 RCW shall not be required to prepare a modified predesign.

(4) The office of financial management shall require state agencies to identify plans for major leased facilities as part of the ten-year capital budget plan. State agencies shall not enter into new or renewed leases of more than one million dollars per year unless such leases have been approved by the office of financial management except when the need for the lease is due to an unanticipated emergency. The regular termination date on an existing lease does not constitute an emergency. The department of ((~~general administration~~)) enterprise services shall notify the office of financial management and the appropriate legislative fiscal committees if an emergency situation arises.

(5) For project proposals in which there are estimates of operational savings, the office of financial management shall require the agency or agencies involved to provide details including but not limited to fund sources and timelines.

Sec. 7118. RCW 43.82.055 and 2007 c 506 s 6 are each amended to read as follows:

The office of financial management shall:

(1) Work with the department of ((~~general administration~~)) enterprise services and all other state agencies to determine the long-term facility needs of state government; and

(2) Develop and submit a six-year facility plan to the legislature by January 1st of every odd-numbered year, beginning January 1, 2009, that includes state agency space requirements and other pertinent data necessary for cost-effective facility planning. The department of ((~~general administration~~)) enterprise services shall assist with this effort as required by the office of financial management.

Sec. 7119. RCW 43.82.130 and 1965 c 8 s 43.82.130 are each amended to read as follows:

The director of the department of ((~~general administration~~)) enterprise services is authorized to do all acts and things necessary or convenient to carry out the powers and duties expressly provided in this chapter.

Sec. 7120. RCW 43.83.116 and 1973 1st ex.s. c 217 s 4 are each amended to read as follows:

The principal proceeds from the sale of the bonds or notes deposited in the state building construction account of the general fund shall be administered by the ((~~state department of general administration~~)) office of financial management.

Sec. 7121. RCW 43.83.120 and 1973 1st ex.s. c 217 s 6 are each amended to read as follows:

In addition to any other charges authorized by law and to assist in reimbursing the state general fund for expenditures from the general state revenues in paying the principal and interest on the bonds and notes herein authorized, the director of ((~~general administration~~)) financial management shall assess a charge against each state board, commission, agency, office, department, activity, or other occupant or user for payment of a proportion of costs for each square foot of floor space assigned to or occupied by it. Payment of the amount so billed to the entity for such occupancy shall be made annually and in advance at the beginning of each fiscal year. The director of ((~~general administration~~)) financial

management shall cause the same to be deposited in the state treasury to the credit of the general fund.

Sec. 7122. RCW 43.83.136 and 1975 1st ex.s. c 249 s 4 are each amended to read as follows:

The principal proceeds from the sale of the bonds or notes authorized in RCW 43.83.130 through 43.83.148 and deposited in the state building construction account of the general fund shall be administered by the ((~~state department of general administration~~)) office of financial management, subject to legislative appropriation.

Sec. 7123. RCW 43.83.142 and 1975 1st ex.s. c 249 s 7 are each amended to read as follows:

In addition to any other charges authorized by law and to assist in reimbursing the state general fund for expenditures from the general state revenues in paying the principal and interest on the bonds and notes authorized in RCW 43.83.130 through 43.83.148, the director of ((~~general administration~~)) financial management may assess a charge against each state board, commission, agency, office, department, activity, or other occupant or user of any facility or other building as authorized in RCW 43.83.130 for payment of a proportion of costs for each square foot of floor space assigned to or occupied by it. Payment of the amount so billed to the entity for such occupancy shall be made annually and in advance at the beginning of each fiscal year. The director of ((~~general administration~~)) financial management shall cause the same to be deposited in the state treasury to the credit of the general fund.

Sec. 7124. RCW 43.83.156 and 1979 ex.s. c 230 s 4 are each amended to read as follows:

The principal proceeds from the sale of the bonds or notes deposited in the state building construction account of the general fund shall be administered by the ((~~state department of general administration~~)) office of financial management, subject to legislative appropriation.

Sec. 7125. RCW 43.83.176 and 1981 c 235 s 3 are each amended to read as follows:

The principal proceeds from the sale of the bonds deposited in the state building construction account of the general fund shall be administered by the ((~~state department of general administration~~)) office of financial management, subject to legislative appropriation.

Sec. 7126. RCW 43.83.188 and 1983 1st ex.s. c 54 s 3 are each amended to read as follows:

The proceeds from the sale of the bonds deposited under RCW 43.83.186 in the state building construction account of the general fund shall be administered by the ((~~department of general administration~~)) office of financial management, subject to legislative appropriation.

Sec. 7127. RCW 43.83.202 and 1984 c 271 s 3 are each amended to read as follows:

The proceeds from the sale of the bonds deposited under RCW 43.83.200 in the state building construction account of the general fund shall be administered by the ((~~department of general administration~~)) office of financial management, subject to legislative appropriation.

Sec. 7128. RCW 43.88.090 and 2012 c 229 s 587 are each amended to read as follows:

(1) For purposes of developing budget proposals to the legislature, the governor shall have the power, and it shall be the governor's duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as the governor shall direct. The governor shall communicate statewide priorities to agencies for use in developing biennial budget recommendations for their agency and shall seek public involvement and input on these priorities. The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget without revision. The estimates for state pension contributions shall be based on the rates provided in chapter 41.45 RCW. Copies of all such estimates shall be transmitted to the standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of financial management.

The estimates shall include statements or tables which indicate, by agency, the state funds which are required for the receipt of federal matching revenues. The estimates shall be revised as necessary to reflect legislative enactments and adopted appropriations and shall be included with the initial biennial allotment submitted under RCW 43.88.110. The estimates must reflect that the agency considered any alternatives to reduce costs or improve service delivery identified in the findings of a performance audit of the agency by the joint legislative audit and review committee. Nothing in this subsection requires performance audit findings to be published as part of the budget.

(2) Each state agency shall define its mission and establish measurable goals for achieving desirable results for those who receive its services and the taxpayers who pay for those services. Each agency shall also develop clear strategies and timelines to achieve its goals. This section does not require an agency to develop a new mission or goals in place of identifiable missions or goals that meet the intent of this section. The mission and goals of each agency must conform to statutory direction and limitations.

(3) For the purpose of assessing activity performance, each state agency shall establish quality and productivity objectives for each major activity in its budget. The objectives must be consistent with the missions and goals developed under this section. The objectives must be expressed to the extent practicable in outcome-based, objective, and measurable form unless an exception to adopt a different standard is granted by the office of financial management and approved by the legislative committee on performance review. Objectives must specifically address the statutory purpose or intent of the program or activity and focus on data that measure whether the agency is achieving or making progress toward the purpose of the activity and toward statewide priorities. The office of financial management shall provide necessary professional and technical assistance to assist state agencies in the development of strategic plans that include the mission of the agency and its programs, measurable goals, strategies, and performance measurement systems.

(4) Each state agency shall adopt procedures for and perform continuous self-assessment of each activity, using the mission, goals, objectives, and measurements required under subsections (2) and (3) of this section. The assessment of the activity must also include an evaluation of major information technology systems or projects that may assist the agency in achieving or making progress toward the activity purpose and statewide priorities. The evaluation of proposed major information technology systems or projects shall be in accordance with the standards and policies established by the ((~~information services board~~)) office of the chief information officer. Agencies' progress toward the mission, goals, objectives, and measurements required by subsections (2) and (3) of this section is subject to review as set forth in this subsection.

(a) The office of financial management shall regularly conduct reviews of selected activities to analyze whether the objectives and measurements submitted by agencies demonstrate progress toward statewide results.

(b) The office of financial management shall consult with: (i) The four-year institutions of higher education in those reviews that involve four-year institutions of higher education; and (ii) the state board for community and technical colleges in those reviews that involve two-year institutions of higher education.

(c) The goal is for all major activities to receive at least one review each year.

(d) The office of ((~~financial management shall consult with the information services board when conducting reviews of~~)) the chief information officer shall review major information technology

systems in use by state agencies((~~. The goal is that reviews of these information technology systems occur~~)) periodically.

(5) It is the policy of the legislature that each agency's budget recommendations must be directly linked to the agency's stated mission and program, quality, and productivity goals and objectives. Consistent with this policy, agency budget proposals must include integration of performance measures that allow objective determination of an activity's success in achieving its goals. When a review under subsection (4) of this section or other analysis determines that the agency's objectives demonstrate that the agency is making insufficient progress toward the goals of any particular program or is otherwise underachieving or inefficient, the agency's budget request shall contain proposals to remedy or improve the selected programs. The office of financial management shall develop a plan to merge the budget development process with agency performance assessment procedures. The plan must include a schedule to integrate agency strategic plans and performance measures into agency budget requests and the governor's budget proposal over three fiscal biennia. The plan must identify those agencies that will implement the revised budget process in the 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium. In consultation with the legislative fiscal committees, the office of financial management shall recommend statutory and procedural modifications to the state's budget, accounting, and reporting systems to facilitate the performance assessment procedures and the merger of those procedures with the state budget process. The plan and recommended statutory and procedural modifications must be submitted to the legislative fiscal committees by September 30, 1996.

(6) In reviewing agency budget requests in order to prepare the governor's biennial budget request, the office of financial management shall consider the extent to which the agency's activities demonstrate progress toward the statewide budgeting priorities, along with any specific review conducted under subsection (4) of this section.

(7) In the year of the gubernatorial election, the governor shall invite the governor-elect or the governor-elect's designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or the governor-elect's designee with such information as will enable the governor-elect or the governor-elect's designee to gain an understanding of the state's budget requirements. The governor-elect or the governor-elect's designee may ask such questions during the hearings and require such information as the governor-elect or the governor-elect's designee deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the standing committees on ways and means of the house and senate.

Sec. 7129. RCW 43.88.350 and 1998 c 105 s 16 are each amended to read as follows:

Any rate increases proposed for or any change in the method of calculating charges from the legal services revolving fund or services provided in accordance with RCW 43.01.090 or 43.19.500 in the ((~~general administration~~)) enterprise services account is subject to approval by the director of financial management prior to implementation.

Sec. 7130. RCW 43.88.560 and 2010 c 282 s 4 are each amended to read as follows:

The director of financial management shall establish policies and standards governing the funding of major information technology projects ((~~as required under RCW 43.105.190(2)~~)). The director of financial management shall also direct the collection of additional information on information technology projects and submit an information technology plan as required under RCW 43.88.092.

Sec. 7131. RCW 43.96B.215 and 1973 1st ex.s. c 116 s 4 are each amended to read as follows:

At the time the state finance committee determines to issue such bonds or a portion thereof, it may, pending the issuing of such bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "anticipation notes". Such portion of the proceeds of the sale of such bonds that may be required for such purpose shall be applied to the payment of the principal of and interest on such anticipation notes which have been issued. The proceeds from the sale of bonds authorized by RCW 43.96B.200 through 43.96B.245 and any interest earned on the interim investment of such proceeds, shall be deposited in the state building construction account of the general fund in the state treasury and shall be used exclusively for the purposes specified in RCW 43.96B.200 through 43.96B.245 and for the payment of expenses incurred in the issuance and sale of the bonds. The Expo '74 commission is hereby authorized to acquire property, real and personal, by lease, purchase((~~,~~)), condemnation or gift to achieve the objectives of chapters 1, 2, and 3, Laws of 1971 ex. sess., and RCW 43.96B.200 through 43.96B.245. The commission is further directed pursuant to RCW 43.19.450 to utilize the department of ((~~general administration~~)) enterprise services to accomplish the purposes set forth herein.

Sec. 7132. RCW 43.101.080 and 2011 c 234 s 1 are each amended to read as follows:

The commission shall have all of the following powers:

(1) To meet at such times and places as it may deem proper;

(2) To adopt any rules and regulations as it may deem necessary;

(3) To contract for services as it deems necessary in order to carry out its duties and responsibilities;

(4) To cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, and city government, and other commissions affected by or concerned with the business of the commission;

(5) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it;

(6) To select and employ an executive director, and to empower him or her to perform such duties and responsibilities as it may deem necessary;

(7) To assume legal, fiscal, and program responsibility for all training conducted by the commission;

(8) To establish, by rule and regulation, standards for the training of criminal justice personnel where such standards are not prescribed by statute;

(9) To own, establish, and operate, or to contract with other qualified institutions or organizations for the operation of, training and education programs for criminal justice personnel and to purchase, lease, or otherwise acquire, subject to the approval of the department of ((~~general administration~~)) enterprise services, a training facility or facilities necessary to the conducting of such programs;

(10) To establish, by rule and regulation, minimum curriculum standards for all training programs conducted for employed criminal justice personnel;

(11) To review and approve or reject standards for instructors of training programs for criminal justice personnel, and to employ personnel on a temporary basis as instructors without any loss of employee benefits to those instructors;

(12) To direct the development of alternative, innovate, and interdisciplinary training techniques;

(13) To review and approve or reject training programs conducted for criminal justice personnel and rules establishing and prescribing minimum training and education standards recommended by the training standards and education boards;

(14) To allocate financial resources among training and education programs conducted by the commission;

(15) To allocate training facility space among training and education programs conducted by the commission;

(16) To issue diplomas certifying satisfactory completion of any training or education program conducted or approved by the commission to any person so completing such a program;

(17) To provide for the employment of such personnel as may be practical to serve as temporary replacements for any person engaged in a basic training program as defined by the commission;

(18) To establish rules and regulations recommended by the training standards and education boards prescribing minimum standards relating to physical, mental and moral fitness which shall govern the recruitment of criminal justice personnel where such standards are not prescribed by statute or constitutional provision;

(19) To require county, city, or state law enforcement agencies that make a conditional offer of employment to an applicant as a fully commissioned peace officer or a reserve officer to administer a background investigation including a check of criminal history, a psychological examination, and a polygraph test or similar assessment to each applicant, the results of which shall be used by the employer to determine the applicant's suitability for employment as a fully commissioned peace officer or a reserve officer. The background investigation, psychological examination, and the polygraph examination shall be administered in accordance with the requirements of RCW 43.101.095(2). The employing county, city, or state law enforcement agency may require that each peace officer or reserve officer who is required to take a psychological examination and a polygraph or similar test pay a portion of the testing fee based on the actual cost of the test or four hundred

(d) The federal government has provided funds with a limited time frame for use for energy independence and security, energy efficiency, renewable energy, innovative energy technologies, or conservation.

(6)(a) The director may approve a project application for assistance under subsection (3) of this section up to five million dollars. In no circumstances shall this assistance constitute more than fifty percent of the total project cost.

(b) The director may approve a refueling project application for a grant or a loan under subsection (4) of this section up to fifty thousand dollars. In no circumstances shall a grant or a loan award constitute more than fifty percent of the total project cost.

(7) The director shall enter into agreements with approved applicants to fix the terms and rates of the assistance to minimize the costs to the applicants, and to encourage establishment of a viable bioenergy or biofuel industry, or a viable energy efficiency, renewable energy, or innovative energy technology industry. The agreement shall include provisions to protect the state's investment, including a requirement that a successful applicant enter into contracts with any partners that may be involved in the use of any assistance provided under this program, including services, facilities, infrastructure, or equipment. Contracts with any partners shall become part of the application record.

(8) The director may defer any payments for up to twenty-four months or until the project starts to receive revenue from operations, whichever is sooner.

Sec. 7134. RCW 43.325.030 and 2009 c 451 s 4 are each amended to read as follows:

The director of the department shall appoint a coordinator that is responsible for:

(1) Managing, directing, inventorying, and coordinating state efforts to promote, develop, and encourage biofuel and energy efficiency, renewable energy, and innovative energy technology markets in Washington;

(2) Developing, coordinating, and overseeing the implementation of a plan, or series of plans, for the production, transport, distribution, and delivery of biofuels produced predominantly from recycled products or Washington feedstocks;

(3) Working with the departments of transportation and ((~~general administration~~)) enterprise services, and other applicable state and local governmental entities and the private sector, to ensure the development of biofuel fueling stations for use by state and local governmental motor vehicle fleets, and to provide greater availability of public biofuel fueling stations for use by state and local governmental motor vehicle fleets;

(4) Coordinating with the Western Washington University alternative automobile program for opportunities to support new Washington state technology for conversion of fossil fuel fleets to biofuel, hybrid, or alternative fuel propulsion;

(5) Coordinating with the University of Washington's college of forest management and the Olympic natural resources center for the identification of barriers to using the state's forest resources for fuel production, including the economic and transportation barriers of physically bringing forest biomass to the market;

(6) Coordinating with the department of agriculture and Washington State University for the identification of other barriers for future biofuels development and development of strategies for furthering the penetration of the Washington state fossil fuel market with Washington produced biofuels, particularly among public entities.

Sec. 7135. RCW 43.330.907 and 2010 c 271 s 308 are each amended to read as follows:

(1) All powers, duties, and functions of the department of commerce pertaining to administrative and support services for the state building code council are transferred to the department of ((~~general administration~~)) enterprise services. All references to the director or the department of commerce in the Revised Code of Washington shall be construed to mean the director or the department of ((~~general administration~~)) enterprise services when referring to the functions transferred in this section. Policy and planning assistance functions performed by the department of commerce remain with the department of commerce.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of commerce pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the department of ((~~general administration~~)) enterprise services. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of commerce in carrying out the powers, functions, and duties transferred shall be made available to the department of ((~~general administration~~)) enterprise services. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the department of ((~~general administration~~)) enterprise services.

(b) Any appropriations made to the department of commerce for carrying out the powers, functions, and duties transferred shall, on July 1, 2010, be transferred and credited to the department of ((~~general administration~~)) enterprise services.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the department of commerce engaged in performing the powers, functions, and duties transferred are transferred to the jurisdiction of the department of ((~~general administration~~)) enterprise services. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of ((~~general administration~~)) enterprise services to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the department of commerce pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the department of ((~~general administration~~)) enterprise services. All existing contracts and obligations shall remain in full force and shall be performed by the department of ((~~general administration~~)) enterprise services.

(5) The transfer of the powers, duties, functions, and personnel of the department of commerce shall not affect the validity of any act performed before July 1, 2010.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7) All classified employees of the department of commerce assigned to the department of ((~~general administration~~)) enterprise services under this section whose positions are within an existing bargaining unit description at the department of ((~~general administration~~)) enterprise services shall become a part of the existing bargaining unit at the department of ((~~general administration~~)) enterprise services and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW.

Sec. 7136. RCW 43.331.040 and 2010 1st sp.s. c 35 s 301 are each amended to read as follows:

(1) The department of commerce, in consultation with the department of ((~~general administration~~)) enterprise services and the Washington State University energy program, shall administer the jobs act.

(2) The department of ((~~general administration~~)) enterprise services must develop guidelines that are consistent with national and international energy savings performance standards for the implementation of energy savings performance contracting projects by the energy savings performance contractors by December 31, 2010.

(3) The definitions in this section apply throughout this chapter ((~~and RCW 43.331.050~~)) unless the context clearly requires otherwise.

(a) "Cost-effectiveness" means that the present value to higher education institutions and school districts of the energy reasonably expected to be saved or produced by a facility, activity, measure, or piece of equipment over its useful life, including any compensation received from a utility or the Bonneville power administration, is greater than the net present value of the costs of implementing, maintaining, and operating such facility, activity, measure, or piece of equipment over its useful life, when discounted at the cost of public borrowing.

(b) "Energy cost savings" means savings realized in expenses for energy use and expenses associated with water, wastewater, or solid waste systems.

(c) "Energy equipment" means energy management systems and any equipment, materials, or supplies that are expected, upon installation, to reduce the energy use or energy cost of an existing building or facility, and the services associated with the equipment, materials, or supplies, including but not limited to design, engineering, financing, installation, project management, guarantees, operations, and maintenance. Reduction in energy use or energy cost may also include reductions in the use or cost of water, wastewater, or solid waste.

(d) "Energy savings performance contracting" means the process authorized by chapter 39.35C RCW by which a company contracts with a public agency to conduct energy audits and guarantee energy savings from energy efficiency.

(e) "Innovative measures" means advanced or emerging technologies, systems, or approaches that may not yet be in common practice but improve energy efficiency, accelerate deployment, or reduce energy usage, and become widely commercially available in the future if proven successful in demonstration programs without compromising the guaranteed performance or measurable energy and operational cost savings anticipated. Examples of innovative measures include, but are not limited to, advanced energy and systems operations monitoring, diagnostics, and controls systems for buildings; novel heating, cooling, ventilation, and water heating systems; advanced windows and insulation technologies, highly efficient lighting technologies, designs, and controls; and integration of renewable energy sources into buildings, and energy savings verification technologies and solutions.

(f) "Operational cost savings" means savings realized from parts, service fees, capital renewal costs, and other measurable annual expenses to maintain and repair systems. This definition does not mean labor savings related to existing facility staff.

(g) "Public facilities" means buildings, building components, and major equipment or systems owned by public school districts and public higher education institutions.

Sec. 7137. RCW 43.331.050 and 2010 1st sp.s. c 35 s 302 are each amended to read as follows:

(1) Within appropriations specifically provided for the purposes of this chapter, the department of commerce, in consultation with the department of ((~~general administration~~)) enterprise services, and the Washington State University energy program shall establish a competitive process to solicit and evaluate applications from public school districts, public higher education institutions, and other state agencies. Final grant awards shall be determined by the department of commerce.

(2) Grants must be awarded in competitive rounds, based on demand and capacity, with at least five percent of each grant round awarded to small public school districts with fewer than one thousand full-time equivalent students, based on demand and capacity.

(3) Within each competitive round, projects must be weighted and prioritized based on the following criteria and in the following order:

(a) Leverage ratio: In each round, the higher the leverage ratio of nonstate funding sources to state jobs act grant, the higher the project ranking.

(b) Energy savings: In each round, the higher the energy savings, the higher the project ranking. Applicants must submit documentation that demonstrates energy and operational cost savings resulting from the installation of the energy equipment and improvements. The energy savings analysis must be performed by a licensed engineer and documentation must include but is not limited to the following:

(i) A description of the energy equipment and improvements;

(ii) A description of the energy and operational cost savings; and

(iii) A description of the extent to which the project employs collaborative and innovative measures and encourages demonstration of new and emerging technologies with high energy savings or energy cost reductions.

(c) Expediency of expenditure: Project readiness to spend funds must be prioritized so that the legislative intent to expend funds quickly is met.

(4) Projects that do not use energy savings performance contracting must: (a) Verify energy and operational cost savings, as defined in RCW 43.331.040, for ten years or until the energy and operational costs savings pay for the project, whichever is shorter; (b) follow the department of ((~~general administration's~~)) enterprise services' energy savings performance contracting project guidelines developed pursuant to RCW 43.331.040; and (c) employ a licensed engineer for the energy audit and construction. The department of commerce may require third-party verification of savings if a project is not implemented by an energy savings performance contractor selected by the department of ((~~general administration~~)) enterprise services through the request of qualifications process. Third-party verification must be conducted either by an energy savings performance contractor selected by the department of ((~~general administration~~)) enterprise services through a request for qualifications, a licensed engineer specializing in energy conservation, or by a project resource conservation manager or educational service district resource conservation manager.

(5) To intensify competition, the department of commerce may only award funds to the top eighty-five percent of projects applying in a round until the department of commerce determines a final round is appropriate. Projects that do not receive a grant award in one round may reapply in subsequent rounds.

(6) To match federal grants and programs that require state matching funds and produce significantly higher efficiencies in operations and utilities, the level of innovation criteria may be increased for the purposes of weighted scoring to capture those federal dollars for selected projects that require a higher level of innovation and regional collaboration.

(7) Grant amounts awarded to each project must allow for the maximum number of projects funded with the greatest energy and cost benefit.

(8)(a) The department of commerce must use bond proceeds to pay one-half of the preliminary audit, up to five cents per square foot, if the project does not meet the school district's and higher

education institution's predetermined cost-effectiveness criteria. School districts and higher education institutions must pay the other one-half of the cost of the preliminary audit if the project does not meet their predetermined cost-effectiveness criteria.

(b) The energy savings performance contractor may not charge for an investment grade audit if the project does not meet the school district's and higher education institution's predetermined cost-effectiveness criteria. School districts and higher education institutions must pay the full price of an investment grade audit if they do not proceed with a project that meets the school district's and higher education institution's predetermined cost-effectiveness criteria.

(9) The department of commerce may charge projects administrative fees and may pay the department of ((~~general administration~~)) enterprise services and the Washington State University energy program administration fees in an amount determined through a memorandum of understanding.

(10) The department of commerce and the department of ((~~general administration~~)) enterprise services must submit a joint report to the appropriate committees of the legislature and the office of financial management on the timing and use of the grant funds, program administrative function, compliance with apprenticeship utilization requirements in RCW 39.04.320, compliance with prevailing wage requirements, and administration fees by the end of each fiscal year, until the funds are fully expended and all savings verification requirements are fulfilled.

Sec. 7138. RCW 44.68.065 and 2010 c 282 s 8 are each amended to read as follows:

The legislative service center, under the direction of the joint legislative systems committee and the joint legislative systems administrative committee, shall:

(1) Develop a legislative information technology portfolio consistent with the provisions of RCW ((~~43.105.172~~)) 43.41A.110;

(2) Participate in the development of an enterprise-based statewide information technology strategy ((~~as defined in RCW 43.105.019~~));

(3) Ensure the legislative information technology portfolio is organized and structured to clearly indicate participation in and use of enterprise-wide information technology strategies;

(4) As part of the biennial budget process, submit the legislative information technology portfolio to the chair and ranking member of the ways and means committees of the house of representatives and the senate, the office of financial management, and the ((~~department of information services~~)) office of the chief information officer.

Sec. 7139. RCW 44.73.010 and 2007 c 453 s 2 are each amended to read as follows:

(1) There is created in the legislature a legislative gift center for the retail sale of products bearing the state seal, Washington state souvenirs, other Washington products, and other products as approved. Wholesale purchase of products for sale at the legislative gift center is not subject to competitive bidding.

(2) Governance for the legislative gift center shall be under the chief clerk of the house of representatives and the secretary of the senate. They may designate a legislative staff member as the lead staff person to oversee management and operation of the gift shop.

(3) The chief clerk of the house of representatives and secretary of the senate shall consult with the department of ((~~general administration~~)) enterprise services in planning, siting, and maintaining legislative building space for the gift center.

(4) Products bearing the "Seal of the State of Washington" as described in Article XVIII, section 1 of the Washington state Constitution and RCW 1.20.080, must be purchased from the secretary of state pursuant to an agreement between the chief clerk of the house of representatives, the secretary of the senate, and the secretary of state.

Sec. 7140. RCW 46.08.065 and 1998 c 111 s 4 are each amended to read as follows:

(1) It is unlawful for any public officer having charge of any vehicle owned or controlled by any county, city, town, or public body in this state other than the state of Washington and used in public business to operate the same upon the public highways of this state unless and until there shall be displayed upon such automobile or other motor vehicle in letters of contrasting color not less than one and one-quarter inches in height in a conspicuous place on the right and left sides thereof, the name of such county, city, town, or other public body, together with the name of the department or office upon the business of which the said vehicle is used. This section shall not apply to vehicles of a sheriff's office, local police department, or any vehicles used by local peace officers under public authority for special undercover or confidential investigative purposes. This subsection shall not apply to: (a) Any municipal transit vehicle operated for purposes of providing public mass transportation; (b) any vehicle governed by the requirements of subsection (4) of this section; nor to (c) any motor vehicle on loan to a school district for driver training purposes. It shall be lawful and constitute compliance with the provisions of this section, however, for the governing body of the appropriate county, city, town, or public body other than the state of Washington or its agencies to adopt and use a distinctive insignia which shall be not less than six inches in diameter across its smallest dimension and which shall be displayed conspicuously on the right and left sides of the vehicle. Such insignia shall be in a color or colors contrasting with the vehicle to which applied for maximum visibility. The name of the public body owning or operating the vehicle shall also be included as part of or displayed above such approved insignia in colors contrasting with the vehicle in letters not less than one and one-quarter inches in height. Immediately below the lettering identifying the public entity and agency operating the vehicle or below an approved insignia shall appear the words "for official use only" in letters at least one inch high in a color contrasting with the color of the vehicle. The appropriate governing body may provide by rule or ordinance for marking of passenger motor vehicles as prescribed in subsection (2) of this section or for exceptions to the marking requirements for local governmental agencies for the same purposes and under the same circumstances as permitted for state agencies under subsection (3) of this section.

(2) Except as provided by subsections (3) and (4) of this section, passenger motor vehicles owned or controlled by the state of Washington, and purchased after July 1, 1989, must be plainly and conspicuously marked on the lower left-hand corner of the rear window with the name of the operating agency or institution or the words "state motor pool," as appropriate, the words "state of Washington — for official use only," and the seal of the state of Washington or the appropriate agency or institution insignia, approved by the department of ((~~general administration~~)) enterprise services. Markings must be on a transparent adhesive material and conform to the standards established by the department of ((~~general administration~~)) enterprise services. For the purposes of this section, "passenger motor vehicles" means sedans, station wagons, vans, light trucks, or other motor vehicles under ten thousand pounds gross vehicle weight.

(3) Subsection (2) of this section shall not apply to vehicles used by the Washington state patrol for general undercover or confidential investigative purposes. Traffic control vehicles of the Washington state patrol may be exempted from the requirements of subsection (2) of this section at the discretion of the chief of the Washington state patrol. The department of ((~~general administration~~)) enterprise services shall adopt general rules permitting other exceptions to the requirements of subsection (2) of this section for other vehicles used for law enforcement, confidential public health work, and public assistance fraud or support

investigative purposes, for vehicles leased or rented by the state on a casual basis for a period of less than ninety days, and those provided for in RCW 46.08.066(((~~(3)~~))). The exceptions in this subsection, subsection (4) of this section, and those provided for in RCW 46.08.066(((~~(3)~~))) shall be the only exceptions permitted to the requirements of subsection (2) of this section.

(4) Any motorcycle, vehicle over 10,000 pounds gross vehicle weight, or other vehicle that for structural reasons cannot be marked as required by subsection (1) or (2) of this section that is owned or controlled by the state of Washington or by any county, city, town, or other public body in this state and used for public purposes on the public highways of this state shall be conspicuously marked in letters of a contrasting color with the words "State of Washington" or the name of such county, city, town, or other public body, together with the name of the department or office that owns or controls the vehicle.

(5) All motor vehicle markings required under the terms of this chapter shall be maintained in a legible condition at all times.

Sec. 7141. RCW 46.08.150 and 2010 c 161 s 1112 are each amended to read as follows:

The director of ((~~general administration~~)) enterprise services shall have power to devise and promulgate rules and regulations for the control of vehicular and pedestrian traffic and the parking of motor vehicles on the state capitol grounds. However, the monetary penalty for parking a motor vehicle without a valid special license plate or placard in a parking place reserved for persons with physical disabilities shall be the same as provided in RCW 46.19.050. Such rules and regulations shall be promulgated by publication in one issue of a newspaper published at the state capitol and shall be given such further publicity as the director may deem proper.

Sec. 7142. RCW 46.08.172 and 1995 c 215 s 4 are each amended to read as follows:

The director of the department of ((~~general administration~~)) enterprise services shall establish equitable and consistent parking rental fees for the capitol campus and may, if requested by agencies, establish equitable and consistent parking rental fees for agencies off the capitol campus, to be charged to employees, visitors, clients, service providers, and others, that reflect the legislature's intent to reduce state subsidization of parking or to meet the commute trip reduction goals established in RCW 70.94.527. All fees shall take into account the market rate of comparable privately owned rental parking, as determined by the director. However, parking rental fees are not to exceed the local market rate of comparable privately owned rental parking.

The director may delegate the responsibility for the collection of parking fees to other agencies of state government when cost-effective.

Sec. 7143. RCW 47.60.830 and 2008 c 126 s 4 are each amended to read as follows:

In performing the function of operating its ferry system, the department may, subject to the availability of amounts appropriated for this specific purpose and after consultation with the department of ((~~general administration's office of state procurement~~)) enterprise services, explore and implement strategies designed to reduce the overall cost of fuel and mitigate the impact of market fluctuations and pressure on both short-term and long-term fuel costs. These strategies may include, but are not limited to, futures contracts, hedging, swap transactions, option contracts, costless collars, and long-term storage. The department shall periodically submit a report to the transportation committees of the legislature and the ((~~office of state procurement~~)) department of enterprise services on the status of any such implemented strategies, including cost mitigation results, a description of each contract established to mitigate fuel costs, the amounts of fuel covered by the contracts, the cost mitigation results, and any related recommendations. The first report must be submitted within one year of implementation.

NEW SECTION. **Sec. 7144.** A new section is added to chapter 49.74 RCW to read as follows:

If no agreement can be reached under RCW 49.74.030, the commission may refer the matter to the administrative law judge for hearing pursuant to RCW 49.60.250. If the administrative law judge finds that the state agency, institution of higher education, or state patrol has not made a good faith effort to correct the noncompliance, the administrative law judge shall order the state agency, institution of higher education, or state patrol to comply with this chapter. The administrative law judge may order any action that may be necessary to achieve compliance, provided such action is not inconsistent with the rules adopted under RCW 41.06.150(6) and 43.43.340(5), whichever is appropriate.

An order by the administrative law judge may be appealed to superior court.

Sec. 7145. RCW 70.58.005 and 2009 c 231 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Business days" means Monday through Friday except official state holidays.

(2) "Department" means the department of health.

(3) "Electronic approval" or "electronically approve" means approving the content of an electronically filed vital record through the processes provided by the department. Electronic approval processes shall be consistent with policies, standards, and procedures developed by the ((~~information services board under RCW 43.105.041~~)) office of the chief information officer.

(4) "Embalmer" means a person licensed as required in chapter 18.39 RCW and defined in RCW 18.39.010.

(5) "Funeral director" means a person licensed as required in chapter 18.39 RCW and defined in RCW 18.39.010.

(6) "Vital records" means records of birth, death, fetal death, marriage, dissolution, annulment, and legal separation, as maintained under the supervision of the state registrar of vital statistics.

Sec. 7146. RCW 70.94.537 and 2011 1st sp.s. c 21 s 26 are each amended to read as follows:

(1) A sixteen member state commute trip reduction board is established as follows:

(a) The secretary of transportation or the secretary's designee who shall serve as chair;

(b) One representative from the office of financial management;

(c) The director or the director's designee of one of the following agencies, to be determined by the secretary of transportation:

(i) Department of ((~~general administration~~)) enterprise services;

(ii) Department of ecology;

(iii) Department of commerce;

(d) Three representatives from cities and towns or counties appointed by the secretary of transportation for staggered four-year terms from a list recommended by the association of Washington cities or the Washington state association of counties;

(e) Two representatives from transit agencies appointed by the secretary of transportation for staggered four-year terms from a list recommended by the Washington state transit association;

(f) Two representatives from participating regional transportation planning organizations appointed by the secretary of transportation for staggered four-year terms;

(g) Four representatives of employers at or owners of major worksites in Washington, or transportation management associations, business improvement areas, or other transportation organizations representing employers, appointed by the secretary of transportation for staggered four-year terms; and

(h) Two citizens appointed by the secretary of transportation for staggered four-year terms.

Members of the commute trip reduction board shall serve without compensation but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Members appointed by the secretary of transportation shall be compensated in accordance with RCW 43.03.220. The board has all powers necessary to carry out its duties as prescribed by this chapter.

(2) By March 1, 2007, the department of transportation shall establish rules for commute trip reduction plans and implementation procedures. The commute trip reduction board shall advise the department on the content of the rules. The rules are intended to ensure consistency in commute trip reduction plans and goals among jurisdictions while fairly taking into account differences in employment and housing density, employer size, existing and anticipated levels of transit service, special employer circumstances, and other factors the board determines to be relevant. The rules shall include:

(a) Guidance criteria for growth and transportation efficiency centers;

(b) Data measurement methods and procedures for determining the efficacy of commute trip reduction activities and progress toward meeting commute trip reduction plan goals;

(c) Model commute trip reduction ordinances;

(d) Methods for assuring consistency in the treatment of employers who have worksites subject to the requirements of this chapter in more than one jurisdiction;

(e) An appeals process by which major employers, who as a result of special characteristics of their business or its locations would be unable to meet the requirements of a commute trip reduction plan, may obtain a waiver or modification of those requirements and criteria for determining eligibility for waiver or modification;

(f) Establishment of a process for determining the state's affected areas, including criteria and procedures for regional transportation planning organizations in consultation with local jurisdictions to propose to add or exempt urban growth areas;

(g) Listing of the affected areas of the program to be done every four years as identified in subsection (5) of this section;

(h) Establishment of a criteria and application process to determine whether jurisdictions that voluntarily implement commute trip reduction are eligible for state funding;

(i) Guidelines and deadlines for creating and updating local commute trip reduction plans, including guidance to ensure consistency between the local commute trip reduction plan and the transportation demand management strategies identified in the transportation element in the local comprehensive plan, as required by RCW 36.70A.070;

(j) Guidelines for creating and updating regional commute trip reduction plans, including guidance to ensure the regional commute trip reduction plan is consistent with and incorporated into transportation demand management components in the regional transportation plan;

(k) Methods for regional transportation planning organizations to evaluate and certify that designated growth and transportation efficiency center programs meet the minimum requirements and are eligible for funding;

(l) Guidelines for creating and updating growth and transportation efficiency center programs; and

(m) Establishment of statewide program goals. The goals shall be designed to achieve substantial reductions in the proportion of single-occupant vehicle commute trips and the commute trip vehicle miles traveled per employee, at a level that is projected to improve the mobility of people and goods by increasing the efficiency of the state highway system.

(3) The board shall create a state commute trip reduction plan that shall be updated every four years as discussed in subsection (5) of this section. The state commute trip reduction plan shall include, but is not limited to: (a) Statewide commute trip reduction program goals that are designed to substantially improve the mobility of people and goods; (b) identification of strategies at the state and regional levels to achieve the goals and recommendations for how transportation demand management strategies can be targeted most effectively to support commute trip reduction program goals; (c) performance measures for assessing the cost-effectiveness of commute trip reduction strategies and the benefits for the state transportation system; and (d) a sustainable financial plan. The board shall review and approve regional commute trip reduction plans, and work collaboratively with regional transportation planning organizations in the establishment of the state commute trip reduction plan.

(4) The board shall work with affected jurisdictions, major employers, and other parties to develop and implement a public awareness campaign designed to increase the effectiveness of local commute trip reduction programs and support achievement of the objectives identified in this chapter.

(5) The board shall evaluate and update the commute trip reduction program plan and recommend changes to the rules every four years, with the first assessment report due July 1, 2011, to ensure that the latest data methodology used by the department of transportation is incorporated into the program and to determine which areas of the state should be affected by the program. The board shall review the definition of a major employer no later than December 1, 2009. The board shall regularly identify urban growth areas that are projected to be affected by chapter 329, Laws of 2006 in the next four-year period and may provide advance planning support to the potentially affected jurisdictions.

(6) The board shall review progress toward implementing commute trip reduction plans and programs and the costs and benefits of commute trip reduction plans and programs and shall make recommendations to the legislature and the governor by December 1, 2009, and every two years thereafter. In assessing the costs and benefits, the board shall consider the costs of not having implemented commute trip reduction plans and programs ((~~with the assistance of the transportation performance audit board authorized under chapter 44.75 RCW~~)). The board shall examine other transportation demand management programs nationally and incorporate its findings into its recommendations to the legislature. The recommendations shall address the need for continuation, modification, or termination or any or all requirements of this chapter.

(7) The board shall invite personnel with appropriate expertise from state, regional, and local government, private, public, and nonprofit providers of transportation services, and employers or owners of major worksites in Washington to act as a technical advisory group. The technical advisory group shall advise the board on the implementation of local and regional commute trip reduction plans and programs, program evaluation, program funding allocations, and state rules and guidelines.

Sec. 7147. RCW 70.94.551 and 2009 c 427 s 3 are each amended to read as follows:

(1) The secretary of the department of transportation may coordinate an interagency board or other interested parties for the purpose of developing policies or guidelines that promote consistency among state agency commute trip reduction programs required by RCW 70.94.527 and 70.94.531 or developed under the joint comprehensive commute trip reduction plan described in this section. The board shall include representatives of the departments of transportation, ((~~general administration~~)) enterprise services, ecology, and ((~~community, trade, and economic development~~)) commerce and such other departments and interested groups as the

secretary of the department of transportation determines to be necessary. Policies and guidelines shall be applicable to all state agencies including but not limited to policies and guidelines regarding parking and parking charges, employee incentives for commuting by other than single-occupant automobiles, flexible and alternative work schedules, alternative worksites, and the use of state-owned vehicles for car and van pools and guaranteed rides home. The policies and guidelines shall also consider the costs and benefits to state agencies of achieving commute trip reductions and consider mechanisms for funding state agency commute trip reduction programs.

(2) State agencies sharing a common location in affected urban growth areas where the total number of state employees is one hundred or more shall, with assistance from the department of transportation, develop and implement a joint commute trip reduction program. The worksite must be treated as specified in RCW 70.94.531 and 70.94.534.

(3) The department of transportation shall develop a joint comprehensive commute trip reduction plan for all state agencies, including institutions of higher education, located in the Olympia, Lacey, and Tumwater urban growth areas.

(a) In developing the joint comprehensive commute trip reduction plan, the department of transportation shall work with applicable state agencies, including institutions of higher education, and shall collaborate with the following entities: Local jurisdictions; regional transportation planning organizations as described in chapter 47.80 RCW; transit agencies, including regional transit authorities as described in chapter 81.112 RCW and transit agencies that serve areas within twenty-five miles of the Olympia, Lacey, or Tumwater urban growth areas; and the capitol campus design advisory committee established in RCW 43.34.080.

(b) The joint comprehensive commute trip reduction plan must build on existing commute trip reduction programs and policies. At a minimum, the joint comprehensive commute trip reduction plan must include strategies for telework and flexible work schedules, parking management, and consideration of the impacts of worksite location and design on multimodal transportation options.

(c) The joint comprehensive commute trip reduction plan must include performance measures and reporting methods and requirements.

(d) The joint comprehensive commute trip reduction plan may include strategies to accommodate differences in worksite size and location.

(e) The joint comprehensive commute trip reduction plan must be consistent with jurisdictional and regional transportation, land use, and commute trip reduction plans, the state six-year facilities plan, and the master plan for the capitol of the state of Washington.

(f) Not more than ninety days after the adoption of the joint comprehensive commute trip reduction plan, state agencies within the three urban growth areas must implement a commute trip reduction program consistent with the objectives and strategies of the joint comprehensive commute trip reduction plan.

(4) The department of transportation shall review the initial commute trip reduction program of each state agency subject to the commute trip reduction plan for state agencies to determine if the program is likely to meet the applicable commute trip reduction goals and notify the agency of any deficiencies. If it is found that the program is not likely to meet the applicable commute trip reduction goals, the department of transportation will work with the agency to modify the program as necessary.

(5) Each state agency implementing a commute trip reduction plan shall report at least once per year to its agency director on the performance of the agency's commute trip reduction program as part of the agency's quality management, accountability, and performance system as defined by RCW 43.17.385. The reports shall assess the performance of the program, progress toward state goals established under RCW 70.94.537, and recommendations for improving the program.

(6) The department of transportation shall review the agency performance reports defined in subsection (5) of this section and submit a biennial report for state agencies subject to this chapter to the governor and incorporate the report in the commute trip reduction board report to the legislature as directed in RCW 70.94.537(6). The report shall include, but is not limited to, an evaluation of the most recent measurement results, progress toward state goals established under RCW 70.94.537, and recommendations for improving the performance of state agency commute trip reduction programs. The information shall be reported in a form established by the commute trip reduction board.

Sec. 7148. RCW 70.95.265 and 1995 c 399 s 190 are each amended to read as follows:

The department shall work closely with the department of ((~~community, trade, and economic development~~)) commerce, the department of ((~~general administration~~)) enterprise services, and with other state departments and agencies, the Washington state association of counties, the association of Washington cities, and business associations, to carry out the objectives and purposes of chapter 41, Laws of 1975-'76 2nd ex. sess.

Sec. 7149. RCW 70.95C.110 and 1989 c 431 s 53 are each amended to read as follows:

The legislature finds and declares that the buildings and facilities owned and leased by state government produce significant amounts of solid and hazardous wastes, and actions must be taken to reduce and recycle these wastes and thus reduce the costs associated with their disposal. In order for the operations of state government to provide the citizens of the state an example of positive waste management, the legislature further finds and declares that state government should undertake an aggressive program designed to reduce and recycle solid and hazardous wastes produced in the operations of state buildings and facilities to the maximum extent possible.

The office of waste reduction, in cooperation with the department of ((~~general administration~~)) enterprise services, shall establish an intensive waste reduction and recycling program to promote the reduction of waste produced by state agencies and to promote the source separation and recovery of recyclable and reusable materials.

All state agencies, including but not limited to, colleges, community colleges, universities, offices of elected and appointed officers, the supreme court, court of appeals, and administrative departments of state government shall fully cooperate with the office of waste reduction and recycling in all phases of implementing the provisions of this section. The office shall establish a coordinated state plan identifying each agency's participation in waste reduction and recycling. The office shall develop the plan in cooperation with a multiagency committee on waste reduction and recycling. Appointments to the committee shall be made by the director of the department of ((~~general administration~~)) enterprise services. The director shall notify each agency of the committee, which shall implement the applicable waste reduction and recycling plan elements. All state agencies are to use maximum efforts to achieve a goal of increasing the use of recycled paper by fifty percent by July 1, 1993.

Sec. 7150. RCW 70.95H.030 and 1992 c 131 s 2 are each amended to read as follows:

The center shall:

(1) Provide targeted business assistance to recycling businesses, including:

(a) Development of business plans;

(b) Market research and planning information;

(c) Access to financing programs;

(d) Referral and information on market conditions; and

(e) Information on new technology and product development;

(2) Negotiate voluntary agreements with manufacturers to increase the use of recycled materials in product development;

(3) Support and provide research and development to stimulate and commercialize new and existing technologies and products using recycled materials;

(4) Undertake an integrated, comprehensive education effort directed to recycling businesses to promote processing, manufacturing, and purchase of recycled products, including:

(a) Provide information to recycling businesses on the availability and benefits of using recycled materials;

(b) Provide information and referral services on recycled material markets;

(c) Provide information on new research and technologies that may be used by local businesses and governments; and

(d) Participate in projects to demonstrate new market uses or applications for recycled products;

(5) Assist the departments of ecology and ((~~general administration~~)) enterprise services in the development of consistent definitions and standards on recycled content, product performance, and availability;

(6) Undertake studies on the unmet capital needs of reprocessing and manufacturing firms using recycled materials;

(7) Undertake and participate in marketing promotions for the purposes of achieving expanded market penetration for recycled content products;

(8) Coordinate with the department of ecology to ensure that the education programs of both are mutually reinforcing, with the center acting as the lead entity with respect to recycling businesses, and the department as the lead entity with respect to the general public and retailers;

(9) Develop an annual work plan. The plan shall describe actions and recommendations for developing markets for commodities comprising a significant percentage of the waste stream and having potential for use as an industrial or commercial feedstock. The initial plan shall address, but not be limited to, mixed waste paper, waste tires, yard and food waste, and plastics; and

(10) Represent the state in regional and national market development issues.

Sec. 7151. RCW 70.95M.060 and 2003 c 260 s 7 are each amended to read as follows:

(1) The department of general administration must, by January 1, 2005, revise its rules, policies, and guidelines to implement the purpose of this chapter.

(2) The department of ((~~general administration~~)) enterprise services must give priority and preference to the purchase of equipment, supplies, and other products that contain no mercury-added compounds or components, unless: (a) There is no economically feasible nonmercury-added alternative that performs a similar function; or (b) the product containing mercury is designed to reduce electricity consumption by at least forty percent and there is no nonmercury or lower mercury alternative available that saves the same or a greater amount of electricity as the exempted product. In circumstances where a nonmercury-added product is not available, preference must be given to the purchase of products that contain the least amount of mercury added to the product necessary for the required performance.

Sec. 7152. RCW 70.235.050 and 2009 c 519 s 2 are each amended to read as follows:

(1) All state agencies shall meet the statewide greenhouse gas emission limits established in RCW 70.235.020 to achieve the following, using the estimates and strategy established in subsections (2) and (3) of this section:

(a) By July 1, 2020, reduce emissions by fifteen percent from 2005 emission levels;

(b) By 2035, reduce emissions to thirty-six percent below 2005 levels; and

(c) By 2050, reduce emissions to the greater reduction of fifty-seven and one-half percent below 2005 levels, or seventy percent below the expected state government emissions that year.

(2)(a) By June 30, 2010, all state agencies shall report estimates of emissions for 2005 to the department, including 2009 levels of emissions, and projected emissions through 2035.

(b) State agencies required to report under RCW 70.94.151 must estimate emissions from methodologies recommended by the department and must be based on actual operation of those agencies. Agencies not required to report under RCW 70.94.151 shall derive emissions estimates using an emissions calculator provided by the department.

(3) By June 30, 2011, each state agency shall submit to the department a strategy to meet the requirements in subsection (1) of this section. The strategy must address employee travel activities, teleconferencing alternatives, and include existing and proposed actions, a timeline for reductions, and recommendations for budgetary and other incentives to reduce emissions, especially from employee business travel.

(4) By October 1st of each even-numbered year beginning in 2012, each state agency shall report to the department the actions taken to meet the emission reduction targets under the strategy for the preceding fiscal biennium. The department may authorize the department of ((~~general administration~~)) enterprise services to report on behalf of any state agency having fewer than five hundred full-time equivalent employees at any time during the reporting period. The department shall cooperate with the department of ((~~general administration~~)) enterprise services and the department of ((~~community, trade, and economic development~~)) commerce to develop consolidated reporting methodologies that incorporate emission reduction actions taken across all or substantially all state agencies.

(5) All state agencies shall cooperate in providing information to the department, the department of ((~~general administration~~)) enterprise services, and the department of ((~~community, trade, and economic development~~)) commerce for the purposes of this section.

(6) The governor shall designate a person as the single point of accountability for all energy and climate change initiatives within state agencies. This position must be funded from current full-time equivalent allocations without increasing budgets or staffing levels. If duties must be shifted within an agency, they must be shifted among current full-time equivalent allocations. All agencies, councils, or work groups with energy or climate change initiatives shall coordinate with this designee.

Sec. 7153. RCW 71A.20.190 and 2011 1st sp.s. c 30 s 8 are each amended to read as follows:

(1) A developmental disability service system task force is established.

(2) The task force shall be convened by September 1, 2011, and consist of the following members:

(a) Two members of the house of representatives appointed by the speaker of the house of representatives, from different political caucuses;

(b) Two members of the senate appointed by the president of the senate, from different political caucuses;

(c) The following members appointed by the governor:

(i) Two advocates for people with developmental disabilities;

(ii) A representative from the developmental disabilities council;

(iii) A representative of families of residents in residential habilitation centers;

(iv) Two representatives of labor unions representing workers who serve residents in residential habilitation centers;

(d) The secretary of the department of social and health services or their designee; and

(e) The ((~~secretary~~)) director of the department of ((~~general administration~~)) enterprise services or their designee.

(3) The members of the task force shall select the chair or cochairs of the task force.

(4) Staff assistance for the task force will be provided by legislative staff and staff from the agencies listed in subsection (2) of this section.

(5) The task force shall make recommendations on:

(a) The development of a system of services for persons with developmental disabilities that is consistent with the goals articulated in section 1, chapter 30, Laws of 2011 1st sp. sess.;

(b) The state's long-term needs for residential habilitation center capacity, including the benefits and disadvantages of maintaining one center in eastern Washington and one center in western Washington;

(c) A plan for efficient consolidation of institutional capacity, including whether one or more centers should be downsized or closed and, if so, a time frame for closure;

(d) Mechanisms through which any savings that result from the downsizing, consolidation, or closure of residential habilitation center capacity can be used to create additional community-based capacity;

(e) Strategies for the use of surplus property that results from the closure of one or more centers;

(f) Strategies for reframing the mission of Yakima Valley School consistent with chapter 30, Laws of 2011 1st sp. sess. that consider:

(i) The opportunity, where cost-effective, to provide medical services, including centers of excellence, to other clients served by the department; and

(ii) The creation of a treatment team consisting of crisis stabilization and short-term respite services personnel, with the long-term goal of expanding to include the provisions of specialty services such as dental care, physical therapy, occupational therapy, and specialized nursing care to individuals with developmental disabilities residing in the surrounding community.

(6) The task force shall report their recommendations to the appropriate committees of the legislature by December 1, 2012.

Sec. 7154. RCW 72.01.430 and 1981 c 136 s 75 are each amended to read as follows:

The secretary, notwithstanding any provision of law to the contrary, is hereby authorized to transfer equipment, livestock and supplies between the several institutions within the department without reimbursement to the transferring institution excepting, however, any such equipment donated by organizations for the sole use of such transferring institutions. Whenever transfers of capital items are made between institutions of the department, notice thereof shall be given to the director of the department of ((~~general administration~~)) enterprise services accompanied by a full description of such items with inventory numbers, if any.

Sec. 7155. RCW 72.09.450 and 1996 c 277 s 1 are each amended to read as follows:

(1) An inmate shall not be denied access to services or supplies required by state or federal law solely on the basis of his or her inability to pay for them.

(2) The department shall record all lawfully authorized assessments for services or supplies as a debt to the department. The department shall recoup the assessments when the inmate's institutional account exceeds the indigency standard, and may pursue other remedies to recoup the assessments after the period of incarceration.

(3) The department shall record as a debt any costs assessed by a court against an inmate plaintiff where the state is providing defense pursuant to chapter 4.92 RCW. The department shall recoup the debt when the inmate's institutional account exceeds the indigency standard and may pursue other remedies to recoup the debt after the period of incarceration.

(4) In order to maximize the cost-efficient collection of unpaid offender debt existing after the period of an offender's incarceration, the department is authorized to use the following nonexclusive options: (a) Use the collection services available through the department of ((~~general administration~~)) enterprise services, or (b) notwithstanding any provision of chapter 41.06 RCW, contract with collection agencies for collection of the debts. The costs for ((~~general administration~~)) enterprise services or collection agency services shall be paid by the debtor. Any contract with a collection agency shall only be awarded after competitive bidding. Factors the department shall consider in awarding a collection contract include but are not limited to a collection agency's history and reputation in the community; and the agency's access to a local database that may increase the efficiency of its collections. The servicing of an unpaid obligation to the department does not constitute assignment of a debt, and no contract with a collection agency may remove the department's control over unpaid obligations owed to the department.

Sec. 7156. RCW 77.12.177 and 2011 c 339 s 4 are each amended to read as follows:

(1) Except as provided in this title, state and county officers receiving the following moneys shall deposit them in the state general fund:

(a) The sale of commercial licenses required under this title, except for licenses issued under RCW 77.65.490; and

(b) Moneys received for damages to food fish or shellfish.

(2) The director shall make weekly remittances to the state treasurer of moneys collected by the department.

(3) All fines and forfeitures collected or assessed by a district court for a violation of this title or rule of the department shall be remitted as provided in chapter 3.62 RCW.

(4) Proceeds from the sale of food fish or shellfish taken in test fishing conducted by the department, to the extent that these proceeds exceed the estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270 to reimburse the department for unanticipated costs for test fishing operations in excess of the allowance in the budget approved by the legislature.

(5) Proceeds from the sale of salmon carcasses and salmon eggs from state general funded hatcheries by the department ((~~of general administration~~)) shall be deposited in the regional fisheries enhancement group account established in RCW 77.95.090.

(6) Proceeds from the sale of herring spawn on kelp fishery licenses by the department, to the extent those proceeds exceed estimates in the budget approved by the legislature, may be allocated as unanticipated receipts under RCW 43.79.270. Allocations under this subsection shall be made only for herring management, enhancement, and enforcement.

Sec. 7157. RCW 77.12.451 and 1990 c 36 s 1 are each amended to read as follows:

(1) The director may take or remove any species of fish or shellfish from the waters or beaches of the state.

(2) The director may sell food fish or shellfish caught or taken during department test fishing operations.

(3) The director shall not sell inedible salmon for human consumption. Salmon and carcasses may be given to state institutions or schools or to economically depressed people, unless the salmon are unfit for human consumption. Salmon not fit for human consumption may be sold by the director for animal food, fish food, or for industrial purposes.

(4) In the sale of surplus salmon from state hatcheries, the ((~~division of purchasing~~)) director shall require that a portion of the surplus salmon be processed and returned to the state by the

purchaser. The processed salmon shall be fit for human consumption and in a form suitable for distribution to individuals. The ((~~division of purchasing~~)) department shall establish the required percentage at a level that does not discourage competitive bidding for the surplus salmon. The measure of the percentage is the combined value of all of the surplus salmon sold. The department of social and health services shall distribute the processed salmon to economically depressed individuals and state institutions pursuant to rules adopted by the department of social and health services.

Sec. 7158. RCW 79.19.080 and 2003 c 334 s 531 are each amended to read as follows:

Periodically, at intervals to be determined by the board, the department shall identify trust lands which are expected to convert to commercial, residential, or industrial uses within ten years. The department shall adhere to existing local comprehensive plans, zoning classifications, and duly adopted local policies when making this identification and determining the fair market value of the property.

The department shall hold a public hearing on the proposal in the county where the state land is located. At least fifteen days but not more than thirty days before the hearing, the department shall publish a public notice of reasonable size in display advertising form, setting forth the date, time, and place of the hearing, at least once in one or more daily newspapers of general circulation in the county and at least once in one or more weekly newspapers circulated in the area where the trust land is located. At the same time that the published notice is given, the department shall give written notice of the hearings to the departments of fish and wildlife and ((~~general administration~~)) enterprise services, to the parks and recreation commission, and to the county, city, or town in which the property is situated. The department shall disseminate a news release pertaining to the hearing among printed and electronic media in the area where the trust land is located. The public notice and news release also shall identify trust lands in the area which are expected to convert to commercial, residential, or industrial uses within ten years.

A summary of the testimony presented at the hearings shall be prepared for the board's consideration. The board shall designate trust lands which are expected to convert to commercial, residential, or industrial uses as urban land. Descriptions of lands designated by the board shall be made available to the county and city or town in which the land is situated and for public inspection and copying at the department's administrative office in Olympia, Washington and at each area office.

The hearing and notice requirements of this section apply to those trust lands which have been identified by the department prior to July 1, 1984, as being expected to convert to commercial, residential, or industrial uses within the next ten years, and which have not been sold or exchanged prior to July 1, 1984.

Sec. 7159. RCW 79.24.300 and 1977 c 75 s 90 are each amended to read as follows:

The state capitol committee may construct parking facilities for the state capitol adequate to provide parking space for automobiles, said parking facilities to be either of a single level, multiple level, or both, and to be either on one site or more than one site and located either on or in close proximity to the capitol grounds, though not necessarily contiguous thereto. The state capitol committee may select such lands as are necessary therefor and acquire them by purchase or condemnation. As an aid to such selection the committee may cause location, topographical, economic, traffic, and other surveys to be conducted, and for this purpose may utilize the services of existing state agencies, may employ personnel, or may contract for the services of any person, firm or corporation. In selecting the location and plans for the construction of the parking facilities the committee shall consider recommendations of the director of ((~~general administration~~)) enterprise services.

Space in parking facilities may be rented to the officers and employees of the state on a monthly basis at a rental to be determined by the director of ((~~general administration~~)) enterprise services. The state shall not sell gasoline, oil, or any other commodities or perform any services for any vehicles or equipment other than state equipment.

Sec. 7160. RCW 79.24.530 and 1961 c 167 s 4 are each amended to read as follows:

The department of ((~~general administration~~)) enterprise services shall develop, amend and modify an overall plan for the design and establishment of state capitol buildings and grounds on the east capitol site in accordance with current and prospective requisites of a state capitol befitting the state of Washington. The overall plan, amendments and modifications thereto shall be subject to the approval of the state capitol committee.

Sec. 7161. RCW 79.24.540 and 1961 c 167 s 5 are each amended to read as follows:

State agencies which are authorized by law to acquire land and construct buildings, whether from appropriated funds or from funds not subject to appropriation by the legislature, may buy land in the east capitol site and construct buildings thereon so long as the location, design and construction meet the requirements established by the department of ((~~general administration~~)) enterprise services and approved by the state capitol committee.

Sec. 7162. RCW 79.24.560 and 1961 c 167 s 7 are each amended to read as follows:

The department of ((~~general administration~~)) enterprise services shall have the power to rent, lease, or otherwise use any of the properties acquired in the east capitol site.

Sec. 7163. RCW 79.24.570 and 2000 c 11 s 24 are each amended to read as follows:

All moneys received by the department of ((~~general administration~~)) enterprise services from the management of the east capitol site, excepting (1) funds otherwise dedicated prior to April 28, 1967, (2) parking and rental charges and fines which are required to be deposited in other accounts, and (3) reimbursements of service and other utility charges made to the department of ((~~general administration~~)) enterprise services, shall be deposited in the capitol purchase and development account of the state general fund.

Sec. 7164. RCW 79.24.664 and 1969 ex.s. c 272 s 8 are each amended to read as follows:

There is appropriated to the department of ((~~general administration~~)) enterprise services from the general fund—state building construction account the sum of fifteen million dollars or so much thereof as may be necessary to accomplish the purposes set forth in RCW 79.24.650.

Sec. 7165. RCW 79.24.710 and 2005 c 330 s 2 are each amended to read as follows:

For the purposes of RCW 79.24.720, 79.24.730, 43.01.090, 43.19.500, and 79.24.087, "state capitol public and historic facilities" includes:

(1) The east, west and north capitol campus grounds, Sylvester park, Heritage park, Marathon park, Centennial park, the Deschutes river basin commonly known as Capitol lake, the interpretive center, Deschutes parkway, and the landscape, memorials, artwork, fountains, streets, sidewalks, lighting, and infrastructure in each of these areas not including state-owned aquatic lands in these areas managed by the department of natural resources under RCW ((~~79.90.450~~)) 79.105.010;

(2) The public spaces and the historic interior and exterior elements of the following buildings: The visitor center, the Governor's mansion, the legislative building, the John L. O'Brien building, the Cherberg building, the Newhouse building, the Pritchard building, the temple of justice, the insurance building, the Dolliver building, capitol court, and the old capitol buildings,

including the historic state-owned furnishings and works of art commissioned for or original to these buildings; and

(3) Other facilities or elements of facilities as determined by the state capitol committee, in consultation with the department of ((~~general administration~~)) enterprise services.

Sec. 7166. RCW 79.24.720 and 2005 c 330 s 3 are each amended to read as follows:

The department of ((~~general administration~~)) enterprise services is responsible for the stewardship, preservation, operation, and maintenance of the public and historic facilities of the state capitol, subject to the policy direction of the state capitol committee ((~~and the legislative buildings committee as created in chapter . . . (House Bill No. 1301), Laws of 2005,~~)) and the guidance of the capitol campus design advisory committee. In administering this responsibility, the department shall:

(1) Apply the United States secretary of the interior's standards for the treatment of historic properties;

(2) Seek to balance the functional requirements of state government operations with public access and the long-term preservation needs of the properties themselves; and

(3) Consult with the capitol furnishings preservation committee, the state historic preservation officer, the state arts commission, and the state facilities accessibility advisory committee in fulfilling the responsibilities provided for in this section.

Sec. 7167. RCW 79.24.730 and 2005 c 330 s 4 are each amended to read as follows:

(1) To provide for responsible stewardship of the state capitol public and historic facilities, funding for:

(a) Maintenance and operational needs shall be authorized in the state's omnibus appropriations act and funded by the ((~~general administration~~)) enterprise services account as provided under RCW 43.19.500;

(b) Development and preservation needs shall be authorized in the state's capital budget. To the extent revenue is available, the capitol building construction account under RCW 79.24.087 shall fund capital budget needs. If capitol building construction account funds are not available, the state building construction account funds may be authorized for this purpose.

(2) The department of ((~~general administration~~)) enterprise services may seek grants, gifts, or donations to support the stewardship of state capitol public and historic facilities. The department may: (a) Purchase historic state capitol furnishings or artifacts; or (b) sell historic state capitol furnishings and artifacts that have been designated as state surplus by the capitol furnishings preservation committee under RCW 27.48.040(6). Funds generated from grants, gifts, donations, or sales for omnibus appropriations act needs shall be deposited into the ((~~general administration~~)) enterprise services account. Funds generated for capital budget needs shall be deposited into the capitol building construction account.

Sec. 7168. RCW 79A.15.010 and 2009 c 341 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" means the purchase on a willing seller basis of fee or less than fee interests in real property. These interests include, but are not limited to, options, rights of first refusal, conservation easements, leases, and mineral rights.

(2) "Board" means the recreation and conservation funding board.

(3) "Critical habitat" means lands important for the protection, management, or public enjoyment of certain wildlife species or groups of species, including, but not limited to, wintering range for deer, elk, and other species, waterfowl and upland bird habitat, fish habitat, and habitat for endangered, threatened, or sensitive species.

(4) "Farmlands" means any land defined as "farm and agricultural land" in RCW 84.34.020(2).

(5) "Local agencies" means a city, county, town, federally recognized Indian tribe, special purpose district, port district, or other political subdivision of the state providing services to less than the entire state.

(6) "Natural areas" means areas that have, to a significant degree, retained their natural character and are important in preserving rare or vanishing flora, fauna, geological, natural historical, or similar features of scientific or educational value.

(7) "Nonprofit nature conservancy corporation or association" means an organization as defined in RCW 84.34.250.

(8) "Riparian habitat" means land adjacent to water bodies, as well as submerged land such as streambeds, which can provide functional habitat for salmonids and other fish and wildlife species. Riparian habitat includes, but is not limited to, shorelines and near-shore marine habitat, estuaries, lakes, wetlands, streams, and rivers.

(9) "Special needs populations" means physically restricted people or people of limited means.

(10) "State agencies" means the state parks and recreation commission, the department of natural resources, the department of ((~~general administration~~)) enterprise services, and the department of fish and wildlife.

(11) "Trails" means public ways constructed for and open to pedestrians, equestrians, or bicyclists, or any combination thereof, other than a sidewalk constructed as a part of a city street or county road for exclusive use of pedestrians.

(12) "Urban wildlife habitat" means lands that provide habitat important to wildlife in proximity to a metropolitan area.

(13) "Water access" means boat or foot access to marine waters, lakes, rivers, or streams.

NEW SECTION. **Sec. 7169.** RCW 37.14.010, 43.19.533, 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210 are each decodified.

NEW SECTION. **Sec. 7170.** The following acts or parts of acts are each repealed:

(1) RCW 43.105.041 (Powers and duties of board) and 2011 c 358 s 6, 2010 1st sp.s. c 7 s 65, 2009 c 486 s 13, 2003 c 18 s 3, & 1999 c 285 s 5;

(2) RCW 43.105.178 (Information technology assets—Inventory) and 2010 c 282 s 12;

(3) RCW 43.105.330 (State interoperability executive committee) and 2011 c 367 s 711, 2006 c 76 s 2, & 2003 c 18 s 4;

(4) RCW 43.105.070 (Confidential or privileged information) and 1969 ex.s. c 212 s 4; and

(5) RCW 49.74.040 (Failure to reach conciliation agreement—Administrative hearing—Appeal) and 2002 c 354 s 248, 2002 c 354 s 247, & 1985 c 365 s 11.

NEW SECTION. **Sec. 7171.** Section 91 of this act expires June 30, 2016."

On page 1, line 3 of the title, after "government;" strike the remainder of the title and insert "amending RCW 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 4.92.110, 4.96.020, 8.26.085, 15.24.086, 15.64.060, 15.65.285, 15.66.280, 15.88.070, 15.89.070, 15.100.080, 15.115.180, 17.15.020, 19.27.097, 19.27.150, 19.27A.020, 19.27A.190, 19.34.100, 19.285.060, 27.34.075, 27.34.410, 27.48.040, 28A.150.530, 28A.335.300, 28B.10.417, 35.21.779, 35.68.076, 35A.65.010, 36.28A.070, 39.04.155, 39.04.220, 39.04.290, 39.04.320, 39.04.330, 39.04.370, 39.04.380, 39.24.050, 39.30.050, 39.32.020, 39.32.040, 39.32.060, 39.35.060, 39.35A.050, 39.35B.040, 39.35C.050, 39.35C.090, 39.59.010, 41.04.017, 41.04.220, 41.04.375, 41.06.094, 43.01.090, 43.01.091, 43.01.240, 43.01.250, 43.01.900, 43.15.020, 43.17.050, 43.17.100, 43.17.400, 43.19.647, 43.19.651, 43.19.670, 43.19.682, 43.19.691, 43.19.757, 43.19A.022, 43.19A.040, 43.21F.045, 43.34.090,

43.82.035, 43.82.055, 43.82.130, 43.83.116, 43.83.120, 43.83.136, 43.83.142, 43.83.156, 43.83.176, 43.83.188, 43.83.202, 43.88.090, 43.88.350, 43.88.560, 43.96B.215, 43.101.080, 43.325.020, 43.325.030, 43.330.907, 43.331.040, 43.331.050, 44.68.065, 44.73.010, 46.08.065, 46.08.150, 46.08.172, 47.60.830, 70.58.005, 70.94.537, 70.94.551, 70.95.265, 70.95C.110, 70.95H.030, 70.95M.060, 70.235.050, 71A.20.190, 72.01.430, 72.09.450, 77.12.177, 77.12.451, 79.19.080, 79.24.300, 79.24.530, 79.24.540, 79.24.560, 79.24.570, 79.24.664, 79.24.710, 79.24.720, 79.24.730, and 79A.15.010; reenacting RCW 42.17A.110; adding a new section to chapter 49.74 RCW; decodifying RCW 37.14.010, 43.19.533, 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.901, and 70.120.210; repealing RCW 43.105.041, 43.105.178, 43.105.330, 43.105.070, and 49.74.040; and providing an expiration date."

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

March 31, 2015

SSB 5073 Prime Sponsor, Committee on Government Operations & Security: Concerning nonsubstantive updates and realignments of the statutory responsibilities of the office of financial management. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I
GENERAL PROVISIONS

Sec. 101. RCW 43.82.055 and 2007 c 506 s 6 are each amended to read as follows:

The office of financial management shall:

(1) Work with the department of ((~~general administration~~)) enterprise services and all other state agencies to determine the long-term facility needs of state government; ((~~and~~))

(2) Develop and submit a six-year facility plan to the legislature by January 1st of every odd-numbered year((~~, beginning January 1, 2009,~~)) that includes state agency space requirements and other pertinent data necessary for cost-effective facility planning. The department of ((~~general administration~~)) enterprise services shall assist with this effort as required by the office of financial management; and

(3) Establish and enforce policies and workplace strategies that promote the efficient use of state facilities.

Sec. 102. RCW 43.82.150 and 2007 c 506 s 7 are each amended to read as follows:

(1) The office of financial management shall develop and maintain an inventory system to account for all facilities owned or leased ((~~facilities utilized~~)) by state government. At a minimum, the inventory system must include the facility owner, location, type, condition, use data, and size of each facility. In addition, for owned facilities, the inventory system must include the date and cost of original construction and the cost of any major remodeling or renovation. The inventory must be updated by all agencies, departments, boards, commissions, and institutions by June 30th of each year. The office of financial management shall publish a report summarizing information contained in the inventory system for each agency by October 1st of each year, beginning in 2010 and shall submit this report to the appropriate fiscal committees of the legislature.

(2) ((~~All agencies, departments, boards, commissions, and institutions of the state of Washington shall provide to the office of financial management a complete inventory of owned and leased facilities by September 1, 2010. The inventory must be updated and submitted to the office of financial management by September 1st of each subsequent year.~~)) The ((~~inventories~~)) inventory required under this subsection must be submitted in a standard format prescribed by the office of financial management.

(3) ((~~The office of financial management shall report to the legislature by September 1, 2008, on recommended improvements to the inventory system, redevelopment costs, and an implementation schedule for the redevelopment of the inventory system. The report shall also make recommendations on other improvements that will improve accountability and assist in the evaluation of budget requests and facility management by the governor and the legislature.~~

~~(4)~~)) For the purposes of this section, "facilities" means buildings and other structures with walls and a roof. "Facilities" does not mean roads, bridges, parking areas, utility systems, and other similar improvements to real property.

Sec. 103. RCW 43.88.160 and 2012 c 230 s 1 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of financial management. The governor, through the director of financial management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources, and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for central accounts in the office of financial management at the level of detail deemed necessary by the director to perform central financial management. The director of financial management shall adopt and periodically update an accounting procedures manual. Any agency maintaining its own accounting and reporting system shall comply with the updated accounting procedures manual and the rules of the director adopted under this chapter. An agency may receive a waiver from complying with this requirement if the waiver is approved by the director. Waivers expire at the end of the fiscal biennium for which they are granted. The director shall forward notice of waivers granted to the appropriate legislative fiscal committees. The director of financial management may require such financial, statistical, and other reports as the director deems necessary from all agencies covering any period.

(2) Except as provided in chapter 43.88C RCW, the director of financial management is responsible for quarterly reporting of primary operating budget drivers such as applicable workloads, caseload estimates, and appropriate unit cost data. These reports shall be transmitted to the legislative fiscal committees or by electronic means to the legislative evaluation and accountability program committee. Quarterly reports shall include actual monthly data and the variance between actual and estimated data to date. The reports shall also include estimates of these items for the remainder of the budget period.

(3) The director of financial management shall report at least annually to the appropriate legislative committees regarding the

status of all appropriated capital projects, including transportation projects, showing significant cost overruns or underruns. If funds are shifted from one project to another, the office of financial management shall also reflect this in the annual variance report. Once a project is complete, the report shall provide a final summary showing estimated start and completion dates of each project phase compared to actual dates, estimated costs of each project phase compared to actual costs, and whether or not there are any outstanding liabilities or unsettled claims at the time of completion.

(4) In addition, the director of financial management, as agent of the governor, shall:

(a) Develop and maintain a system of internal controls and internal audits comprising methods and procedures to be adopted by each agency that will safeguard its assets, check the accuracy and reliability of its accounting data, promote operational efficiency, and encourage adherence to prescribed managerial policies for accounting and financial controls. The system developed by the director shall include criteria for determining the scope and comprehensiveness of internal controls required by classes of agencies, depending on the level of resources at risk.

((~~Each~~)) (i) For those agencies that the director determines internal audit is required, the agency head or authorized designee shall be assigned the responsibility and authority for establishing and maintaining internal audits following ((~~the~~)) professional audit standards ((~~of internal auditing of~~)) including generally accepted government auditing standards or standards adopted by the institute of internal auditors, or both.

(ii) For those agencies that the director determines internal audit is not required, the agency head or authorized designee may establish and maintain internal audits following professional audit standards including generally accepted government auditing standards or standards adopted by the institute of internal auditors, or both, but at a minimum must comply with policies as established by the director to assess the effectiveness of the agency's systems of internal controls and risk management processes;

(b) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and the director shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(c) Establish policies for allowing the contracting of child care services;

(d) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(e) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: PROVIDED, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. The director shall advise and confer with agencies including appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter the plans, except that for the following agencies no amendment or alteration of the plans may be made without the approval of the agency concerned: Agencies headed by elective officials;

(f) Fix the number and classes of positions or authorized employee years of employment for each agency and during the fiscal period amend the determinations previously fixed by the director except that the director shall not be empowered to fix the number or the classes for the following: Agencies headed by elective officials;

(g) Adopt rules to effectuate provisions contained in (a) through (f) of this subsection.

(5) The treasurer shall:

(a) Receive, keep, and disburse all public funds of the state not expressly required by law to be received, kept, and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Receive, disburse, or transfer public funds under the treasurer's supervision or custody;

(c) Keep a correct and current account of all moneys received and disbursed by the treasurer, classified by fund or account;

(d) Coordinate agencies' acceptance and use of credit cards and other payment methods, if the agencies have received authorization under RCW 43.41.180;

(e) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to disburse public funds in the treasury except upon forms or by alternative means duly prescribed by the director of financial management. These forms or alternative means shall provide for authentication and certification by the agency head or the agency head's designee that the services have been rendered or the materials have been furnished; or, in the case of loans or grants, that the loans or grants are authorized by law; or, in the case of payments for periodic maintenance services to be performed on state owned equipment, that a written contract for such periodic maintenance services is currently in effect; and the treasurer shall not be liable under the treasurer's surety bond for erroneous or improper payments so made. When services are lawfully paid for in advance of full performance by any private individual or business entity other than equipment maintenance providers or as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of enterprise services but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services. No payments shall be made in advance for any equipment maintenance services to be performed more than twelve months after such payment except that institutions of higher education as defined in RCW 28B.10.016 may make payments in advance for equipment maintenance services to be performed up to sixty months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or the agency head's designee in accordance with rules issued pursuant to this chapter. Nothing in this section shall be construed to permit a public body to advance funds to a private service provider pursuant to a grant or loan before services have been rendered or material furnished.

(6) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end the auditor may, in the auditor's discretion, examine the books and accounts of any agency, official, or employee charged with the receipt, custody, or safekeeping of public funds. Where feasible in conducting examinations, the auditor shall utilize data and findings from the internal control system prescribed by the office of financial management. The current post audit of each agency may include a section on recommendations to the legislature as provided in (c) of this subsection.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make the auditor's official report on or before the thirty-first of December which precedes the meeting of the legislature. The

report shall be for the last complete fiscal period and shall include determinations as to whether agencies, in making expenditures, complied with the laws of this state. The state auditor is authorized to perform or participate in performance verifications and performance audits as expressly authorized by the legislature in the omnibus biennial appropriations acts or in the performance audit work plan approved by the joint legislative audit and review committee. The state auditor, upon completing an audit for legal and financial compliance under chapter 43.09 RCW or a performance verification, may report to the joint legislative audit and review committee or other appropriate committees of the legislature, in a manner prescribed by the joint legislative audit and review committee, on facts relating to the management or performance of governmental programs where such facts are discovered incidental to the legal and financial audit or performance verification. The auditor may make such a report to a legislative committee only if the auditor has determined that the agency has been given an opportunity and has failed to resolve the management or performance issues raised by the auditor. If the auditor makes a report to a legislative committee, the agency may submit to the committee a response to the report. This subsection (6) shall not be construed to authorize the auditor to allocate other than de minimis resources to performance audits except as expressly authorized in the appropriations acts or in the performance audit work plan. The results of a performance audit conducted by the state auditor that has been requested by the joint legislative audit and review committee must only be transmitted to the joint legislative audit and review committee.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of financial management. It shall be the duty of the director of financial management to cause corrective action to be taken within six months, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110. The director of financial management shall annually report by December 31st the status of audit resolution to the appropriate committees of the legislature, the state auditor, and the attorney general. The director of financial management shall include in the audit resolution report actions taken as a result of an audit including, but not limited to, types of personnel actions, costs and types of litigation, and value of recouped goods or services.

(e) Promptly report any irregularities to the attorney general.

(f) Investigate improper governmental activity under chapter 42.40 RCW.

In addition to the authority given to the state auditor in this subsection (6), the state auditor is authorized to conduct performance audits identified in RCW 43.09.470. Nothing in this subsection (6) shall limit, impede, or restrict the state auditor from conducting performance audits identified in RCW 43.09.470.

(7) The joint legislative audit and review committee may:

(a) Make post audits of the financial transactions of any agency and management surveys and program reviews as provided for in chapter 44.28 RCW as well as performance audits and program evaluations. To this end the joint committee may in its discretion examine the books, accounts, and other records of any agency, official, or employee.

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the performance and management of state agencies.

(c) Make a report to the legislature which shall include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs, and generally for an improved level of fiscal management.

Sec. 104. RCW 47.04.280 and 2013 c 199 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. The policy goals established under this section are deemed consistent with the benchmark categories adopted by the state's blue ribbon commission on transportation on November 30, 2000. Public investments in transportation should support achievement of these policy goals:

(a) Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

(b) Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

(c) Safety: To provide for and improve the safety and security of transportation customers and the transportation system;

(d) Mobility: To improve the predictable movement of goods and people throughout Washington state;

(e) Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

(f) Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

(2) The powers, duties, and functions of state transportation agencies must be performed in a manner consistent with the policy goals set forth in subsection (1) of this section.

(3) These policy goals are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(4) It is the intent of the legislature that the ((~~office of financial management~~)) department of transportation establish objectives and performance measures for the department ((~~of transportation~~)) and other state agencies with transportation-related responsibilities to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals set forth in subsection (1) of this section. ((~~The office of financial management shall submit initial objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during the 2008 legislative session.~~)) The ((~~office of financial management~~)) department of transportation shall submit objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during each regular session of the legislature during an even-numbered year thereafter.

(5) A local or regional agency engaging in transportation planning may voluntarily establish objectives and performance measures to demonstrate progress toward the attainment of the policy goals set forth in subsection (1) of this section or any other transportation policy goals established by the local or regional agency. A local or regional agency engaging in transportation planning is encouraged to provide local and regional objectives and performance measures to be included with the objectives and performance measures submitted to the legislature pursuant to subsection (4) of this section.

(6) This section does not create a private right of action.

Sec. 105. RCW 47.64.170 and 2013 c 306 s 521 are each amended to read as follows:

(1) Any ferry employee organization certified as the bargaining representative shall be the exclusive representative of all ferry

employees in the bargaining unit and shall represent all such employees fairly.

(2) A ferry employee organization or organizations and the governor may each designate any individual as its representative to engage in collective bargaining negotiations.

(3) Negotiating sessions, including strategy meetings of the employer or employee organizations, mediation, and the deliberative process of arbitrators are exempt from the provisions of chapter 42.30 RCW. Hearings conducted by arbitrators may be open to the public by mutual consent of the parties.

(4) Terms of any collective bargaining agreement may be enforced by civil action in Thurston county superior court upon the initiative of either party.

(5) Ferry system employees or any employee organization shall not negotiate or attempt to negotiate directly with anyone other than the person who has been appointed or authorized a bargaining representative for the purpose of bargaining with the ferry employees or their representative.

(6)(a) Within ten working days after the first Monday in September of every odd-numbered year, the parties shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. If the parties cannot agree on an arbitrator within the ten-day period, either party may request a list of seven arbitrators from the federal mediation and conciliation service. The parties shall select an interest arbitrator using the coin toss/alternate strike method within thirty calendar days of receipt of the list. Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the name of the arbitrator and the dates reserved for bargaining and arbitration. This subsection (6)(a) imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(b) The negotiation of a proposed collective bargaining agreement by representatives of the employer and a ferry employee organization shall commence on or about February 1st of every even-numbered year.

(c) For negotiations covering the 2009-2011 biennium and subsequent biennia, the time periods specified in this section, and in RCW 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of all agreements on or before October 1st of the even-numbered year next preceding the biennial budget period during which the agreement should take effect. These time periods may only be altered by mutual agreement of the parties in writing. Any such agreement and any impasse procedures agreed to by the parties under RCW 47.64.200 must include an agreement regarding the new time periods that will allow final resolution by negotiations or arbitration by October 1st of each even-numbered year.

(7) It is the intent of this section that the collective bargaining agreement or arbitrator's award shall commence on July 1st of each odd-numbered year and shall terminate on June 30th of the next odd-numbered year to coincide with the ensuing biennial budget year, as defined by RCW 43.88.020(7), to the extent practical. It is further the intent of this section that all collective bargaining agreements be concluded by October 1st of the even-numbered year before the commencement of the biennial budget year during which the agreements are to be in effect. After the expiration date of a collective bargaining agreement negotiated under this chapter, except to the extent provided in subsection (11) of this section and RCW 47.64.270(4), all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) The office of financial management shall conduct a salary survey, for use in collective bargaining and arbitration((~~, which must be conducted through a contract with a firm nationally recognized in the field of human resources management consulting~~)).

(9) Except as provided in subsection (11) of this section:

(a) The governor shall submit a request either for funds necessary to implement the collective bargaining agreements including, but not limited to, the compensation and fringe benefit provisions or for legislation necessary to implement the agreement, or both. Requests for funds necessary to implement the collective bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(b) The governor shall submit a request either for funds necessary to implement the arbitration awards or for legislation necessary to implement the arbitration awards, or both. Requests for funds necessary to implement the arbitration awards shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(c) The legislature shall approve or reject the submission of the request for funds necessary to implement the collective bargaining agreements or arbitration awards as a whole for each agreement or award. The legislature shall not consider a request for funds to implement a collective bargaining agreement or arbitration award unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement and award or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 47.64.210 and 47.64.300.

(10) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(11)(a) For the collective bargaining agreements negotiated for the 2011-2013 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement even if the request for funds was not received by the office of financial management by October 1st and was not transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

(b) For the 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee must be a separate agreement for which the governor may request funds necessary to implement the agreement. The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(c) For the collective bargaining agreements negotiated for the 2013-2015 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement reached after October 1st after a determination of financial infeasibility by the director of the office of financial management if the request for funds is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

Sec. 106. RCW 47.64.360 and 2011 1st sp.s. c 16 s 12 are each amended to read as follows:

(1) The ((~~office of financial management~~)) department of transportation shall complete a government management and accountability performance report that provides a baseline assessment of current performance on the performance measures identified in RCW 47.64.355 ((~~and section 11 of this act~~)) using final 2009-2011 data. This report must be presented to the legislature by November 1, 2011, through the attainment report required in RCW 47.01.071(5) and 47.04.280.

(2) By December 31, 2012, and each year thereafter, the ((~~office of financial management~~)) department of transportation shall complete a performance report for the prior fiscal year. This report must be reviewed by the joint transportation committee.

(3) Management shall lead implementation of the performance measures in RCW 47.64.355 ((~~and section 11 of this act~~)).

Sec. 107. RCW 79.44.060 and 2003 c 334 s 508 are each amended to read as follows:

When the chief administrative officer of an agency of state government is satisfied that an assessing district has complied with all the conditions precedent to the levy of assessments for district purposes, pursuant to this chapter against lands occupied, used, or under the jurisdiction of the officer's agency, he or she shall pay them, together with any interest thereon from any funds specifically appropriated to the agency therefor or from any funds of the agency which under existing law have been or are required to be expended to pay assessments on a current basis. ((~~In all other cases, the chief administrative officer shall certify to the director of financial management that the assessment is one properly chargeable to the state. The director of financial management shall pay such assessments from funds available or appropriated for this purpose.~~))

Except as provided in RCW 79.44.190 no lands of the state shall be subject to a lien for unpaid assessments, nor shall the interest of the state in any land be sold for unpaid assessments where assessment liens attached to the lands prior to state ownership.

NEW SECTION. **Sec. 108.** RCW 43.41.130, 43.41.140, 43.41.150, 43.41.370, and 43.41.380 are each recodified as sections in chapter 43.19 RCW.

NEW SECTION. **Sec. 109.** The following acts or parts of acts are each repealed:

(1) RCW 43.41.190 (Community network programs—Recommended legislation) and 1994 sp.s. c 7 s 318; and

(2) RCW 43.41.195 (Community networks—Fund distribution formula) and 1999 c 372 s 8 & 1994 sp.s. c 7 s 319.

PART II

HUMAN RESOURCES FUNCTIONS

Sec. 201. RCW 28A.345.060 and 2011 1st sp.s. c 43 s 467 are each amended to read as follows:

The association shall contract with ((~~the human resources director in~~)) the office of financial management to audit in odd-numbered years the association's staff classifications and employees' salaries. The association shall give copies of the audit reports to the office of financial management and the committees of each house of the legislature dealing with common schools.

Sec. 202. RCW 34.05.030 and 2011 1st sp.s. c 43 s 431 are each amended to read as follows:

(1) This chapter shall not apply to:

(a) The state militia, or

(b) The board of clemency and pardons, or

(c) The department of corrections or the indeterminate sentencing review board with respect to persons who are in their custody or are subject to the jurisdiction of those agencies.

(2) The provisions of RCW 34.05.410 through 34.05.598 shall not apply:

(a) To adjudicative proceedings of the board of industrial insurance appeals except as provided in RCW 7.68.110 and 51.48.131;

(b) Except for actions pursuant to chapter 46.29 RCW, to the denial, suspension, or revocation of a driver's license by the department of licensing;

(c) To the department of labor and industries where another statute expressly provides for review of adjudicative proceedings of a department action, order, decision, or award before the board of industrial insurance appeals;

(d) To actions of the Washington personnel resources board, the ((~~human resources~~)) director((~~, or the office~~)) of financial management, and the department of enterprise services when carrying out their duties under chapter 41.06 RCW;

(e) To adjustments by the department of revenue of the amount of the surcharge imposed under RCW 82.04.261; or

(f) To the extent they are inconsistent with any provisions of chapter 43.43 RCW.

(3) Unless a party makes an election for a formal hearing pursuant to RCW 82.03.140 or 82.03.190, RCW 34.05.410 through 34.05.598 do not apply to a review hearing conducted by the board of tax appeals.

(4) The rule-making provisions of this chapter do not apply to:

(a) Reimbursement unit values, fee schedules, arithmetic conversion factors, and similar arithmetic factors used to determine payment rates that apply to goods and services purchased under contract for clients eligible under chapter 74.09 RCW; and

(b) Adjustments by the department of revenue of the amount of the surcharge imposed under RCW 82.04.261.

(5) All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

Sec. 203. RCW 34.12.100 and 2011 1st sp.s. c 43 s 469 are each amended to read as follows:

The chief administrative law judge shall be paid a salary fixed by the governor after recommendation of the ((~~human resources~~)) director ((~~in the office~~)) of financial management. The salaries of administrative law judges appointed under the terms of this chapter shall be determined by the chief administrative law judge after recommendation of the ((~~department of personnel~~)) director of financial management.

Sec. 204. RCW 41.04.340 and 2011 1st sp.s. c 43 s 432 and 2011 1st sp.s. c 39 s 12 are each reenacted and amended to read as follows:

(1) An attendance incentive program is established for all eligible employees. As used in this section the term "eligible employee" means any employee of the state, other than eligible employees of the community and technical colleges and the state board for community and technical colleges identified in RCW 28B.50.553, and teaching and research faculty at the state and regional universities and The Evergreen State College, entitled to accumulate sick leave and for whom accurate sick leave records have been maintained. No employee may receive compensation under this section for any portion of sick leave accumulated at a rate in excess of one day per month. The state and regional universities and The Evergreen State College shall maintain complete and accurate sick leave records for all teaching and research faculty.

(2) In January of the year following any year in which a minimum of sixty days of sick leave is accrued, and each January thereafter, any eligible employee may receive remuneration for unused sick leave accumulated in the previous year at a rate equal

to one day's monetary compensation of the employee for each four full days of accrued sick leave in excess of sixty days. Sick leave for which compensation has been received shall be deducted from accrued sick leave at the rate of four days for every one day's monetary compensation.

From July 1, 2011, through June 29, 2013, the rate of monetary compensation for the purposes of this subsection shall not be reduced by any temporary salary reduction.

(3) At the time of separation from state service due to retirement or death, an eligible employee or the employee's estate may elect to receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days of accrued sick leave. From July 1, 2011, through June 29, 2013, the rate of monetary compensation for the purposes of this subsection shall not be reduced by any temporary salary reduction.

(4) Remuneration or benefits received under this section shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state.

(5) Except as provided in subsections (7) through (9) of this section for employees not covered by chapter 41.06 RCW, this section shall be administered, and rules shall be adopted to carry out its purposes, by the ((~~human resources~~)) director of financial management for persons subject to chapter 41.06 RCW((~~: PROVIDED, That determination of classes of eligible employees shall be subject to approval by the office of financial management~~)).

(6) Should the legislature revoke any remuneration or benefits granted under this section, no affected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

(7) In lieu of remuneration for unused sick leave at retirement as provided in subsection (3) of this section, an agency head or designee may with equivalent funds, provide eligible employees with a benefit plan that provides for reimbursement for medical expenses. This plan shall be implemented only after consultation with affected groups of employees. For eligible employees covered by chapter 41.06 RCW, procedures for the implementation of these plans shall be adopted by the ((~~human resources~~)) director of the state health care authority. For eligible employees exempt from chapter 41.06 RCW, ((~~and classified employees who have opted out of coverage of chapter 41.06 RCW as provided in RCW 41.56.201,~~)) implementation procedures shall be adopted by an agency head having jurisdiction over the employees.

(8) Implementing procedures adopted by the ((~~human resources~~)) director of the state health care authority or agency heads shall require that each medical expense plan authorized by subsection (7) of this section apply to all eligible employees in any one of the following groups: (a) Employees in an agency; (b) employees in a major organizational subdivision of an agency; (c) employees at a major operating location of an agency; (d) exempt employees under the jurisdiction of an elected or appointed Washington state executive; (e) employees of the Washington state senate; (f) employees of the Washington state house of representatives; (g) classified employees in a bargaining unit established by the ((~~director of personnel~~)) public employment

extraordinary or severe nature. Shared leave received under the uniformed service shared leave pool in RCW 41.04.685 is not included in this total.

(3) An employee may transfer annual leave, sick leave, and his or her personal holiday, as follows:

(a) An employee who has an accrued annual leave balance of more than ten days may request that the head of the agency for which the employee works transfer a specified amount of annual leave to another employee authorized to receive leave under subsection (1) of this section. In no event may the employee request a transfer of an amount of leave that would result in his or her annual leave account going below ten days. For purposes of this subsection (3)(a), annual leave does not accrue if the employee receives compensation in lieu of accumulating a balance of annual leave.

(b) An employee may transfer a specified amount of sick leave to an employee requesting shared leave only when the donating employee retains a minimum of one hundred seventy-six hours of sick leave after the transfer.

(c) An employee may transfer, under the provisions of this section relating to the transfer of leave, all or part of his or her personal holiday, as that term is defined under RCW 1.16.050, or as such holidays are provided to employees by agreement with a school district's board of directors if the leave transferred under this subsection does not exceed the amount of time provided for personal holidays under RCW 1.16.050.

(4) An employee of an institution of higher education under RCW 28B.10.016, school district, or educational service district who does not accrue annual leave but does accrue sick leave and who has an accrued sick leave balance of more than twenty-two days may request that the head of the agency for which the employee works transfer a specified amount of sick leave to another employee authorized to receive leave under subsection (1) of this section. In no event may such an employee request a transfer that would result in his or her sick leave account going below twenty-two days. Transfers of sick leave under this subsection are limited to transfers from employees who do not accrue annual leave. Under this subsection, "sick leave" also includes leave accrued pursuant to RCW 28A.400.300((~~(2)~~))(1)(b) or 28A.310.240(1) with compensation for illness, injury, and emergencies.

(5) Transfers of leave made by an agency head under subsections (3) and (4) of this section shall not exceed the requested amount.

(6) Leave transferred under this section may be transferred from employees of one agency to an employee of the same agency or, with the approval of the heads of both agencies, to an employee of another state agency.

(7) While an employee is on leave transferred under this section, he or she shall continue to be classified as a state employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave or sick leave.

(a) All salary and wage payments made to employees while on leave transferred under this section shall be made by the agency employing the person receiving the leave. The value of leave transferred shall be based upon the leave value of the person receiving the leave.

(b) In the case of leave transferred by an employee of one agency to an employee of another agency, the agencies involved shall arrange for the transfer of funds and credit for the appropriate value of leave.

(i) Pursuant to rules adopted by the office of financial management, funds shall not be transferred under this section if the transfer would violate any constitutional or statutory restrictions on the funds being transferred.

(ii) The office of financial management may adjust the appropriation authority of an agency receiving funds under this section only if and to the extent that the agency's existing appropriation authority would prevent it from expending the funds received.

(iii) Where any questions arise in the transfer of funds or the adjustment of appropriation authority, the director of financial management shall determine the appropriate transfer or adjustment.

(8) Leave transferred under this section shall not be used in any calculation to determine an agency's allocation of full time equivalent staff positions.

(9) The value of any leave transferred under this section which remains unused shall be returned at its original value to the employee or employees who transferred the leave when the agency head finds that the leave is no longer needed or will not be needed at a future time in connection with the illness or injury for which the leave was transferred or for any other qualifying condition. Before the agency head makes a determination to return unused leave in connection with an illness or injury, or any other qualifying condition, he or she must receive from the affected employee a statement from the employee's doctor verifying that the illness or injury is resolved. To the extent administratively feasible, the value of unused leave which was transferred by more than one employee shall be returned on a pro rata basis.

(10) An employee who uses leave that is transferred to him or her under this section may not be required to repay the value of the leave that he or she used.

(11) The ((~~human resources~~)) director of financial management may adopt rules as necessary to implement subsection (2) of this section.

Sec. 206. RCW 41.04.680 and 2011 1st sp.s. c 43 s 437 are each amended to read as follows:

The office of financial management and other personnel authorities shall adopt rules or policies governing the accumulation and use of sick leave for state agency and department employees, expressly for the establishment of a plan allowing participating employees to pool sick leave and allowing any sick leave thus pooled to be used by any participating employee who has used all of the sick leave, annual leave, and compensatory leave that has been personally accrued by him or her. Each department or agency of the state may allow employees to participate in a sick leave pool established by the office of financial management and other personnel authorities.

(1) For purposes of calculating maximum sick leave that may be donated or received by any one employee, pooled sick leave:

(a) Is counted and converted in the same manner as sick leave under the Washington state leave sharing program as provided in this chapter; and

(b) Does not create a right to sick leave in addition to the amount that may be donated or received under the Washington state leave sharing program as provided in this chapter.

(2) The office of financial management and other personnel authorities, except the personnel authorities for higher education institutions, shall adopt rules which provide:

(a) That employees are eligible to participate in the sick leave pool after one year of employment with the state or agency of the state if the employee has accrued a minimum amount of unused sick leave, to be established by rule;

(b) That participation in the sick leave pool shall, at all times, be voluntary on the part of the employees;

(c) That any sick leave pooled shall be removed from the personally accumulated sick leave balance of the employee contributing the leave;

(d) That any sick leave in the pool that is used by a participating employee may be used only for the employee's personal illness, accident, or injury;

(e) That a participating employee is not eligible to use sick leave accumulated in the pool until all of his or her personally accrued sick, annual, and compensatory leave has been used;

(f) A maximum number of days of sick leave in the pool that any one employee may use;

(g) That a participating employee who uses sick leave from the pool is not required to recontribute such sick leave to the pool, except as otherwise provided in this section;

(h) That an employee who cancels his or her membership in the sick leave pool is not eligible to withdraw the days of sick leave contributed by that employee to the pool;

(i) That an employee who transfers from one position in state government to another position in state government may transfer from one pool to another if the eligibility criteria of the pools are comparable and the administrators of the pools have agreed on a formula for transfer of credits;

(j) That alleged abuse of the use of the sick leave pool shall be investigated, and, on a finding of wrongdoing, the employee shall repay all of the sick leave credits drawn from the sick leave pool and shall be subject to such other disciplinary action as is determined by the agency head;

(k) That sick leave credits may be drawn from the sick leave pool by a part-time employee on a pro rata basis; and

(l) That each department or agency shall maintain accurate and reliable records showing the amount of sick leave which has been accumulated and is unused by employees, in accordance with guidelines established by the ((~~department of personnel~~)) office of financial management.

(3) Personnel authorities for higher education institutions shall adopt policies consistent with the needs of the employees under their respective jurisdictions.

Sec. 207. RCW 41.06.020 and 2011 1st sp.s. c 43 s 401 are each reenacted and amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) "Affirmative action" means a procedure by which racial minorities, women, persons in the protected age category, persons with disabilities, Vietnam-era veterans, and disabled veterans are provided with increased employment opportunities. It shall not mean any sort of quota system.

(2) "Agency" means an office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

(3) "Board" means the Washington personnel resources board established under the provisions of RCW 41.06.110, except that this definition does not apply to the words "board" or "boards" when used in RCW 41.06.070.

(4) "Career development" means the progressive development of employee capabilities to facilitate productivity, job satisfaction, and upward mobility through work assignments as well as education and training that are both state-sponsored and are achieved by individual employee efforts, all of which shall be consistent with the needs and obligations of the state and its agencies.

(5) "Classified service" means all positions in the state service subject to the provisions of this chapter.

(6) "Comparable worth" means the provision of similar salaries for positions that require or impose similar responsibilities, judgments, knowledge, skills, and working conditions.

(7) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

(8) "Department" means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board, or council, by law empowered to operate the agency responsible either to (a) no other public officer or (b) the governor.

(9) "Director" means the ((~~human resources~~)) director ((~~within the office~~)) of financial management ((~~and appointed under RCW 43.41.113~~)) or the director's designee.

(10) "Institutions of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(11) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required.

(12) "Related boards" means the state board for community and technical colleges; and such other boards, councils, and commissions related to higher education as may be established.

(13) "Training" means activities designed to develop job-related knowledge and skills of employees.

Sec. 208. RCW 41.06.157 and 2011 1st sp.s. c 43 s 411 are each amended to read as follows:

(1) To promote the most effective use of the state's workforce and improve the effectiveness and efficiency of the delivery of services to the citizens of the state, the director shall adopt and maintain a comprehensive classification plan for all positions in the classified service. The classification plan must:

(a) Be simple and streamlined;

(b) Support state agencies in responding to changing technologies, economic and social conditions, and the needs of its citizens;

(c) Value workplace diversity;

(d) Facilitate the reorganization and decentralization of governmental services;

(e) Enhance mobility and career advancement opportunities; and

(f) Consider rates in other public employment and private employment in the state.

(2) An appointing authority and an employee organization representing classified employees of the appointing authority for collective bargaining purposes may jointly request the ((~~human resources~~)) director of financial management to initiate a classification study.

(3) For institutions of higher education and related boards, the director may adopt special salary ranges to be competitive with positions of a similar nature in the state or the locality in which the institution of higher education or related board is located.

(4) The director may undertake salary surveys of positions in other public and private employment to establish market rates. Any salary survey information collected from private employers which identifies a specific employer with salary rates which the employer pays to its employees shall not be subject to public disclosure under chapter 42.56 RCW.

Sec. 209. RCW 41.06.167 and 2011 1st sp.s. c 43 s 413 are each amended to read as follows:

The ((~~human resources~~)) director of financial management shall undertake comprehensive compensation surveys for officers and entry-level officer candidates of the Washington state patrol, with such surveys to be conducted in the year prior to the convening of every other one hundred five day regular session of the state legislature. Salary and fringe benefit survey information collected from private employers which identifies a specific employer with the salary and fringe benefit rates which that employer pays to its employees shall not be subject to public disclosure under chapter 42.56 RCW.

Sec. 210. RCW 42.17A.705 and 2012 c 229 s 582 are each amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the chief information officer of the office of chief information officer, the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated technology services agency, the secretary of corrections, the director of early learning, the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, ((~~the human resources director,~~)) the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature; and

(4) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, liquor control board, lottery commission, Pacific Northwest electric power and conservation planning council, parks and recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees.

Sec. 211. RCW 41.80.020 and 2013 2nd sp.s. c 4 s 972 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, and other terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer is not required to bargain over matters pertaining to:

(a) Health care benefits or other employee insurance benefits, except as required in subsection (3) of this section;

(b) Any retirement system or retirement benefit; or

(c) Rules of the ((~~human resources~~)) director <u>of financial management</u>, the director of enterprise services, or the Washington personnel resources board adopted under RCW 41.06.157.

(3) Matters subject to bargaining include the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits. However, except as provided otherwise in this subsection for institutions of higher education, negotiations regarding the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits shall be conducted between the employer and one coalition of all the exclusive bargaining representatives subject to this chapter. The exclusive bargaining representatives for employees that are subject to chapter 47.64 RCW shall bargain the dollar amount expended on behalf of each employee for health care benefits with the employer as part of the coalition under this subsection. Any such provision agreed to by the employer and the coalition shall be included in all master collective bargaining agreements negotiated by the parties. For institutions of higher education, promotional preferences and the number of names to be certified for vacancies shall be bargained under the provisions of RCW 41.80.010(4). For agreements covering the 2013-2015 fiscal biennium, any agreement between the employer and the coalition regarding the dollar amount expended on behalf of each employee for health care benefits is a separate agreement and shall not be included in the master collective bargaining agreements negotiated by the parties.

(4) The employer and the exclusive bargaining representative shall not agree to any proposal that would prevent the implementation of approved affirmative action plans or that would be inconsistent with the comparable worth agreement that provided the basis for the salary changes implemented beginning with the 1983-1985 biennium to achieve comparable worth.

(5) The employer and the exclusive bargaining representative shall not bargain over matters pertaining to management rights established in RCW 41.80.040.

(6) Except as otherwise provided in this chapter, if a conflict exists between an executive order, administrative rule, or agency policy relating to wages, hours, and terms and conditions of employment and a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with the terms of a statute is invalid and unenforceable.

(7) This section does not prohibit bargaining that affects contracts authorized by RCW 41.06.142.

Sec. 212. RCW 43.03.040 and 2011 1st sp.s. c 39 s 8 are each amended to read as follows:

Subject to RCW 41.04.820, the directors of the several departments and members of the several boards and commissions, whose salaries are fixed by the governor and the chief executive officers of the agencies named in RCW 43.03.028(1) as now or hereafter amended shall each severally receive such salaries, payable in monthly installments, as shall be fixed by the governor or the appropriate salary fixing authority, in an amount not to exceed the recommendations of the ((~~department of personnel~~)) <u>office of</u>

financial management. From February 18, 2009, through June 30, 2013, a salary or wage increase shall not be granted to any position under this section, except that increases may be granted for positions for which the employer has demonstrated difficulty retaining qualified employees if the following conditions are met:

(1) The salary increase can be paid within existing resources;

(2) The salary increase will not adversely impact the provision of client services; and

(3) For any state agency of the executive branch, not including institutions of higher education, the salary increase is approved by the director of the office of financial management.

Any agency granting a salary increase from February 15, 2010, through June 30, 2011, to a position under this section shall submit a report to the fiscal committees of the legislature no later than July 31, 2011, detailing the positions for which salary increases were granted, the size of the increases, and the reasons for giving the increases.

Any agency granting a salary increase from July 1, 2011, through June 30, 2013, to a position under this section shall submit a report to the fiscal committees of the legislature by July 31, 2012, and July 31, 2013, detailing the positions for which salary increases were granted during the preceding fiscal year, the size of the increases, and the reasons for giving the increases.

Sec. 213. RCW 43.06.013 and 2011 1st sp.s. c 43 s 454 are each amended to read as follows:

When requested by the governor or the director of the department of enterprise services, nonconviction criminal history fingerprint record checks shall be conducted through the Washington state patrol identification and criminal history section and the federal bureau of investigation on applicants for agency head positions appointed by the governor. Information received pursuant to this section shall be confidential and made available only to the governor or director of ((~~the department of personnel~~)) financial management or their employees directly involved in the selection, hiring, or background investigation of the subject of the record check. When necessary, applicants may be employed on a conditional basis pending completion of the criminal history record check. "Agency head" as used in this section has the same definition as provided in RCW 34.05.010.

Sec. 214. RCW 43.41.113 and 2011 1st sp.s. c 43 s 430 are each amended to read as follows:

(1) The office of financial management shall direct and supervise the personnel policy and application of the civil service laws, chapter 41.06 RCW.

(2) ((~~The human resources director is created in the office of financial management. The human resources director shall be appointed by the governor, and shall serve at the pleasure of the governor. The director shall receive a salary in an amount fixed by the governor.~~

~~(3)~~)) The ((~~human resources~~)) director or the director's designee has the authority and shall perform the functions as prescribed in chapter 41.06 RCW, or as otherwise prescribed by law.

(((~~(4)~~))) (3) The ((~~human resources~~)) director may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the ((~~human resources~~)) director is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The ((~~human resources~~)) director shall prescribe standards and guidelines for the performance of delegated activities. If the ((~~human resources~~)) director determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 215. RCW 43.131.090 and 2011 1st sp.s. c 43 s 459 are each amended to read as follows:

Unless the legislature specifies a shorter period of time, a terminated entity shall continue in existence until June 30th of the next succeeding year for the purpose of concluding its affairs: PROVIDED, That the powers and authority of the entity shall not be reduced or otherwise limited during this period. Unless otherwise provided:

(1) All employees of terminated entities classified under chapter 41.06 RCW, the state civil service law, shall be transferred as appropriate or as otherwise provided in the procedures adopted by the ((~~human resources~~)) director of financial management pursuant to RCW 41.06.150;

(2) All documents and papers, equipment, or other tangible property in the possession of the terminated entity shall be delivered to the custody of the entity assuming the responsibilities of the terminated entity or if such responsibilities have been eliminated, documents and papers shall be delivered to the state archivist and equipment or other tangible property to the department of enterprise services;

(3) All funds held by, or other moneys due to, the terminated entity shall revert to the fund from which they were appropriated, or if that fund is abolished to the general fund;

(4) Notwithstanding the provisions of RCW 34.05.020, all rules made by a terminated entity shall be repealed, without further action by the entity, at the end of the period provided in this section, unless assumed and reaffirmed by the entity assuming the related legal responsibilities of the terminated entity;

(5) All contractual rights and duties of an entity shall be assigned or delegated to the entity assuming the responsibilities of the terminated entity, or if there is none to such entity as the governor shall direct.

Sec. 216. RCW 48.37.060 and 2011 1st sp.s. c 43 s 460 are each amended to read as follows:

(1) When the commissioner determines that other market conduct actions identified in RCW 48.37.040(4)(a) have not sufficiently addressed issues raised concerning company activities in Washington state, the commissioner has the discretion to conduct market conduct examinations in accordance with the NAIC market conduct uniform examination procedures and the NAIC market regulation handbook.

(2)(a) In lieu of an examination of an insurer licensed in this state, the commissioner shall accept an examination report of another state, unless the commissioner determines that the other state does not have laws substantially similar to those of this state, or does not have a market oversight system that is comparable to the market conduct oversight system set forth in this law.

(b) The commissioner's determination under (a) of this subsection is discretionary with the commissioner and is not subject to appeal.

(c) If the insurer to be examined is part of an insurance holding company system, the commissioner may also seek to simultaneously examine any affiliates of the insurer under common control and management which are licensed to write the same lines of business in this state.

(3) Before commencement of a market conduct examination, market conduct oversight personnel shall prepare a work plan consisting of the following:

(a) The name and address of the insurer being examined;

(b) The name and contact information of the examiner-in-charge;

(c) The name of all market conduct oversight personnel initially assigned to the market conduct examination;

(d) The justification for the examination;

(e) The scope of the examination;

(f) The date the examination is scheduled to begin;

(g) Notice of any noninsurance department personnel who will assist in the examination;

(h) A time estimate for the examination;

(i) A budget for the examination if the cost of the examination is billed to the insurer; and

(j) An identification of factors that will be included in the billing if the cost of the examination is billed to the insurer.

(4)(a) Within ten days of the receipt of the information contained in subsection (3) of this section, insurers may request the commissioner's discretionary review of any alleged conflict of interest, pursuant to RCW 48.37.090(2), of market conduct oversight personnel and noninsurance department personnel assigned to a market conduct examination. The request for review shall specifically describe the alleged conflict of interest in the proposed assignment of any person to the examination.

(b) Within five business days of receiving a request for discretionary review of any alleged conflict of interest in the proposed assignment of any person to a market conduct examination, the commissioner or designee shall notify the insurer of any action regarding the assignment of personnel to a market conduct examination based on the insurer's allegation of conflict of interest.

(5) Market conduct examinations shall, to the extent feasible, use desk examinations and data requests before an on-site examination.

(6) Market conduct examinations shall be conducted in accordance with the provisions set forth in the NAIC market regulation handbook and the NAIC market conduct uniform examinations procedures, subject to the precedence of the provisions of chapter 82, Laws of 2007.

(7) The commissioner shall use the NAIC standard data request.

(8) Announcement of the examination shall be sent to the insurer and posted on the NAIC's examination tracking system as soon as possible but in no case later than sixty days before the estimated commencement of the examination, except where the examination is conducted in response to extraordinary circumstances as described in RCW 48.37.050(2)(a). The announcement sent to the insurer shall contain the examination work plan and a request for the insurer to name its examination coordinator.

(9) If an examination is expanded significantly beyond the original reasons provided to the insurer in the notice of the examination required by subsection (3) of this section, the commissioner shall provide written notice to the insurer, explaining the expansion and reasons for the expansion. The commissioner shall provide a revised work plan if the expansion results in significant changes to the items presented in the original work plan required by subsection (3) of this section.

(10) The commissioner shall conduct a preexamination conference with the insurer examination coordinator and key personnel to clarify expectations at least thirty days before commencement of the examination, unless otherwise agreed by the insurer and the commissioner.

(11) Before the conclusion of the field work for market conduct examination, the examiner-in-charge shall review examination findings to date with insurer personnel and schedule an exit conference with the insurer, in accordance with procedures in the NAIC market regulation handbook.

(12)(a) No later than sixty days after completion of each market conduct examination, the commissioner shall make a full written report of each market conduct examination containing only facts ascertained from the accounts, records, and documents examined and from the sworn testimony of individuals, and such conclusions and recommendations as may reasonably be warranted from such facts.

(b) The report shall be certified by the commissioner or by the examiner-in-charge of the examination, and shall be filed in the commissioner's office subject to (c) of this subsection.

(c) The commissioner shall furnish a copy of the market conduct examination report to the person examined not less than ten days and, unless the time is extended by the commissioner, not more than thirty days prior to the filing of the report for public inspection in the commissioner's office. If the person so requests in writing within such period, the commissioner shall hold a hearing to consider objections of such person to the report as proposed, and shall not so file the report until after such hearing and until after any modifications in the report deemed necessary by the commissioner have been made.

(d) Within thirty days of the end of the period described in (c) of this subsection, unless extended by order of the commissioner, the commissioner shall consider the report, together with any written submissions or rebuttals and any relevant portions of the examiner's work papers and enter an order:

(i) Adopting the market conduct examination report as filed or with modification or corrections. If the market conduct examination report reveals that the company is operating in violation of any law, rule, or order of the commissioner, the commissioner may order the company to take any action the commissioner considers necessary and appropriate to cure that violation;

(ii) Rejecting the market conduct examination report with directions to the examiners to reopen the examination for purposes of obtaining additional data, documentation, or information, and refiling under this subsection; or

(iii) Calling for an investigatory hearing with no less than twenty days' notice to the company for purposes of obtaining additional documentation, data, information, and testimony.

(e) All orders entered under (d) of this subsection must be accompanied by findings and conclusions resulting from the commissioner's consideration and review of the market conduct examination report, relevant examiner work papers, and any written submissions or rebuttals. The order is considered a final administrative decision and may be appealed under the administrative procedure act, chapter 34.05 RCW, and must be served upon the company by certified mail or certifiable electronic means, together with a copy of the adopted examination report. A copy of the adopted examination report must be sent by certified mail or certifiable electronic means to each director at the director's residential address or to a personal e-mail account.

(f)(i) Upon the adoption of the market conduct examination report under (d) of this subsection, the commissioner shall continue to hold the content of the examination report as private and confidential information for a period of five days except that the order may be disclosed to the person examined. Thereafter, the commissioner may open the report for public inspection so long as no court of competent jurisdiction has stayed its publication.

(ii) If the commissioner determines that regulatory action is appropriate as a result of any market conduct examination, he or she may initiate any proceedings or actions as provided by law.

(iii) Nothing contained in this subsection requires the commissioner to disclose any information or records that would indicate or show the existence or content of any investigation or activity of a criminal justice agency.

(g) The insurer's response shall be included in the commissioner's order adopting the final report as an exhibit to the order. The insurer is not obligated to submit a response.

(13) The commissioner may withhold from public inspection any examination or investigation report for so long as he or she deems it advisable.

(14)(a) Market conduct examinations within this state of any insurer domiciled or having its home offices in this state, other than a title insurer, made by the commissioner or the commissioner's

examiners and employees shall, except as to fees, mileage, and expense incurred as to witnesses, be at the expense of the state.

(b) Every other examination, whatsoever, or any part of the market conduct examination of any person domiciled or having its home offices in this state requiring travel and services outside this state, shall be made by the commissioner or by examiners designated by the commissioner and shall be at the expense of the person examined; but a domestic insurer shall not be liable for the compensation of examiners employed by the commissioner for such services outside this state.

(c) When making a market conduct examination under this chapter, the commissioner may contract, in accordance with applicable state contracting procedures, for qualified attorneys, appraisers, independent certified public accountants, contract actuaries, and other similar individuals who are independently practicing their professions, even though those persons may from time to time be similarly employed or retained by persons subject to examination under this chapter, as examiners as the commissioner deems necessary for the efficient conduct of a particular examination. The compensation and per diem allowances paid to such contract persons shall be reasonable in the market and time incurred, shall not exceed one hundred twenty-five percent of the compensation and per diem allowances for examiners set forth in the guidelines adopted by the national association of insurance commissioners, unless the commissioner demonstrates that one hundred twenty-five percent is inadequate under the circumstances of the examination, and subject to the provisions of (a) of this subsection.

(d)(i) The person examined and liable shall reimburse the state upon presentation of an itemized statement thereof, for the actual travel expenses of the commissioner's examiners, their reasonable living expenses allowance, and their per diem compensation, including salary and the employer's cost of employee benefits, at a reasonable rate approved by the commissioner, incurred on account of the examination. Per diem, salary, and expenses for employees examining insurers domiciled outside the state of Washington shall be established by the commissioner on the basis of the national association of insurance commissioner's recommended salary and expense schedule for zone examiners, or the salary schedule ((~~established by the human resources director~~)) and the expense schedule established by the office of financial management, whichever is higher. A domestic title insurer shall pay the examination expense and costs to the commissioner as itemized and billed by the commissioner.

(ii) The commissioner or the commissioner's examiners shall not receive or accept any additional emolument on account of any examination.

(iii) Market conduct examination fees subject to being reimbursed by an insurer shall be itemized and bills shall be provided to the insurer on a monthly basis for review prior to submission for payment, or as otherwise provided by state law.

(e) Nothing contained in this chapter limits the commissioner's authority to terminate or suspend any examination in order to pursue other legal or regulatory action under the insurance laws of this state. Findings of fact and conclusions made pursuant to any examination are prima facie evidence in any legal or regulatory action.

(f) The commissioner shall maintain active management and oversight of market conduct examination costs, including costs associated with the commissioner's own examiners, and with retaining qualified contract examiners necessary to perform an examination. Any agreement with a contract examiner shall:

(i) Clearly identify the types of functions to be subject to outsourcing;

(ii) Provide specific timelines for completion of the outsourced review;

(iii) Require disclosure to the insurer of contract examiners' recommendations;

(iv) Establish and use a dispute resolution or arbitration mechanism to resolve conflicts with insurers regarding examination fees; and

(v) Require disclosure of the terms of the contracts with the outside consultants that will be used, specifically the fees and/or hourly rates that can be charged.

(g) The commissioner, or the commissioner's designee, shall review and affirmatively endorse detailed billings from the qualified contract examiner before the detailed billings are sent to the insurer.

Sec. 217. RCW 49.74.020 and 2011 1st sp.s. c 43 s 463 are each amended to read as follows:

If the commission reasonably believes that a state agency, an institution of higher education, or the state patrol has failed to comply with an affirmative action rule adopted under RCW 41.06.150 or 43.43.340, the commission shall notify the director of the state agency, president of the institution of higher education, or chief of the Washington state patrol of the noncompliance, as well as the ((~~human resources~~)) director of financial management. The commission shall give the director of the state agency, president of the institution of higher education, or chief of the Washington state patrol an opportunity to be heard on the failure to comply.

PART III
CONSOLIDATED TECHNOLOGY SERVICES AGENCY

Sec. 301. RCW 43.105.020 and 2011 1st sp.s. c 43 s 802 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means the consolidated technology services agency.

(2) "Board" means the technology services board.

(3) "Customer agencies" means all entities that purchase or use information technology resources, telecommunications, or services from the consolidated technology services agency.

(((~~(3)~~))) (4) "Director" means the state chief information officer, who is the director of the consolidated technology services agency.

(((~~(4)~~))) (5) "Equipment" means the machines, devices, and transmission facilities used in information processing, including but not limited to computers, terminals, telephones, wireless communications system facilities, cables, and any physical facility necessary for the operation of such equipment.

(((~~(5)~~))) (6) "Enterprise architecture" means an ongoing ((~~program~~)) activity for translating business vision and strategy into effective enterprise change. It is a continuous activity. Enterprise architecture creates, communicates, and improves the key principles and models that describe the enterprise's future state and enable its evolution.

(((~~(6)~~))) (7) "Information" includes, but is not limited to, data, text, voice, and video.

(8) "Information technology" includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications, requisite system controls, simulation, electronic commerce, radio technologies, and all related interactions between people and machines.

(((~~(7)~~))) (9) "Information technology portfolio" or "portfolio" means a strategic management process documenting relationships between agency missions and information technology and telecommunications investments.

(((~~(8)~~))) (10) "K-20 network" means the network established in RCW 43.41A.085 (as recodified by this act).

(11) "Local governments" includes all municipal and quasi-municipal corporations and political subdivisions, and all agencies

of such corporations and subdivisions authorized to contract separately.

(((~~(9)~~))) (12) "Office" means the office of the state chief information officer within the consolidated technology services agency.

(13) "Oversight" means a process of comprehensive risk analysis and management designed to ensure optimum use of information technology resources and telecommunications.

(((~~(10)~~))) (14) "Proprietary software" means that software offered for sale or license.

(((~~(11)~~))) (15) "Public agency" means any agency of this state or another state; any political subdivision or unit of local government of this state or another state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any public benefit nonprofit corporation; any agency of the United States; and any Indian tribe recognized as such by the federal government.

(16) "Public benefit nonprofit corporation" means a public benefit nonprofit corporation as defined in RCW 24.03.005 that is receiving local, state, or federal funds either directly or through a public agency other than an Indian tribe or political subdivision of another state.

(17) "Public record" has the definitions in RCW 42.56.010 and chapter 40.14 RCW and includes legislative records and court records that are available for public inspection.

(18) "State agency" means every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official.

(19) "Telecommunications" includes, but is not limited to, wireless or wired systems for transport of voice, video, and data communications, network systems, requisite facilities, equipment, system controls, simulation, electronic commerce, and all related interactions between people and machines. ((~~"Telecommunications" does not include public safety communications.~~))

(20) "Utility-based infrastructure services" includes personal computer and portable device support, servers and server administration, security administration, network administration, telephony, email, and other information technology services commonly used by state agencies.

Sec. 302. RCW 43.105.047 and 2011 1st sp.s. c 43 s 803 are each amended to read as follows:

(1) There is created the consolidated technology services agency, an agency of state government. The agency shall be headed by a director, who is the state chief information officer. The director shall be appointed by the governor with the consent of the senate. The director shall serve at the governor's pleasure and shall receive such salary as determined by the governor. If a vacancy occurs in the position while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he or she shall present to that body his or her nomination for the position.

(2) The director shall:

(((~~(1)~~))) (a) Appoint a confidential secretary and such deputy and assistant directors as needed to administer the agency; and

(((~~(2)~~))) (b) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter in accordance with chapter 41.06 RCW, except as otherwise provided by law.

(3) The director may create such administrative structures as he or she deems appropriate and may delegate any power or duty vested in him or her by this chapter or other law.

(4) The director shall exercise all the powers and perform all the duties prescribed by law with respect to the administration of this chapter including:

(a) Reporting to the governor any matters relating to abuses and evasions of this chapter;

(b) Accepting and expending gifts and grants that are related to the purposes of this chapter;

(c) Applying for grants from public and private entities, and receiving and administering any grant funding received for the purpose and intent of this chapter; and

(d) Performing other duties as are necessary and consistent with law.

Sec. 303. RCW 43.105.052 and 2011 1st sp.s. c 43 s 804 are each amended to read as follows:

The agency shall:

(1) Make available information services to public agencies and public benefit nonprofit corporations((~~. For the purposes of this section "public agency" means any agency of this state or another state; any political subdivision, or unit of local government of this state or another state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any agency of the United States; and any Indian tribe recognized as such by the federal government and "public benefit nonprofit corporation" means a public benefit nonprofit corporation as defined in RCW 24.03.005 that is receiving local, state, or federal funds either directly or through a public agency other than an Indian tribe or political subdivision of another state~~));

(2) Establish rates and fees for services provided by the agency((~~. A billing rate plan shall be developed for a two-year period to coincide with the budgeting process. The rate plan shall be subject to review at least annually by the office of financial management. The rate plan shall show the proposed rates by each cost center and will show the components of the rate structure as mutually determined by the agency and the office of financial management. The rate plan and any adjustments to rates shall be approved by the office of financial management~~));

(3) ((~~With the advice of the board and customer agencies, develop a state strategic information technology plan and performance reports as required under RCW 43.41A.030;~~

(~~4~~))) Develop a billing rate plan for a two-year period to coincide with the budgeting process. The rate plan must be subject to review at least annually by the office of financial management. The rate plan must show the proposed rates by each cost center and show the components of the rate structure as mutually determined by the agency and the office of financial management. The rate plan and any adjustments to rates must be approved by the office of financial management;

(4) Develop a detailed business plan for any service or activity to be contracted under RCW 41.06.142(7)(b);

(5) Develop plans for the agency's achievement of statewide goals and objectives set forth in the state strategic information technology plan required under RCW 43.41A.030 (as recodified by this act);

(6) Enable the standardization and consolidation of information technology infrastructure across all state agencies to support enterprise-based system development and improve and maintain service delivery; and

(((~~(5)~~))) (7) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

Sec. 304. RCW 43.105.111 and 2011 1st sp.s. c 43 s 806 are each amended to read as follows:

The director shall set performance targets and approve plans for achieving measurable and specific goals for the agency. By January ((~~2012~~)) 2017, the appropriate organizational performance and accountability measures and performance targets shall be submitted to the governor. These measures and targets shall include measures of performance demonstrating specific and measurable improvements related to service delivery and costs, operational efficiencies, and overall customer satisfaction. The agency shall

develop a dashboard of key performance measures that will be updated quarterly and made available on the agency public web site.

The director shall report to the governor on agency performance at least quarterly. The reports shall be included on the agency's web site and accessible to the public.

Sec. 305. RCW 43.105.178 and 2010 c 282 s 12 are each amended to read as follows:

(((~~(1)~~))) The ((~~department~~)) agency, in collaboration with state agencies, shall conduct an inventory from existing data sets of information technology assets owned or leased by state agencies. This inventory must be used to inform the development of a state information technology asset management process. Prior to implementation of any state information technology asset management process, the ((~~department~~)) agency must submit its recommended approach, including an estimate of the associated implementation costs, to the board for approval.

(((~~(2) For the purposes of this section, "state agency" includes every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official, and offices in the legislative and judicial branches of state government, notwithstanding the provisions of RCW 44.68.105.~~)))

Sec. 306. RCW 43.105.825 and 2012 c 229 s 588 are each amended to read as follows:

(1) In overseeing the technical aspects of the K-20 network, the ((~~information services~~)) board is not intended to duplicate the statutory responsibilities of the student achievement council, the superintendent of public instruction, the ((~~information services~~)) board, the state librarian, or the governing boards of the institutions of higher education.

(2) The board may not interfere in any curriculum or legally offered programming offered over the network.

(3) The responsibility to review and approve standards and common specifications for the network remains the responsibility of the ((~~information services~~)) board ((~~under RCW 43.105.041~~)).

(4) The coordination of telecommunications planning for the common schools remains the responsibility of the superintendent of public instruction. ((~~Except as set forth in RCW 43.105.041(1)(d),~~)) The board may recommend, but not require, revisions to the superintendent's telecommunications plans.

Sec. 307. RCW 43.41A.025 and 2013 2nd sp.s. c 33 s 1 are each amended to read as follows:

(1) The ((~~chief information officer~~)) director shall establish standards and policies to govern information technology in the state of Washington.

(2) The office shall have the following powers and duties related to information services:

(a) To develop statewide standards and policies governing the:

(i) Acquisition ((~~and disposition~~)) of equipment, software, and ((~~personal and purchased~~)) technology-related services((~~,~~)):

(ii) Disposition of equipment;

(iii) Licensing of the radio spectrum by or on behalf of state agencies((~~,~~)); and

(iv) Confidentiality of computerized data;

(b) To develop statewide ((~~or~~)) and interagency technical policies, standards, and procedures;

(c) To review and approve standards and common specifications for new or expanded telecommunications networks proposed by agencies, public postsecondary education institutions, educational service districts, or statewide or regional providers of K-12 information technology services;

(d) ((~~To develop a detailed business plan for any service or activity to be contracted under RCW 41.06.142(7)(b) by the consolidated technology services agency;~~

~~(e) To~~)) With input from the legislature and the judiciary, provide direction concerning strategic planning goals and objectives for the state((~~. The office shall seek input from the legislature and the judiciary~~));

(((~~(f)~~))) (e) To establish policies for the periodic review by the ((~~office~~)) director of state agency performance which may include but are not limited to analysis of:

(i) Planning, management, control, and use of information services;

(ii) Training and education; ((~~and~~))

(iii) Project management; and

(iv) Cybersecurity;

(((~~(g)~~))) (f) To coordinate with state agencies with an annual information technology expenditure that exceeds ten million dollars to implement a technology business management program to identify opportunities for savings and efficiencies in information technology expenditures and to monitor ongoing financial performance of technology investments; and

(((~~(h)~~))) (g) In conjunction with the consolidated technology services agency, to develop statewide standards for agency purchases of technology networking equipment and services.

(3) Statewide technical standards to promote and facilitate electronic information sharing and access are an essential component of acceptable and reliable public access service and complement content-related standards designed to meet those goals. The office shall:

(a) Establish technical standards to facilitate electronic access to government information and interoperability of information systems, including wireless communications systems; and

(b) Require agencies to include an evaluation of electronic public access needs when planning new information systems or major upgrades of systems.

In developing these standards, the office is encouraged to include the state library, state archives, and appropriate representatives of state and local government.

(((~~(4) The office shall perform other matters and things necessary to carry out the purposes and provisions of this chapter.~~)))

PART IV
OFFICE OF THE STATE CHIEF INFORMATION OFFICER

Sec. 401. RCW 43.41A.010 and 2013 2nd sp.s. c 33 s 3 are each amended to read as follows:

(1) The office of the state chief information officer is created within the ((~~office of financial management~~)) consolidated technology services agency.

(2) ((~~Powers, duties, and functions assigned to the department of information services as specified in this chapter shall be transferred to the office of chief information officer as provided in this chapter.~~

~~(3)~~)) The primary duties of the office are:

(a) To prepare and lead the implementation of a strategic direction and enterprise architecture for information technology for state government;

(b) ((~~To enable the standardization and consolidation of information technology infrastructure across all state agencies to support enterprise-based system development and improve and maintain service delivery;~~

~~(c)~~)) To establish standards and policies for the consistent and efficient operation of information technology services throughout state government;

(((~~(d)~~))) (c) To establish statewide enterprise architecture that will serve as the organizing standard for information technology for state agencies;

(((~~(e)~~))) (d) To educate and inform state managers and policymakers on technological developments, industry trends and best practices, industry benchmarks that strengthen decision making and professional development, and industry understanding for public managers and decision makers; and

(e) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

(((~~(4)~~))) (3) In the case of institutions of higher education, the powers of the office and the provisions of this chapter apply to business and administrative applications but do not apply to (a) academic and research applications; and (b) medical, clinical, and health care applications, including the business and administrative applications for such operations. However, institutions of higher education must disclose to the office any proposed academic applications that are enterprise-wide in nature relative to the needs and interests of other institutions of higher education. Institutions of higher education shall provide to the ((~~chief information officer~~)) director sufficient data and information on proposed expenditures on business and administrative applications to permit the ((~~chief information officer~~)) director to evaluate the proposed expenditures pursuant to RCW 43.88.092(3).

(((~~(5)~~))) (4) The legislature and the judiciary, which are constitutionally recognized as separate branches of government, are strongly encouraged to coordinate with the office and participate in shared services initiatives and the development of enterprise-based strategies, where appropriate. Legislative and judicial agencies of the state shall submit to the ((~~chief information officer~~)) director information on proposed information technology expenditures to allow the ((~~chief information officer~~)) director to evaluate the proposed expenditures on an advisory basis.

Sec. 402. RCW 43.41A.027 and 2013 2nd sp.s. c 33 s 8 are each amended to read as follows:

(1) The office shall establish security standards and policies to ensure the confidentiality, availability, and integrity of the information transacted, stored, or processed in the state's information technology systems and infrastructure. The director shall appoint a state chief information security officer. Each state agency, institution of higher education, the legislature, and the judiciary must develop an information technology security ((~~plan and~~)) program.

(((~~(1)~~))) (2) Each state agency information technology security ((~~plan and~~)) program must adhere to the office's security standards and policies. Each state agency must review and update its ((~~plan and~~)) program annually and certify to the office that its ((~~plan and~~)) program is in compliance with the office's security standards and policies. The office ((~~may~~)) shall require ((~~an~~)) a state agency to obtain an independent compliance audit of its information technology security ((~~plan and~~)) program and controls at least once every three years to determine whether the state agency's information technology security program is in compliance with the standards and policies established by the agency and that security controls identified by the state agency in its security program are operating efficiently.

(((~~(2)~~))) (3) In the case of institutions of higher education, the judiciary, and the legislature, each information technology security ((~~plan and~~)) program must be comparable to the intended outcomes of the office's security standards and policies. ((~~Each institution, the legislature, and the judiciary shall submit their information technology security plan and program to the office annually for review and comment.~~))

Sec. 403. RCW 43.41A.030 and 2011 1st sp.s. c 43 s 707 are each amended to read as follows:

(1) The office shall prepare a state strategic information technology plan which shall establish a statewide mission, goals, and objectives for the use of information technology, including goals for electronic access to government records, information, and services. The plan shall be developed in accordance with the standards and policies established by the office. The office shall seek the advice of the board in the development of this plan.

The plan shall be updated as necessary and submitted to the governor and the legislature.

(2) The office shall prepare a biennial state performance report on information technology based on state agency performance reports required under RCW 43.41A.045 (as recodified by this act) and other information deemed appropriate by the office. The report shall include, but not be limited to:

(a) An analysis, based upon agency portfolios, of the state's information technology infrastructure, including its value, condition, and capacity;

(b) An evaluation of performance relating to information technology;

(c) An assessment of progress made toward implementing the state strategic information technology plan, including progress toward electronic access to public information and enabling citizens to have two-way access to public records, information, and services; and

(d) An analysis of the success or failure, feasibility, progress, costs, and timeliness of implementation of major information technology projects under RCW 43.41A.055 (as recodified by this act). At a minimum, the portion of the report regarding major technology projects must include:

(i) The total cost data for the entire life-cycle of the project, including capital and operational costs, broken down by staffing costs, contracted service, hardware purchase or lease, software purchase or lease, travel, and training. The original budget must also be shown for comparison;

(ii) The original proposed project schedule and the final actual project schedule;

(iii) Data regarding progress towards meeting the original goals and performance measures of the project;

(iv) Discussion of lessons learned on the project, performance of any contractors used, and reasons for project delays or cost increases; and

(v) Identification of benefits generated by major information technology projects developed under RCW 43.41A.055 (as recodified by this act).

Copies of the report shall be distributed biennially to the governor and the legislature. The major technology section of the report must examine major information technology projects completed in the previous biennium.

Sec. 404. RCW 43.41A.035 and 2011 1st sp.s. c 43 s 708 are each amended to read as follows:

Management of information technology across state government requires managing resources and business processes across multiple agencies. It is no longer sufficient to pursue efficiencies within agency or individual business process boundaries. The state must manage the business process changes and information technology in support of business processes as a statewide portfolio. The ((~~chief information officer~~)) director will use agency information technology portfolio planning as input to develop a statewide portfolio to guide resource allocation and prioritization decisions.

Sec. 405. RCW 43.41A.040 and 2011 1st sp.s. c 43 s 709 are each amended to read as follows:

((~~An~~)) A state agency information technology portfolio shall serve as the basis for making information technology decisions and plans which may include, but are not limited to:

(1) System refurbishment, acquisitions, and development efforts;

(2) Setting goals and objectives for using information technology;

(3) Assessments of information processing performance, resources, and capabilities;

(4) Ensuring the appropriate transfer of technological expertise for the operation of new systems developed using external resources;

(5) Guiding new investment demand, prioritization, selection, performance, and asset value of technology and telecommunications; and

(6) Progress toward providing electronic access to public information.

Sec. 406. RCW 43.41A.045 and 2011 1st sp.s. c 43 s 710 are each amended to read as follows:

(1) Each state agency shall develop an information technology portfolio consistent with RCW 43.41A.110 (as recodified by this act). The superintendent of public instruction shall develop its portfolio in conjunction with educational service districts and statewide or regional providers of K-12 education information technology services.

(2) ((~~Agency portfolios shall include, but not be limited to, the following:~~

~~(a) A baseline assessment of the agency's information technology resources and capabilities that will serve as the benchmark for subsequent planning and performance measures;~~

~~(b) A statement of the agency's mission, goals, and objectives for information technology, including goals and objectives for achieving electronic access to agency records, information, and services;~~

~~(c) An explanation of how the agency's mission, goals, and objectives for information technology support and conform to the state strategic information technology plan developed under RCW 43.41A.030;~~

~~(d) An implementation strategy to provide electronic access to public records and information. This implementation strategy must be assembled to include:~~

~~(i) Compliance with Title 40 RCW;~~

~~(ii) Adequate public notice and opportunity for comment;~~

~~(iii) Consideration of a variety of electronic technologies, including those that help transcend geographic locations, standard business hours, economic conditions of users, and disabilities;~~

~~(iv) Methods to educate both state employees and the public in the effective use of access technologies;~~

~~(e) Projects and resources required to meet the objectives of the portfolio; and~~

~~(f) Where feasible, estimated schedules and funding required to implement identified projects.~~

~~(3) Portfolios developed under subsection (1) of this section shall be submitted to the office for review and approval. The chief information officer may reject, require modification to, or approve portfolios as deemed appropriate. Portfolios submitted under this subsection shall be updated and submitted for review and approval as necessary.~~

~~(4) Each agency shall prepare and submit to the office a biennial performance report that evaluates progress toward the objectives articulated in its information technology portfolio and the strategic priorities of the state. The superintendent of public instruction shall develop its portfolio in conjunction with educational service districts and statewide or regional providers of K-12 education information technology services. The report shall include:~~

~~(a) An evaluation of the agency's performance relating to information technology;~~

~~(b) An assessment of progress made toward implementing the agency information technology portfolio;~~

~~(c) Progress toward electronic access to public information and enabling citizens to have two-way interaction for obtaining information and services from agencies; and~~

~~(d) An inventory of agency information services, equipment, and proprietary software.~~

~~(5) The office shall establish standards, elements, form, and format for plans and reports developed under this section.~~

~~(6) Agency activities to increase electronic access to public records and information, as required by this section, must be implemented within available resources and existing agency planning processes.~~

~~(7)~~)) The ((~~office~~)) director may exempt any state agency from any or all of the requirements of this section.

Sec. 407. RCW 43.41A.050 and 2011 1st sp.s. c 43 s 711 are each amended to read as follows:

(1) Pursuant to RCW 43.88.092(3), at the request of the director of financial management, the office shall evaluate both state agency information technology current spending and technology budget requests, including those proposed by the superintendent of public instruction, in conjunction with educational service districts, or statewide or regional providers of K-12 education information technology services. The office shall submit recommendations for funding all or part of such requests to the director of financial management. The office shall also submit recommendations regarding consolidation and coordination of similar proposals or other efficiencies it finds in reviewing proposals.

(2) The office shall establish criteria, consistent with portfolio-based information technology management, for the evaluation of agency budget requests under this section. Technology budget requests shall be evaluated in the context of the state's information technology portfolio; technology initiatives underlying budget requests are subject to review by the office. Criteria shall include, but not be limited to: Feasibility of the proposed projects, consistency with the state strategic information technology plan and the state enterprise architecture, consistency with information technology portfolios, appropriate provision for public electronic access to information, evidence of business process streamlining and gathering of business and technical requirements, services, duration of investment, costs, and benefits.

Sec. 408. RCW 43.41A.055 and 2011 1st sp.s. c 43 s 712 are each amended to read as follows:

(1) The office shall establish standards and policies governing the planning, implementation, and evaluation of major information technology projects, including those proposed by the superintendent of public instruction, in conjunction with educational service districts, or statewide or regional providers of K-12 education information technology services. The standards and policies shall:

(a) Establish criteria to identify projects which are subject to this section. Such criteria shall include, but not be limited to, significant anticipated cost, complexity, or statewide significance of the project; and

(b) Establish a model process and procedures which state agencies shall follow in developing and implementing projects within their information technology portfolios. This process may include project oversight experts or panels, as appropriate. State agencies may propose, for approval by the office, a process and procedures unique to the agency. The office may accept or require modification of such agency proposals or the office may reject ((~~such agency~~)) those proposals and require use of the model process and procedures established under this subsection. Any process and procedures developed under this subsection shall require (i) distinct and identifiable phases upon which funding may be based, (ii) user validation of products through system demonstrations and testing of prototypes and deliverables, and (iii) other elements identified by the office.

The ((~~chief information officer~~)) director may suspend or terminate a major project, and direct that the project funds be placed into unallotted reserve status, if the ((~~chief information officer~~)) director determines that the project is not meeting or is not expected to meet anticipated performance standards.

(2) The office of financial management shall establish policies and standards consistent with portfolio-based information technology management to govern the funding of projects

developed under this section. The policies and standards shall provide for:

(a) Funding of a project under terms and conditions mutually agreed to by the ((~~chief information officer~~)) director, the director of financial management, and the head of the agency proposing the project. However, the office of financial management may require incremental funding of a project on a phase-by-phase basis whereby funds for a given phase of a project may be released only when the office of financial management determines, with the advice of the ((~~office~~)) director, that the previous phase is satisfactorily completed; and

(b) Other elements deemed necessary by the office of financial management.

Sec. 409. RCW 43.41A.060 and 2011 1st sp.s. c 43 s 713 are each amended to read as follows:

(1) Prior to making a commitment to purchase, acquire, or develop a major information technology project or service, state agencies must provide a proposal to the office outlining the business case of the proposed product or service, including the up-front and ongoing cost of the proposal.

(2) Within ((~~sixty~~)) thirty days of receipt of a proposal, the office shall approve the proposal, reject it, or propose modifications.

(3) In reviewing a proposal, the office must determine whether the product or service is consistent with:

(a) The standards and policies developed by the ((~~office~~)) director pursuant to RCW 43.41A.025 (as recodified by this act); and

(b) The state's enterprise-based strategy.

(4) If a substantially similar product or service is offered by the ((~~consolidated technology services~~)) agency ((~~established in RCW~~ 43.105.047)), the ((office)) director

technical and financial business case for the project, including a review of:

(a) The total cost of ownership across the life of the project;

(b) All major technical options and alternatives analyzed, and reviewed, if necessary, by independent technical sources; and

(c) Whether the project is technically and financially justifiable when compared against the state's enterprise-based strategy, long-term technology trends, and existing or potential partnerships with private providers or vendors;

(4) To review and approve standards and common specifications for new or expanded telecommunications networks proposed by state agencies, public postsecondary education institutions, educational service districts, or statewide or regional providers of K-12 information technology services, and to assure the cost-effective development and incremental implementation of a statewide video telecommunications system to serve: Public schools; educational service districts; vocational-technical institutes; community colleges; colleges and universities; state and local government; and the general public through public affairs programming;

(5) To develop a policy to determine whether a proposed project, product, or service should undergo an independent technical and financial analysis prior to submitting a request to the office of financial management for the inclusion in any proposed operating, capital, or transportation budget;

(6) To approve contracting for services and activities under RCW 41.06.142(7) for the ((~~consolidated technology service~~)) agency. To approve any service or activity to be contracted under RCW 41.06.142(7)(b), the board must also review the proposed business plan and recommendation submitted by the office;

(7) To consider, on an ongoing basis, ways to promote strategic investments in enterprise-level information technology projects that will result in service improvements and cost efficiency;

(8) To provide a forum to solicit external expertise and perspective on developments in information technology, enterprise architecture, standards, and policy development; and

(9) To provide a forum where ideas and issues related to information technology plans, policies, and standards can be reviewed.

Sec. 413. RCW 43.41A.080 and 2011 1st sp.s. c 43 s 717 are each amended to read as follows:

(1) The ((~~chief information officer~~)) director shall appoint a state interoperability executive committee, the membership of which must include, but not be limited to, representatives of the military department, the Washington state patrol, the department of transportation, the office of the state chief information officer, the department of natural resources, city and county governments, state and local fire chiefs, police chiefs, and sheriffs, and state and local emergency management directors. The chair and legislative members of the board will serve as nonvoting ex officio members of the committee. Voting membership may not exceed fifteen members.

(2) The ((~~chief information officer~~)) director shall appoint the chair of the committee from among the voting members of the committee.

(3) The state interoperability executive committee has the following responsibilities:

(a) Develop policies and make recommendations to the office for technical standards for state wireless radio communications systems, including emergency communications systems. The standards must address, among other things, the interoperability of systems, taking into account both existing and future systems and technologies;

(b) Coordinate and manage on behalf of the office the licensing and use of state-designated and state-licensed radio frequencies, including the spectrum used for public safety and emergency communications, and serve as the point of contact with the federal communications commission and the first responders network authority on matters relating to allocation, use, and licensing of radio spectrum;

(c) Coordinate the purchasing of all state wireless radio communications system equipment to ensure that:

(i) After the transition from a radio over internet protocol network, any new trunked system shall be, at a minimum, project-25;

(ii) Any new system that requires advanced digital features shall be, at a minimum, project-25; and

(iii) Any new system or equipment purchases shall be, at a minimum, upgradable to project-25;

(d) Seek support, including possible federal or other funding, for state-sponsored wireless communications systems;

(e) Develop recommendations for legislation that may be required to promote interoperability of state wireless communications systems;

(f) Foster cooperation and coordination among public safety and emergency response organizations;

(g) Work with wireless communications groups and associations to ensure interoperability among all public safety and emergency response wireless communications systems; and

(h) Perform such other duties as may be assigned by the ((~~office~~)) director to promote interoperability of wireless communications systems.

(4) The office shall provide administrative support to the committee.

Sec. 414. RCW 43.41A.130 and 1996 c 171 s 12 are each amended to read as follows:

Funding to meet the costs of providing access, including the building of the necessary information systems, the digitizing of information, developing the ability to mask nondisclosable information, and maintenance and upgrade of information access systems should come primarily from state and local appropriations, federal dollars, grants, private funds, cooperative ventures among governments, nonexclusive licensing, and public/private partnerships. ((~~Agencies should not offer customized electronic access services as the primary way of responding to requests or as a primary source of revenue. Fees for staff time to respond to requests, and other direct costs may be included in costs of providing customized access.~~))

State agencies and local governments are encouraged to pool resources and to form cooperative ventures to provide electronic access to government records and information. State agencies are encouraged to seek federal and private grants for projects that provide increased efficiency and improve government delivery of information and services.

Sec. 415. RCW 43.41A.140 and 2011 c 60 s 39 are each amended to read as follows:

State agencies and local governments that collect and enter information concerning individuals into electronic records and information systems that will be widely accessible by the public under RCW 42.56.010 shall ensure the accuracy of this information to the extent possible. To the extent possible, information must be collected directly from, and with the consent of, the individual who is the subject of the data. State agencies shall establish procedures for correcting inaccurate information, including establishing mechanisms for individuals to review information about themselves and recommend changes in information they believe to be inaccurate. The inclusion of personal information in electronic public records that is widely available to the public should include information on the date when the database was created or most recently updated. If personally identifiable information is included in electronic public records that are made widely available to the public, state agencies must follow retention and archival schedules

in accordance with chapter 40.14 RCW, retaining personally identifiable information only as long as needed to carry out the purpose for which it was collected. At least once every five years, each agency that collects information must review the information collected and justify why it is being collected and for what purpose.

Sec. 416. RCW 43.41A.150 and 2011 1st sp.s. c 43 s 735 are each amended to read as follows:

(1) Except as provided by subsection (2) of this section, state agencies shall locate all existing and new servers in the state data center.

(2) State agencies with a service requirement that requires servers to be located outside the state data center must receive a waiver from the office. Waivers must be based upon written justification from the requesting state agency citing specific service or performance requirements for locating servers outside the state's common platform.

(3) The office, in consultation with the office of financial management, shall continue to develop the business plan and migration schedule for moving all state agencies into the state data center.

(4) The legislature and the judiciary, which are constitutionally recognized as separate branches of government, may enter into an interagency agreement with the office to migrate its servers into the state data center.

(5) This section does not apply to institutions of higher education.

Sec. 417. RCW 43.41A.152 and 2011 1st sp.s. c 43 s 736 are each amended to read as follows:

(1) The office shall conduct a needs assessment and develop a migration strategy to ensure that, over time, all state agencies are moving towards using the ((~~consolidated technology services~~)) agency ((~~established in RCW 43.105.047~~)) as their central service provider for all utility-based infrastructure services, including centralized PC and infrastructure support. State agency-specific application services shall remain managed within individual agencies.

(2) The office shall develop short-term and long-term objectives as part of the migration strategy.

(3) ((~~For the purposes of this section, "utility-based infrastructure services" includes personal computer and portable device support, servers and server administration, security administration, network administration, telephony, e-mail, and other information technology services commonly utilized by state agencies.~~

~~(4)~~)) This section does not apply to institutions of higher education.

NEW SECTION. **Sec. 418.** RCW 43.41A.003, 43.41A.010, 43.41A.025, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.110, 43.41A.115, 43.41A.130, 43.41A.135, 43.41A.140, 43.41A.150, 43.41A.152, 43.41A.900, and 43.105.047 are each recodified as sections in chapter 43.105 RCW.

NEW SECTION. **Sec. 419.** RCW 43.41A.085, 43.41A.090, 43.41A.095, 43.41A.100, and 43.41A.105 are each recodified as sections in chapter 43.41.

NEW SECTION. **Sec. 420.** RCW 43.41A.125 is decodified.

NEW SECTION. **Sec. 421.** The following acts or parts of acts are each repealed:

(1)RCW 43.41A.006 (Definitions) and 2011 1st sp.s. c 43 s 705;

(2)RCW 43.41A.015 (Chief information officer—Executive head and appointing authority) and 2011 1st sp.s. c 43 s 703;

(3)RCW 43.41A.020 (Chief information officer—Duties) and 2011 1st sp.s. c 43 s 704;

(4)RCW 43.41A.120 (Electronic access to public records—Definitions) and 2011 c 60 s 38 & 1996 c 171 s 2;

(5)RCW 43.105.041 (Powers and duties of board) and 2011 c 358 s 6, 2010 1st sp.s. c 7 s 65, 2009 c 486 s 13, 2003 c 18 s 3, & 1999 c 285 s 5;

(6)RCW 43.105.330 (State interoperability executive committee) and 2011 c 367 s 711, 2006 c 76 s 2, & 2003 c 18 s 4; and

(7)RCW 43.105.340 (Consumer protection web site) and 2011 1st sp.s. c 21 s 12 & 2008 c 151 s 2.

PART V

OFFICE OF FINANCIAL MANAGEMENT

Sec. 501. RCW 43.41A.085 and 2011 1st sp.s. c 43 s 718 are each amended to read as follows:

(1) The office has the duty to govern and oversee the technical design, implementation, and operation of the K-20 network including, but not limited to, the following duties: Establishment and implementation of K-20 network technical policy, including technical standards and conditions of use; review and approval of network design; and resolving user/provider disputes.

(2) The office has the following powers and duties:

(a) In cooperation with the educational sectors and other interested parties, to establish goals and measurable objectives for the network;

(b) To ensure that the goals and measurable objectives of the network are the basis for any decisions or recommendations regarding the technical development and operation of the network;

(c) To adopt, modify, and implement policies to facilitate network development, operation, and expansion. Such policies may include but need not be limited to the following issues: Quality of educational services; access to the network by recognized organizations and accredited institutions that deliver educational programming, including public libraries; prioritization of programming within limited resources; prioritization of access to the system and the sharing of technological advances; network security; identification and evaluation of emerging technologies for delivery of educational programs; future expansion or redirection of the system; network fee structures; and costs for the development and operation of the network;

(d) To prepare and submit to the governor and the legislature a coordinated budget for network development, operation, and expansion. The budget shall include the ((~~chief information officer's~~)) director of the consolidated technology services agency's recommendations on (i) any state funding requested for network transport and equipment, distance education facilities and hardware or software specific to the use of the network, and proposed new network end sites, (ii) annual copayments to be charged to public educational sector institutions and other public entities connected to the network, and (iii) charges to nongovernmental entities connected to the network;

(e) To adopt and monitor the implementation of a methodology to evaluate the effectiveness of the network in achieving the educational goals and measurable objectives;

(f) To establish by rule acceptable use policies governing user eligibility for participation in the K-20 network, acceptable uses of network resources, and procedures for enforcement of such policies. The office shall set forth appropriate procedures for enforcement of acceptable use policies, that may include suspension of network connections and removal of shared equipment for violations of network conditions or policies. The office shall have sole responsibility for the implementation of enforcement procedures relating to technical conditions of use.

Sec. 502. RCW 43.41A.095 and 2011 1st sp.s. c 43 s 720 are each amended to read as follows:

The ((~~chief information officer~~)) office, in conjunction with the K-20 network users, shall maintain a technical plan of the K-20

telecommunications system and ongoing system enhancements. The office shall ensure that the technical plan adheres to the goals and objectives established under RCW 43.41A.025 (as recodified by this act). The technical plan shall provide for:

(1) A telecommunications backbone connecting educational service districts, the main campuses of public baccalaureate institutions, the branch campuses of public research institutions, and the main campuses of community colleges and technical colleges.

(2)(a) Connection to the K-20 network by entities that include, but need not be limited to: School districts, public higher education off-campus and extension centers, and branch campuses of community colleges and technical colleges, as prioritized by the chief information officer; (b) distance education facilities and components for entities listed in this subsection and subsection (1) of this section; and (c) connection for independent nonprofit institutions of higher education, provided that:

(i) The ((chief information officer)) office and each t

internal audits following the standards of internal auditing of the institute of internal auditors;

(b) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and the director shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(c) Establish policies for allowing the contracting of child care services;

(d) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(e) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: PROVIDED, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. The director shall advise and confer with agencies including appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter the plans, except that for the following agencies no amendment or alteration of the plans may be made without the approval of the agency concerned: Agencies headed by elective officials;

(f) Fix the number and classes of positions or authorized employee years of employment for each agency and during the fiscal period amend the determinations previously fixed by the director except that the director shall not be empowered to fix the number or the classes for the following: Agencies headed by elective officials;

(g) Adopt rules to effectuate provisions contained in (a) through (f) of this subsection.

(5) The treasurer shall:

(a) Receive, keep, and disburse all public funds of the state not expressly required by law to be received, kept, and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Receive, disburse, or transfer public funds under the treasurer's supervision or custody;

(c) Keep a correct and current account of all moneys received and disbursed by the treasurer, classified by fund or account;

(d) Coordinate agencies' acceptance and use of credit cards and other payment methods, if the agencies have received authorization under RCW 43.41.180;

(e) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to disburse public funds in the treasury except upon forms or by alternative means duly prescribed by the director of financial management. These forms or alternative means shall provide for authentication and certification by the agency head or the agency head's designee that the services have been rendered or the materials have been furnished; or, in the case of loans or grants, that the loans or grants are authorized by law; or, in the case of payments for periodic maintenance services to be performed on state owned equipment, that a written contract for such periodic maintenance services is currently in effect; and the treasurer shall not be liable under the treasurer's surety bond for erroneous or improper payments so made. When services are lawfully paid for in advance of full performance by any private individual or business entity other than equipment maintenance providers or as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of enterprise services but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services. No payments shall be made in advance for any equipment maintenance services to be performed more than twelve months after such payment except that institutions of higher education as defined in RCW 28B.10.016 and the consolidated technology services agency created in RCW 43.105.006 may make payments in advance for equipment maintenance services to be performed up to sixty months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or the agency head's designee in accordance with rules issued pursuant to this chapter. Nothing in this section shall be construed to permit a public body to advance funds to a private service provider pursuant to a grant or loan before services have been rendered or material furnished.

(6) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end the auditor may, in the auditor's discretion, examine the books and accounts of any agency, official, or employee charged with the receipt, custody, or safekeeping of public funds. Where feasible in conducting examinations, the auditor shall utilize data and findings from the internal control system prescribed by the office of financial management. The current post audit of each agency may include a section on recommendations to the legislature as provided in (c) of this subsection.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make the auditor's official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include determinations as to whether agencies, in making expenditures, complied with the laws of this state. The state auditor is authorized to perform or participate in performance verifications and performance audits as expressly authorized by the legislature in the omnibus biennial appropriations acts or in the performance audit work plan approved by the joint legislative audit and review committee. The state auditor, upon completing an audit for legal and financial compliance under chapter 43.09 RCW or a performance verification, may report to the joint legislative audit and review committee or other appropriate committees of the legislature, in a manner prescribed by the joint legislative audit and review committee, on facts relating to the management or performance of governmental programs where such facts are discovered incidental to the legal and financial audit or performance verification. The auditor may make such a report to a legislative committee only if the auditor has determined that the agency has been given an opportunity and has failed to resolve the management or performance issues raised by the auditor. If the auditor makes a report to a legislative committee, the agency may submit to the committee a response to the report. This subsection (6) shall not be construed to authorize the auditor to allocate other than de minimis resources to performance audits except as expressly authorized in the appropriations acts or in the performance audit work plan. The results of a performance audit conducted by the state auditor that has been requested by the joint legislative audit and review committee must only be transmitted to the joint legislative audit and review committee.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record,

including disclosure to the agency concerned and to the director of financial management. It shall be the duty of the director of financial management to cause corrective action to be taken within six months, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110. The director of financial management shall annually report by December 31st the status of audit resolution to the appropriate committees of the legislature, the state auditor, and the attorney general. The director of financial management shall include in the audit resolution report actions taken as a result of an audit including, but not limited to, types of personnel actions, costs and types of litigation, and value of recouped goods or services.

(e) Promptly report any irregularities to the attorney general.

(f) Investigate improper governmental activity under chapter 42.40 RCW.

In addition to the authority given to the state auditor in this subsection (6), the state auditor is authorized to conduct performance audits identified in RCW 43.09.470. Nothing in this subsection (6) shall limit, impede, or restrict the state auditor from conducting performance audits identified in RCW 43.09.470.

(7) The joint legislative audit and review committee may:

(a) Make post audits of the financial transactions of any agency and management surveys and program reviews as provided for in chapter 44.28 RCW as well as performance audits and program evaluations. To this end the joint committee may in its discretion examine the books, accounts, and other records of any agency, official, or employee.

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the performance and management of state agencies.

(c) Make a report to the legislature which shall include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs, and generally for an improved level of fiscal management.

PART VI

CORRECTION OF OBSOLETE REFERENCES

Sec. 601. RCW 42.17A.705 and 2012 c 229 s 582 are each amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, ((~~the chief information officer of the office of chief information officer,~~)) the director of the state system of community and technical colleges, the director of commerce, the director of the consolidated technology services agency, the secretary of corrections, the director of early learning, the director of ecology, the commissioner of employment security, the chair of the energy facility site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, the human resources director, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director o(t)5(he)11( )13.recreation and conservation

and services with discrete cases; (b) shall not contain any means of determining the personal identity of any enrollee, provider, or facility; (c) shall only be available for retrieval in original or processed form to public and private requesters; (d) shall be available within a reasonable period of time after the date of request; and (e) shall give strong consideration to data standards that achieve national uniformity.

(3) The cost of retrieving data for state officials and agencies shall be funded through state general appropriation. The cost of retrieving data for individuals and organizations engaged in research or private use of data or studies shall be funded by a fee schedule developed by the department that reflects the direct cost of retrieving the data or study in the requested form.

(4) All persons subject to this section shall comply with departmental requirements established by rule in the acquisition of data, however, the department shall adopt no rule or effect no policy implementing the provisions of this section without an act of law.

(5) The department shall submit developed health care data standards to the appropriate committees of the legislature by December 31, 1995.

Sec. 603. RCW 43.88.092 and 2013 2nd sp.s. c 33 s 4 are each amended to read as follows:

(1) As part of the biennial budget process, the office of financial management shall collect from agencies, and agencies shall provide, information to produce reports, summaries, and budget detail sufficient to allow review, analysis, and documentation of all current and proposed expenditures for information technology by state agencies. Information technology budget detail must be included as part of the budget submittal documentation required pursuant to RCW 43.88.030.

(2) The office of financial management must collect, and present as part of the biennial budget documentation, information for all existing information technology projects as defined by technology services board policy. The office of financial management must work with the office of the state chief information officer to maximize the ability to draw this information from the information technology portfolio management data collected by the consolidated technology services agency. Connecting project information collected through the portfolio management process with financial data developed under subsection (1) of this section provides transparency regarding expenditure data for existing technology projects.

(3) The ((~~chief information officer~~)) director of the consolidated technology services agency shall evaluate proposed information technology expenditures and establish priority ranking categories of the proposals. No more than one-third of the proposed expenditures shall be ranked in the highest priority category.

(4) The biennial budget documentation submitted by the office of financial management pursuant to RCW 43.88.030 must include an information technology plan and a technology budget for the state identifying current baseline funding for information technology, proposed and ongoing major information technology projects, and their associated costs. This plan and technology budget must be presented using a method similar to the capital budget, identifying project costs through stages of the project and across fiscal periods and biennia from project initiation to implementation. This information must be submitted electronically, in a format to be determined by the office of financial management and the legislative evaluation and accountability program committee.

(5) The office of financial management shall also institute a method of accounting for information technology-related expenditures, including creating common definitions for what constitutes an information technology investment.

(6) For the purposes of this section, "major information technology projects" includes projects that have a significant anticipated cost, complexity, or are of statewide significance, such as enterprise-level solutions, enterprise resource planning, and shared services initiatives.

Sec. 604. RCW 44.68.065 and 2010 c 282 s 8 are each amended to read as follows:

The legislative service center, under the direction of the joint legislative systems committee and the joint legislative systems administrative committee, shall:

(1) Develop a legislative information technology portfolio consistent with the provisions of RCW ((~~43.105.172~~)) 43.41A.110 (as recodified by this act);

(2) Participate in the development of an enterprise-based statewide information technology strategy as defined in RCW 43.105.019;

(3) Ensure the legislative information technology portfolio is organized and structured to clearly indicate participation in and use of enterprise-wide information technology strategies;

(4) As part of the biennial budget process, submit the legislative information technology portfolio to the chair and ranking member of the ways and means committees of the house of representatives and the senate, the office of financial management, and the ((~~department of information services~~)) consolidated technology services agency.

PART VII
INFORMATION TECHNOLOGY ACCOUNTING REVISIONS

NEW SECTION. **Sec. 701.** A new section is added to chapter 43.105 RCW to read as follows:

(1) The consolidated technology services revolving account is created in the custody of the state treasurer. All receipts from agency fees and charges for services collected from public agencies must be deposited into the account. The account must be used for the:

(a) Acquisition of equipment, software, supplies, and services; and

(b) Payment of salaries, wages, and other costs incidental to the acquisition, development, maintenance, operation, and administration of: (i) Information services; (ii) telecommunications; (iii) systems; (iv) software; (v) supplies; and (vi) equipment, including the payment of principal and interest on debt by the agency and other users as determined by the office of financial management.

(2) The director or the director's designee, with the approval of the technology services board, is authorized to expend up to one million dollars per fiscal biennium for the technology services board to conduct independent technical and financial analysis of proposed information technology projects.

(3) Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures except as provided in subsection (4) of this section.

(4) Expenditures for the strategic planning and policy component of the agency are subject to appropriation.

NEW SECTION. **Sec. 702.** A new section is added to chapter 43.41 RCW to read as follows:

(1) The statewide information technology system development revolving account is created in the custody of the state treasurer. All receipts from legislative appropriations and assessments to agencies for the development and acquisition of enterprise information technology systems must be deposited into the account. Moneys in the account may be spent only after appropriation. The account must be used solely for the development and acquisition of enterprise information technology systems that are consistent with the enterprise-based strategy established by the consolidated technology services agency in RCW 43.105.047 (as recodified by this act). Expenditures from the account may not be used for maintenance and operations of enterprise information technology

systems. The account may be used for the payment of salaries, wages, and other costs directly related to the development and acquisition of enterprise information technology systems.

(2) All payment of principal and interest on debt issued for enterprise information technology systems must be paid from the account.

(3) The office may contract for the development or acquisition of enterprise information technology systems.

(4) For the purposes of this section and section 703 of this act, "enterprise information technology system" means an information technology system that serves agencies with a certain business need or process that are required to use the system unless the agency has received a waiver from the state chief information officer. "Enterprise information technology system" also includes projects that are of statewide significance including enterprise-level solutions, enterprise resource planning, and shared services initiatives.

NEW SECTION. **Sec. 703.** A new section is added to chapter 43.41 RCW to read as follows:

(1) The statewide information technology system maintenance and operations revolving account is created in the custody of the state treasurer. All receipts from fees, charges for services, and assessments to agencies for the maintenance and operations of enterprise information technology systems must be deposited into the account. The account must be used solely for the maintenance and operations of enterprise information technology systems.

(2) Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditure.

(3) The office may contract with the consolidated technology services agency for the billing of fees, charges for services, and assessments to agencies, and for the maintenance and operations of enterprise information technology systems.

(4) "Enterprise information technology system" has the definition in section 702 of this act.

NEW SECTION. **Sec. 704.** A new section is added to chapter 43.41 RCW to read as follows:

(1) The shared information technology system revolving account is created in the custody of the state treasurer. All receipts from fees, charges for services, and assessments to agencies for shared information technology systems must be deposited into the account.

(2) Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditure.

(3) The office may contract with the consolidated technology services agency for the billing of fees, charges for services, and assessments to agencies, and for the development, maintenance, and operations of shared information technology systems.

(4) For the purposes of this section, "shared information technology system" means an information technology system that is available to, but not required for use by, agencies.

NEW SECTION. **Sec. 705.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2016:

RCW 43.19.791 (Data processing revolving fund—Created—Use) and 2013 2nd sp.s. c 4 s 976 & 2011 2nd sp.s. c 9 s 906.

NEW SECTION. **Sec. 706.** No later than December 31, 2015, any residual balance of funds remaining in the data processing revolving fund repealed by section 705 of this act shall be apportioned by the director of financial management to the appropriate accounts created in sections 701 through 704 of this act.

PART VIII
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 801.** (1) All powers, duties, and functions of the office of the chief information officer within the office of financial management pertaining to the office of the chief information officer are transferred to the consolidated technology services agency.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the office of the chief information officer within the office of financial management pertaining to the powers, duties, and functions transferred shall be delivered to the custody of the consolidated technology services agency. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the office of the chief information officer within the office of financial management in carrying out the powers, duties, and functions transferred shall be made available to the consolidated technology services agency. All funds, credits, or other assets held in connection with the powers, duties, and functions transferred shall be assigned to the consolidated technology services agency.

(b) Any appropriations made to the office of the chief information officer within the office of financial management for carrying out the powers, duties, and functions transferred shall, on the effective date of this section, be transferred and credited to the consolidated technology services agency.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All rules and all pending business before the office of the chief information officer within the office of financial management pertaining to the powers, duties, and functions transferred shall be continued and acted upon by the consolidated technology services agency. All existing contracts and obligations shall remain in full force and shall be performed by the consolidated technology services agency.

(4) The transfer of the powers, duties, functions, and personnel of the office of the chief information officer within the office of financial management shall not affect the validity of any act performed before the effective date of this section.

(5) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(6) All exempt employees of the office of the chief information officer within the office of financial management engaged in performing the powers, duties, and functions transferred are transferred to the jurisdiction of the consolidated technology services agency. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the consolidated technology services agency to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION. **Sec. 802.** Sections 301 through 307, 401 through 421, 501 through 504, 601 through 604, 701 through 706, and 801 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Appropriations.

April 1, 2015

SSB 5081 Prime Sponsor, Committee on Ways & Means: Increasing transparency of state government expenditures related to state employees, state vendors and other public entities. Reported by Committee on State Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 803.** A new section is added to chapter 43.88 RCW to read as follows:

(1) In order to facilitate public inspection of state collective bargaining agreements, the office of financial management must maintain a web site that is accessible to the public of all agreements collectively bargained under the authority of chapters 41.80 and 47.64 RCW and RCW 41.56.026, 41.56.028, 41.56.029, 41.56.473, 41.56.510, and 74.39A.270.

(2) The web site must be updated within sixty days of implementation of any agreement or revisions to an agreement.

(3) No later than January 1, 2016, the information under this section must be incorporated into the state expenditure information web site maintained by the legislative evaluation and accountability program committee under RCW 44.48.150.

Sec. 804. RCW 43.82.150 and 2007 c 506 s 7 are each amended to read as follows:

(1) The office of financial management shall develop and maintain an inventory system to account for all owned or leased facilities utilized by state government. At a minimum, the inventory

property, violation of the federal false claims act, 31 U.S.C. Sec. 3729 et seq., or the state medicaid fraud false claims act, chapter 74.66 RCW, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects responsibility as a state contractor;

(c) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

(d) Two or more violations within the previous five years of the federal labor relations act as determined by the national labor relations board or court of competent jurisdiction;

(e) Violation of contract provisions, as set forth in this subsection, of a character that is regarded by the director to be so serious as to justify debarment action:

(i) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(ii) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, however the failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor may not be considered to be a basis for debarment;

(f) Violation of ethical standards set forth in RCW 39.26.020; and

(g) Any other cause the director determines to be so serious and compelling as to affect responsibility as a state contractor, including debarment by another governmental entity for any cause listed in regulations.

(3) The director must issue a written decision to debar. The decision must:

(a) State the reasons for the action taken; and

(b) Inform the debarred contractor of the contractor's rights to judicial or administrative review.

(4) No later than January 1, 2016, the department must maintain a web site of all contractors currently debarred by the director that is accessible to the public.

Sec. 808. RCW 39.26.210 and 2012 c 224 s 23 are each amended to read as follows:

(1) Agencies must annually submit to the department a list of all contracts that the agency has entered into or renewed. "Contracts," for the purposes of this section, does not include purchase orders. The department must maintain a web site with a publicly available list of all contracts entered into by agencies during each fiscal year, except that contracts for the employment of expert witnesses for the purposes of litigation shall not be made publicly available to the extent that information is exempt from disclosure under state law. Except as otherwise exempt, the data must identify the contracting agency, the contractor, the purpose of the contract, effective dates and periods of performance, the cost of the contract and funding source, any substantive modifications to the contract, and whether the contract was competitively procured or awarded on a sole source basis.

(2) The department may conduct audits of its master contracts and convenience contracts to ensure that the contractor is in compliance with the contract terms and conditions, including but not limited to providing only the goods and services specified in the contract at the contract price.

NEW SECTION. **Sec. 809.** A new section is added to chapter 44.48 RCW to read as follows:

By January 1, 2016, in collaboration with the department of enterprise services, the legislative evaluation and accountability program committee must establish and make available to the public a state contracting information web site. The web site must direct the public to existing databases and web sites of current contracting opportunities, sole source contract inspection opportunities, debarred contractors, the inventory of state agency contracts entered into or renewed, minority and women-owned business contracting performance and compliance under section 10 of this act, the list of performance-based incentives, bonuses or awards paid under contract under section 11 of this act, and any other information that will increase public accessibility to state contracting opportunities or expenditures. If determined feasible and efficient, the legislative evaluation and accountability program committee may host department of enterprise services web sites related to state agency contracts or publish existing databases in different forms and formats to increase public accessibility to the information.

NEW SECTION. **Sec. 810.** A new section is added to chapter 44.48 RCW to read as follows:

(1) In order to facilitate transparency and accessibility to state expenditures to other public entities, no later than September 30th of each year, the following agencies must report to the legislative evaluation and accountability program committee the amount of funds distributed or expended in the prior fiscal year for each local government or other entity for the following programs and expenditures:

(a) Administrative office of the courts:

(i) State contributions for county superior court judge salaries and benefits;

(ii) County legal financial obligation grants under RCW 2.56.190;

(iii) Court-appointed special advocate coordinator grants;

(iv) Court interpreter assistance reimbursements under RCW 2.42.120(7) and 2.43.040(5);

(v) State contributions for district court judges and qualifying elected municipal court judge salaries under RCW 2.56.030(22);

(vi) Family and juvenile court improvement grants under RCW 2.56.230; and

(vii) Distributions to counties and/or county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions.

(b) Office of public defense:

(i) Parents representation program costs; and

(ii) Public defense improvement grants under chapter 10.101 RCW.

(c) Department of retirement systems: State contributions to the law enforcement officers' and firefighters' retirement system reported separately for each employer, based on the compensation reported by that employer.

(d) Secretary of state: Reimbursements to counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures in odd-numbered year elections.

(e) Military department:

(i) Financial assistance to counties to replace analog 911 telephone and network equipment with next generation 911 capable technology; and

(ii) Financial assistance to counties under contract for expenses authorized for reimbursement under RCW 38.52.540 and 38.52.545.

(f) Department of commerce:

(i) Vehicle electrification demonstration grants under RCW 43.325.110;

(ii) Growth management act grants;

(iii) Energy efficiency and solar grants to local governments, institutions of higher education, and state agencies; and

(iv) Victim/witness assistance programs under RCW 7.68.035.

(g) Criminal justice training center: Cost of cadet basic law enforcement academy training.

(2) State agencies must collaborate with the legislative evaluation and accountability program committee and the appropriate fiscal committees of the legislature to determine a method to assign a distribution amount by entity in those instances when the amount or entity is not readily identifiable. The method used must be disclosed in the description of the distribution. The

legislative evaluation and accountability program committee may allow the report required in subsection (1) of this section be provided in alternative forms, such as extracting expenditure data from the state's accounting and financial reporting systems.

(3) In their report to the legislative evaluation and accountability program committee, state agencies must provide a brief description of any changes to the program or expenditure from its prior report that affects distribution eligibility or methodology.

Sec. 811. RCW 41.06.133 and 2011 1st sp.s. c 43 s 407 and 2011 1st sp.s. c 39 s 5 are each reenacted and amended to read as follows:

(1) The director shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(a) The reduction, dismissal, suspension, or demotion of an employee;

(b) Training and career development;

(c) Probationary periods of six to twelve months and rejections of probationary employees, depending on the job requirements of the class, except as follows:

(i) Entry-level state park rangers shall serve a probationary period of twelve months; and

(ii) The probationary period of campus police officer appointees who are required to attend the Washington state criminal justice training commission basic law enforcement academy shall extend from the date of appointment until twelve months from the date of successful completion of the basic law enforcement academy, or twelve months from the date of appointment if academy training is not required. The director shall adopt rules to ensure that employees promoting to campus police officer who are required to attend the Washington state criminal justice training commission basic law enforcement academy shall have the trial service period extend from the date of appointment until twelve months from the date of successful completion of the basic law enforcement academy, or twelve months from the date of appointment if academy training is not required;

(d) Transfers;

(e) Promotional preferences;

(f) Sick leaves and vacations;

(g) Hours of work;

(h) Layoffs when necessary and subsequent reemployment, except for the financial basis for layoffs;

(i) The number of names to be certified for vacancies;

(j) Subject to RCW 41.04.820, adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units. The rates in the salary schedules or plans shall be increased if necessary to attain comparable worth under an implementation plan under RCW 41.06.155 and, for institutions of higher education and related boards, shall be competitive for positions of a similar nature in the state or the locality in which an institution of higher education or related board is located. Such adoption and revision is subject to approval by the director of financial management in accordance with chapter 43.88 RCW;

(k) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service. From February 18, 2009, through June 30, 2013, a salary or wage increase shall not be granted to any exempt position under this chapter, except that a salary or wage increase may be granted to employees pursuant to collective bargaining agreements negotiated under chapter 28B.52, 41.56, 47.64, or 41.76 RCW, and except that increases may be granted for positions for which the employer has demonstrated difficulty retaining qualified employees if the following conditions are met:

(i) The salary increase can be paid within existing resources;

(ii) The salary increase will not adversely impact the provision of client services; and

(iii) For any state agency of the executive branch, not including institutions of higher education, the salary increase is approved by the director of the office of financial management;

Any agency granting a salary increase from February 15, 2010, through June 30, 2011, to a position exempt under this chapter shall submit a report to the fiscal committees of the legislature no later than July 31, 2011, detailing the positions for which salary increases were granted, the size of the increases, and the reasons for giving the increases;

Any agency granting a salary increase from July 1, 2011, through June 30, 2013, to a position exempt under this chapter shall submit a report to the fiscal committees of the legislature by July 31, 2012, and July 31, 2013, detailing the positions for which salary increases were granted during the preceding fiscal year, the size of the increases, and the reasons for giving the increases;

(l) Optional lump sum relocation compensation approved by the agency director, whenever it is reasonably necessary that a person make a domiciliary move in accepting a transfer or other employment with the state. An agency must provide lump sum compensation within existing resources. If the person receiving the relocation payment terminates or causes termination with the state, for reasons other than layoff, disability separation, or other good cause as determined by an agency director, within one year of the date of the employment, the state is entitled to reimbursement of the lump sum compensation from the person;

(m) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their surviving spouses by giving such eligible veterans and their surviving spouses additional credit in computing their seniority by adding to their unbroken state service, as defined by the director, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given. However, the surviving spouse of a veteran is entitled to the benefits of this section regardless of the veteran's length of active military service. For the purposes of this section, "veteran" does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

(2) Rules adopted under this section by the director shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the director.

(3) Rules adopted by the director under this section may be superseded by the provisions of a collective bargaining agreement negotiated under RCW 41.80.001 and 41.80.010 through 41.80.130. The supersession of such rules shall only affect employees in the respective collective bargaining units.

(4)(a) The director shall require that each state agency report annually the following data:

(i) The number of classified, Washington management service, and exempt employees in the agency and the change compared to the previous report;

(ii) The number of bonuses and performance-based incentives awarded to agency staff and the base wages of such employees; and

(iii) The cost of each bonus or incentive awarded.

(b) A report that compiles the data in (a) of this subsection for all agencies will be provided annually to the governor and the appropriate committees of the legislature and must be posted for the public on the office of financial management's agency web site.

(c) No later than January 1, 2016, the report must be incorporated into the state expenditure information web site maintained by the legislative evaluation and accountability program committee under RCW 44.48.150.

(5) From February 15, 2010, until June 30, 2013, no monetary performance-based awards or incentives may be granted by the d.3(r)6.7(e)11(c)11(t)5(or)6.6(or)6.7(e)11(m)25(pl)5(oy)27(e)11(r)6.7(s)9.3(t)5(o e)-2.4(m)25(pl)5(o)-13(y)27(e)-2.3(e)11(s)9.3(c)11(ov)13.7(e)11(r

employee staff time and resources to monitor the contract and ensure its proper performance by the vendor; and

(iii) A statement of the performance objectives to be achieved by contracting with a private sector or nonprofit vendor.

(b) The comprehensive assessment may also include an assessment of the potential adverse impacts on the public from outsourcing the contract, such as loss of employment, effect on social services and public assistance programs, economic impacts on local businesses and local tax revenues, and environmental impacts.

(2)(a) An agency must prepare a written record of the basis of the decision to contract out a service that has been customarily and historically provided by public employees, which must include the comprehensive cost to benefit assessment required under subsection (1) of this section, as well as an itemization of performance standards contained in the contract. The written record shall be submitted for posting on the department's web site.

(b) Every five years or upon completion of the contract, whichever comes first, the agency must prepare and file with the department a report, which must include at a minimum the following information:

(i) Documentation of the vendor's performance as measured by the itemized performance standards;

(ii) Itemization of any contract extensions or change orders that resulted in a change in the dollar value or cost of the contract; and

(iii) A report of any remedial actions that were taken to enforce compliance with the contract, together with an estimate of the cost incurred by the public in enforcing such compliance.

(3) In addition to any other terms required by law, the terms of any agreement to contract out a service that has been customarily and historically provided by public employees must include the following:

(a) A cancellation clause allowing the state agency to cancel a contract if the vendor fails to meet quality standards or budget specifications;

(b) Terms ensuring periodic review of performance of the contract;

(c) Terms requiring the vendor to compensate the agency for public sector employees' hours expended in achieving full performance of a contract that has failed inspection, that the contractor has failed to complete on schedule, or that has not been completed in a manner that is consistent with quality standards;

(d) A term requiring the vendor to make available to the agency the following information at the start of the contract's term and updated each fiscal year:

(i) The name and license number, if applicable, of the contractor and all subcontractors; and

(ii) A list of individuals or entities performing the services under the contract, reflected as full-time equivalent positions, including the hourly wage rate for each position, and the status of the individual as an employee, subcontractor, independent contractor, or consultant; and

(e) A waiver of confidentiality of, and agreement to provide to the agency upon request, basic financial information related to the contract, other than financial, commercial, or proprietary information specifically exempted from disclosure to the public under RCW 42.56.270.

Sec. 816. RCW 43.19.008 and 2011 1st sp.s. c 43 s 104 are each amended to read as follows:

(1) The executive powers and management of the department shall be administered as described in this section.

(2) The executive head and appointing authority of the department is the director. The director is appointed by the governor, subject to confirmation by the senate. The director serves at the pleasure of the governor. The director is paid a salary fixed by the governor in accordance with RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate at which time he or she shall present to that body his or her nomination for the position.

(3) The director may employ staff members, who are exempt from chapter 41.06 RCW, and any additional staff members as are necessary to administer this chapter, and such other duties as may be authorized by law. The director may delegate any power or duty vested in him or her by chapter 43, Laws of 2011 1st sp. sess. or other law, including authority to make final decisions and enter final orders in hearings conducted under chapter 34.05 RCW.

(4) The internal affairs of the department are under the control of the director in order that the director may manage the department in a flexible and intelligent manner as dictated by changing contemporary circumstances. Unless specifically limited by law, the director has complete charge and supervisory powers over the department. The director may create the administrative structures as the director deems appropriate, except as otherwise specified by law, and the director may employ personnel as may be necessary in accordance with chapter 41.06 RCW, except as otherwise provided by law.

(5) Until June 30, 2018, at the beginning of each fiscal biennium, the office of financial management shall conduct a review of the programs and services that are performed by the department to determine whether the program or service may be performed by the private sector in a more cost-efficient and effective manner than being performed by the department. In conducting this review, the office of financial management shall:

(a) Examine the existing activities currently being performed by the department, including but not limited to an examination of services for their performance, staffing, capital requirements, and mission. Programs may be broken down into discrete services or activities or reviewed as a whole; and

(b) Examine the activities to determine which specific services are available in the marketplace and what potential for efficiency gains or savings exist.

(i) As part of the review in this subsection (5), the office of financial management shall select up to six activities or services that have been determined as an activity that may be provided by the private sector in a cost-effective and efficient manner, including for the 2011-2013 fiscal biennium the bulk printing services. The office of financial management may consult with affected industry stakeholders in making its decision on which activities to contract for services. Priority for selection shall be given to agency activities or services that are significant, ongoing functions.

(ii) The office of financial management must consider the consequences and potential mitigation of improper or failed performance by the contractor.

(iii) For each of the selected activities, the department shall use a request for information, request for proposal, or other procurement process to determine if a contract for the activity would result in the activity being provided at a reduced cost and with greater efficiency. <u>This must include, but is not limited to, consideration of the cost of the agency staff time and resources that may be required to monitor and ensure proper performance of the contract by the vendor.</u>

(iv) The request for information, request for proposal, or other procurement process must contain measurable standards for the performance of the contract.

(v) The department may contract with one or more vendors to provide the service as a result of the procurement process.

(vi) If the office of financial management determines via the procurement process that the activity cannot be provided by the private sector at a reduced cost and greater efficiency, the department of enterprise services may cancel the procurement without entering into a contract and shall promptly notify the legislative fiscal committees of such a decision.

(vii) The department of enterprise services, in consultation with the office of financial management, must establish a contract monitoring process to measure contract performance, costs, service delivery quality, and other contract standards, and to cancel contracts that do not meet those standards. No contracts may be renewed without a review of these measures.

(viii) The office of financial management shall prepare a biennial report summarizing the results of the examination of the agency's programs and services. In addition to the programs and services examined and the result of the examination, the report shall provide information on any procurement process that does not result in a contract for the services. During each regular legislative session held in odd-numbered years, the legislative fiscal committees shall hold a public hearing on the report and the department's activities under this section.

(ix) The joint legislative audit and review committee shall conduct an audit of the implementation of this subsection (5), and report to the legislature by January 1, 2018, on the results of the audit. The report must include an analysis and estimate of additional costs or savings to taxpayers as a result of the contracting out provisions. This analysis must, at a minimum, include the following:

(A) An estimate of the cost of performance of the selected activities if the activities had been performed by public employees, including the fully allocated costs of the service, the cost of the employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the function. The estimate shall not include the state's indirect overhead costs unless those costs can be attributed directly to the function in question and would not exist if that function were not performed in state service;

(B) An estimate of the cost of performance of the contract by the vendor, including the cost of any change orders or contract revisions and the costs of allocating sufficient public employee staff time and resources to monitor the contract and ensure its proper performance by the vendor;

(C) An analysis of the extent to which performance objectives were achieved by outsourcing the contract; and

(D) An assessment of adverse impacts on the public of outsourcing the contract."

Correct the title.

Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5094 Prime Sponsor, Senator Brown: Allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Tarleton, Vice Chair and Hudgins.

Passed to Committee on Rules for second reading.

March 31, 2015

SB 5100 Prime Sponsor, Senator Hobbs: Concerning the processing of certain motor vehicle-related violations applicable to rental cars. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 817.** RCW 46.20.270 and 2013 2nd sp.s. c 35 s 17 are each amended to read as follows:

(1) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, or any federal authority having jurisdiction over offenses substantially the same as those set forth in this title which occur on federal installations within this state, shall immediately forward to the department a forfeiture of bail or collateral deposited to secure the defendant's appearance in court, a payment of a fine, penalty, or court cost, a plea of guilty or nolo contendere or a finding of guilt, or a finding that any person has committed a traffic infraction an abstract of the court record in the form prescribed by rule of the supreme court, showing the conviction of any person or the finding that any person has committed a traffic infraction in said court for a violation of any said laws other than regulations governing standing, stopping, parking, and pedestrian offenses.

(2) Every state agency or municipality having jurisdiction over offenses committed under this chapter, or under any other act of this state or municipal ordinance adopted by a state or local authority regulating the operation of motor vehicles on highways, may forward to the department within ten days of failure to respond, failure to pay a penalty, failure to appear at a hearing to contest the determination that a violation of any statute, ordinance, or regulation relating to standing, stopping, parking, or civil penalties issued under RCW 46.63.160 has been committed, or failure to appear at a hearing to explain mitigating circumstances, an abstract of the citation record in the form prescribed by rule of the department, showing the finding by such municipality that two or more violations of laws governing standing, stopping, and parking or one or more civil penalties issued under RCW 46.63.160 have been committed and indicating the nature of the defendant's failure to act. Such violations or infractions may not have occurred while the vehicle is stolen from the registered owner ((~~or is leased or rented under a bona fide commercial vehicle lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner~~)). The department may enter into agreements of reciprocity with the duly authorized representatives of the states for reporting to each other violations of laws governing standing, stopping, and parking.

(3) For the purposes of this title and except as defined in RCW 46.25.010, "conviction" means a final conviction in a state or municipal court or by any federal authority having jurisdiction over offenses substantially the same as those set forth in this title which occur on federal installations in this state, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine or court cost, a plea of guilty or nolo contendere, or a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence or sanctions are

project but that do not alter any agency or local government permitting authority or other existing statutory requirements.

NEW SECTION. **Sec. 821.** (1)(a) A legislative task force is established to examine the creation of a single siting agency empowered to establish guidelines for and implement a pre-SEPA process that expedites and consolidates the permitting of large manufacturing facilities, energy facilities, and transportation facilities that are of statewide economic significance.

(b) For purposes of this section, "pre-SEPA process" means a process conducted prior to the environmental review process under the state environmental policy act, chapter 43.21C RCW.

(2)(a) The task force comprises twelve voting members, with one member appointed by each of the chairs and ranking members of the house and senate transportation committees, the house and senate committees with jurisdiction over energy issues, the house committee with jurisdiction over environmental issues, and the senate committee with jurisdiction over economic development issues.

(b) The task force may consult with directors and representatives of state permitting agencies, including but not limited to the department of transportation, department of ecology, energy facility site evaluation council, and the department of fish and wildlife, and associations representing local governments.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) The task force must review previous legislative proposals addressing the goal of establishing a comprehensive, expedited permit decision-making process.

(5) By December 18, 2015, and in compliance with RCW 43.01.036, any findings and recommendations made by the task force must be reported to the governor and the appropriate committees of the legislature.

(6) This section expires July 1, 2016.

NEW SECTION. **Sec. 822.** This act is known as the community prosperity and revitalization act."

Correct the title.

Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Fey; Harmsworth; Magendanz; Nealey; Santos; Wylie and Young.

MINORITY recommendation: Do not pass. Signed by Representatives Hudgins and Ryu.

Passed to Committee on Rules for second reading.

April 1, 2015

SSB 5113 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Requiring the department of commerce to coordinate and advance the siting and manufacturing of small modular reactors in the state to meet future energy supply, environmental, and energy security needs. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 823.** (1) The legislature finds that the promotion and advancement of new technologies, particularly in the clean technology sector, is an important aspect of Washington's economic development. The commercialization and deployment of small modular reactor technologies has been identified by the federal government as a means to meet clean energy targets and as a key element in its nuclear energy research and development roadmap. Washington has the potential to become a leader in the advancement of small modular reactor technologies by leveraging its experience as an incubator of new and innovative technologies, its world class universities, and its highly skilled workforce to attract manufacturers of small modular reactors. The legislature finds that advancing the manufacturing of small modular reactors may help the state meet future energy supply, environmental, and energy security needs.

(2) The legislature finds that because Washington's students are the foundation for providing the diverse and highly skilled workforce for the clean technology sector, including the manufacturing of small modular reactors, it is in the public interest to provide students the opportunity to strengthen their knowledge of the fundamentals of the energy sciences, including physics, chemistry, mathematics, and related disciplines.

(3) The legislature also finds that while all powers, duties, and functions of the state energy office relating to implementing energy education were transferred to Washington State University in 1996, the goals of advancing the manufacturing of small modular reactors in the state and providing students with an education in the energy sciences are mutually reinforcing. Therefore, the legislature intends that the department of commerce shall provide support to the office of the superintendent of public instruction for the purpose of developing a clean energy education program as it relates to training and education on clean technologies, including manufacturing of small modular reactors.

(4) The legislature finds that:

(a) Nothing in this act shall prevent the energy facility site evaluation council from exercising its authority under chapter 80.50 RCW to receive, review, and approve an application for the siting and certification of any nuclear power facility where the primary purpose is to produce and sell electricity; and

(b) Nothing in this act shall grant authority to the department of commerce for the siting of any nuclear power facility where the primary purpose is to produce and sell electricity.

Sec. 824. RCW 43.21F.025 and 2010 c 271 s 402 are each amended to read as follows:

(1) "Assistant director" means the assistant director of the department of commerce responsible for energy policy activities;

(2) "Department" means the department of commerce;

(3) "Director" means the director of the department of commerce;

(4) "Distributor" means any person, private corporation, partnership, individual proprietorship, utility, including investor-owned utilities, municipal utility, public utility district, joint operating agency, or cooperative, which engages in or is authorized to engage in the activity of generating, transmitting, or distributing energy in this state;

(5) "Energy" means petroleum or other liquid fuels; natural or synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear material; electricity; solar radiation; geothermal resources; hydropower; organic waste products; wind; tidal activity; any other substance or process used to produce heat, light, or motion; or the savings from nongeneration technologies, including conservation or improved efficiency in the usage of any of the sources described in this subsection;

(6) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, joint operating agency, or any other entity, public or private, however organized; ((~~and~~))

(7) "Small modular reactor" means a scalable nuclear power plant using reactors that each have a gross power output of no

greater than three hundred megawatts electric, and where each reactor is designed for factory manufacturing and ease of transport, such as by truck, rail, or barge; and

(8) "State energy strategy" means the document developed and updated by the department as allowed in RCW 43.21F.090.

Sec. 825. RCW 43.21F.045 and 1996 c 186 s 103 are each amended to read as follows:

(1) The department shall supervise and administer energy-related activities as specified in RCW 43.330.904 and shall advise the governor and the legislature with respect to energy matters affecting the state.

(2) In addition to other powers and duties granted to the department, the department shall have the following powers and duties:

(a) Prepare and update contingency plans for implementation in the event of energy shortages or emergencies. The plans shall conform to chapter 43.21G RCW and shall include procedures for determining when these shortages or emergencies exist, the state officers and agencies to participate in the determination, and actions to be taken by various agencies and officers of state government in order to reduce hardship and maintain the general welfare during these emergencies. The department shall coordinate the activities undertaken pursuant to this subsection with other persons. The components of plans that require legislation for their implementation shall be presented to the legislature in the form of proposed legislation at the earliest practicable date. The department shall report to the governor and the legislature on probable, imminent, and existing energy shortages, and shall administer energy allocation and curtailment programs in accordance with chapter 43.21G RCW.

(b) Establish and maintain a central repository in state government for collection of existing data on energy resources, including:

(i) Supply, demand, costs, utilization technology, projections, and forecasts;

(ii) Comparative costs of alternative energy sources, uses, and applications; and

(iii) Inventory data on energy research projects in the state conducted under public and/or private auspices, and the results thereof.

(c) Coordinate federal energy programs appropriate for state-level implementation, carry out such energy programs as are assigned to it by the governor or the legislature, and monitor federally funded local energy programs as required by federal or state regulations.

(d) Develop energy policy recommendations for consideration by the governor and the legislature.

(e) Provide assistance, space, and other support as may be necessary for the activities of the state's two representatives to the Pacific northwest electric power and conservation planning council. To the extent consistent with federal law, the director shall request that Washington's councilmembers request the administrator of the Bonneville power administration to reimburse the state for the expenses associated with the support as provided in the Pacific Northwest Electric Power Planning and Conservation Act (P.L. 96-501).

(f) Cooperate with state agencies, other governmental units, and private interests in the prioritization and implementation of the state energy strategy elements and on other energy matters.

(g) Serve as the official state agency responsible for coordinating implementation of the state energy strategy.

(h) No later than December 1, 1982, and by December 1st of each even-numbered year thereafter, prepare and transmit to the governor and the appropriate committees of the legislature a report on the implementation of the state energy strategy and other important energy issues, as appropriate.

(i) Provide support for increasing cost-effective energy conservation, including assisting in the removal of impediments to timely implementation.

(j) Provide support for the development of cost-effective energy resources including assisting in the removal of impediments to timely construction.

(k) Coordinate and advance the manufacturing of small modular reactors in the state to meet future energy supply, environmental, and energy security needs, taking into consideration how disposal of nuclear waste may impact Washington state.

(l) Adopt rules, under chapter 34.05 RCW, necessary to carry out the powers and duties enumerated in this chapter.

((~~(l)~~)) (m) Provide administrative assistance, space, and other support as may be necessary for the activities of the energy facility site evaluation council, as provided for in RCW 80.50.030.

((~~(m)~~)) (n) Appoint staff as may be needed to administer energy policy functions and manage energy facility site evaluation council activities. These employees are exempt from the provisions of chapter 41.06 RCW.

(3) To the extent the powers and duties set out under this section relate to energy education, applied research, and technology transfer programs they are transferred to Washington State University.

(4) To the extent the powers and duties set out under this section relate to energy efficiency in public buildings they are transferred to the department of ((~~general administration~~)) enterprise services.

NEW SECTION. **Sec. 826.** (1) By December 1, 2015, and in compliance with RCW 43.01.036, the department of commerce and the office of the superintendent of public instruction must jointly submit a report to the appropriate committees of the legislature with recommendations for the establishment of a clean energy education program.

(2) The clean energy education program must include:

(a) Grants for clean energy ambassadors to be used to create a pool of persons who can introduce students to clean energy science and technology, including solar and wind power, small modular reactors, and opportunities for nuclear waste cleanup technology

MINORITY recommendation: Do not pass. Signed by Representatives Hudgins and Ryu.

Referred to Committee on Appropriations.

March 31, 2015

SB 5119 Prime Sponsor, Senator Angel: Providing authority for two or more nonprofit corporations to participate in a joint self-insurance program covering property or liability risks. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5125 Prime Sponsor, Senator Padden: Increasing district court civil jurisdiction. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 827.** RCW 3.66.020 and 2008 c 227 s 1 are each amended to read as follows:

If, for each claimant, the value of the claim or the amount at issue does not exceed ((~~seventy-five~~)) one hundred thousand dollars, exclusive of interest, costs, and attorneys' fees, the district court shall have jurisdiction and cognizance of the following civil actions and proceedings:

(1) Actions arising on contract for the recovery of money;

(2) Actions for damages for injuries to the person, or for taking or detaining personal property, or for injuring personal property, or for an injury to real property when no issue raised by the answer involves the plaintiff's title to or possession of the same and actions to recover the possession of personal property;

(3) Actions for a penalty;

(4) Actions upon a bond conditioned for the payment of money,

cases, these activities are occurring without adequate public disclosure due to loopholes in campaign finance regulations.

Therefore, the legislature intends to increase transparency and accountability, deter corruption, and strengthen confidence in the election process by closing campaign finance disclosure loopholes and requiring the disclosure of contributions and expenditures by nonprofit organizations that participate significantly in Washington state elections.

Sec. 829. RCW 42.17A.005 and 2011 c 145 s 2 and 2011 c 60 s 19 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Actual malice" means to act with knowledge of falsity or with reckless disregard as to truth or falsity.

(2) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(3) "Authorized committee" means the political committee authorized by a candidate, or by the public official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or public official.

(4) "Ballot proposition" means any "measure" as defined by RCW 29A.04.091, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.

(5) "Benefit" means a commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of a commercial, proprietary, financial, economic, or monetary disadvantage.

(6) "Bona fide political party" means:

(a) An organization that has been recognized as a minor political party by the secretary of state;

(b) The governing body of the state organization of a major political party, as defined in RCW 29A.04.086, that is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or

(c) The county central committee or legislative district committee of a major political party. There may be only one legislative district committee for each party in each legislative district.

(7) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office;

(b) Announces publicly or files for office;

(c) Purchases commercial advertising space or broadcast time to promote his or her candidacy; or

(d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

(8) "Caucus political committee" means a political committee organized and maintained by the members of a major political party in the state senate or state house of representatives.

(9) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(10) "Commission" means the agency established under RCW 42.17A.100.

(11) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind. For the purpose of compliance with RCW 42.17A.710, "compensation" does not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(12) "Continuing political committee" means a political committee that is an organization of continuing existence not established in anticipation of any particular election campaign.

(13)(a) "Contribution" includes:

(i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;

(ii) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents;

(iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising or electioneering communication prepared by a candidate, a political committee, or its authorized agent;

(iv) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(b) "Contribution" does not include:

(i) Standard interest on money deposited in a political committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political committee that is returned to the contributor within five business days of the date on which it is received by the candidate or political committee;

(iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political committee;

(v) An internal political communication primarily limited to the members of or contributors to a political party organization or political committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(vi) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this subsection, means services or labor for which the individual is not compensated by any person;

(vii) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made must be reported as an in-kind contribution and counts towards any applicable contribution limit of the person providing the facility;

(viii) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws; or

(ix) The performance of ministerial functions by a person on behalf of two or more candidates or political committees either as volunteer services defined in (b)(vi) of this subsection or for payment by the candidate or political committee for whom the services are performed as long as:

(A) The person performs solely ministerial functions;

(B) A person who is paid by two or more candidates or political committees is identified by the candidates and political committees on whose behalf services are performed as part of their respective statements of organization under RCW 42.17A.205; and

(C) The person does not disclose, except as required by law, any information regarding a candidate's or committee's plans, projects, activities, or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available from campaign reports filed with the commission, or otherwise engage in activity that constitutes a contribution under (a)(ii) of this subsection.

A person who performs ministerial functions under this subsection (13)(b)(ix) is not considered an agent of the candidate or committee as long as he or she has no authority to authorize expenditures or make decisions on behalf of the candidate or committee.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

(14) "Depository" means a bank, mutual savings bank, savings and loan association, or credit union doing business in this state.

(15) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(16) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters. An election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(17) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(18) "Election cycle" means the period beginning on the first day of January after the date of the last previous general election for the office that the candidate seeks and ending on December 31st after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on December 31st after the special election.

(19)(a) "Electioneering communication" means any broadcast, cable, or satellite television or radio transmission, United States postal service mailing, billboard, newspaper, or periodical that:

(i) Clearly identifies a candidate for a state, local, or judicial office either by specifically naming the candidate, or identifying the candidate without using the candidate's name;

(ii) Is broadcast, transmitted, mailed, erected, distributed, or otherwise published within sixty days before any election for that office in the jurisdiction in which the candidate is seeking election; and

(iii) Either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the sixty days before an election, has a fair market value of one thousand dollars or more.

(b) "Electioneering communication" does not include:

(i) Usual and customary advertising of a business owned by a candidate, even if the candidate is mentioned in the advertising when the candidate has been regularly mentioned in that advertising appearing at least twelve months preceding his or her becoming a candidate;

(ii) Advertising for candidate debates or forums when the advertising is paid for by or on behalf of the debate or forum sponsor, so long as two or more candidates for the same position have been invited to participate in the debate or forum;

(iii) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is:

(A) Of primary interest to the general public;

(B) In a news medium controlled by a person whose business is that news medium; and

(C) Not a medium controlled by a candidate or a political committee;

(iv) Slate cards and sample ballots;

(v) Advertising for books, films, dissertations, or similar works (A) written by a candidate when the candidate entered into a contract for such publications or media at least twelve months before becoming a candidate, or (B) written about a candidate;

(vi) Public service announcements;

(vii) A mailed internal political communication primarily limited to the members of or contributors to a political party organization or political committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(viii) An expenditure by or contribution to the authorized committee of a candidate for state, local, or judicial office; or

(ix) Any other communication exempted by the commission through rule consistent with the intent of this chapter.

(20) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be 0.007 Tc 0m(11(f)23 Fo36n paid byit atis ai3.3(c

partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person.

(25)(a) "Incidental committee" means any nonprofit organization not otherwise defined as a political committee but that may incidentally make a contribution or an expenditure in support

(((~~(42)~~))) (43)(a) "Sponsor" for purposes of an electioneering communications, independent expenditures, or political advertising means the person paying for the electioneering communication, independent expenditure, or political advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(b) "Sponsor," for purposes of a political committee, means any person, except an authorized committee, to whom any of the following applies:

(i) The committee receives eighty percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;

(ii) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

(((~~(43)~~))) (44) "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

(((~~(44)~~))) (45) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

(((~~(45)~~))) (46) "State official" means a person who holds a state office.

(((~~(46)~~))) (47) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate with respect to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17A.255.

(((~~(47)~~))) (48) "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17A.210, to perform the duties specified in that section.

NEW SECTION. **Sec. 830.** A new section is added to chapter 42.17A RCW to read as follows:

The commission shall provide a link on its web site to a searchable database on the web site of the federal election commission containing information on organizations under section 527 of the internal revenue code of 1986.

NEW SECTION. **Sec. 831.** A new section is added to chapter 42.17A RCW to read as follows:

(1)(a) An incidental committee must file a statement of organization with the commission within two weeks after the date the committee first:

(i) Has the expectation of making contributions or expenditures of at least twenty-five thousand dollars in a calendar year in any election campaign, or to a political committee; and

(ii) Must disclose a received contribution under RCW 42.17A.240(2)(d).

(b) If an incidental committee first meets the criteria requiring filing a statement of organization as specified in (a) of this subsection in the last three weeks before an election, then it must file the statement of organization within three business days.

(c) An incidental committee that does not make contributions or expenditures in the amounts specified in (a) of this subsection is not required to file a statement of organization with the commission.

(2) The statement of organization shall include but not be limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated political or incidental committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders and the name of the person designated as the treasurer of the incidental committee;

(d) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing if the committee contributes directly to a candidate and, if donating to a political committee, the name and address of that political committee;

(e) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition; and

(f) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this chapter.

(3) Any material change in information previously submitted in a statement of organization shall be reported to the commission within the ten days following the change.

Sec. 832. RCW 42.17A.235 and 2011 c 60 s 23 are each amended to read as follows:

(1) In addition to the information required under RCW 42.17A.205 and 42.17A.210, on the day the treasurer is designated, each candidate or political committee must file with the commission a report of all contributions received and expenditures made prior to that date, if any. In addition to the information required under RCW 42.17A.205 and 42.17A.210 on the day an incidental committee files a statement of organization with the commission, each incidental committee must file with the commission a report of any expenditures under RCW 42.17A.240(6), as well as the ten largest aggregate contributions received in the current calendar year from a single person of ten thousand dollars or greater, including any persons tied as the tenth largest source of contributions received, if any, and all aggregate contributions received in the current calendar year from a single person with a value of one hundred thousand dollars or greater.

(2) Each treasurer of a political committee, or incidental committee required to file a statement of organization under this chapter shall file with the commission a report containing the information required by RCW 42.17A.240 at the following intervals:

(a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held;

(b) On the tenth day of the first month after the election; and

(c) On the tenth day of each month in which no other reports are required to be filed under this section:

(i) For a political committee, only if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars; or

(ii) For an incidental committee, only if the committee has:

(A) Received a contribution that would change the information required under RCW 42.17A.240(2)(d) as included in its last report; or

(B) Made any expenditure reportable under RCW 42.17A.240(6) since its last report, and the total expenditures made since the last report exceed two hundred dollars.

The report filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. Reports filed on the tenth day of the month shall report all contributions received and expenditures made from the

closing date of the last report filed through the last day of the month preceding the date of the current report.

(3) For the period beginning the first day of the fourth month preceding the date of the special election, or for the period beginning the first day of the fifth month before the date of the general election, and ending on the date of that special or general election, each Monday the treasurer of a political committee shall file with the commission a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds and the amount contributed by each person. However, persons who contribute no more than twenty-five dollars in the aggregate are not required to be identified in the report. A copy of the report shall be retained by the treasurer for his or her records. In the event of deposits made by a deputy treasurer, the copy shall be forwarded to the treasurer for his or her records. Each report shall be certified as correct by the treasurer or deputy treasurer making the deposit.

(4) The treasurer or candidate of a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the committee's statement of organization filed under RCW 42.17A.205, the books of account must be open for public inspection by appointment at the designated place for inspections between 8:00 a.m. and 8:00 p.m. on any day from the eighth day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within twenty-four hours of the time and day that is requested for the inspection.

(5) Copies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (4) of this section, at the principal headquarters or, if there is no headquarters, at the address of the treasurer or such other place as may be authorized by the commission.

(6) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred.

(7) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(8) When there is no outstanding debt or obligation, the campaign fund is closed, and the campaign is concluded in all respects or in the case of a political committee, the committee has ceased to function and has dissolved, the treasurer shall file a final report. Upon submitting a final report, the duties of the treasurer shall cease and there is no obligation to make any further reports.

(9) By December 31, 2015, the commission shall adopt rules for the dissolution of incidental committees.

Sec. 833. RCW 42.17A.240 and 2010 c 204 s 409 are each amended to read as follows:

Each report required under RCW 42.17A.235 (1) and (2) must be certified as correct by the treasurer and the candidate and shall disclose the following:

(1) The funds on hand at the beginning of the period;

(2) The name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with the following exceptions:

(a) Pledges in the aggregate of less than one hundred dollars from any one person need not be reported;

(b) Income that results from a fund-raising activity conducted in accordance with RCW 42.17A.230 may be reported as one lump sum, with the exception of that portion received from persons whose names and addresses are required to be included in the report required by RCW 42.17A.230;

(c) Contributions of no more than twenty-five dollars in the aggregate from any one person during the election campaign may be reported as one lump sum if the treasurer maintains a separate and private list of the name, address, and amount of each such contributor; ((~~and~~))

(d) Contributions received by an incidental committee from any one person need not be reported unless:

(i) The person is one of the committee's ten largest sources of contributions received, including any persons tied as the tenth largest source of contributions received, during the current calendar year, and the value of the aggregate contributions received from that person during the current calendar year is ten thousand dollars or greater; or

(ii) The person contributed a value of one hundred thousand dollars or more to the incidental committee during the current calendar year;

(e) The commission may suspend or modify reporting requirements for contributions received by an incidental committee in cases of manifestly unreasonable hardship under RCW 42.17A.120; and

(f) The money value of contributions of postage ((~~shall be~~)) is the face value of the postage;

(3) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, including the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(4) All other contributions not otherwise listed or exempted;

(5) The name and address of each candidate or political committee to which any transfer of funds was made, including the amounts and dates of the transfers;

(6) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty

~~under RCW 42.17A.205 through 42.17A.240 shall report as required in this section when it makes an expenditure supporting or opposing a Washington state candidate or political committee. The committee shall file with the commission a statement disclosing:~~

~~(a) Its name and address;~~

~~(b) The purposes of the out-of-state committee;~~

~~(c) The names, addresses, and titles of its officers or, if it has no officers, the names, addresses, and the titles of its responsible leaders;~~

~~(d) The name, office sought, and party affiliation of each candidate in the state of Washington whom the out-of-state committee is supporting or opposing and, if the committee is~~ supporting or opposing the entire ticket oon y167(p)110.7(amr-4.3(t)-61.3(i167( )-7.3(t)-6(h)-10.76e n)-10.7(a)-13.34m)0.7(meo)-10.7(f)-4.3(f)]TJ ET

~~of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to expiration of the defendant's authorized period of commitment, in which case~~)) in lieu of a hearing. The ((~~department~~)) facility shall promptly notify the court and all parties of the date ((~~of the defendant's admission and expiration of commitment~~)) on which the competency restoration period commences and expires so that a timely hearing date may be scheduled.

(c) If, ((~~after~~)) following notice and hearing((~~,~~)) or entry of an agreed order under (b) of this subsection, the court finds that competency has been restored, the court shall lift the stay entered under (a) of this subsection ((~~shall be lifted~~)). If the court finds that competency has not been restored, the court shall dismiss the proceedings ((~~shall be dismissed~~)) without prejudice((~~. If the court concludes that competency has not been restored, but~~)), except that the court may order a further period of competency restoration treatment if it finds that further treatment within the time limits established by RCW 10.77.086 or 10.77.088 is likely to restore competency, ((~~the court may order that treatment for purposes of competency restoration be continued. Such treatment may not extend beyond the combination of time provided for in~~)) and a further period of treatment is allowed under RCW 10.77.086 or 10.77.088.

(((~~(c)~~))) (d) If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the court shall dismiss the proceedings ((~~shall be dismissed~~)) without prejudice and refer the defendant ((~~shall be evaluated~~)) for civil commitment evaluation or proceedings if appropriate under RCW 10.77.065, 10.77.086, or 10.77.088.

(2) If the defendant is referred for evaluation by a designated mental health professional under this chapter, the designated mental health professional shall provide prompt written notification of the results of the evaluation and whether the person was detained. The notification shall be provided to the court in which the criminal action was pending, the prosecutor, the defense attorney in the criminal action, and the facility that evaluated the defendant for competency.

(3) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(4) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables the defendant to understand the proceedings against him or her and to assist in his or her own defense, or does not disable him or her from so understanding and assisting in his or her own defense.

(5) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of evaluation which meets the requirements of RCW 10.77.060(3). For defendants charged with a felony, the report following the second competency restoration period or first competency restoration period if the defendant's incompetence is determined to be solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency must include an assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

Sec. 839. RCW 10.77.086 and 2013 c 289 s 2 are each amended to read as follows:

(1)(a)(i) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, ((~~or has been determined unlikely to regain competency pursuant to RCW 10.77.084(1)(b),~~)) but in any event for a period of no longer than ninety days, the court:

(((~~(i)~~))) (A) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or

(((~~(ii)~~))) (B) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person. The facilities may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail, the model of restoration treatment services must be substantially equivalent to that provided at the state hospitals, and restoration treatment services must be provided as much as possible within a therapeutic environment and performed by staff and professionals who have the skills and qualifications necessary to provide restoration treatment services comparable to those provided at a state hospital.

(ii) The ninety day period for evaluation and treatment under this subsection (1) includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of commitment for competency restoration is forty-five days. The forty-five day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(c) If the court determines that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (4) of this section.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension. The ninety-day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period, or at the end of the first restoration period((~~,~~)) in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, or if the court or jury at any stage finds that the

defendant is incompetent and the court determines that the defendant is unlikely to regain competency, the charges shall be dismissed without prejudice, and the court shall order the defendant be committed to a state hospital as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months. The six-month period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

Sec. 840. RCW 10.77.088 and 2007 c 375 s 5 are each amended to read as follows:

(1)(a) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court ((~~shall order the secretary to place the defendant~~)):

(i) ((~~At a secure mental health facility in the custody of the department or an agency designated by the department for mental health treatment and restoration of competency.~~)) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment;

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person. The facilities may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail, the model of restoration treatment services must be substantially equivalent to that provided at the state hospitals, and restoration treatment services must be provided as much as possible within a therapeutic environment and performed

the county paying any excess costs. The amount of reimbursement established by the department must at least meet the equivalent amount for evaluations conducted by the department.

(((~~(4) [(5)]~~)) (5) Nothing in this section precludes either party from objecting to the appointment of an evaluator on the basis that an inpatient evaluation is appropriate under RCW 10.77.060(1)(d).

(((~~(5) [(6)]~~)) (6) This section expires June 30, ((~~2016~~)) 2018.

Sec. 842. RCW 10.77.091 and 2010 c 263 s 2 are each amended to read as follows:

(1) If the secretary determines in writing that a person committed to the custody of the secretary for treatment as criminally insane presents an unreasonable safety risk which, based on behavior, clinical history, and facility security is not manageable in a state hospital setting, and the secretary has given consideration to reasonable alternatives that would be effective to manage the behavior, the secretary may place the person in any secure facility operated by the secretary or the secretary of the department of corrections. The secretary's written decision and reasoning must be documented in the patient's medical file. Any person affected by this provision shall receive appropriate mental health treatment governed by a formalized treatment plan targeted at mental health rehabilitation needs and shall be afforded his or her rights under RCW 10.77.140, 10.77.150, and 10.77.200. The secretary of the department of social and health services shall retain legal custody of any person placed under this section and review any placement outside of a department mental health hospital every three months, or sooner if warranted by the person's mental health status, to determine if the placement remains appropriate.

(2) Beginning December 1, 2010, and every six months thereafter, the secretary shall report to the governor and the appropriate committees of the legislature regarding the use of the authority under this section to transfer persons to a secure facility. The report shall include information related to the number of persons who have been placed in a secure facility operated by the secretary or the secretary of the department of corrections, and the length of time that each such person has been in the secure facility.

(((~~(3) This section expires June 30, 2015.~~)))

Sec. 843. RCW 10.77.220 and 1982 c 112 s 3 are each amended to read as follows:

No person who is criminally insane confined pursuant to this chapter shall be incarcerated in a state correctional institution or facility((~~: PROVIDED, That nothing herein shall prohibit~~)). This section does not apply to confinement in a mental health facility located wholly within a correctional institution. Confinement of a person who is criminally insane in a county jail or other local facility while awaiting either placement in a treatment program or a court hearing pursuant to this chapter is permitted for no more than seven days.

NEW SECTION. **Sec. 844.** A new section is added to chapter 10.77 RCW to read as follows:

(1) If the defendant is charged with a nonfelony offense, and the issue of competency to stand trial is raised by the court or a party under RCW 10.77.060, the prosecutor may continue with the competency process or dismiss the charges without prejudice and refer the defendant for assessment by a mental health professional, chemical dependency professional, or developmental disabilities professional to determine the appropriate service needs for the defendant.

(2) This section does not apply to defendants with a current charge or prior conviction for a serious violent offense or sex offense as defined in RCW 9.94A.030.

NEW SECTION. **Sec. 845.** A new section is added to chapter 10.77 RCW to read as follows:

(1) In order to prioritize goals of accuracy, prompt service to the court, quality assurance, and integration with other services, an office of forensic mental health services is established within the department of social and health services. The office shall be led by a director on at least the level of deputy assistant secretary within the department who shall, after a reasonable period of transition, have responsibility for the following functions:

(a) Operational control of all forensic evaluation services, including specific budget allocation;

(b) Responsibility for training forensic evaluators;

(c) Development of a system to certify forensic evaluators, and to monitor the quality of forensic evaluation reports;

(d) Liaison with courts, jails, and community mental health programs to ensure proper flow of information, coordinate logistical issues, and solve problems in complex circumstances;

(e) Coordination with state hospitals to identify and develop best practice interventions and curricula for services that are unique to forensic patients;

(f) Promotion of congruence across state hospitals where appropriate, and promotion of interventions that flow smoothly into community interventions;

(g) Coordination with regional support networks, behavioral health organizations, community mental health agencies, and the department of corrections regarding community treatment and monitoring of persons on conditional release;

(h) Oversight of forensic data collection and analysis statewide, and appropriate dissemination of data trends and recommendations; and

(i) Oversight of the development, implementation, and maintenance of community forensic programs and services.

(2) The office of forensic mental health services must have a clearly delineated budget separate from the overall budget for state hospital services.

Sec. 846. RCW 71.05.235 and 2008 c 213 s 5 are each amended to read as follows:

(1) If an individual is referred to a designated mental health professional under RCW 10.77.088(1)(((~~(b)~~))) (c)(i), the designated mental health professional shall examine the individual within forty-eight hours. If the designated mental health professional determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated mental health professional not later than the next judicial day. At the hearing the superior court shall review the determination of the designated mental health professional and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than seventy-two hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088(1)(((~~(b)~~))) (c)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under chapter 71.05 RCW. Before expiration of the seventy-two hour evaluation period authorized under RCW 10.77.088(1)(((~~(b)~~))) (c)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set

before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the prosecutor or professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

The court shall conduct the hearing on the petition filed under this subsection within five judicial days of the date the petition is filed. The court may continue the hearing upon the written request of the person named in the petition or the person's attorney, for good cause shown, which continuance shall not exceed five additional judicial days. If the person named in the petition requests a jury trial, the trial shall commence within ten judicial days of the date of the filing of the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person shall be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence pursuant to RCW 71.05.360 (8) and (9).

During the proceeding the person named in the petition shall continue to be detained and treated until released by order of the court. If no order has been made within thirty days after the filing of the petition, not including any extensions of time requested by the detained person or his or her attorney, the detained person shall be released.

(3) If a designated mental health professional or the professional person and prosecuting attorney for the county in which the criminal charge was dismissed or attorney general, as appropriate, stipulate that the individual does not present a likelihood of serious harm or is not gravely disabled, the hearing under this section is not required and the individual, if in custody, shall be released.

(4) The individual shall have the rights specified in RCW 71.05.360 (8) and (9).

Sec. 847. RCW 10.77.065 and 2014 c 10 s 3 are each amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the defendant, the evaluator shall notify the court that he or she is unable to complete the evaluation because of such lack of cooperation.

(ii) A copy of the report and recommendation shall be provided to the designated mental health professional, the prosecuting attorney, the defense attorney, and the professional person at the local correctional facility where the defendant is being held, or if there is no professional person, to the person designated under (a)(iv) of this subsection. Upon request, the evaluator shall also provide copies of any source documents relevant to the evaluation to the designated mental health professional.

(iii) Any facility providing inpatient services related to competency shall discharge the defendant as soon as the facility determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility providing inpatient services shall ordinarily be accomplished within two working days or less following the final evaluation of the defendant. If the defendant is discharged to the custody of a local correctional facility, the local correctional facility must continue the medication regimen prescribed by the facility, when clinically appropriate, unless the defendant refuses to cooperate with medication and an involuntary medication order by the court has not been entered.

(iv) If there is no professional person at the local correctional facility, the local correctional facility shall designate a professional person as defined in RCW 71.05.020 or, in cooperation with the regional support network, a professional person at the regional support network to receive the report and recommendation.

(v) Upon commencement of a defendant's evaluation in the local correctional facility, the local correctional facility must notify the evaluator of the name of the professional person, or person designated under (a)(iv) of this subsection, to receive the report and recommendation.

(b) If the evaluator concludes, under RCW 10.77.060(3)(f), the person should be evaluated by a designated mental health professional under chapter 71.05 RCW, the court shall order such evaluation be conducted prior to release from confinement when the person is acquitted or convicted and sentenced to confinement for twenty-four months or less, or when charges are dismissed pursuant to a finding of incompetent to stand trial.

(2) The designated mental health professional shall provide written notification within twenty-four hours of the results of the determination whether to commence proceedings under chapter 71.05 RCW. The notification shall be provided to the persons identified in subsection (1)(a) of this section.

(3) The prosecuting attorney shall provide a copy of the results of any proceedings commenced by the designated mental health professional under subsection (2) of this section to the secretary.

(4) A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)((~~(b)~~)) (c)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notice to the prosecutor and defense attorney at least twenty-four hours prior to release. The notice may be given by electronic mail, facsimile, or other means reasonably likely to communicate the information immediately.

(5) The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services under this chapter may also be disclosed to the courts solely to prevent the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

Sec. 848. RCW 10.77.065 and 2014 c 225 s 59 and 2014 c 10 s 3 are each reenacted and amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the

determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility

of cultivation is clearly visible or if notice is given by posting in a conspicuous manner. Similarly, a field fenced in any manner is not unimproved and apparently unused land. A license or privilege to enter or remain on improved and apparently used land that is open to the public at particular times, which is neither fenced nor otherwise enclosed in a manner to exclude intruders, is not a license or privilege to enter or remain on the land at other times if notice of prohibited times of entry is posted in a conspicuous manner.

(6) "Posting in a conspicuous manner" may include: Posting a sign or signs reasonably likely to come to the attention of intruders, indicating that entry is restricted; if the property is located outside of urban growth areas and incorporated cities or towns, the placement of identifying fluorescent orange paint marks on trees or posts on property; or a combination of signs and identifying fluorescent orange paint marks.

(a) Identifying fluorescent orange paint marks must be:

(i) Vertical lines approximately twelve inches in length and not less than one inch in width;

(ii) Placed so that the bottom of the mark is between three and five feet from the ground; and

(iii) Placed at locations that are readily visible to any person approaching the property and no more than one hundred feet apart on forest land, as defined in RCW 76.09.020, or one thousand feet apart on land other than forest land.

(b) Identifying fluorescent orange paint marks alone may not be used for posting in a conspicuous manner on a road or driveway approved by the owner for motorized access where vehicles can enter the property.

(7) "Premises" includes any building, dwelling, structure used for commercial aquaculture, or any real property.

NEW SECTION. **Sec. 854.** The department of fish and wildlife, the department of natural resources, and the state parks and recreation commission are encouraged to use their web sites and appropriate publications to inform the public that as of July 1, 2016, vertical orange marks on trees or posts may indicate a private boundary line and that crossing that line without first securing the owner's permission could constitute trespassing.

NEW SECTION. **Sec. 855.** Section 1 of this act takes effect July 1, 2016."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 31, 2015

ESB 5251 Prime Sponsor, Senator Honeyford: Transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Referred to Committee on Capital Budget.

April 1, 2015

ESB 5262 Prime Sponsor, Senator O'Ban: Releasing juvenile case records to the Washington state office of civil legal aid. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 856.** RCW 13.50.010 and 2014 c 175 s 2 and 2014 c 117 s 5 are each reenacted and amended to read as follows:

(1) For purposes of this chapter:

(a) "Juvenile justice or care agency" means any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the legislative children's oversight committee, the office of the family and children's ombuds, the department of social and health services and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415;

(b) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, findings of the court, and court orders;

(c) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;

(d) "Social file" means the juvenile court file containing the records and reports of the probation counselor.

(2) Each petition or information filed with the court may include only one juvenile and each petition or information shall be filed under a separate docket number. The social file shall be filed separately from the official juvenile court file.

(3) It is the duty of any juvenile justice or care agency to maintain accurate records. To this end:

(a) The agency may never knowingly record inaccurate information. Any information in records maintained by the department of social and health services relating to a petition filed pursuant to chapter 13.34 RCW that is found by the court to be false or inaccurate shall be corrected or expunged from such records by the agency;

(b) An agency shall take reasonable steps to assure the security of its records and prevent tampering with them; and

(c) An agency shall make reasonable efforts to insure the completeness of its records, including action taken by other agencies with respect to matters in its files.

(4) Each juvenile justice or care agency shall implement procedures consistent with the provisions of this chapter to facilitate inquiries concerning records.

(5) Any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency and who has been denied access to those records by the agency may make a motion to the court for an order authorizing that person to inspect the juvenile justice or care agency record concerning that person. The court shall grant the motion to examine records unless it finds that in the interests of justice or in the best interests of the juvenile the records or parts of them should remain confidential.

(6) A juvenile, or his or her parents, or any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency may make a motion to the court challenging the accuracy of any information concerning the moving party in the record or challenging the continued possession of the record by the agency. If the court grants the motion, it shall order the record or information to be corrected or destroyed.

(7) The person making a motion under subsection (5) or (6) of this section shall give reasonable notice of the motion to all parties

to the original action and to any agency whose records will be affected by the motion.

(8) The court may permit inspection of records by, or release of information to, any clinic, hospital, or agency which has the subject person under care or treatment. The court may also permit inspection by or release to individuals or agencies, including juvenile justice advisory committees of county law and justice councils, engaged in legitimate research for educational, scientific, or public purposes. Each person granted permission to inspect juvenile justice or care agency records for research purposes shall present a notarized statement to the court stating that the names of juveniles and parents will remain confidential.

(9) The court shall release to the caseload forecast council the records needed for its research and data-gathering functions. Access to caseload forecast data may be permitted by the council for research purposes only if the anonymity of all persons mentioned in the records or information will be preserved.

(10) Juvenile detention facilities shall release records to the caseload forecast council upon request. The commission shall not disclose the names of any juveniles or parents mentioned in the records without the named individual's written permission.

(11) Requirements in this chapter relating to the court's authority to compel disclosure shall not apply to the legislative children's oversight committee or the office of the family and children's ombuds.

(12) For the purpose of research only, the administrative office of the courts shall maintain an electronic research copy of all records in the judicial information system related to juveniles. Access to the research copy is restricted to the Washington state center for court research. The Washington state center for court research shall maintain the confidentiality of all confidential records and shall preserve the anonymity of all persons identified in the research copy. The research copy may not be subject to any records retention schedule and must include records destroyed or removed from the judicial information system pursuant to RCW 13.50.270 and 13.50.100(3).

(13) The court shall release to the Washington state office of public defense records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.70.020. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of public defense. The Washington state office of public defense shall maintain the confidentiality of all confidential information included in the records.

(14) The court shall release to the Washington state office of civil legal aid records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.53.045. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of civil legal aid. The Washington state office of civil legal aid shall maintain the confidentiality of all confidential information included in the records, and shall, as soon as possible, destroy any retained notes or records obtained under this section that are not necessary for its functions related to RCW 2.53.045."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

April 1, 2015

ESSB 5267 Prime Sponsor, Committee on Government Operations & Security: Ordering development of processes to allow prerecorded video testimony and written testimony on pending legislation. Reported by Committee on State Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 857.** The legislature has a longstanding commitment to civic engagement and public participation in the legislative process and honors its commitment in numerous ways. To provide information about the legislative process and pending legislation, the legislature supports a robust web site and operates a vital information center. To facilitate communication between the public and legislators, the legislature offers a toll-free hotline and an e-comment system that allow the public to provide written statements and other commentary on pending legislation.

The legislature intends to further its commitment through continued development of the e-comment system, such as modifications that allow the public to provide commentary on pending legislation through prerecorded videos.

NEW SECTION. **Sec. 858.** A new section is added to chapter 44.68 RCW to read as follows:

The legislature and legislative agencies through the joint legislative systems committee shall modify the e-comment system to allow the public to provide commentary on pending legislation through prerecorded videos and written statements. The systems committee may set up parameters for submission of prerecorded videos and written statements by the public. The house of representatives and the senate may establish procedures for timely distribution of prerecorded videos and written statements to legislators, as well as restrictions on distribution of prerecorded videos and written statements containing inappropriate content.

NEW SECTION. **Sec. 859.** This act may be known and cited as the "accessible legislative commentary act.""

Correct the title.

Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 31, 2015

SB 5288 Prime Sponsor, Senator Braun: Concerning exp(q)2.7(u)-10ration(W)8.6(d)-10.7(at)-6(es)-1.7(r)-4.3(el)-6(a

Nooksack river at any time when the diversion would cause the amount of water in the Nooksack river to fall below any minimum instream flows or levels established by the department;

(iii) Limits the ability of the legislature to reconsider its finding relating to the overriding consideration of public interest as described in this section in the event of future changed circumstances; and

(iv) May be construed to affect, constrain, or otherwise limit the authority of the department to determine that overriding considerations of the public interest have been met in approving new withdrawals under RCW 90.54.020(3)."

Correct the title.

Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Hurst; Orcutt; Pettigrew; Schmick and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Lytton, Vice Chair and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Dunshee.

Passed to Committee on Rules for second reading.

March 31, 2015

SB 5314 Prime Sponsor, Senator Benton: Modifying the use of local storm water charges paid by the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 1, 2015

ESSB 5347 Prime Sponsor, Committee on Ways & Means: Creating demonstration projects for preserving agricultural land and public infrastructure in flood plains. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 865.** (1) The legislature intends for the state conservation commission and the departments of ecology, agriculture, fish and wildlife, and natural resources to work together cooperatively, efficiently, and productively to facilitate the intent of this act.

(2) The legislature further intends that the collaborative process created by the stakeholder group required in section 3 of this act, including the participation of local stakeholders, will be used as a model for river management throughout the state.

(3) The legislature finds that floodplain management must address multiple benefits including:

(a) Reducing flood hazard to public infrastructure and other land uses caused by sediment accumulation or for other causes;

(b) Improving fish and wildlife habitat;

(c) Sustaining agriculture; and

(d) Maintaining and enhancing public access.

NEW SECTION. **Sec. 866.** (1) The state conservation commission and the departments of agriculture, natural resources, fish and wildlife, and ecology must jointly identify and assess three demonstration projects. One demonstration project must be located primarily in Whatcom county, one must be located primarily in Snohomish county, and one must be located primarily in Grays Harbor county.

(2) The demonstration projects must be designed to test the effectiveness and costs of river management by using various management strategies and techniques, as applied, to accomplish the following goals:

(a) Protection of agricultural lands;

(b) Restoration or enhancement of fish runs; and

(c) Protection of public infrastructure and recreational access.

(3) In developing the demonstration projects, the state conservation commission and the departments must, in consultation with the stakeholder group required by section 3 of this act:

(a) Examine studies and reports related to sediment management conducted in the Fraser river, British Columbia, Canada, to assess whether and how the Fraser river experience applies to the goals of this section, and include any potentially applicable practices in the development of the demonstration projects; and

(b) Set benchmarks and a timetable for progress toward achievement of the goals of this act.

(4) The development and assessment of the demonstration projects must also consider the disposition of any state-owned gravel resources removed as a result of the demonstration projects. The presumed disposition must be consistent with chapter 79.140 RCW. However, the process for developing and assessing the pilot project may consider:

(a) Using the gravel resources, at the discretion of the departments, in projects related to fish enhancement programs in the local area of the project or by property owners adjacent to the project;

(b) Making gravel resources available to local tribes for their use; or

(c) Selling the gravel resources and using the proceeds to fund the demonstration projects.

(5) At a minimum, the demonstration projects must be designed to collectively examine the following management strategies and techniques:

(a) Providing deeper, cooler holes for fish life;

(b) Removing excess sediment and gravel that causes diversion of water and erosion of river banks and farmland;

(c) Providing off-channels for habitat as refuge during high flows;

(d) Ensuring that any management activities leave sufficient gravel and sediment for fish spawning and rearing;

(e) Providing stable river banks that will allow for long-term growth of riparian enhancement efforts, such as planting shade trees and hedgerows;

(f) Protecting existing mature treed riparian zones that cool the waters;

(g) Restoring previously existing bank contours that protect the land from erosion caused by more intense and more frequent flooding;

(h) Developing management practices that reduce the amount of gravel, sediment, and woody debris deposited into farm fields; and

(i) Setting back levees and other measures in segments of rivers upstream from the delta to accommodate high flow.

NEW SECTION. **Sec. 867.** (1) The state conservation commission must convene a stakeholder group to assist in the

development and assessment of the demonstration projects required under section 2 of this act.

(2) The stakeholder group must consist of representatives from:

(a) The departments of agriculture, natural resources, fish and wildlife, and ecology;

(b) Local and statewide agricultural organizations;

(c) Land conservation organizations; and

(d) Local governments with interest and experience in floodplain management techniques.

(3) In addition to the participants on the stakeholder group, the state conservation commission and the departments responsible for implementing section 2 of this act must also consult with, and obtain the views of, any federally recognized tribe that may be affected by each demonstration project.

(4) The stakeholder group required by this section must be staffed by the state conservation commission with assistance, as requested, from the departments responsible for implementing section 2 of this act.

(5) Each member of the stakeholder group not employed by the state of Washington shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(6) Any costs for the implementation of this section, including the participation costs for nonagency participants, must be shared among the agencies responsible for implementing this act. The state conservation commission shall coordinate and manage these costs through interagency agreements with all of the affected agencies.

NEW SECTION. **Sec. 868.** (1) The state conservation commission and the departments responsible for implementing section 2 of this act must submit a report to the legislature, consistent with RCW 43.01.036, by October 31, 2016.

(2) The report must include:

(a) An examination and findings of the applicability of the Fraser river experience to the goals of this act;

(b) Information regarding the benchmarks and timetables required under section 2 of this act;

(c) Any decisions made in developing and assessing the projects required in this section;

(d) Any recommendations for extending or changing the process required in section 2 of this act or moving into the demonstration project implementation phase; and

(e) Any recommendations for funding the implementation of demonstration projects from federal grants, federal loans, state grants and loans, and private donations, or if other funding sources are not available or complete, the submission of the three demonstration projects for consideration in the biennial capital budget request to the governor and the legislature.

NEW SECTION. **Sec. 869.** If funding is identified for the implementation of the demonstration projects developed under section 2 of this act from sources other than specific state appropriations, and the implementation of the demonstration projects can occur within the existing authority of all affected parties, the legislature intends for the state conservation commission and the departments responsible for implementing section 2 of this act to coordinate with the stakeholder group required in section 3 of this act to cooperatively, efficiently, and productively initiate the implementation of the demonstration projects, including the joint and contemporaneous expediting of any necessary permits related to the demonstration projects.

NEW SECTION. **Sec. 870.** All requirements in this act are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 871.** This act expires July 1, 2017."

Correct the title.

Signed by Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Schmick and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Lytton, Vice Chair and Van De Wege.

Referred to Committee on General Government & Information Technology.

April 1, 2015

SB 5387 Prime Sponsor, Senator Pedersen: Creating uniformity in common provisions governing business organizations and other entities. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I
ARTICLE 1
GENERAL PROVISIONS

NEW SECTION. **Sec. 1101.** SHORT TITLE. This chapter may be known and cited as the uniform business organizations code—general provisions.

NEW SECTION. **Sec. 1102.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise or as set forth in section 1401 or 1601 of this act.

(1) "Annual report" means the report required by section 1212 of this act.

(2) "Business corporation" means a domestic business corporation incorporated under or subject to Title 23B RCW or a foreign business corporation.

(3) "Commercial registered agent" means a person listed under section 1405 of this act.

(4) "Domestic," with respect to an entity, means governed as to its internal affairs by the law of this state.

(5) "Electronic transmission" means an electronic communication:

(a) Not directly involving the physical transfer of a record in a tangible medium; and

(b) That may be retained, retrieved, and reviewed by the sender and the recipient thereof, and that may be directly reproduced in a tangible medium by such a sender and recipient.

(6) "Entity" means:

(a) A business corporation;

(b) A nonprofit corporation;

(c) A limited liability partnership;

(d) A limited partnership;

(e) A limited liability company; or

(f) A general cooperative association.

(7) "Entity filing" means a record delivered to the secretary of state for filing pursuant to this chapter.

(8) "Execute," "executes," or "executed" means:

(a) Signed with respect to a written record;

(b) Electronically transmitted along with sufficient information to determine the sender's identity with respect to an electronic transmission; or

(c) With respect to a record to be filed with the secretary of state, in compliance with the standards for filing with the office of the secretary of state as prescribed by the secretary of state.

(9) "Filed record" means a record filed by the secretary of state pursuant to this chapter.

(10) "Foreign," with respect to an entity, means governed as to its internal affairs by the law of a jurisdiction other than this state.

(11) "General cooperative association" means a domestic general cooperative association formed under or subject to chapter 23.86 RCW.

(12) "Governor" means:

(a) A director of a business corporation;

(b) A director of a nonprofit corporation;

(c) A partner of a limited liability partnership;

(d) A general partner of a limited partnership;

(e) A manager of a manager-managed limited liability company;

(f) A member of a member-managed limited liability company;

(g) A director of a general cooperative association; or

(h) Any other person under whose authority the powers of an entity are exercised and under whose direction the activities and affairs of the entity are managed pursuant to the organic law and organic rules of the entity.

(13) "Interest" means:

(a) A share in a business corporation;

(b) A membership in a nonprofit corporation;

(c) A share in a nonprofit corporation formed under chapter 24.06 RCW;

(d) A partnership interest in a limited liability partnership;

(e) A partnership interest in a limited partnership;

(f) A limited liability company interest; or

(g) A share or membership in a general cooperative association.

(14) "Interest holder" means:

(a) A shareholder of a business corporation;

(b) A member of a nonprofit corporation;

(c) A shareholder of a nonprofit corporation formed under chapter 24.06 RCW;

(d) A partner of a limited liability partnership;

(e) A general partner of a limited partnership;

(f) A limited partner of a limited partnership;

(g) A member of a limited liability company; or

(h) A shareholder or member of a general cooperative association.

(15) "Jurisdiction" when used to refer to a political entity, means the United States, a state, a foreign country, or a political subdivision of a foreign country.

(16) "Jurisdiction of formation" means the jurisdiction whose law includes the organic law of an entity.

(17) "Limited liability company" means a domestic limited liability company formed under or subject to chapter 25.15 RCW or a foreign limited liability company.

(18) "Limited liability limited partnership" means a domestic limited liability limited partnership formed under or subject to chapter 25.10 RCW or a foreign limited liability limited partnership.

(19) "Limited liability partnership" means a domestic limited liability partnership registered under or subject to chapter 25.05 RCW or a foreign limited liability partnership.

(20) "Limited partnership" means a domestic limited partnership formed under or subject to chapter 25.10 RCW or a foreign limited partnership. "Limited partnership" includes a limited liability limited partnership.

(21) "Noncommercial registered agent" means a person that is not a commercial registered agent and is:

(a) An individual or domestic or foreign entity that serves in this state as the registered agent of an entity;

(b) An individual who holds the office or other position in an entity which is designated as the registered agent pursuant to section 1404(1)(b)(ii) of this act; or

(c) A government, governmental subdivision, agency, or instrumentality, or a separate legal entity comprised of two or more of these entities, that serves as the registered agent of an entity.

(22) "Nonprofit corporation" means a domestic nonprofit corporation incorporated under or subject to chapter 24.03 or 24.06 RCW or a foreign nonprofit corporation.

(23) "Nonregistered foreign entity" means a foreign entity that is not registered to do business in this state pursuant to a statement of registration filed by the secretary of state.

(24) "Organic law" means the law of an entity's jurisdiction of formation governing the internal affairs of the entity.

(25) "Organic rules" means the public organic record and private organic rules of an entity.

(26) "Person" means an individual, business corporation, nonprofit corporation, partnership, limited partnership, limited liability company, general cooperative association, limited cooperative association, unincorporated nonprofit association, statutory trust, business trust, common-law business trust, estate, trust, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(27) "Principal office" means the principal executive office of an entity, whether or not the office is located in this state.

(28) "Private organic rules" means the rules, whether or not in a record, that govern the internal affairs of an entity, are binding on all its interest holders, and are not part of its public organic record, if any. "Private organic rules" includes:

(a) The bylaws of a business corporation and any agreement among shareholders pursuant to RCW 23B.07.320;

(b) The bylaws of a nonprofit corporation;

(c) The partnership agreement of a limited liability partnership;

(d) The partnership agreement of a limited partnership;

(e) The limited liability company agreement; and

(f) The bylaws of a general cooperative association.

(29) "Proceeding" means civil suit and criminal, administrative, and investigatory action.

(30) "Property" means all property, whether real, personal, or mixed or tangible or intangible, or any right or interest therein.

(31) "Public organic record" means the record the filing of which by the secretary of state is required to form an entity and any amendment to or restatement of that record. The term includes:

(a) The articles of incorporation of a business corporation;

(b) The articles of incorporation of a nonprofit corporation;

(c) The certificate of limited partnership of a limited partnership;

(d) The certificate of formation of a limited liability company;

(e) The articles of incorporation of a general cooperative association; and

(f) The document under the laws of another jurisdiction that is equivalent to a document listed in this subsection.

(32) "Receipt," as used in this chapter, means actual receipt. "Receive" has a corresponding meaning.

(33) "Record" means information inscribed on a tangible medium or contained in an electronic transmission.

(34) "Registered agent" means an agent of an entity which is authorized to receive service of any process, notice, or demand required or permitted by law to be served on the entity. The term includes a commercial registered agent and a noncommercial registered agent.

(35) "Registered foreign entity" means a foreign entity that is registered to do business in this state pursuant to a certificate of registration filed by the secretary of state.

(36) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(37) "Transfer" includes:

(a) An assignment;

(b) A conveyance;

(c) A sale;

(d) A lease;

(e) An encumbrance, including a mortgage or security interest;

(f) A change of record owner of interest;

(g) A gift; and

(h) A transfer by operation of law.

(38) "Type of entity" means a generic form of entity:

(a) Recognized at common law; or

(b) Formed under an organic law, whether or not some entities formed under that law are subject to provisions of that law that create different categories of the form of entity.

(39) "Writing" does not include an electronic transmission.

(40) "Written" means embodied in a tangible medium.

NEW SECTION. **Sec. 1103.** DELIVERY OF RECORD. (1) Except as otherwise provided in this chapter, permissible means of delivery of a record include delivery by hand, United States mail, private courier service, and electronic transmission.

(2) Records may be delivered to the secretary of state by electronic transmission as authorized by the secretary of state pursuant to section 1104(2) of this act. The secretary of state may deliver a record to an entity by electronic transmission if the entity has designated an address, location, or system to which the record may be electronically transmitted.

NEW SECTION. **Sec. 1104.** RULES AND PROCEDURES. (1) The secretary of state has the power reasonably necessary to perform the duties required by this chapter, including adoption, amendment, or repeal of rules under chapter 34.05 RCW for the efficient administration of this chapter.

(2) The secretary of state may adopt rules to facilitate electronic filing. The rules will detail the circumstances under which the electronic filing of documents will be permitted, how the documents will be filed, and how the secretary of state will return filed documents. The rules may also impose additional requirements related to implementation of electronic filing processes, including but not limited to file formats, signature technologies, delivery, and the types of entities, records, or documents permitted.

ARTICLE 2

FILING

NEW SECTION. **Sec. 1201.** ENTITY FILING REQUIREMENTS. (1) To be filed by the secretary of state pursuant to this chapter, an entity filing must be received by the secretary of state, comply with this chapter, and satisfy the following:

(a) The entity filing must be required or permitted by Title 23, 23B, 24, or 25 RCW.

(b) The entity filing must be delivered in written form unless and to the extent the secretary of state permits electronic delivery of entity filings pursuant to section 1104(2) of this act.

(c) The words in the entity filing must be in English, and numbers must be in Arabic or Roman numerals, but the name of the entity need not be in English if written in English letters or Arabic or Roman numerals.

(d) The entity filing must be executed by or on behalf of a person authorized or required under this chapter or the entity's organic law to execute the filing.

(e) The entity filing must state the name and capacity, if any, of each individual who executed it, on behalf of either the individual or the person authorized or required to execute the filing, but need not contain a seal, attestation, acknowledgment, or verification.

(2) When an entity filing is delivered to the secretary of state for filing, any fee required under this chapter and any fee, interest, or penalty required to be paid under this chapter or law other than this chapter must be paid in a manner permitted by the secretary of state or by that law.

(3) The secretary of state may require that an entity filing delivered in written form be accompanied by an identical or conformed copy.

(4) A record filed under this chapter may be executed by an individual acting in a valid representative capacity.

NEW SECTION. **Sec. 1202.** FORMS. (1) The secretary of state may provide forms for entity filings required or permitted to be made by Title 23, 23B, 24, or 25 RCW, but, except as otherwise provided in subsection (2) of this section, their use is not required.

(2) The secretary of state may require that a cover sheet for an entity filing and an annual report be on forms prescribed by the secretary of state.

NEW SECTION. **Sec. 1203.** EFFECTIVE DATE AND TIME. Except as otherwise provided in this chapter and subject to section 1205(4) of this act, an entity filing is effective:

(1) On the date of filing and at the time specified in the entity filing as its effective time;

(2) Unless prohibited by the entity's organic law, at a specified delayed effective date and time, which may not be more than ninety days after the date of filing;

(3) If a delayed effective date is specified, but no time is specified, at 12:01 a.m. on the date specified; or

(4) If subsection (1), (2), or (3) of this section does not apply, on the date and at the time of its filing by the secretary of state as provided in section 1206 of this act.

NEW SECTION. **Sec. 1204.** WITHDRAWAL OF FILED RECORD BEFORE EFFECTIVENESS. (1) Except as otherwise provided in this chapter, a filed record may be withdrawn before it takes effect by delivering to the secretary of state for filing a statement of withdrawal.

(2) A statement of withdrawal must:

(a) Be executed by an individual acting in a valid representative capacity; and

(b) Identify the filed record to be withdrawn.

(3) On filing by the secretary of state of a statement of withdrawal, the action or transaction evidenced by the original filed record shall not take effect.

NEW SECTION. **Sec. 1205.** CORRECTING FILED RECORD. (1) An entity may correct a filed record if:

(a) The filed record at the time of filing contained an inaccurate statement;

(b) The filed record was defectively executed; or

(c) The electronic transmission of the filed record to the secretary of state was defective.

(2) To correct a filed record, the entity must deliver to the secretary of state for filing a statement of correction.

(3) A statement of correction:

(a) May not state a delayed effective date;

(b) Must be executed by the individual correcting the filed record;

(c) Must identify the filed record to be corrected;

(d) Must specify the inaccuracy or defect to be corrected; and

(e) Must correct the inaccuracy or defect.

(4) A statement of correction is effective as of the effective date of the filed record that it corrects except as to persons relying on the uncorrected filed record and adversely affected by the correction. As to those persons, the statement of correction is effective when filed.

NEW SECTION. **Sec. 1206.** DUTY OF SECRETARY OF STATE TO FILE; REVIEW OF REFUSAL TO FILE. (1) The secretary of state shall file an entity filing that satisfies this chapter. The duty of the secretary of state under this section is ministerial.

(2) The secretary of state shall record an entity filing on the date and at the time of its receipt. After filing an entity filing, the secretary of state shall deliver to the person that submitted the filing a copy of the filed record with an acknowledgment of the date and time of filing.

(3) If the secretary of state refuses to file an entity filing, the secretary of state not later than fifteen business days after the filing is received, shall:

(a) Return the entity filing or notify the person that submitted the filing of the refusal; and

(b) Provide a brief explanation in a record of the reason for the refusal.

(4) If the secretary of state refuses to file an entity filing, the person that submitted the entity filing may petition the superior court to compel its filing. The entity filing and the explanation of the secretary of state of the refusal to file must be attached to the petition. The court may decide the matter in a summary proceeding.

(5) The filing of or refusal to file an entity filing does not:

(a) Affect the validity or invalidity of the entity filing in whole or in part;

(b) Relate to the correctness or incorrectness of information contained in the entity filing; or

(c) Create a presumption that the information contained in the filing is correct or incorrect.

NEW SECTION. **Sec. 1207.** EVIDENTIARY EFFECT OF COPY OF FILED RECORD. A certification from the secretary of state accompanying a copy of a filed record is conclusive evidence that the copy is an accurate representation of the original record on file with the secretary of state.

NEW SECTION. **Sec. 1208.** CERTIFICATE OF EXISTENCE OR REGISTRATION. (1) On request of any person, the secretary of state shall issue a certificate of existence for a domestic entity or a certificate of registration for a registered foreign entity.

(2) A certificate under subsection (1) of this section must state:

(a) The domestic entity's name or the registered foreign entity's name used in this state;

(b) In the case of a domestic entity:

(i) That its public organic record has been filed and has taken effect;

(ii) The date the public organic record became effective;

(iii) The period of the entity's duration if the records of the secretary of state reflect that the entity's period of duration is less than perpetual; and

(iv) That the records of the secretary of state do not reflect that the entity has been dissolved;

(c) In the case of a registered foreign entity, that it is registered to do business in this state;

(d) That all fees, interest, and penalties owed to this state by the domestic or foreign entity and collected through the secretary of state have been paid, if:

(i) Payment is reflected in the records of the secretary of state; and

(ii) Nonpayment affects the existence or registration of the domestic or foreign entity;

(e) That the most recent annual report required by section 1212 of this act has been delivered to the secretary of state for filing;

(f) That a proceeding is not pending under section 1603 of this act; and

(g) Other facts reflected in the records of the secretary of state pertaining to the domestic or foreign entity which the person requesting the certificate reasonably requests.

(3) Subject to any qualification stated in the certificate, a certificate issued by the secretary of state under subsection (1) of this section may be relied upon as conclusive evidence of the facts stated in the certificate.

NEW SECTION. **Sec. 1209.** EXECUTION OF ENTITY FILING. (1) Any person who executes a record the person knows is false in any material respect with the intent the record be an entity filing is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

(2) A person that executes an entity filing as an agent or legal representative thereby affirms as a fact that the person is authorized to execute the entity filing.

NEW SECTION. **Sec. 1210.** EXECUTION AND FILING PURSUANT TO JUDICIAL ORDER. (1) If a person required by the entity's organic law to execute a record that is to be an entity filing or to make an entity filing does not do so, any other person that is aggrieved may petition the superior court to order:

(a) The person to execute the record;

(b) The person to make the entity filing; or

(c) The secretary of state to file the entity filing unexecuted.

(2) If the petitioner under subsection (1) of this section is not the entity to which the entity filing pertains, the petitioner shall make the entity a party to the action.

(3) A filed record created under subsection (1)(c) of this section is effective without being executed.

NEW SECTION. **Sec. 1211.** DELIVERY BY SECRETARY OF STATE. Except as otherwise provided by section 1411 of this act or by law of this state other than this chapter, the secretary of state may deliver a record to a person by delivering it:

(1) In person to the person that submitted it for filing;

(2) To the address of the person's registered agent;

(3) To the principal office address of the person; or

(4) To another address the person provides to the secretary of state for delivery.

NEW SECTION. **Sec. 1212.** ANNUAL REPORT FOR SECRETARY OF STATE. (1) A domestic entity other than a limited liability partnership or nonprofit corporation shall, within one hundred twenty days of the date on which its public organic record became effective, deliver to the secretary of state for filing an initial report that states the information required under subsection (2) of this section.

(2) A domestic entity or registered foreign entity shall deliver to the secretary of state for filing an annual report that states:

(a) The name of the entity and its jurisdiction of formation;

(b) The name and street and mailing addresses of the entity's registered agent in this state;

(c) The street and mailing addresses of the entity's principal office;

(d) In the case of a registered foreign entity, the street and mailing address of the entity's principal office in the state or country under the laws of which it is incorporated;

(e) The names of the entity's governors;

(f) A brief description of the nature of the entity's business;

(g) In the case of a business corporation, the names and addresses of the chairperson of its board of directors, if any, president, secretary, and treasurer, or individuals, however designated, performing the functions of such officers; and

(h) The entity's unified business identifier number.

(3) Information in an initial or annual report must be current as of the date the report is executed by the entity.

(4) Annual reports must be delivered to the secretary of state on a date determined by the secretary of state and at such additional times as the entity elects.

(5) If an initial or annual report does not contain the information required by this section, the secretary of state promptly shall notify the reporting entity in a record and return the report for correction.

(6) If an initial or annual report contains the name or address of a registered agent that differs from the information shown in the records of the secretary of state immediately before the annual report becomes effective, the differing information in the initial or annual report is considered a statement of change under section 1407 of this act.

(7) The secretary of state shall send to each domestic entity and registered foreign entity, not less than thirty or more than ninety

days prior to the expiration date of the entity's annual renewal, a notice that the entity's annual report must be filed as required by this chapter and that any applicable annual renewal fee must be paid, and stating that if the entity fails to file its annual report or pay the annual renewal fee it will be administratively dissolved. The notice may be sent by postal or electronic mail as elected by the entity, addressed to its registered agent within the state, or to an electronic address designated by the entity in a record retained by the secretary of state. Failure of the secretary of state to provide any such notice does not relieve a domestic entity or registered foreign entity from its obligations to file the annual report required by this chapter or to pay any applicable annual renewal fee. The option to receive the notice provided under this section by electronic mail may be selected only when the secretary of state makes the option available.

NEW SECTION. **Sec. 1213.** FEES. (1) Except as provided in subsection (2) of this section, the secretary of state shall adopt rules in accordance with chapter 34.05 RCW setting:

(a) Fees for:

(i) Filing entity filings;

(ii) Furnishing copies or certified copies of any filed record under this chapter; and

(iii) Furnishing a certificate of existence or registration of an entity, or any other certificate;

(b) License or renewal fees authorized under Title 23, 23B, 24, or 25 RCW;

(c) Penalty fees; and

(d) Other miscellaneous charges.

(2) There is no fee for:

(a) A registered agent's consent to act as agent or statement of resignation;

(b) Filing articles of dissolution;

(c) Filing certificates of judicial dissolution;

(d) Filing statements of withdrawal; and

(e) Filing annual reports when submitted concurrently with the payment of annual license fees.

(3) The withdrawal under section 1204 of this act of a filed record before it is effective or the correction of a filed record under section 1205 of this act does not entitle the person on whose behalf the record was filed to a refund of the filing fee.

(4) The secretary of state shall establish the fee schedule authorized under this section in a manner that is consistent with the fee schedule applicable to the various entities that is in effect on the effective date of this section. The amounts of fees, charges, and penalties established under this section may be no greater than the amounts applicable to entity filings, penalties, and other charges in effect on the effective date of this section. Fees may be adjusted by rule only in an amount that does not exceed the average biennial increase in the cost of providing service. This must be determined in a biennial cost study performed by the secretary of state.

(5) All fees collected by the secretary of state shall be deposited with the state treasurer pursuant to law or deposited in the secretary of state's revolving fund as provided in RCW 43.07.130.

NEW SECTION. **Sec. 1214.** WAIVER OF PENALTY FEES. The secretary of state may, where exigent or mitigating circumstances are presented, waive penalty fees due from any entity previously in good standing which would otherwise be penalized or lose its active status. An entity desiring to seek relief under this section must, within fifteen days of discovery of the missed filing or lapse, notify the secretary of state in writing. The notification must include the name and mailing address of the entity, the governor or other entity official to whom correspondence should be sent, and a statement under oath by a governor or other entity official, setting forth the nature of the missed filing or lapse, the circumstances giving rise to the missed filing or lapse, and the relief sought. If the secretary of state is satisfied that sufficient exigent or mitigating circumstances exist, that the entity has demonstrated good faith and a reasonable attempt to comply with the applicable statutes of this state, the secretary of state may issue an order allowing relief from the penalty. If the secretary of state determines the request does not comply with the requirements for relief, the secretary of state shall deny the relief and state the reasons for the denial. Any denial of relief by the secretary of state is not reviewable notwithstanding the provisions of chapter 34.05 RCW.

ARTICLE 3
NAME OF ENTITY

NEW SECTION. **Sec. 1301.** PERMITTED NAMES. (1) The name of a domestic entity and the name under which a foreign entity may register to do business in this state, must be distinguishable on the records of the secretary of state from any:

(a) Name of an existing domestic entity which at the time is not administratively dissolved;

(b) Name of a foreign entity registered to do business in this state under part I, Article 5 of this act;

(c) Name reserved under section 1303 of this act; or

(d) Name registered under section 1304 of this act.

(2) If an entity consents in a record to the use of its name and submits an undertaking in a form satisfactory to the secretary of state to change its name to a name that is distinguishable on the records of the secretary of state from any name in any category of names in subsection (1) of this section, the name of the consenting entity may be used by the person to which the consent was given.

(3) A name may not be considered distinguishable on the records of the secretary of state from the name of another entity by virtue of:

(a) A variation in the words, phrases, or abbreviations indicating the type of entity, such as "corporation," "corp.," "incorporated," "Inc.," "company," "co.," "social purpose corporation," "SPC," "S.P.C.," "professional corporation," "PC," "P.C.," "professional service," "PS," "P.S.," "Limited," "Ltd.," "limited partnership," "LP," "L.P.," "limited liability partnership," "LLP," "L.L.P.," "registered limited liability partnership," "RLLP," "R.L.L.P.," "limited liability limited partnership," "LLLP," "L.L.L.P.," "registered limited liability limited partnership," "RLLLP," "R.L.L.L.P.," "limited liability company," "LLC," "L.L.C.," "professional limited liability company," "PLLC," or "P.L.L.C.";

(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;

(c) Punctuation, capitalization, or special characters or symbols in the same name; or

(d) Use of abbreviation or the plural form of a word in the same name.

(4) An entity name may not contain language stating or implying that the entity is organized for a purpose other than those permitted by the entity's public organic record.

(5) This chapter does not control the use of assumed business names or "trade names."

(6) An entity may use a name that is not distinguishable from a name described in subsection (1) of this section if the entity delivers to the secretary of state a certified copy of a final judgment of a court of competent jurisdiction establishing the right of the entity to use the name in this state.

(7) An entity may use the name, including the fictitious name, of another entity that is used in this state if the other entity is formed or authorized to transact business in this state and the proposed user entity:

(a) Has merged with the other entity; or

(b) Has been formed by reorganization of the other entity.

NEW SECTION. **Sec. 1302.** NAME REQUIREMENTS FOR CERTAIN TYPES OF ENTITIES. (1)(a) The name of a business corporation:

(i)(A) Except in the case of a social purpose corporation, must contain the word "corporation," "incorporated," "company," or "limited," or the abbreviation "Corp.," "Inc.," "Co.," or "Ltd.," or words or abbreviations of similar import in another language; or

(B) In the case of a social purpose corporation, must contain the words "social purpose corporation" or the abbreviation "SPC" or "S.P.C."; and

(ii) Must not contain any of the following words or phrases: "Bank," "banking," "banker," "trust," "cooperative," or any combination of the words "industrial" and "loan," or any combination of any two or more of the words "building," "savings," "loan," "home," "association," and "society," or any other words or phrases prohibited by any statute of this state.

(b) The name of a professional service corporation must contain either the words "professional service" or "professional corporation" or the abbreviation "P.S." or "P.C." The name may also contain either the words "corporation," "incorporated," "company," or "limited," or the abbreviation "Corp.," "Inc.," "Co.," or "Ltd." The name of a professional service corporation organized to render dental services must contain the full names or surnames of all shareholders and no other word than "chartered" or the words "professional services" or the abbreviation "P.S." or "P.C."

(2) The name of a nonprofit corporation:

(a) May include "club," "league," "association," "services," "committee," "fund," "society," "foundation," "guild," ". . . . . ., a nonprofit corporation," ". . . . . ., a nonprofit mutual corporation," or any name of like import;

(b) Except for nonprofit corporations formed prior to January 1, 1969, must not include or end with "incorporated," "company," "corporation," "partnership," "limited partnership," or "Ltd.," or any abbreviation thereof; and

(c) May only include the term "public benefit" or names of like import if the nonprofit corporation has been designated as a public benefit nonprofit corporation by the secretary of state in accordance with chapter 24.03 RCW.

(3) The name of a limited partnership may contain the name of any partner. The name of a partnership that is not a limited liability limited partnership must contain the words "limited partnership" or the abbreviation "LP" or "L.P." and may not contain the words "limited liability limited partnership" or the abbreviation "LLLP" or "L.L.L.P." If the limited partnership is a limited liability limited partnership, the name must contain the words "limited liability limited partnership" or the abbreviation "LLLP" or "L.L.L.P." and may not contain the abbreviation "LP" or "L.P."

(4) The name of a limited liability partnership must contain the words "limited liability partnership" or the abbreviation "LLP" or "L.L.P." If the name of a foreign limited liability partnership contains the words "registered limited liability partnership" or the abbreviation "R.L.L.P." or "RLLP," it may include those words or abbreviations in its foreign registration statement.

(5)(a) The name of a limited liability company:

(i) Must contain the words "limited liability company," the words "limited liability" and abbreviation "Co.," or the abbreviation "L.L.C." or "LLC"; and

(ii) May not contain any of the following words or phrases: "Cooperative," "partnership," "corporation," "incorporated," or the abbreviations "Corp.," "Ltd.," or "Inc.," or "LP," "L.P.," "LLP," "L.L.P.," "LLLP," "L.L.L.P," or any words or phrases prohibited by any statute of this state.

(b) The name of a professional limited liability company must contain either the words "professional limited liability company," or the words "professional limited liability" and the abbreviation "Co.," or the abbreviation "P.L.L.C." or "PLLC," provided that the name of a professional limited liability company organized to render dental services must contain the full names or surnames of all members and no other word than "chartered" or the words "professional services" or the abbreviation "P.L.L.C." or "PLLC".

(6) The name of a cooperative association organized under chapter 23.86 RCW may contain the words "corporation," "incorporated," or "limited," or the abbreviation "Corp.," "Inc.," or "Ltd."

NEW SECTION. **Sec. 1303.** RESERVATION OF NAME. (1) A person may reserve the exclusive use of an entity name including the alternate name adopted pursuant to section 1506 of this act by delivering an application to the secretary of state for filing. The application must state the name and address of the applicant and the name to be reserved. If the secretary of state finds that the entity name is available, the secretary of state shall reserve the name for the applicant's exclusive use for one hundred eighty days.

(2) The owner of a reserved entity name may transfer the reservation to another person that is not an individual by delivering to the secretary of state an executed notice in a record of the transfer which states the name and address of the transferee.

NEW SECTION. **Sec. 1304.** REGISTRATION OF NAME. (1) A foreign entity not registered to do business in this state under part I, Article 5 of this act may register its name, or an alternate name adopted pursuant to section 1506 of this act, if the name is distinguishable on the records of the secretary of state from the names that are not available under section 1301 of this act.

(2) To register its name or an alternate name adopted pursuant to section 1506 of this act, a foreign entity must deliver to the secretary of state for filing an application stating the entity's name, the jurisdiction and date of its formation, and any alternate name adopted pursuant to section 1506 of this act. The application must be accompanied by a certificate of existence, or a document of similar import, from the entity's jurisdiction of formation. If the secretary of state finds that the name applied for is available, the secretary of state shall register the name for the applicant's exclusive use.

(3) The registration of a name under this section is effective upon the effective date of the application and until the close of the calendar year in which the application for registration is filed.

(4) A foreign entity whose name registration is effective may renew the registration for successive one-year periods by delivering, not earlier than three months before the expiration of the registration, to the secretary of state for filing a renewal application that complies with this section. When filed, the renewal application renews the registration for the following calendar year.

(5) A foreign entity whose name registration is effective may register as a foreign entity under the registered name or consent in an executed record to the use of that name by another entity.

ARTICLE 4
REGISTERED AGENT OF ENTITY

NEW SECTION. **Sec. 1401.** DEFINITIONS. The definitions in this section apply throughout this section and sections 1402 through 1413 of this act unless the context clearly requires otherwise.

(1) "Registered agent filing" means:

(a) The public organic record of a domestic entity;

(b) An application of a domestic limited liability partnership; or

(c) A registration statement filed pursuant to section 1503 of this act.

(3) "Represented entity" means:

(a) A domestic entity; or

(b) A registered foreign entity.

NEW SECTION. **Sec. 1402.** ENTITIES REQUIRED TO DESIGNATE AND MAINTAIN REGISTERED AGENT. The following shall designate and maintain a registered agent in this state:

(1) A domestic entity; and

(2) A registered foreign entity.

NEW SECTION. **Sec. 1403.** ADDRESSES IN FILING. If a provision of this chapter other than section 1410(1)(d) of this act requires that a record state an address, the record must state:

(1) A street address in this state; and

(2) A mailing address in this state, if different from the address described in subsection (1) of this section.

NEW SECTION. **Sec. 1404.** DESIGNATION OF REGISTERED AGENT. (1) A registered agent filing must be executed by the represented entity and state:

(a) The name of the entity's commercial registered agent; or

(b) If the entity does not have a commercial registered agent:

(i) The name and address of the entity's noncommercial registered agent; or

(ii) The title of an office or other position with the entity, if service of process, notices, and demands are to be sent to whichever individual is holding that office or position, and the address to which process, notices, or demands are to be sent.

(2) A registered agent shall not be appointed without having given prior consent in a record to the appointment. The consent shall be delivered to the secretary of state in such form as the secretary of state may prescribe. The consent shall be filed with or as a part of the record first appointing a registered agent. In the event any individual or entity has been appointed registered agent without consent, that individual or entity may deliver to the secretary of state a notarized statement attesting to that fact, and the name shall immediately be removed from the records of the secretary of state.

NEW SECTION. **Sec. 1405.** LISTING OF COMMERCIAL REGISTERED AGENT. (1) A person may become listed as a commercial registered agent by delivering to the secretary of state for filing a commercial-registered-agent listing statement executed by the person which states:

(a) The name of the individual or the name of the entity, type of entity, and jurisdiction of formation of the entity;

(b) That the person is in the business of serving as a commercial registered agent in this state; and

(c) The address of a place of business of the person in this state to which service of process, notices, and demands being served on or sent to entities represented by the person may be delivered.

(2) A commercial-registered-agent listing statement may include the information regarding acceptance by the agent of service of process, notices, and demands in a form other than a written record as provided in section 1411(5) of this act.

(3) If the name of a person delivering to the secretary of state for filing a commercial-registered-agent listing statement is not distinguishable on the records of the secretary of state from the name of another commercial registered agent listed under this section, the person shall adopt a fictitious name that is distinguishable and use that name in its statement and when it does business in this state as a commercial registered agent.

(4) The secretary of state shall note the filing of a commercial-registered-agent listing statement in the records maintained by the secretary of state for each entity represented by the agent at the time of the filing. The statement has the effect of amending the registered agent filing for each of those entities to:

(a) Designate the person becoming listed as a commercial registered agent as the commercial registered agent of each of those entities; and

(b) Delete the name and address of the former agent from the registered agent filing of each of those entities.

NEW SECTION. **Sec. 1406.** TERMINATION OF LISTING OF COMMERCIAL REGISTERED AGENT. (1) A commercial registered agent may terminate its listing as a commercial registered agent by delivering to the secretary of state for filing a commercial-registered-agent termination statement executed by the agent which states:

(a) The name of the agent as listed under section 1405 of this act; and

(b) That the agent is no longer in the business of serving as a commercial registered agent in this state.

(2) A commercial-registered-agent termination statement takes effect at 12:01 a.m. on the 31st day after the day on which it is delivered to the secretary of state for filing.

(3) The commercial registered agent promptly shall furnish each entity represented by the agent notice in a record of the filing of the commercial-registered-agent termination statement.

(4) When a commercial-registered-agent termination statement takes effect, the commercial registered agent ceases to be the registered agent for each entity formerly represented by it. Until an entity formerly represented by a terminated commercial registered agent designates a new registered agent, service of process may be made on the entity pursuant to section 1411 of this act. Termination of the listing of a commercial registered agent under this section does not affect any contractual rights a represented entity has against the agent or that the agent has against the entity.

NEW SECTION. **Sec. 1407.** CHANGE OF REGISTERED AGENT BY ENTITY. (1) A represented entity may change its registered agent or other information on file under section 1404(1) of this act by delivering to the secretary of state for filing a statement of change executed by the entity which states:

(a) The name of the entity; and

(b) The information required under section 1404(1) of this act.

(2) The interest holders or governors of a domestic entity need not approve the filing of:

(a) A statement of change under this section; or

(b) A similar filing changing the registered agent or registered office, if any, of the entity in any other jurisdiction.

(3) A statement of change under this section designating a new registered agent must be accompanied by the new registered agent's consent in a record, either on the statement or attached to it in a manner and form as the secretary of state may prescribe, to the appointment.

NEW SECTION. **Sec. 1408.** CHANGE OF NAME, ADDRESS, TYPE OF ENTITY, OR JURISDICTION OF FORMATION BY NONCOMMERCIAL REGISTERED AGENT. (1) If a noncommercial registered agent changes its name or its address in effect with respect to a represented entity under section 1404(1) of this act, the agent shall deliver to the secretary of state for filing, with respect to each entity represented by the agent, a statement of change executed by the agent which states:

(a) The name of the entity;

(b) The name and address of the agent in effect with respect to the entity;

(c) If the name of the agent has changed, the new name; and

(d) If the address of the agent has changed, the new address.

(2) A noncommercial registered agent promptly shall furnish the represented entity with notice in a record of the delivery to the secretary of state for filing of a statement of change and the changes made in the statement.

NEW SECTION. **Sec. 1409.** CHANGE OF NAME, ADDRESS, TYPE OF ENTITY, OR JURISDICTION OF FORMATION BY COMMERCIAL REGISTERED AGENT. (1) If a commercial registered agent changes its name, its address as listed under section 1405(1) of this act, its type of entity, or its jurisdiction of formation, the agent shall deliver to the secretary of state for filing a statement of change executed by the agent which states:

(a) The name of the agent as listed under section 1405(1) of this act;

(b) If the name of the agent has changed, the new name;

(c) If the address of the agent has changed, the new address; and

(d) If the agent is an entity:

(i) If the type of entity of the agent has changed, the new type of entity; and

(ii) If the jurisdiction of formation of the agent has changed, the new jurisdiction of formation.

(2) The filing by the secretary of state of a statement of change under subsection (1) of this section is effective to change the information regarding the agent with respect to each entity represented by the agent.

(3) A commercial registered agent promptly shall furnish to each entity represented by it a notice in a record of the filing by the secretary of state of a statement of change relating to the name or address of the agent and the changes made in the statement.

(4) If a commercial registered agent changes its address without delivering for filing a statement of change as required by this section, the secretary of state may cancel the listing of the agent under section 1405 of this act. A cancellation under this subsection has the same effect as a termination under section 1406 of this act. Promptly after canceling the listing of an agent, the secretary of state shall serve notice in a record in the manner provided in section 1411 (2) or (3) of this act on:

(a) Each entity represented by the agent, stating that the agent has ceased to be the registered agent for the entity and that, until the entity designates a new registered agent, service of process may be made on the entity as provided in section 1411 of this act; and

(b) The agent, stating that the listing of the agent has been canceled under this section.

NEW SECTION. **Sec. 1410.** RESIGNATION OF REGISTERED AGENT. (1) A registered agent may resign as agent for a represented entity by delivering to the secretary of state for filing a statement of resignation executed by the agent which states:

(a) The name of the entity;

(b) The name of the agent;

(c) That the agent resigns from serving as registered agent for the entity; and

(d) The address of the entity to which the agent will send the notice required by subsection (3) of this section.

(2) A statement of resignation takes effect on the earlier of:

(a) The 31st day after the day on which it is filed by the secretary of state; or

(b) The designation of a new registered agent for the represented entity.

(3) A registered agent promptly shall furnish to the represented entity notice in a record of the date on which a statement of resignation was filed.

NEW SECTION. **Sec. 1411.** SERVICE OF PROCESS, NOTICE, OR DEMAND ON ENTITY. (1) A represented entity may be served with any process, notice, or demand required or permitted by law by serving its registered agent.

(2) If a represented entity ceases to have a registered agent, or if its registered agent cannot with reasonable diligence be served, the entity may be served by registered or certified mail, return receipt requested, or by similar commercial delivery service, addressed to the entity at the entity's principal office. The address of the principal office must be as shown in the entity's most recent annual report filed by the secretary of state. Service is effected under this subsection on the earliest of:

(a) The date the entity receives the mail or delivery by the commercial delivery service;

(b) The date shown on the return receipt, if executed by the entity; or

(c) Five days after its deposit with the United States Postal Service or commercial delivery service, if correctly addressed and with sufficient postage or payment.

(3) If process, notice, or demand cannot be served on an entity pursuant to subsection (1) or (2) of this section, service may be made by handing a copy to the individual in charge of any regular place of business or activity of the entity if the individual served is not a plaintiff in the action.

(4) The secretary of state shall be an agent of the entity for service of process if process, notice, or demand cannot be served on an entity pursuant to subsection (1), (2), or (3) of this section.

(5) Service of process, notice, or demand on a registered agent must be in a written record, but service may be made on a commercial registered agent in other forms, and subject to such requirements, as the agent has stated in its listing under section 1405 of this act that it will accept.

(6) Service of process, notice, or demand may be made by other means under law other than this chapter.

NEW SECTION. **Sec. 1412.** DUTIES OF REGISTERED AGENT. The only duties under this chapter of a registered agent that has complied with this chapter are:

(1) To forward to the represented entity at the address most recently supplied to the agent by the entity any process, notice, or demand pertaining to the entity which is served on or received by the agent;

(2) To provide the notices required by this chapter to the entity at the address most recently supplied to the agent by the entity;

(3) If the agent is a noncommercial registered agent, to keep current the information required by section 1404(1) of this act in the most recent registered agent filing for the entity; and

(4) If the agent is a commercial registered agent, to keep current the information listed for it under section 1405(1) of this act.

NEW SECTION. **Sec. 1413.** JURISDICTION AND VENUE. The designation or maintenance in this state of a registered agent does not by itself create the basis for personal jurisdiction over the represented entity in this state. The address of the agent does not determine venue in an action or a proceeding involving the entity.

ARTICLE 5

FOREIGN ENTITIES

NEW SECTION. **Sec. 1501.** GOVERNING LAW. (1) Part I of this act does not authorize this state to regulate the organization or internal affairs of a foreign entity registered to do business in this state, or govern the liability that a person has as an interest holder or governor for a debt, obligation, or other liability of the foreign entity.

(2) A foreign entity is not precluded from registering to do business in this state because of any difference between the law of the entity's jurisdiction of formation and the law of this state.

(3) Registration of a foreign entity to do business in this state does not authorize the foreign entity to engage in any activity or exercise any power that a domestic entity of the same type may not engage in or exercise in this state. Except as otherwise provided in this chapter or other applicable law of this state, a foreign entity is subject to the same duties, restrictions, penalties, and liabilities now or later imposed on a domestic entity of the same type.

NEW SECTION. **Sec. 1502.** REGISTRATION TO DO BUSINESS IN THIS STATE. (1) A foreign entity may not do business in this state until it registers with the secretary of state under this chapter.

(2) A foreign entity doing business in this state may not maintain an action or proceeding in this state unless it is registered to do business in this state and has paid to this state all fees and penalties for the years, or parts thereof, during which it did business in this state without having registered.

(3) The successor to a foreign entity that transacted business in this state without a certificate of registration and the assignee of a cause of action arising out of that business may not maintain a proceeding based on that cause of action in any court in this state until the foreign entity, or its successor, obtains a certificate of registration.

(4) A court may stay a proceeding commenced by a foreign entity, its successor, or assignee until it determines whether the foreign entity, or its successor, requires a certificate of registration. If it so determines, the court may further stay the proceeding until the foreign entity, or its successor, obtains the certificate of registration.

(5) A foreign entity that transacts business in this state without a certificate of registration is liable to this state, for the years or parts thereof during which it transacted business in this state without a certificate of registration, in an amount equal to all fees which would have been imposed by this chapter upon the entity had it applied for and received a certificate of registration to transact business in this state and thereafter filed all reports required by this chapter, plus all penalties imposed by this chapter for failure to pay such fees.

(6) The failure of a foreign entity to register to do business in this state does not: (a) Impair the validity of a contract or act of the foreign entity; (b) impair the right of any other party to the contract to maintain any action, suit, or proceeding on the contract; or (c) preclude the foreign entity from defending an action or proceeding in this state.

(7) A limitation on the liability of an interest holder or governor of a foreign entity is not waived solely because the foreign entity does business in this state without registering.

(8) Section 1501 (1) and (2) of this act applies even if a foreign entity fails to register under this Article 5.

NEW SECTION. **Sec. 1503.** FOREIGN REGISTRATION STATEMENT. (1) To register to do business in this state, a foreign entity must deliver a foreign registration statement to the secretary of state for filing. The statement must be executed by the entity and state:

(a) The name of the foreign entity and, if the name does not comply with section 1301 of this act, an alternate name adopted pursuant to section 1506 of this act;

(b) The type of entity and, if it is a foreign limited partnership, whether it is a foreign limited liability limited partnership;

(c) The entity's jurisdiction of formation;

(d) The street and mailing addresses of the entity's principal office and, if the law of the entity's jurisdiction of formation requires the entity to maintain an office in that jurisdiction, the street and mailing addresses of the office;

(e) The information required by section 1404(1) of this act;

(f) The names and addresses of the entity's governors, and if the entity is a business corporation or nonprofit corporation, the names and addresses of its officers;

(g) The date of the entity's formation and period of duration;

(h) The nature of the entity's business or purposes to be conducted or promoted in this state; and

(i) The date on which the entity first did, or intends to do, business in this state.

(2) The foreign entity shall deliver with the registration statement a certificate of existence, or a document of similar import, issued no more than sixty days before the date of submission of the registration statement and duly authenticated by the secretary of state or other official having custody of the entity's records in the entity's jurisdiction of formation.

NEW SECTION. **Sec. 1504.** AMENDMENT OF FOREIGN REGISTRATION STATEMENT. A registered foreign entity shall promptly deliver to the secretary of state for filing an amendment to its foreign registration statement if there is a change in:

(1) The name of the entity;

(2) The type of entity, including, if it is a foreign limited partnership, whether the entity became or ceased to be a foreign limited liability limited partnership;

(3) The entity's jurisdiction of formation;

(4) An address required by section 1503(1)(d) of this act; or

(5) The information required by section 1404(1) of this act.

NEW SECTION. **Sec. 1505.** ACTIVITIES NOT CONSTITUTING DOING BUSINESS. (1) Activities of a foreign entity that do not constitute doing business in this state under this chapter include, but are not limited to:

(a) Maintaining, defending, mediating, arbitrating, or settling an action or proceeding, or settling claims or disputes;

(b) Carrying on any activity concerning its internal affairs, including holding meetings of its interest holders or governors;

(c) Maintaining accounts in financial institutions;

(d) Maintaining offices or agencies for the transfer, exchange, and registration of securities of the entity or maintaining trustees or depositories with respect to those securities;

(e) Selling through independent contractors;

(f) Soliciting or obtaining orders by any means if the orders require acceptance outside this state before they become binding contracts and where the contracts do not involve any local performance other than delivery and installation;

(g) Creating or acquiring indebtedness, mortgages, or security interests in property;

(h) Securing or collecting debts or enforcing mortgages or security interests in property securing the debts;

(i) Conducting an isolated transaction that is completed within thirty days and that is not in the course of repeated transactions of a like nature;

(j) Owning, without more, property;

(k) Doing business in interstate commerce; and

(l) Operating an approved branch campus of a foreign degree-granting institution in compliance with chapter 28B.90 RCW and in accordance with subsection (2) of this section.

(2) In addition to those acts that are specified in subsection (1) of this section, a foreign degree-granting institution that establishes an approved branch campus in the state under chapter 28B.90 RCW shall not be deemed to transact business in the state solely because it:

(a) Owns and controls an incorporated branch campus in this state;

(b) Pays the expenses of tuition or room and board charged by the incorporated branch campus for its students enrolled at the branch campus or contributes to the capital thereof; or

(c) Provides personnel who furnish assistance and counsel to its students while in the state but who have no authority to enter into any transactions for or on behalf of the foreign degree-granting institution.

(3) A person does not do business in this state solely by being an interest holder or governor of a domestic entity or foreign entity that does business in this state.

(4) This section does not apply in determining the contacts or activities that may subject a foreign entity to service of process, taxation, or regulation under law of this state other than this chapter.

NEW SECTION. **Sec. 1506.** NONCOMPLYING NAME OF FOREIGN ENTITY. (1) A foreign entity whose name does not comply with section 1301 of this act for an entity of its type may not register to do business in this state until it adopts, for the purpose of doing business in this state, an alternate name that complies with section 1301 of this act. A registered foreign entity that registers under an alternate name under this subsection need not comply with chapter 19.80 RCW. After registering to do business in this state with an alternate name, a registered foreign entity shall do business in this state under:

(a) The alternate name;

(b) Its entity name, with the addition of its jurisdiction of formation clearly identified; or

(c) An assumed or fictitious name the entity is authorized to use under chapter 19.80 RCW.

(2) If a registered foreign entity changes its name to one that does not comply with section 1301 of this act, it may not do business

in this state until it complies with subsection (1) of this section by amending its foreign registration statement to adopt an alternate name that complies with section 1301 of this act.

NEW SECTION. **Sec. 1507.** WITHDRAWAL OF REGISTRATION OF REGISTERED FOREIGN ENTITY. (1) A registered foreign entity may withdraw its registration by delivering a statement of withdrawal to the secretary of state for filing. The statement of withdrawal must be executed by the entity and state:

(a) The name of the entity and its jurisdiction of formation;

(b) That the entity is not doing business in this state and that it withdraws its registration to do business in this state;

(c) That the entity revokes the authority of its registered agent to accept service on its behalf in this state; and

(d) An address to which service of process may be made under subsection (3) of this section.

(2) The statement of withdrawal must be accompanied by a copy of a revenue clearance certificate issued pursuant to RCW 82.32.260.

(3) After the withdrawal of the registration of an entity, service of process in any action or proceeding based on a cause of action arising during the time the entity was registered to do business in this state may be made pursuant to section 1411 of this act.

NEW SECTION. **Sec. 1508.** WITHDRAWAL DEEMED ON CONVERSION TO DOMESTIC ENTITY. A registered foreign entity that converts to any type of domestic entity is deemed to have withdrawn its registration on the effective date of the conversion.

NEW SECTION. **Sec. 1509.** WITHDRAWAL ON DISSOLUTION OR CONVERSION. (1) A registered foreign entity that has dissolved and completed winding up or has converted to a domestic or foreign person not subject to this chapter shall deliver a statement of withdrawal to the secretary of state for filing. The statement must be executed by the dissolved or converted entity and state:

(a) In the case of a foreign entity that has completed winding up:

(i) Its name and jurisdiction of formation; and

(ii) That the foreign entity surrenders its registration to do business in this state; and

(b) In the case of a foreign entity that has converted to a domestic or foreign person not subject to this act:

(i) The name of the converting foreign entity and its jurisdiction of formation;

(ii) The type of person to which it has converted and its jurisdiction of formation;

(iii) That it surrenders its registration to do business in this state and revokes the authority of its registered agent to accept service on its behalf; and

(iv) A mailing address to which service of process may be made under subsection (2) of this section.

(2) After a withdrawal is effective under this section, service of process in any action or proceeding based on a cause of action arising during the time the foreign entity was registered to do business in this state may be made pursuant to section 1411 of this act.

NEW SECTION. **Sec. 1510.** TRANSFER OF REGISTRATION. (1) If a registered foreign entity merges into a nonregistered foreign entity or converts to a foreign entity required to register with the secretary of state to do business in this state, the foreign entity shall deliver to the secretary of state for filing an application for transfer of registration. The application must be executed by the surviving or converted entity and state:

(a) The name of the registered foreign entity before the merger or conversion;

(b) The type of entity it was before the merger or conversion;

(c) The name of the applicant entity and, if the name does not comply with section 1301 of this act, an alternate name adopted pursuant to section 1506(1) of this act;

(d) The type of entity of the applicant entity and its jurisdiction of formation; and

(e) The following information regarding the applicant entity, if different than the information for the foreign entity before the merger or conversion:

(i) The street and mailing addresses of the principal office of the entity and, if the law of the entity's jurisdiction of formation requires it to maintain an office in that jurisdiction, the street and mailing addresses of that office; and

(ii) The information required pursuant to section 1404(1) of this act.

(2) When an application for transfer of registration takes effect, the registration of the registered foreign entity to do business in this state is transferred without interruption to the entity into which it has merged or to which it has been converted.

NEW SECTION. **Sec. 1511.** TERMINATION OF REGISTRATION. (1) The secretary of state may terminate the registration of a registered foreign entity in the manner provided in subsections (2) and (3) of this section if:

(a) The entity does not pay any fee, interest, or penalty required to be paid to the secretary of state under this chapter or law of this state other than this chapter;

(b) The entity does not deliver to the secretary of state for filing an annual report when it is due;

(c) The entity does not have a registered agent as required by section 1402 of this act;

(d) The entity does not deliver to the secretary of state for filing a statement of change under section 1407 of this act if change occurs in the name or address of the entity's registered agent;

(e) A governor, officer, or agent of the entity executed a document knowing it was false in any material respect with intent that the document be delivered to the secretary of state for filing; or

(f) The secretary of state receives a duly authenticated certificate from the secretary of state or other official having custody of the entity's records in the entity's jurisdiction of formation stating that it has been dissolved or disappeared as the result of a merger.

(2) If the secretary of state determines that one or more grounds for termination exist under subsection (1) of this section, the secretary of state shall deliver a notice of the determination to the registered foreign entity's registered agent or, if the entity does not have a registered agent, to the entity's principal office. The notice must state the grounds for termination under subsection (1) of this section.

(3) If the entity does not cure each ground for termination stated in the notice within sixty days after the notice is effective, the secretary of state shall terminate the registration of the foreign entity by filing a statement of termination that recites the ground or grounds for termination and the effective date of termination and delivering a copy of the statement of termination to the foreign entity.

(4) The authority of a registered foreign entity to do business in this state ceases on the effective date of termination shown on the statement of termination.

(5) The termination of a foreign entity's registration does not terminate the authority of the registered agent of the foreign entity.

NEW SECTION. **Sec. 1512.** ACTION BY ATTORNEY GENERAL. The attorney general may maintain an action to enjoin a foreign entity from doing business in this state in violation of this chapter.

ARTICLE 6
ADMINISTRATIVE DISSOLUTION

NEW SECTION. **Sec. 1601.** For the purposes of this Article 6, the term "domestic entity" does not include a domestic limited liability partnership.

NEW SECTION. **Sec. 1602.** GROUNDS. The secretary of state may commence a proceeding under section 1603 of this act to dissolve a domestic entity administratively if:

(1) The entity does not pay any fee, interest, or penalty required to be paid to the secretary of state when due;

(2) The entity does not deliver an annual report to the secretary of state not later than one hundred twenty days after it is due;

(3) The entity does not have a registered agent in this state for thirty consecutive days; or

(4) The entity's period of duration stated in its public organic record expired.

NEW SECTION. **Sec. 1603.** PROCEDURE AND EFFECT. (1) If the secretary of state determines that one or more grounds exist under section 1602 of this act for administratively dissolving a domestic entity, the secretary of state shall serve the entity pursuant to section 1211 of this act with notice in a record of the secretary of state's determination.

(2) If a domestic entity, not later than sixty days after service of the notice required by subsection (1) of this section, does not cure or demonstrate to the satisfaction of the secretary of state the nonexistence of each ground determined by the secretary of state, the secretary of state shall administratively dissolve the entity by executing a statement of administrative dissolution that recites the grounds for dissolution and the effective date of dissolution. The secretary of state shall file the statement and serve a copy on the entity pursuant to section 1211 of this act.

(3) A domestic entity that is dissolved administratively continues its existence as an entity but may not carry on any activities except as necessary to wind up its activities and affairs and liquidate its assets in the manner provided in its organic law or to apply for reinstatement under section 1604 of this act.

(4) The administrative dissolution of a domestic entity does not terminate the authority of its registered agent.

NEW SECTION. **Sec. 1604.** REINSTATEMENT. (1) A domestic entity that is dissolved administratively under section 1603 of this act may apply to the secretary of state for reinstatement not later than five years after the effective date of dissolution. The application must be executed by the entity and state:

(a) The name of the entity and a statement that the name satisfies section 1301 of this act; if the name does not satisfy section 1301 of this act, the entity must deliver with its application an amendment to its public organic record changing its name;

(b) The address of the principal office of the entity and the name and address of its registered agent;

(c) The effective date of the entity's administrative dissolution; and

(d) That the grounds for dissolution did not exist or have been cured.

(2) To be reinstated, an entity must pay the full amount of all annual license or renewal fees which would have been assessed during the period of administrative dissolution had the entity been in active status, plus a penalty fee established by the secretary of state by rule, and the license or renewal fee for the year of reinstatement.

(3) If the secretary of state determines that an application under subsection (1) of this section contains the information required by subsection (1) of this section, is satisfied that the information is correct, and determines that all payments required to be made to the secretary of state by subsection (2) of this section have been made, the secretary of state shall:

(a) Cancel the statement of administrative dissolution and prepare a statement of reinstatement that states the secretary of state's determination and the effective date of reinstatement;

(b) File the statement; and

(c) Serve a copy of the statement on the entity.

(4) When reinstatement under this section is effective as provided in section 1203 of this act:

(a) It relates back to and takes effect as of the effective date of the administrative dissolution; and

(b) The domestic entity resumes carrying on its activities and affairs as if the administrative dissolution had never occurred, except for the rights of a person arising out of an act or omission in reliance on the dissolution before the person knew or had reason to know of the reinstatement.

NEW SECTION. **Sec. 1605.** JUDICIAL REVIEW OF DENIAL OF REINSTATEMENT. (1) If the secretary of state denies a domestic entity's application for reinstatement following administrative dissolution, the secretary of state shall serve the entity with a notice in a record that explains the reasons for denial.

(2) An entity may seek judicial review of denial of reinstatement in the superior court not later than thirty days after service of the notice of denial.

NEW SECTION. **Sec. 1606.** ENTITY NAME NOT DISTINGUISHABLE FROM NAME OF GOVERNMENTAL ENTITY. (1) Any county, city, town, district, or other political subdivision of the state, or the state of Washington or any department or agency of the state, may apply to the secretary of state for the administrative dissolution, or the termination of registration, of any entity using a name that is not distinguishable from the name of the applicant for dissolution. The application must state the precise legal name of the governmental entity and its date of formation and the applicant shall mail a copy to the entity's registered agent. If the name of the entity is not distinguishable from the name of the applicant, then, except as provided in subsection (4) of this section, the secretary of state shall commence proceedings for administrative dissolution under section 1603 of this act or termination of registration under section 1511 of this act.

(2) A name may not be considered distinguishable by virtue of the items specified in section 1301(3) of this act.

(3)(a) The following are not distinguishable for purposes of this section:

(i) "City of Anytown" and "City of Anytown, Inc."; and

(ii) "City of Anytown" and "Anytown City."

(b) The following are distinguishable for purposes of this section:

(i) "City of Anytown" and "Anytown, Inc.";

(ii) "City of Anytown" and "The Anytown Company"; and

(iii) "City of Anytown" and "Anytown Cafe, Inc."

(4) If the entity that is the subject of the application was formed or registered before the formation of the applicant as a governmental entity, then this section applies only if the applicant for dissolution provides a certified copy of a final judgment of a court of competent jurisdiction determining that the applicant holds a superior property right to the name than does the entity.

(5) The duties of the secretary of state under this section are ministerial.

ARTICLE 7
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 1701.** RESERVATION OF POWER TO AMEND OR REPEAL. The legislature has power to amend or repeal all or part of this chapter at any time, and all domestic and foreign entities subject to this chapter are governed by the amendment or repeal.

NEW SECTION. **Sec. 1702.** SUPPLEMENTAL PRINCIPLES OF LAW. Unless displaced by particular provisions of this chapter, the principles of law and equity supplement this chapter.

NEW SECTION. **Sec. 1703.** RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE

ACT. This chapter modifies, limits, and supersedes the electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede Sec. 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

NEW SECTION. **Sec. 1704.** SAVINGS CLAUSE. The repeal of a statute by this act does not affect:

(1) The operation of the statute or any action taken under it before its repeal;

(2) Any ratification, right, remedy, privilege, obligation, or liability acquired, accrued, or incurred under the statute before its repeal;

(3) Any violation of the statute or any penalty, forfeiture, or punishment incurred because of the violation before its repeal; or

(4) Any proceeding, reorganization, or dissolution commenced under the statute before its repeal, and the proceeding, reorganization, or dissolution may be completed in accordance with the statute as if it had not been repealed.

ARTICLE 8
IMPLEMENTATION

NEW SECTION. **Sec. 1801.** Sections 1101 through 1704 of this act constitute a new chapter in Title 23 RCW.

NEW SECTION. **Sec. 1802.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1803.** (1) Parts I, II, III, IV, V, VI, VIII, and IX of this act take effect January 1, 2016.

(2) Part VII of this act takes effect upon the effective date of chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015.

PART II
BUSINESS CORPORATION ACT REVISIONS

Sec. 2101. RCW 23B.01.200 and 2002 c 297 s 1 are each amended to read as follows:

(1) A record required or permitted by this title to be filed in the office of the secretary of state must satisfy the requirements of part I, Article 2 of this act, this section, and ((~~of~~)) any other section that adds to or varies from these requirements, to be entitled to filing by the secretary of state.

(2) ((~~The secretary of state may permit records to be filed through electronic transmission. The secretary of state may adopt rules varying from these requirements to facilitate electronic filing. These rules shall detail the circumstances under which the electronic filing of records shall be permitted and how such records shall be filed. These rules may also impose additional requirements related to implementation of electronic filing processes including but not limited to: File formats; signature technologies; the manner of delivery; and the types of entities or records permitted.~~

~~(3) This title must require or permit filing the record in the office of the secretary of state.~~

~~(4) The record must contain the information required by this title. It may contain other information as well.~~

~~(5) The record must: (a) Be typewritten or printed, and must meet such legibility or other standards as may be prescribed by the secretary of state; or (b) meet the standards for electronic filing as may be prescribed by the secretary of state.~~

~~(6) The record must be in the English language. A corporate name need not be in English if written in English letters or Arabic or Roman numerals, and the certificate of existence required of foreign corporations need not be in English if accompanied by a reasonably authenticated English translation.~~

~~(7)~~)) Unless otherwise indicated in this title, all records ((~~submitted~~)) delivered to the secretary of state for filing must be executed:

(a) By the chairperson of the board of directors of a domestic or foreign corporation, by its president, or by another of its officers;

(b) If directors have not been selected or the corporation has not been formed, by an incorporator; or

(c) If the corporation is in the hands of a receiver, trustee, or other court-appointed fiduciary, by that fiduciary.

(((~~(8) The person executing the record shall sign it and state beneath or opposite the signature the name of the person and the capacity in which the person signs. The record may but need not contain: (a) The corporate seal; (b) an attestation by the secretary or an assistant secretary; or (c) an acknowledgment, verification, or proof.~~

~~(9) If the secretary of state has prescribed a mandatory form for the record under RCW 23B.01.210, the record must be in or on the prescribed form.~~

~~(10) The record must be received by the office of the secretary of state for filing and, except in the case of an electronic filing, must be accompanied by one exact or conformed copy, the correct filing fee or charge, including license fee, penalty and service fee, and any attachments which are required for the filing.~~))

Sec. 2102. RCW 23B.01.220 and 2002 c 297 s 3 are each amended to read as follows:

(((~~(1)~~))) Corporations are subject to the applicable fees, charges, and penalties established by the secretary of state ((~~shall collect in accordance with the provisions of this title:~~

~~(a) Fees for filing records and issuing certificates;~~

~~(b) Miscellaneous charges;~~

~~(c) License fees as provided in RCW 23B.01.500 through 23B.01.550;~~

~~(d) Penalty fees; and~~

~~(e) Other fees as the secretary of state may establish by rule adopted under chapter 34.05 RCW.~~

~~(2) The secretary of state shall collect the following fees when the records described in this subsection are delivered for filing:~~

~~One hundred seventy-five dollars, pursuant to RCW 23B.01.520 and 23B.01.540, for:~~

~~(a) Articles of incorporation; and~~

~~(b) Application for certificate of authority.~~

~~(3) The secretary of state shall establish by rule, fees for the following:~~

~~(a) Application for reinstatement;~~

~~(b) Articles of correction;~~

~~(c) Amendment of articles of incorporation;~~

~~(d) Restatement of articles of incorporation, with or without amendment;~~

~~(e) Articles of merger or share exchange;~~

~~(f) Articles of revocation of dissolution;~~

~~(g) Application for amended certificate of authority;~~

~~(h) Application for reservation, registration, or assignment of reserved name;~~

~~(i) Corporation's statement of change of registered agent or registered office, or both, except where this information is provided in conjunction with and on an initial report or an annual report form filed under RCW 23B.01.530, 23B.01.550, 23B.02.050, or 23B.16.220;~~

~~(j) Agent's resignation, or statement of change of registered office, or both, for each affected corporation;~~

~~(k) Initial report; and~~

~~(l) Any record not listed in this subsection that is required or permitted to be filed under this title.~~

~~(4) Fees shall be adjusted by rule only in an amount that does not exceed the average biennial increase in the cost of providing service. This shall be determined in a biennial cost study performed by the secretary of state.~~

~~(5) The secretary of state shall not collect fees for:~~

~~(a) Agent's consent to act as agent;~~

(b) Agent's resignation, if appointed without consent;

(c) Articles of dissolution;

(d) Certificate of judicial dissolution;

(e) Application for certificate of withdrawal; and

(f) Annual report when filed concurrently with the payment of annual license fees.

(6) The secretary of state shall collect a fee in an amount established by the secretary of state by rule per defendant served, upon being served process under this title. The party to a proceeding causing service of process is entitled to recover this fee as costs if such party prevails in the proceeding.

(7) The secretary of state shall establish by rule and collect a fee from every person or organization:

(a) For furnishing a certified copy of any record, instrument, or paper relating to a corporation;

(b) For furnishing a certificate, under seal, attesting to the existence of a corporation, or any other certificate; and

(c) For furnishing copies of any record, instrument, or paper relating to a corporation, other than of an initial report or an annual report.

(8) For annual license fees for domestic and foreign corporations, see RCW 23B.01.500, 23B.01.510, 23B.01.530, and 23B.01.550. For penalties for nonpayment of annual license fees and failure to complete annual report, see RCW 23B.01.570)) under section 1213 of this act and RCW 43.07.120.

Sec. 2103. RCW 23B.01.230 and 2002 c 297 s 4 are each amended to read as follows:

(((1) Except as provided in subsection (2) of this section and RCW 23B.01.240(3), a record accepted for filing is effective on the date it is filed by the secretary of state and at the time on that date specified in the record. If no time is specified in the record, the record is effective at the close of business on the date it is filed by the secretary of state.

(2) If a record specifies a delayed effective time and date, the record becomes effective at the time and date specified. If a record specifies a delayed effective date but no time is specified, the record is effective at the close of business on that date. A delayed effective date for a record may not be later than the ninetieth day after the date it is filed.

(3) When a record is received for filing by the secretary of state in a form which complies with the requirements of this title and which would entitle the record to be filed on receipt, but the secretary of state's approval action occurs subsequent to the date of receipt, the secretary of state's filing date shall relate back to and be shown as the date on which the secretary of state first received the record in acceptable form)) A record filed with the secretary of state is effective as provided in section 1203 of this act, and may state a delayed effective date and time in accordance with section 1203 of this act.

Sec. 2104. RCW 23B.01.240 and 2002 c 297 s 5 are each amended to read as follows:

(((1))) A domestic or foreign corporation may correct a record filed by the secretary of state ((if the record (a) contains an incorrect statement; or (b) was defectively executed, attested, sealed, verified, or acknowledged.

(2) A record is corrected:

(a) By preparing articles of correction that (i) describe the record, including its filing date, or attach a copy of it to the articles of correction, (ii) specify the incorrect statement and the reason it is incorrect or the manner in which the execution was defective, and (iii) correct the incorrect statement or defective execution; and

(b) By delivering the articles of correction to the secretary of state for filing.

(3) Articles of correction are effective on the effective date of the record they correct except as to persons relying on the uncorrected record and adversely affected by the correction. As to those persons, articles of correction are effective when filed)) in accordance with section 1205 of this act.

Sec. 2105. RCW 23B.01.250 and 2002 c 297 s 6 are each amended to read as follows:

(((1) If a record delivered to the office of the secretary of state for filing satisfies the requirements of RCW 23B.01.200, the secretary of state shall file it.

(2)(a) The secretary of state files a record: (i) In the case of a record in a tangible medium, by stamping or otherwise endorsing "Filed," together with the secretary of state's name and official title and the date of filing, on both the original and the record copy; and (ii) in the case of an electronically transmitted record, by the electronic processes as may be prescribed by the secretary of state from time to time that result in the information required by (a)(i) of this subsection being permanently attached to or associated with such electronically transmitted record.

(b) After filing a record, the secretary of state shall deliver a record of the filing to the domestic or foreign corporation or its representative either: (i) In a written copy of the filing; or (ii) if the corporation has designated an address, location, or system to which the record may be electronically transmitted and the secretary of state elects to provide the record by electronic transmission, in an electronically transmitted record of the filing.

(3) If the secretary of state refuses to file a record, the secretary of state shall return it to the domestic or foreign corporation or its representative, together with a brief explanation of the reason for the refusal. The explanation shall be either: (a) In a written record or (b) if the corporation has designated an address, location, or system to which the explanation may be electronically transmitted and the secretary of state elects to provide the explanation by electronic transmission, in an electronically transmitted record.

(4) The secretary of state's duty to file records under this section is ministerial. Filing or refusal to file a record does not:

(a) Affect the validity or invalidity of the record in whole or part;

(b) Relate to the correctness or incorrectness of information contained in the record; or

(c) Create a presumption that the record is valid or invalid or that information contained in the record is correct or incorrect)) Section 1206 of this act governs the secretary of state's duty to file records delivered to the secretary of state for filing, the manner and effect of filing, and procedures that apply when the secretary of state refuses to file a record.

Sec. 2106. RCW 23B.01.280 and 1991 c 72 s 27 are each amended to read as follows:

(((1))) Any person may apply to the secretary of state under section 1208 of this act to furnish a certificate of existence for a domestic corporation or a certificate of ((authorization)) registration for a foreign corporation.

(((2) A certificate of existence or authorization means that as of the date of its issuance:

(a) The domestic corporation is duly incorporated under the laws of this state, or that the foreign corporation is authorized to transact business in this state;

(b) All fees and penalties owed to this state under this title have been paid, if (i) payment is reflected in the records of the secretary of state, and (ii) nonpayment affects the existence or authorization of the domestic or foreign corporation;

(c) The corporation's initial report or its most recent annual report required by RCW 23B.16.220 has been delivered to the secretary of state; and

(d) Articles of dissolution or an application for withdrawal have not been filed by the secretary of state.

(3) A person may apply to the secretary of state to issue a certificate covering any fact of record.

~~(4) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the secretary of state may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to transact business in the corporate form in this state.~~))

Sec. 2107. RCW 23B.01.290 and 1989 c 165 s 12 are each amended to read as follows:

((~~Any person who signs a document such person knows is false in any material respect with intent that the document be delivered to the secretary of state for filing is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW~~)) Section 1209 of this act governs the penalty that applies for executing a false record that is intended to be delivered to the secretary of state for filing.

Sec. 2108. RCW 23B.01.410 and 2009 c 189 s 2 are each amended to read as follows:

(1) Notice under this title must be provided in the form of a record, except that oral notice of any meeting of the board of directors may be given if expressly authorized by the articles of incorporation or bylaws.

(2) Permissible means of transmission.

(a) Oral notice. Oral notice may be communicated in person, by telephone, wire, or wireless equipment which does not transmit a facsimile of the notice, or by any electronic means which does not create a record. If these forms of oral notice are impracticable, oral notice may be communicated by radio, television, or other form of public broadcast communication.

(b) Notice provided in a tangible medium. Notice may be provided in a tangible medium and be transmitted by mail, private carrier, or personal delivery; telegraph or teletype; or telephone, wire, or wireless equipment which transmits a facsimile of the notice. If these forms of notice in a tangible medium are impracticable, notice in a tangible medium may be transmitted by an advertisement in a newspaper of general circulation in the area where published.

(c) Notice provided in an electronic transmission.

(i) Notice may be provided in an electronic transmission and be electronically transmitted.

(ii) Notice to shareholders or directors in an electronic transmission is effective only with respect to shareholders and directors that have consented, in the form of a record, to receive electronically transmitted notices under this title and designated in the consent the address, location, or system to which these notices may be electronically transmitted and with respect to a notice that otherwise complies with any other requirements of this title and applicable federal law.

(A) Notice to shareholders or directors for this purpose includes material that this title requires to accompany the notice.

(B) A shareholder or director who has consented to receipt of electronically transmitted notices may revoke this consent by delivering a revocation to the corporation in the form of a record.

(C) The consent of any shareholder or director is revoked if (I) the corporation is unable to electronically transmit two consecutive notices given by the corporation in accordance with the consent, and (II) this inability becomes known to the secretary of the corporation, the transfer agent, or any other person responsible for giving the notice. The inadvertent failure by the corporation to treat this inability as a revocation does not invalidate any meeting or other corporate action.

(iii) Notice to shareholders or directors who have consented to receipt of electronically transmitted notices may be provided by (A) posting the notice on an electronic network and (B) delivering to the shareholder or director a separate record of the posting, together with comprehensible instructions regarding how to obtain access to the posting on the electronic network.

(iv) Notice to a domestic or foreign corporation, authorized to transact business in this state, in an electronic transmission is effective only with respect to a corporation that has designated in a record an address, location, or system to which the notices may be electronically transmitted.

(d) Materials accompanying notice to shareholders of public companies. Notwithstanding anything to the contrary in this section or any other section of this title, if this title requires that a notice to shareholders be accompanied by certain material, a public company may satisfy such a requirement, whether or not a shareholder has consented to receive electronically transmitted notice, by (i) posting the material on an electronic network (either separate from, or in combination or as part of, any other materials the public company has posted on the electronic network in compliance with applicable federal law) at or prior to the time that the notice is delivered to the public company's shareholders entitled to receive the notice, and (ii) delivering to the public company's shareholders entitled to receive the notice a separate record of the posting (which record may accompany, or be contained in, the notice), together with comprehensible instructions regarding how to obtain access to the posting on the electronic network. In such a case, the material is deemed to have been delivered to the public company's shareholders at the time the notice to the shareholders is effective under this section. A public company that elects pursuant to this section to post on an electronic network any material required by this title to accompany a notice to shareholders is required, at its expense, to provide a copy of the material in a tangible medium (alone or in combination or as part of any other materials the public company has posted on the electronic network in compliance with federal law) to any shareholder entitled to such a notice who so requests.

(3) Effective time and date of notice.

(a) Oral notice. Oral notice is effective when received.

(b) Notice provided in a tangible medium.

(i) Notice in a tangible medium, if in a comprehensible form, is effective at the earliest of the following:

(A) If expressly authorized by the articles of incorporation or bylaws, and if notice is sent to the person's address, telephone number, or other number appearing on the records of the corporation, when dispatched by telegraph, teletype, or facsimile equipment;

(B) When received;

(C) Except as provided in (b)(ii) of this subsection, five days after its deposit in the United States mail, as evidenced by the postmark, if mailed with first-class postage, prepaid and correctly addressed; or

(D) On the date shown on the return receipt, if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.

(ii) Notice in a tangible medium by a domestic or foreign corporation to its shareholder, if in a comprehensible form and correctly addressed to the shareholder's address shown in the corporation's current record of shareholders, is effective:

(A) When mailed, if mailed with first-class postage prepaid; and

(B) When dispatched, if prepaid, by air courier.

(iii) Notice in a tangible medium to a domestic or foreign corporation, authorized to transact business in this state, may be addressed to the corporation's registered agent ((~~at its registered office~~)) or to the corporation or its secretary at its principal office shown in its most recent annual report, or in the case of a foreign corporation that has not yet delivered its annual report in its ((~~application for a certificate of authority~~)) foreign registration statement.

(c) Notice provided in an electronic transmission. Notice provided in an electronic transmission, if in comprehensible form, is effective when it: (i) Is electronically transmitted to an address, location, or system designated by the recipient for that purpose; or (ii) has been posted on an electronic network and a separate record

of the posting has been delivered to the recipient together with comprehensible instructions regarding how to obtain access to the posting on the electronic network.

(4) If this title prescribes notice requirements for particular circumstances, those requirements govern. If articles of incorporation or bylaws prescribe notice requirements, not inconsistent with this section or other provisions of this title, those requirements govern.

Sec. 2109. RCW 23B.01.520 and 1989 c 165 s 18 are each amended to read as follows:

For the privilege of doing business, every domestic corporation, except one for which existing law provides a different fee schedule, shall pay a fee for the filing of its articles of incorporation and its first year's license ((~~a fee of one hundred seventy-five dollars~~)), and an annual license fee for each year following incorporation on or before the expiration of its corporate license, in an amount established by the secretary of state under section 1213 of this act.

Sec. 2110. RCW 23B.01.540 and 1989 c 165 s 20 are each amended to read as follows:

A foreign corporation doing an intrastate business or seeking to do an intrastate business in the state of Washington shall ((~~qualify so to do in the manner prescribed in this title and shall~~)) pay for the privilege of so doing the same filing and annual license fees prescribed in ((~~this title for domestic corporations, including the same fees as are prescribed in~~)) RCW 23B.01.520((~~, for the filing of articles of incorporation of a domestic corporation~~)) for domestic corporations.

Sec. 2111. RCW 23B.01.570 and 1994 c 287 s 6 are each amended to read as follows:

In the event any corporation, foreign or domestic, fails to file a full and complete initial report under ((~~RCW 23B.02.050(4) and 23B.16.220(3)~~)) section 1212 of this act or does business in this state without having paid its annual corporate license fee and without having filed a substantially complete annual report under ((~~RCW 23B.16.220(1)~~)) section 1212 of this act when either is due, there shall become due and owing the state of Washington a penalty as established by rule by the secretary under section 1213 of this act.

A corporation organized under this title may at any time prior to its dissolution as provided in ((~~RCW 23B.14.200~~)) part I, Article 6 of this act, and a foreign corporation ((~~qualified~~)) registered to do business in this state may at any time prior to the ((~~revocation of its certificate of authority~~)) termination of its registration as provided in ((~~RCW 23B.15.300~~)) section 1511 of this act, pay to the state of Washington its current annual license fee, provided it also pays an amount equal to all previously unpaid annual license fees plus the penalty established by rule by the secretary under section 1213 of this act.

Sec. 2112. RCW 23B.02.020 and 2009 c 189 s 3 are each amended to read as follows:

(1) The articles of incorporation must set forth:

(a) A corporate name for the corporation that satisfies the requirements of ((~~RCW 23B.04.010~~)) part I, Article 3 of this act;

(b) The number of shares the corporation is authorized to issue in accordance with RCW 23B.06.010 and 23B.06.020;

(c) The ((~~street address of the corporation's initial registered office and the~~)) name and address of its initial registered agent ((~~at that office~~)) designated in accordance with ((~~RCW 23B.05.010~~)) part I, Article 4 of this act; and

(d) The name and address of each incorporator in accordance with RCW 23B.02.010.

(2) The articles of incorporation or bylaws must either specify the number of directors or specify the process by which the number of directors will be fixed, unless the articles of incorporation dispense with a board of directors pursuant to RCW 23B.08.010.

(3) Unless its articles of incorporation provide otherwise, a corporation is governed by the following provisions:

(a) The board of directors may adopt bylaws to be effective only in an emergency as provided by RCW 23B.02.070;

(b) A corporation has the purpose of engaging in any lawful business under RCW 23B.03.010;

(c) A corporation has perpetual existence and succession in its corporate name under RCW 23B.03.020;

(d) A corporation has the same powers as an individual to do all things necessary or convenient to carry out its business and affairs, including itemized powers under RCW 23B.03.020;

(e) All shares are of one class and one series, have unlimited voting rights, and are entitled to receive the net assets of the corporation upon dissolution under RCW 23B.06.010 and 23B.06.020;

(f) If more than one class of shares is authorized, all shares of a class must have preferences, limitations, and relative rights identical to those of other shares of the same class under RCW 23B.06.010;

(g) If the board of directors is authorized to designate the number of shares in a series, the board may, after the issuance of shares in that series, reduce the number of authorized shares of that series under RCW 23B.06.020;

(h) The board of directors must approve any issuance of shares under RCW 23B.06.210;

(i) Shares may be issued pro rata and without consideration to shareholders under RCW 23B.06.230;

(j) Shares of one class or series may not be issued as a share dividend with respect to another class or series, unless there are no outstanding shares of the class or series to be issued, or a majority of votes entitled to be cast by such class or series approve as provided in RCW 23B.06.230;

(k) A corporation may issue rights, options, or warrants for the purchase of shares of the corporation under RCW 23B.06.240;

(l) A shareholder has, and may waive, a preemptive right to acquire the corporation's unissued shares as provided in RCW 23B.06.300;

(m) Shares of a corporation acquired by it may be reissued under RCW 23B.06.310;

(n) The board may authorize and the corporation may make distributions not prohibited by statute under RCW 23B.06.400;

(o) The preferential rights upon dissolution of certain shareholders will be considered a liability for purposes of determining the validity of a distribution under RCW 23B.06.400;

(p) Corporate action may be approved by shareholders by unanimous consent of all shareholders entitled to vote on the corporate action, unless the approval of a lesser number of shareholders is permitted as provided in RCW 23B.07.040, which shareholder consent shall be in the form of a record;

(q) Unless this title requires otherwise, the corporation is required to give notice only to shareholders entitled to vote at a meeting and the notice for an annual meeting need not include the purpose for which the meeting is called under RCW 23B.07.050;

(r) A corporation that is a public company shall hold a special meeting of shareholders if the holders of at least ten percent of the votes entitled to be cast on any issue proposed to be considered at the meeting demand a meeting under RCW 23B.07.020;

(s) Subject to statutory exceptions, each outstanding share, regardless of class, is entitled to one vote on each matter voted on at a shareholders' meeting under RCW 23B.07.210;

(t) A majority of the votes entitled to be cast on a matter by a voting group constitutes a quorum, unless the title provides otherwise under RCW 23B.07.250 and 23B.07.270;

(u) Corporate action on a matter, other than election of directors, by a voting group is approved if the votes cast within the voting group favoring the corporate action exceed the votes cast

opposing the corporate action, unless this title requires a greater number of affirmative votes under RCW 23B.07.250;

(v) All shares of one or more classes or series that are entitled to vote will be counted together collectively on any matter at a meeting of shareholders under RCW 23B.07.260;

(w) Directors are elected by cumulative voting under RCW 23B.07.280;

(x) Directors are elected by a plurality of votes cast by shares entitled to vote under RCW 23B.07.280, except as otherwise provided in the articles of incorporation or a bylaw adopted pursuant to RCW 23B.10.205;

(y) A corporation must have a board of directors under RCW 23B.08.010;

(z) All corporate powers must be exercised by or under the authority of, and the business and affairs of the corporation managed under the direction of, its board of directors under RCW 23B.08.010;

(aa) The shareholders may remove one or more directors with or without cause under RCW 23B.08.080;

(bb) A vacancy on the board of directors may be filled by the shareholders or the board of directors under RCW 23B.08.100;

(cc) A corporation shall indemnify a director who was wholly successful in the defense of any proceeding to which the director was a party because the director is or was a director of the corporation against reasonable expenses incurred by the director in connection with the proceeding under RCW 23B.08.520;

(dd) A director of a corporation who is a party to a proceeding may apply for indemnification of reasonable expenses incurred by the director in connection with the proceeding to the court conducting the proceeding or to another court of competent jurisdiction under RCW 23B.08.540;

(ee) An officer of the corporation who is not a director is entitled to mandatory indemnification under RCW 23B.08.520, and is entitled to apply for court-ordered indemnification under RCW 23B.08.540, in each case to the same extent as a director under RCW 23B.08.570;

(ff) The corporation may indemnify and advance expenses to an officer, employee, or agent of the corporation who is not a director to the same extent as to a director under RCW 23B.08.570;

(gg) A corporation may indemnify and advance expenses to an officer, employee, or agent who is not a director to the extent, consistent with law, that may be provided by its articles of incorporation, bylaws, general or specific approval of its board of directors, or contract under RCW 23B.08.570;

(hh) A corporation's board of directors may adopt certain amendments to the corporation's articles of incorporation without shareholder approval under RCW 23B.10.020;

(ii) Unless this title or the board of directors requires a greater vote or a vote by voting groups, an amendment to the corporation's articles of incorporation must be approved by each voting group entitled to vote on the proposed amendment by two-thirds, or, in the case of a public company, a majority, of all the votes entitled to be cast by that voting group under RCW 23B.10.030;

(jj) A corporation's board of directors may amend or repeal the corporation's bylaws unless this title reserves this power exclusively to the shareholders in whole or in part, or unless the shareholders in amending or repealing a bylaw provide expressly that the board of directors may not amend or repeal that bylaw under RCW 23B.10.200;

(kk) Unless this title or the board of directors require a greater vote or a vote by voting groups, a plan of merger or share exchange must be approved by each voting group entitled to vote on the merger or share exchange by two-thirds of all the votes entitled to be cast by that voting group under RCW 23B.11.030;

(ll) Approval by the shareholders of the sale, lease, exchange, or other disposition of all, or substantially all, the corporation's property in the usual and regular course of business is not required under RCW 23B.12.010;

(mm) Approval by the shareholders of the mortgage, pledge, dedication to the repayment of indebtedness, or other encumbrance of any or all of the corporation's property, whether or not in the usual and regular course of business, is not required under RCW 23B.12.010;

(nn) Unless the board of directors requires a greater vote or a vote by voting groups, a sale, lease, exchange, or other disposition of all or substantially all of the corporation's property, other than in the usual and regular course of business, must be approved by each voting group entitled to vote on such transaction by two-thirds of all votes entitled to be cast by that voting group under RCW 23B.12.020; and

(oo) Unless the board of directors requires a greater vote or a vote by voting groups, a proposal to dissolve must be approved by each voting group entitled to vote on the dissolution by two-thirds of all votes entitled to be cast by that voting group under RCW 23B.14.020.

(4) Unless its articles of incorporation or its bylaws provide otherwise, a corporation is governed by the following provisions:

(a) The board of directors may approve the issuance of some or all of the shares of any or all of the corporation's classes or series without certificates under RCW 23B.06.260;

(b) A corporation that is not a public company shall hold a special meeting of shareholders if the holders of at least ten percent of the votes entitled to be cast on any issue proposed to be considered at the meeting demand a meeting under RCW 23B.07.020;

(c) A director need not be a resident of this state or a shareholder of the corporation under RCW 23B.08.020;

(d) The board of directors may fix the compensation of directors under RCW 23B.08.110;

(e) Members of the board of directors may participate in a meeting of the board by any means of similar communication by which all directors participating can hear each other during the meeting under RCW 23B.08.200;

(f) Corporate action permitted or required by this title to be taken at a board of directors' meeting may be approved without a meeting if approved by all members of the board under RCW 23B.08.210;

(g) Regular meetings of the board of directors may be held without notice of the date, time, place, or purpose of the meeting under RCW 23B.08.220;

(h) Special meetings of the board of directors must be preceded by at least two days' notice of the date, time, and place of the meeting, and the notice need not describe the purpose of the special meeting under RCW 23B.08.220;

(i) A quorum of a board of directors consists of a majority of the number of directors under RCW 23B.08.240;

(j) If a quorum is present when a vote is taken, the affirmative vote of a majority of directors present is the act of the board of directors under RCW 23B.08.240;

(k) A board of directors may create one or more committees and appoint members of the board of directors to serve on them under RCW 23B.08.250; and

(l) Unless approved by the shareholders, a corporation may indemnify, or make advances to, a director for reasonable expenses incurred in the defense of any proceeding to which the director was a party because of being a director only to the extent such action is consistent with RCW 23B.08.500 through 23B.08.580.

(5) The articles of incorporation may contain the following provisions:

(a) The names and addresses of the individuals who are to serve as initial directors;

(b) The par value of any authorized shares or classes of shares;

(c) Provisions not inconsistent with law related to the management of the business and the regulation of the affairs of the corporation;

(d) Any provision that under this title is required or permitted to be set forth in the bylaws;

(e) Provisions not inconsistent with law defining, limiting, and regulating the powers of the corporation, its board of directors, and shareholders;

(f) Provisions authorizing corporate action to be approved by consent of less than all of the shareholders entitled to vote on the corporate action, in accordance with RCW 23B.07.040;

(g) If the articles of incorporation authorize dividing shares into classes, the election of all or a specified number of directors may be effected by the holders of one or more authorized classes of shares under RCW 23B.08.040;

(h) The terms of directors may be staggered under RCW 23B.08.060;

(i) Shares may be redeemable or convertible (i) at the option of the corporation, the shareholder, or another person, or upon the occurrence of a designated event; (ii) for cash, indebtedness, securities, or other property; or (iii) in a designated amount or in an amount determined in accordance with a designated formula or by reference to extrinsic data or events under RCW 23B.06.010; and

(j) A director's personal liability to the corporation or its shareholders for monetary damages for conduct as a director may be eliminated or limited under RCW 23B.08.320.

(6) The articles of incorporation or the bylaws may contain the following provisions:

(a) A restriction on the transfer or registration of transfer of the corporation's shares under RCW 23B.06.270;

(b) Shareholders may participate in a meeting of shareholders by any means of communication by which all persons participating in the meeting can hear each other under RCW 23B.07.080;

(c) A quorum of the board of directors may consist of as few as one-third of the number of directors under RCW 23B.08.240;

(d) If the corporation is registered as an investment company under the investment company act of 1940, a provision limiting the requirement to hold an annual meeting of shareholders as provided in RCW 23B.07.010(2); and

(e) If the corporation is registered as an investment company under the investment company act of 1940, a provision establishing terms of directors which terms may be longer than one year as provided in RCW 23B.05.050.

(7) The articles of incorporation need not set forth any of the corporate powers enumerated in this title.

Sec. 2113. RCW 23B.02.050 and 2009 c 189 s 4 are each amended to read as follows:

(1) After incorporation:

(a) If initial directors are named in the articles of incorporation, the initial directors shall hold an organizational meeting, at the call of a majority of the directors, to complete the organization of the corporation by appointing officers, adopting bylaws, and carrying on any other business brought before the meeting;

(b) If initial directors are not named in the articles, the incorporator or incorporators shall hold an organizational meeting at the call of a majority of the incorporators:

(i) To elect directors and complete the organization of the corporation; or

(ii) To elect a board of directors who shall complete the organization of the corporation.

(2) Corporate action required or permitted by this title to be approved by incorporators at an organizational meeting may be approved without a meeting if the approval is evidenced by the consent of each of the incorporators in the form of a record describing the corporate action so approved and executed by each incorporator.

(3) An organizational meeting may be held in or out of this state.

(4) A ((~~corporation's initial report containing the information described in RCW 23B.16.220(1)~~)) corporation must ((~~be delivered~~)) deliver an initial report to the secretary of state ((~~within one hundred twenty days of the date on which the corporation's articles of incorporation were filed~~)) in accordance with section 1212 of this act.

Sec. 2114. RCW 23B.04.010 and 2012 c 215 s 18 are each amended to read as follows:

(((~~(1)~~))) A corporate name((~~:~~

~~(a) Must contain the word "corporation," "incorporated," "company," or "limited," or the abbreviation "corp.," "inc.," "co.," or "ltd.";~~

~~(b) Must not contain language stating or implying that the corporation is organized for a purpose other than those permitted by RCW 23B.03.010 and its articles of incorporation;~~

~~(c) Must not contain any of the following words or phrases:~~

~~"Bank," "banking," "banker," "trust," "cooperative," or any combination of the words "industrial" and "loan," or any combination of any two or more of the words "building," "savings," "loan," "home," "association," and "society," or any other words or phrases prohibited by any statute of this state; and~~

~~(d) Except as authorized by subsections (2) and (3) of this section, must be distinguishable upon the records of the secretary of state from:~~

~~(i) The corporate name of a corporation incorporated or authorized to transact business in this state;~~

~~(ii) A corporate name reserved or registered under chapter 23B.04 RCW;~~

~~(iii) The fictitious name adopted under RCW 23B.15.060 by a foreign corporation authorized to transact business in this state because its real name is unavailable;~~

~~(iv) The corporate name or reserved name of a not-for-profit corporation incorporated or authorized to conduct affairs in this state under chapter 24.03 RCW;~~

~~(v) The name or reserved name of a mutual corporation or miscellaneous corporation incorporated or authorized to do business under chapter 24.06 RCW;~~

~~(vi) The name or reserved name of a foreign or domestic limited partnership formed or registered under chapter 25.10 RCW;~~

~~(vii) The name or reserved name of a limited liability company organized or registered under chapter 25.15 RCW;~~

~~(viii) The name or reserved name of a limited liability partnership registered under chapter 25.04 RCW; and~~

~~(ix) The name or reserved name of a social purpose corporation registered under chapter 23B.25 RCW.~~

~~(2) A corporation may apply to the secretary of state for authorization to use a name that is not distinguishable upon the records from one or more of the names described in subsection (1) of this section. The secretary of state shall authorize use of the name applied for if:~~

~~(a) The other corporation, company, holder, limited liability partnership, or limited partnership consents to the use in writing and files with the secretary of state documents necessary to change its name or the name reserved or registered to a name that is distinguishable upon the records of the secretary of state from the name of the applying corporation; or~~

~~(b) The applicant delivers to the secretary of state a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this state.~~

~~(3) A corporation may use the name, including the fictitious name, of another domestic or foreign corporation, limited liability company, limited partnership, or limited liability partnership, that is~~

~~used in this state if the other entity is formed or authorized to transact business in this state, and the proposed user corporation:~~

~~(a) Has merged with the other corporation, limited liability company, or limited partnership; or~~

~~(b) Has been formed by reorganization of the other corporation.~~

~~(4) This title does not control the use of assumed business names or "trade names."~~

~~(5) A name shall not be considered distinguishable upon the records of the secretary of state by virtue of:~~

~~(a) A variation in any of the following designations for the same name: "Corporation," "incorporated," "company," "limited," "partnership," "limited partnership," "limited liability company," "limited liability partnership," or "social purpose corporation," or the abbreviations "corp.," "inc.," "co.," "ltd.," "LP," "L.P.," "LLP," "L.L.P.," "LLC," "L.L.C." "SPC," or "S.P.C.";~~

~~(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;~~

~~(c) Punctuation, capitalization, or special characters or symbols in the same name; or~~

~~(d) Use of abbreviation or the plural form of a word in the same name~~)) must comply with the requirements of part I, Article 3 of this act.

Sec. 2115. RCW 23B.04.020 and 1989 c 165 s 38 are each amended to read as follows:

(((~~(1)~~))) A person may reserve the exclusive use of a corporate name((~~, including a fictitious name adopted pursuant to RCW 23B.15.060 for a foreign corporation whose corporate name is not available, by delivering an application to the secretary of state for filing. The application must set forth the name and address of the applicant and the name proposed to be reserved. If the secretary of state finds that the corporate name applied for is available, the secretary of state shall reserve the name for the applicant's exclusive use for a nonrenewable one hundred eighty day period.~~

~~(2) The owner of a reserved corporate name may transfer the reservation to another person by delivering to the secretary of state a signed notice of the transfer that states the name and address of the transferee~~)) in accordance with section 1303 of this act.

Sec. 2116. RCW 23B.04.030 and 1989 c 165 s 39 are each amended to read as follows:

(((~~(1)~~))) A foreign corporation may register its corporate name((~~, or its corporate name with any addition required by RCW 23B.15.060, if the name is distinguishable upon the records of the secretary of state from the names specified in RCW 23B.04.010(1).~~

~~(2) A foreign corporation registers its corporate name, or its corporate name with any addition required by RCW 23B.15.060, by delivering to the secretary of state for filing an application that:~~

~~(a) Sets forth its corporate name, or its corporate name with any addition required by RCW 23B.15.060, and the state or country and date of its incorporation; and~~

~~(b) Is accompanied by a certificate of existence, or a document of similar import, from the state or country of incorporation.~~

~~(3) The name is registered for the applicant's exclusive use upon the effective date of the application and until the close of the calendar year in which the application for registration is filed.~~

~~(4) A foreign corporation whose registration is effective may renew it for successive years by delivering to the secretary of state for filing a renewal application, which complies with the requirements of subsection (2) of this section, between October 1 and December 31 of the preceding year. The renewal application when filed renews the registration for the following calendar year.~~

~~(5) A foreign corporation whose registration is effective may thereafter qualify as a foreign corporation under the registered name, or consent in writing to the use of that name by a corporation thereafter incorporated under this title, by a limited partnership thereafter formed under chapter 25.10 RCW, or by another foreign corporation or limited partnership thereafter authorized to transact business in this state. The registration terminates when the domestic corporation is incorporated or the domestic limited partnership is formed, or the foreign corporation qualifies or consents to the qualification of another foreign corporation or limited partnership under the registered name~~)) in accordance with section 1304 of this act.

Sec. 2117. RCW 23B.05.010 and 2002 c 297 s 15 are each amended to read as follows:

(((~~(1)~~))) Each corporation must continuously maintain in this state((~~:~~

~~(a) A registered office that may be the same as any of its places of business. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the corporation also maintains on file the specific geographic address of the registered office where personal service of process may be made;~~

~~(b) A registered agent that may be:~~

~~(i) An individual residing in this state whose business office is identical with the registered office;~~

~~(ii) A domestic corporation or not for profit domestic corporation whose business office is identical with the registered office;~~

~~(iii) A foreign corporation or not for profit foreign corporation authorized to conduct affairs in this state whose business office is identical with the registered office;~~

~~(iv) A domestic limited liability company whose business office is identical with the registered office; or~~

~~(v) A foreign limited liability company authorized to conduct affairs in this state whose business office is identical with the registered office.~~

~~(2) A registered agent shall not be appointed without having given prior consent in a record to the appointment. The consent shall be filed with the secretary of state in such form as the secretary of state may prescribe. The consent shall be filed with or as a part of the record first appointing a registered agent. In the event any individual, corporation, or limited liability company has been appointed agent without consent, that person, corporation, or limited liability company may file a notarized statement attesting to that fact, and the name shall immediately be removed from the records of the secretary of state~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 2118. RCW 23B.05.020 and 2002 c 297 s 16 are each amended to read as follows:

(1) A corporation may change its ((~~registered office or~~)) registered agent ((~~by delivering to the secretary of state for filing a statement of change that sets forth:~~

~~(a) The name of the corporation;~~

~~(b) If the current registered office is to be changed, the street address of the new registered office in accord with RCW 23B.05.010(1)(a);~~

~~(c) If the current registered agent is to be changed, the name of the new registered agent and the new agent's consent in a record, either on the statement or attached to it in a manner and form as the secretary of state may prescribe, to the appointment; and~~

~~(d) That after the change or changes are made, the street addresses of its registered office and the business office of its registered agent will be identical~~)) in accordance with section 1407 of this act.

(2) ((~~If~~)) A registered agent ((~~changes the street address of the agent's business office, the registered agent may change the street address of the registered office of any corporation for which the~~

~~agent is the registered agent by notifying the corporation of the change either (a) in a written record, or (b) if the corporation has designated an address, location, or system to which the notices may be electronically transmitted and the registered agent electronically transmits the notice to the corporation at the designated address, location, or system, in an electronically transmitted record and delivering to the secretary of state for filing a statement that complies with the requirements of subsection (1) of this section and recites that the corporation has been notified of the change~~)) may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

Sec. 2119. RCW 23B.05.030 and 1989 c 165 s 42 are each amended to read as follows:

(((~~(1)~~))) A registered agent may resign as agent by ((~~signing and~~)) delivering to the secretary of state for filing a statement of resignation in accordance with section 1410 of this act. ((~~The statement may include a statement that the registered office is also discontinued.~~

~~(2) After filing the statement the secretary of state shall mail a copy of the statement to the corporation at its principal office.~~

~~(3) The agency appointment is terminated, and the registered office discontinued if so provided, on the 31st day after the date on which the statement was filed.~~))

Sec. 2120. RCW 23B.05.040 and 1989 c 165 s 43 are each amended to read as follows:

(((~~(1) A corporation's registered agent is the corporation's agent for~~)) Service of process, notice, or demand required or permitted by law to be served on the corporation may be made in accordance with section 1411 of this act.

(((~~(2) The secretary of state shall be an agent of a corporation upon whom any such process, notice, or demand may be served if:~~

~~(a) The corporation fails to appoint or maintain a registered agent in this state; or~~

~~(b) The registered agent cannot with reasonable diligence be found at the registered office.~~

~~(3) Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of the secretary of state's office, the process, notice, or demand. In the event any such process, notice, or demand is served on the secretary of state, the secretary of state shall immediately cause a copy thereof to be forwarded by certified mail, addressed to the secretary of the corporation at the corporation's principal office as shown on the records of the secretary of state. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~(4) The secretary of state shall keep a record of all processes, notices, and demands served upon the secretary of state under this section, and shall record therein the time of such service and the secretary of state's action with reference thereto.~~

~~(5) This section does not limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.~~))

Sec. 2121. RCW 23B.09.040 and 2014 c 83 s 12 are each amended to read as follows:

(1) After a plan of entity conversion by a domestic corporation converting into an other entity has been adopted and approved as required by this chapter, articles of entity conversion must be signed on behalf of the domestic corporation by any officer or other duly authorized representative and must be delivered to the secretary of state for filing.

(2) After the conversion of an other entity into a domestic corporation has been adopted and approved as required by the organic law of the converting entity, articles of entity conversion must be signed on behalf of the converting entity by any officer or other duly authorized representative and must be delivered to the secretary of state for filing.

(3) The articles of entity conversion must set forth:

(a) A statement that the converting entity has been converted into the surviving entity;

(b) The name and form of the converting entity before conversion;

(c) The name and form of the surviving entity after conversion, which must be a name that satisfies the requirements of ((~~RCW 23B.04.010~~)) part I, Article 3 of this act if the surviving entity after conversion is a domestic corporation;

(d) Articles of incorporation that comply with RCW 23B.02.020 if the surviving entity after conversion is a domestic corporation;

(e) The date the conversion is effective under the organic law of the surviving entity;

(f) If the converting entity is a domestic corporation, a statement that the conversion was duly approved by the shareholders of the domestic corporation pursuant to RCW 23B.09.030;

(g) If the converting entity is an other entity, a statement that the conversion was duly approved as required by the organic law of the converting entity; and

(h) If the surviving entity is a foreign other entity not authorized to transact business in this state: (i) A statement that the surviving entity ((~~appoints the secretary of state as its agent for~~)) consents to service of process pursuant to section 1411 of this act in a proceeding to enforce any obligation or the rights of dissenting shareholders of the domestic corporation; and (ii) the street and mailing address of ((~~an office which the secretary of state may use for the purposes of RCW 23B.15.100~~)) the entity's principal office that may be used for service of process under section 1411 of this act.

(4) The articles of entity conversion take effect at the effective time provided in ((~~RCW 23B.01.230~~)) section 1203 of this act. Articles of entity conversion under subsection (1) or (2) of this section may be combined with any required conversion filing under the organic law of the other entity if the combined filing satisfies the requirements of both this section and the organic law of the other entity.

Sec. 2122. RCW 23B.09.050 and 2014 c 83 s 13 are each amended to read as follows:

(1) An entity that has been converted pursuant to this chapter is, for all purposes of the laws of the state of Washington, deemed to be the same entity that existed before the conversion and, unless otherwise agreed or as required under applicable non-Washington law, the converting entity is not required to wind up its affairs or pay its liabilities and distribute its assets, and the conversion is not deemed to constitute a dissolution of the converting entity.

(2) When any conversion becomes effective under this chapter:

(a) The title to all real estate and other property, both tangible and intangible, owned by the converting entity remains vested in the surviving entity without reversion or impairment;

(b) All rights of creditors and all liens upon any property of the converting entity must be preserved unimpaired, and all debts, liabilities, and other obligations of the converting entity continue as obligations of the surviving entity, remain attached to the surviving entity, and may be enforced against it to the same extent as if the debts, liabilities, and other obligations had originally been incurred or contracted by it in its capacity as the surviving entity;

(c) An action or proceeding pending by or against the converting entity may be continued by or against the surviving entity as if the conversion had not occurred;

(d) Except as prohibited by other law, all of the rights, privileges, immunities, powers, and purposes of the converting entity remain vested in the surviving entity; and

(e) Except as otherwise provided in the plan of entity conversion, the terms and conditions of the plan of entity conversion take effect.

(3) When a conversion of a domestic corporation to a foreign other entity becomes effective, the surviving entity is deemed:

(a) To consent to the jurisdiction of the courts of this state to enforce any obligation owed by the converting entity, if before the conversion the converting entity was subject to suit in this state on the obligation;

(b) To ((~~appoint the secretary of state as its agent for~~)) consent to service of process pursuant to section 1411 of this act in a proceeding to enforce any obligation or the rights of dissenting shareholders of the domestic corporation in connection with the conversion; and

(c) To agree that it will promptly pay to the dissenting shareholders of the domestic corporation the amount, if any, to which they are entitled under chapter 23B.13 RCW.

(((~~(4) Service of process on the secretary of state under this section is made in the same manner and with the same consequences as in RCW 23B.15.100.~~)))

Sec. 2123. RCW 23B.09.060 and 2014 c 83 s 14 are each amended to read as follows:

(1) Unless otherwise provided in a plan of entity conversion of a domestic corporation, after the plan of entity conversion has been adopted and approved as required by this chapter, and at any time before the articles of entity conversion have become effective, the planned conversion may be abandoned by the board of directors without action by the shareholders.

(2) If any entity conversion is abandoned after articles of entity conversion have been filed with the secretary of state but before the entity conversion has become effective, a statement that the entity conversion has been abandoned in accordance with this section, signed by an officer or other duly authorized representative, must be delivered to the secretary of state for filing prior to the effective date of the entity conversion and in accordance with section 1204 of this act. Upon filing, the statement takes effect and the entity conversion is deemed abandoned and may not become effective.

Sec. 2124. RCW 23B.11.070 and 1989 c 165 s 137 are each amended to read as follows:

(1) One or more foreign corporations may merge or enter into a share exchange with one or more domestic corporations if:

(a) In a merger, the merger is permitted by the law of the state or country under whose law each foreign corporation is incorporated and each foreign corporation complies with that law in effecting the merger;

(b) In a share exchange, the corporation whose shares will be acquired is a domestic corporation, whether or not a share exchange is permitted by the law of the state or country under whose law the acquiring corporation is incorporated;

(c) The foreign corporation complies with RCW 23B.11.050 if it is the surviving corporation of the merger or acquiring corporation of the share exchange; and

(d) Each domestic corporation complies with the applicable provisions of RCW 23B.11.010 through 23B.11.040 and, if it is the surviving corporation of the merger or acquiring corporation of the share exchange, with RCW 23B.11.050.

(2) Upon the merger or share exchange taking effect, the surviving foreign corporation of a merger and the acquiring foreign corporation of a share exchange is deemed:

(a) To ((~~appoint the secretary of state as its agent for~~)) consent to service of process pursuant to section 1411 of this act in a proceeding to enforce any obligation or the rights of dissenting shareholders of each domestic corporation party to the merger or share exchange; and

(b) To agree that it will promptly pay to the dissenting shareholders of each domestic corporation party to the merger or share exchange the amount, if any, to which they are entitled under chapter 23B.13 RCW.

(3) This section does not limit the power of a foreign corporation to acquire all or part of the shares of one or more classes or series of a domestic corporation through a voluntary exchange or otherwise.

Sec. 2125. RCW 23B.11.110 and 2009 c 188 s 1403 are each amended to read as follows:

(1) One or more foreign limited partnerships, foreign corporations, foreign partnerships, and foreign limited liability companies may merge with one or more domestic partnerships, domestic limited liability companies, domestic limited partnerships, or domestic corporations, provided that:

(a) The merger is permitted by the law of the jurisdiction under which each foreign limited partnership was organized and the law of the state or country under which each foreign corporation was incorporated and each foreign limited partnership or foreign corporation complies with that law in effecting the merger;

(b) If the surviving entity is a foreign or domestic corporation, that corporation complies with RCW 23B.11.090;

(c) If the surviving entity is a foreign or domestic limited partnership, that limited partnership complies with RCW 25.10.786;

(d) Each domestic corporation complies with RCW 23B.11.080;

(e) Each domestic limited partnership complies with RCW 25.10.781;

(f) Each domestic limited liability company complies with RCW 25.15.400; and

(g) Each domestic partnership complies with RCW 25.05.375.

(2) Upon the merger taking effect, a surviving foreign corporation, foreign limited partnership, foreign limited liability corporation, or foreign partnership is deemed:

(a) To ((~~appoint the secretary of state as its agent for~~)) consent to service of process pursuant to section 1411 of this act in a proceeding to enforce any obligation or the rights of dissenting shareholders or partners of each domestic corporation, domestic limited partnership, domestic limited liability company, or domestic partnership party to the merger; and

(b) To agree that it will promptly pay to the dissenting shareholders or partners of each domestic corporation, domestic limited partnership, domestic limited liability company, or domestic partnership party to the merger the amount, if any, to which they are entitled under chapter 23B.13 RCW, in the case of dissenting shareholders, or under chapter 25.10, 25.15, or 25.05 RCW, in the case of dissenting partners.

Sec. 2126. RCW 23B.14.040 and 2009 c 189 s 52 are each amended to read as follows:

(1) A corporation may revoke its dissolution within one hundred twenty days of its effective date.

(2) Revocation of dissolution must be approved in the same manner as the dissolution was approved unless that approval permitted revocation upon approval by the board of directors alone, in which event the board of directors may revoke the dissolution without shareholder approval.

(3) After the revocation of dissolution is approved, the corporation may revoke the dissolution by delivering to the secretary of state for filing articles of revocation of dissolution, together with a copy of its articles of dissolution, that set forth:

(a) The name of the corporation and a statement that such name satisfies the requirements of ((~~RCW 23B.04.010~~)) part I, Article 3 of this act; if the name is not available, the corporation must ((~~file~~)) deliver to the secretary of state for filing articles of amendment changing its name with the articles of revocation of dissolution;

(b) The effective date of the dissolution that was revoked;

(c) The date that the revocation of dissolution was approved;

(d) If the corporation's board of directors, or incorporators, revoked the dissolution, a statement to that effect;

(e) If the corporation's board of directors revoked a dissolution authorized by the shareholders, a statement that revocation was permitted by action by the board of directors alone pursuant to that authorization; and

(f) If shareholder approval was required to revoke the dissolution, a statement that revocation of the dissolution was duly approved by the shareholders in accordance with ((~~RCW 23B.14.040(2) [subsection (2) of this section]~~)) subsection (2) of this section and RCW 23B.14.020.

(4) Revocation of dissolution is effective upon the effective date of the articles of revocation of dissolution.

(5) When the revocation of dissolution is effective, it relates back to and takes effect as of the effective date of the dissolution and the corporation resumes carrying on its business as if dissolution had never occurred.

Sec. 2127. RCW 23B.14.200 and 1994 c 287 s 7 are each amended to read as follows:

The secretary of state may administratively dissolve a corporation under ((~~RCW 23B.14.210 if:~~

~~(1) The corporation does not pay any license fees or penalties, imposed by this title, when they become due;~~

~~(2) The corporation does not deliver its completed initial report or annual report to the secretary of state when it is due;~~

~~(3) The corporation is without a registered agent or registered office in this state;~~

~~(4) The corporation does not notify the secretary of state that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued;~~

~~(5) The corporation's period of duration stated in its articles of incorporation expired after July 1, 1990; or~~

~~(6) The corporation's period of duration stated in its articles of incorporation expired prior to July 1, 1990, but the corporation has timely paid all license fees imposed by this title and set by rule by the secretary, has timely filed annual reports with the secretary of state, has never been without a registered agent or registered office in this state for sixty days or more, and has never failed to notify the secretary of state of changes in a registered agent or registered office within sixty days of such change~~)) the circumstances and procedures provided in part I, Article 6 of this act.

Sec. 2128. RCW 23B.14.220 and 2006 c 52 s 13 are each amended to read as follows:

(1) A corporation administratively dissolved under ((~~RCW 23B.14.210~~)) section 1603 of this act may apply to the secretary of state for reinstatement ((~~within five years after the effective date of dissolution. The application must:~~

~~(a) Recite the name of the corporation and the effective date of its administrative dissolution;~~

~~(b) State that the ground or grounds for dissolution either did not exist or have been eliminated; and~~

~~(c) State that the corporation's name satisfies the requirements of RCW 23B.04.010.~~

~~(2) If the secretary of state determines that the application contains the information required by subsection (1) of this section and that the name is available, the secretary of state shall reinstate the corporation and give the corporation written notice of the reinstatement that recites the effective date of reinstatement. If the name is not available, the corporation must file articles of amendment changing its name with its application for reinstatement.~~

~~(3) When the reinstatement is effective, it relates back to and takes effect as of the effective date of the administrative dissolution and the corporation resumes carrying on its business as if the administrative dissolution had never occurred~~)) in accordance with section 1604 of this act.

Sec. 2129. RCW 23B.14.390 and 1995 c 47 s 8 are each amended to read as follows:

On the first day of each month, the secretary of state shall prepare a list of corporations dissolved during the preceding month pursuant to RCW 23B.14.030, ((~~23B.14.210, and~~)) 23B.14.330, and section 1603 of this act.

Sec. 2130. RCW 23B.15.010 and 1993 c 181 s 11 are each amended to read as follows:

(1) Unless it is otherwise authorized to transact business pursuant to a state or federal statute, a foreign corporation may not transact business in this state until it ((~~obtains a certificate of authority from~~)) registers with the secretary of state in accordance with part I, Article 5 of this act.

(2) ((~~The following activities, among others,~~)) A nonexhaustive list of activities that do not constitute transacting business ((~~within the meaning of subsection (1) of this section:~~

~~(a) Maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof or the settlement of claims or disputes;~~

~~(b) Holding meetings of the board of directors or shareholders or carrying on other activities concerning internal corporate affairs;~~

~~(c) Maintaining bank accounts, share accounts in savings and loan associations, custodian or agency arrangements with a bank or trust company, or stock or bond brokerage accounts;~~

~~(d) Maintaining offices or agencies for the transfer, exchange, and registration of the corporation's own securities or maintaining trustees or depositaries with respect to those securities;~~

~~(e) Selling through independent contractors;~~

~~(f) Soliciting or procuring orders, whether by mail or through employees or agents or otherwise, where the orders require acceptance outside this state before becoming binding contracts and where the contracts do not involve any local performance other than delivery and installation;~~

~~(g) Making loans or creating or acquiring evidences of debt, mortgages, or liens on real or personal property, or recording same;~~

~~(h) Securing or collecting debts or enforcing mortgages and security interests in property securing the debts;~~

~~(i) Owning, without more, real or personal property;~~

~~(j) Conducting an isolated transaction that is completed within thirty days and that is not one in the course of repeated transactions of a like nature;~~

~~(k) Transacting business in interstate commerce;~~

~~(l) Owning and controlling a subsidiary corporation incorporated in or transacting business within this state; or~~

~~(m) Operating an approved branch campus of a foreign degree-granting institution in compliance with chapter 28B.90 RCW and in accordance with RCW 23B.15.015.~~

~~(3) The list of activities in subsection (2) of this section is not exhaustive~~)) in this state is provided in section 1505 of this act.

Sec. 2131. RCW 23B.15.020 and 1990 c 178 s 8 are each amended to read as follows:

(((~~(1)~~))) Unless it is otherwise authorized to transact business pursuant to a state or federal statute, a foreign corporation transacting business in this state without ((~~a certificate of authority may not maintain a proceeding in any court in this state until it obtains a certificate of authority.~~

~~(2) The successor to a foreign corporation that transacted business in this state without a certificate of authority and the assignee of a cause of action arising out of that business may not maintain a proceeding based on that cause of action in any court in this state until the foreign corporation or its successor obtains a certificate of authority.~~

~~(3) A court may stay a proceeding commenced by a foreign corporation, its successor, or assignee until it determines whether the foreign corporation or its successor requires a certificate of authority. If it so determines, the court may further stay the~~

proceeding until the foreign corporation or its successor obtains the certificate.

(4) A foreign corporation which transacts business in this state without a certificate of authority is liable to this state, for the years or parts thereof during which it transacted business in this state without a certificate of authority, in an amount equal to all fees which would have been imposed by this title upon such corporation had it applied for and received a certificate of authority to transact business in this state as required by this title and thereafter filed all reports required by this title, plus all penalties imposed by this title for failure to pay such fees.

(5) Notwithstanding subsections (1) and (2) of this section, the failure of a foreign corporation to obtain a certificate of authority does not impair the validity of its corporate acts or prevent it from defending any proceeding in this state)) registering with the secretary of state is subject to section 1502 of this act.

Sec. 2132. RCW 23B.15.030 and 1989 c 165 s 171 are each amended to read as follows:

(((1))) A foreign corporation may ((apply for a certificate of authority)) register to transact business in this state by delivering ((an application)) a foreign registration statement to the secretary of state for filing in accordance with section 1503 of this act. ((The application must state:

(a) That the name of the foreign corporation meets the requirements stated in RCW 23B.15.060;

(b) The name of the state or country under whose law it is incorporated;

(c) Its date of incorporation and period of duration;

(d) The street address of its principal office;

(e) The street address of its registered office in this state and the name of its registered agent at that office, in accordance with RCW 23B.15.070; and

(f) The names and usual business addresses of its current directors and officers.

(2) The foreign corporation shall deliver with the completed application a certificate of existence, or a document of similar import, issued no more than sixty days before the date of the application and duly authenticated by the secretary of state or other official having custody of corporate records in the state or country under whose law it is incorporated.))

Sec. 2133. RCW 23B.15.040 and 1991 c 72 s 38 are each amended to read as follows:

(((1))) A foreign corporation ((authorized)) registered to transact business in this state must ((obtain an amended certificate of authority from the secretary of state if it changes:

(a) Its corporate name; or

(b) The period of its duration.

(2) A foreign corporation may apply for an amended certificate of authority by delivering an application to the secretary of state for filing that sets forth:

(a) The name of the foreign corporation and the name in which the corporation is authorized to transact business in Washington, if different;

(b) The name of the state or country under whose law it is incorporated;

(c) The date it was authorized to transact business in this state;

(d) A statement of the change or changes being made;

(e) In the event the change or changes include a name change to a name that does not meet the requirements of RCW 23B.15.060, a fictitious name for use in Washington, and a copy of the resolution of the board of directors, certified by the corporation's secretary, adopting the fictitious name; and

(f) A copy of the document filed in the state or country of incorporation showing that jurisdiction's "filed" stamp)) amend its foreign registration statement under the circumstances specified in section 1504 of this act.

Sec. 2134. RCW 23B.15.050 and 1989 c 165 s 173 are each amended to read as follows:

(1) A ((certificate of authority authorizes the)) registered foreign corporation ((to which it is issued to)) may transact business in this state subject, however, to the right of the state to ((revoke the certificate)) terminate the registration as provided in ((this title)) part I, Article 5 of this act.

(2) ((A foreign corporation holding a valid certificate of authority shall have no greater rights and privileges than a domestic corporation of like character. Except as otherwise provided by this title, a foreign corporation is subject to the same duties, restrictions, penalties, and liabilities now or later imposed on a domestic corporation of like character.

(3) Except as otherwise provided in chapter 23B.19 RCW, this title does not authorize this state to regulate the organization or internal affairs of a foreign corporation authorized to transact business in this state)) A foreign corporation registered to transact business in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign corporations.

Sec. 2135. RCW 23B.15.060 and 1998 c 102 s 2 are each amended to read as follows:

(((1) No certificate of authority shall be issued to a foreign corporation unless the corporate name of such corporation:

(a) Contains the word "corporation," "incorporated," "company," or "limited," or the abbreviation "corp.," "inc.," "co.," or "ltd.";

(b) Does not contain language stating or implying that the corporation is organized for a purpose other than that permitted by RCW 23B.03.010 and its articles of incorporation;

(c) Does not contain any of the following words or phrases: "Bank," "banking," "banker," "trust," "cooperative," or any combination of the words "industrial" and "loan," or any combination of any two or more words "building," "savings," "loan," "home," "association," and "society," or any other words or phrases prohibited by any statute of this state; and

(d) Except as authorized by subsections (4) and (5) of this section, is distinguishable upon the records of the secretary of state from:

(i) The corporate name of a corporation incorporated or authorized to transact business in this state;

(ii) A corporate name reserved or registered under chapter 23B.04 RCW;

(iii) The fictitious name adopted pursuant to subsection (3) of this section by a foreign corporation authorized to transact business in this state because its real name is unavailable;

(iv) The corporate name or reserved name of a not-for-profit corporation incorporated or authorized to conduct affairs in this state under chapter 24.03 RCW;

(v) The name or reserved name of a mutual corporation or miscellaneous corporation incorporated or authorized to do business under chapter 24.06 RCW;

(vi) The name or reserved name of a foreign or domestic limited partnership formed or registered under chapter 25.10 RCW;

(vii) The name or reserved name of any limited liability company organized or registered under chapter 25.15 RCW; and

(viii) The name or reserved name of any limited liability partnership registered under chapter 25.04 RCW.

(2) A name shall not be considered distinguishable under the same grounds as provided under RCW 23B.04.010.

(3) If the corporate name of a foreign corporation does not satisfy the requirements of subsection (1) of this section, the foreign corporation to obtain or maintain a certificate of authority to transact business in this state:

~~(a) May add the word "corporation," "incorporated," "company," or "limited," or the abbreviation "corp.," "inc.," "co.," or "ltd.," to its corporate name for use in this state; or~~

~~(b) May use a fictitious name to transact business in this state if its real name is unavailable and it delivers to the secretary of state for filing a copy of the resolution of its board of directors, certified by its secretary, adopting the fictitious name.~~

~~(4) A foreign corporation may apply to the secretary of state for authorization to use a name that is not distinguishable upon the records from one or more of the names described in subsection (1)(d) of this section. The secretary of state shall authorize use of the name applied for if:~~

~~(a) The other corporation, company, holder, limited liability partnership, or limited partnership consents to the use in writing and files with the secretary of state documents necessary to change its name or the name reserved or registered to a name that is distinguishable upon the records of the secretary of state from the name of the applying corporation; or~~

~~(b) The applicant delivers to the secretary of state a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this state.~~

~~(5) A foreign corporation may use in this state the name, including the fictitious name, of another domestic or foreign corporation that is used in this state if the other corporation is incorporated or authorized to transact business in this state and the foreign corporation:~~

~~(a) Has merged with the other corporation; or~~

~~(b) Has been formed by reorganization of the other corporation.~~

~~(6) If a foreign corporation authorized to transact business in this state changes its corporate name to one that does not satisfy the requirements of subsection (1) of this section, it may not transact business in this state under the changed name until it adopts a name satisfying such requirements and obtains an amended certificate of authority under RCW 23B.15.040~~)) The corporate name of a foreign corporation registered in this state must comply with the provisions of section 1506 of this act and part I, Article 3 of this act.

Sec. 2136. RCW 23B.15.070 and 2002 c 297 s 43 are each amended to read as follows:

(((~~(1)~~))) Each foreign corporation ((~~authorized~~)) registered to transact business in this state must continuously maintain in this state((~~:~~

~~(a) A registered office which may be, but need not be, the same as its place of business in this state. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, building address, or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in the same city as the registered office to be used in conjunction with the registered office address if the corporation also maintains on file the specific geographic address of the registered office where personal service of process may be made.~~

~~(b) A registered agent, who may be:~~

~~(i) An individual who resides in this state and whose business office is identical with the registered office;~~

~~(ii) A domestic corporation or not-for-profit domestic corporation whose business office is identical with the registered office;~~

~~(iii) A foreign corporation or foreign not-for-profit corporation authorized to transact business or conduct affairs in this state whose business office is identical with the registered office;~~

~~(iv) A domestic limited liability company whose business office is identical with the registered office; or~~

~~(v) A foreign limited liability company authorized to conduct affairs in this state whose business office is identical with the registered office.~~

~~(2) A registered agent shall not be appointed without having given prior consent in a record to the appointment. The consent shall be filed with the secretary of state in such form as the secretary of state may prescribe. The consent shall be filed with or as a part of the record first appointing a registered agent. In the event any individual, corporation, or limited liability company has been appointed agent without consent, that person, corporation, or limited liability company may file a notarized statement attesting to that fact, and the name shall forthwith be removed from the records~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 2137. RCW 23B.15.080 and 2002 c 297 s 44 are each amended to read as follows:

(1) A foreign corporation ((~~authorized~~)) registered to transact business in this state may change its registered ((~~office or registered~~)) agent by delivering to the secretary of state for filing a statement of change ((~~that sets forth:~~

~~(a) Its name;~~

~~(b) If the current registered office is to be changed, the street address of its new registered office;~~

~~(c) If the current registered agent is to be changed, the name of its new registered agent and the new agent's consent, either on the statement or attached to it in the manner and form as the secretary of state may prescribe, to the appointment; and~~

~~(d) That, after the change or changes are made, the street addresses of its registered office and the business office of its registered agent will be identical~~)) in accordance with section 1407 of this act.

(2) ((~~If~~)) A registered agent ((~~changes the street address of the agent's business office, the registered agent may change the street address of the registered office of any foreign corporation for which the agent is the registered agent by notifying the corporation of the change either (a) in a record or (b) if the corporation has designated an address, location, or system to which the notices may be electronically transmitted and the registered agent electronically transmits the notice to the corporation at the designated address, location, or system, in an electronically transmitted record, and delivering to the secretary of state for filing a statement of change that complies with the requirements of subsection (1) of this section and recites that the corporation has been notified of the change~~)) of a foreign corporation may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

Sec. 2138. RCW 23B.15.090 and 1989 c 165 s 177 are each amended to read as follows:

(((~~(1)~~))) The registered agent of a foreign corporation may resign as agent by signing and delivering to the secretary of state for filing a statement of resignation((~~. The statement of resignation may include a statement that the registered office is also discontinued.~~

~~(2) After filing the statement, the secretary of state shall mail a copy of the statement to the foreign corporation at its principal office address shown in its most recent annual report, or in the application for certificate of authority if no annual report has been filed.~~

~~(3) The agency appointment is terminated, and the registered office discontinued if so provided, on the thirty-first day after the date on which the statement was filed~~)) in accordance with section 1410 of this act.

Sec. 2139. RCW 23B.15.100 and 1989 c 165 s 178 are each amended to read as follows:

(((~~(1) The registered agent appointed by a foreign corporation authorized to transact business in this state shall be an agent of such corporation upon whom~~))) Service of any process, notice, or demand required or permitted by law to be served upon the foreign corporation may be ((~~served.~~

~~(2) The secretary of state shall be an agent of a foreign corporation upon whom any process, notice, or demand may be served, if:~~

~~(a) The corporation is authorized to transact business in this state, and it fails to appoint or maintain a registered agent in this state, or its registered agent cannot with reasonable diligence be found at the registered office;~~

~~(b) The corporation's authority to transact business in this state has been revoked under RCW 23B.15.310; or~~

~~(c) The corporation has been authorized to transact business in this state and has withdrawn under RCW 23B.15.200.~~

~~(3) Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of the secretary of state's office, the process, notice, or demand. In the event any such process, notice, or demand is served on the secretary of state, the secretary of state shall immediately cause a copy thereof to be forwarded by certified mail, addressed to the secretary of the corporation at its principal office as shown on the records of the secretary of state. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~(4) The secretary of state shall keep a record of all processes, notices, and demands served upon the secretary of state under this section, and shall record therein the time of such service and the secretary of state's action with reference thereto.~~

~~(5) This section does not limit or affect the right to serve any process, notice, or demand, required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law~~)) made in accordance with section 1411 of this act.

Sec. 2140. RCW 23B.15.200 and 1989 c 165 s 179 are each amended to read as follows:

(((~~(1)~~))) A foreign corporation ((~~authorized~~)) registered to transact business in this state may not withdraw from this state until it ((~~obtains a certificate~~)) delivers a statement of withdrawal ((~~from~~)) to the secretary of state((~~.~~

~~(2) A foreign corporation authorized to transact business in this state may apply for a certificate of withdrawal by delivering an application to the secretary of state for filing. The application must be accompanied by a copy of a revenue clearance certificate issued pursuant to RCW 82.32.260, and must set forth:~~

~~(a) The name of the foreign corporation and the name of the state or country under whose law it is incorporated;~~

~~(b) That it is not transacting business in this state and that it surrenders its authority to transact business in this state;~~

~~(c) That it revokes the authority of its registered agent to accept service on its behalf and appoints the secretary of state as its agent for service of process in any proceeding based on a cause of action arising during the time it was authorized to transact business in this state;~~

~~(d) A mailing address to which the secretary of state may mail a copy of any process served on the secretary of state under (c) of this subsection; and~~

~~(e) A commitment to notify the secretary of state in the future of any change in its mailing address.~~

~~(3) After the withdrawal of the corporation is effective, service of process on the secretary of state under RCW 23B.15.100 is service on the foreign corporation~~)) for filing in accordance with section 1507 of this act.

Sec. 2141. RCW 23B.15.300 and 1991 c 72 s 39 are each amended to read as follows:

The secretary of state may ((~~revoke the certificate of authority~~)) terminate the registration of a registered foreign corporation ((~~authorized to transact business in this state if:~~

~~(1) The foreign corporation does not deliver its completed initial report or annual report to the secretary of state when it is due;~~

~~(2) The foreign corporation does not pay any license fees or penalties, imposed by this title, when they become due;~~

~~(3) The foreign corporation is without a registered agent or registered office in this state;~~

~~(4) The foreign corporation does not inform the secretary of state under RCW 23B.15.080 or 23B.15.090 that its registered agent or registered office has changed, that its registered agent has resigned, or that its registered office has been discontinued;~~

~~(5) An incorporator, director, officer, or agent of the foreign corporation signed a document knowing it was false in any material respect with intent that the document be delivered to the secretary of state for filing; or~~

~~(6) The secretary of state receives a duly authenticated certificate from the secretary of state or other official having custody of corporate records in the state or country under whose law the foreign corporation is incorporated stating that it has been dissolved or disappeared as the result of a merger~~)) under the circumstances and procedures specified in section 1511 of this act.

Sec. 2142. RCW 23B.16.010 and 2009 c 189 s 54 are each amended to read as follows:

(1) A corporation shall keep as permanent records minutes of all meetings of its shareholders and board of directors, a record of all corporate actions approved by the shareholders or board of directors by executed consent without a meeting, and a record of all corporate actions approved by a committee of the board of directors exercising the authority of the board of directors on behalf of the corporation.

(2) A corporation shall maintain appropriate accounting records.

(3) A corporation or its agent shall maintain a record of its shareholders, in a form that permits preparation of a list of the names and addresses of all shareholders, in alphabetical order by class of shares showing the number and class of shares held by each.

(4) A corporation shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

(5) A corporation shall keep a copy of the following records at its principal office:

(a) Its articles or restated articles of incorporation and all amendments to them currently in effect;

(b) Its bylaws or restated bylaws and all amendments to them currently in effect;

(c) The minutes of all shareholders' meetings, and records of all corporate actions approved by shareholders without a meeting, for the past three years;

(d) The financial statements described in RCW 23B.16.200(1), for the past three years;

(e) All communications in the form of a record to shareholders generally within the past three years;

(f) A list of the names and business addresses of its current directors and officers; and

(g) Its initial report or most recent annual report delivered to the secretary of state under ((~~RCW 23B.16.220~~)) section 1212 of this act.

Sec. 2143. RCW 23B.16.220 and 2001 c 307 s 1 are each amended to read as follows:

(((~~(1)~~))) Each domestic corporation, and each foreign corporation ((~~authorized~~)) registered to transact business in this state, shall deliver to the secretary of state for filing initial and annual reports ((~~that set forth:~~

~~(a) The name of the corporation and the state or country under whose law it is incorporated;~~

~~(b) The street address of its registered office and the name of its registered agent at that office in this state;~~

~~(c) In the case of a foreign corporation, the address of its principal office in the state or country under the laws of which it is incorporated;~~

~~(d) The address of the principal place of business of the corporation in this state;~~

~~(e) The names and addresses of its directors, if the corporation has dispensed with or limited the authority of its board of directors pursuant to RCW 23B.08.010, in an agreement authorized under RCW 23B.07.320, or analogous authority, the names and addresses of persons who will perform some or all of the duties of the board of directors;~~

~~(f) A brief description of the nature of its business; and~~

~~(g) The names and addresses of its chairperson of the board of directors, if any, president, secretary, and treasurer, or of individuals, however designated, performing the functions of such officers.~~

~~(2) Information in an initial report or an annual report must be current as of the date the report is executed on behalf of the corporation.~~

~~(3) A corporation's initial report must be delivered to the secretary of state within one hundred twenty days of the date on which the articles of incorporation for a domestic corporation were filed, or on which a foreign corporation's certificate of authority was filed. Subsequent annual reports must be delivered to the secretary of state on, or prior to, the date on which the domestic or foreign corporation is required to pay its annual corporate license fee, and at such additional times as the corporation elects.~~

~~(4)(a) The secretary of state may allow a corporation to file an annual report through electronic means. If allowed, the secretary of state shall adopt rules detailing the circumstances under which the electronic filing of such reports shall be permitted and how such reports may be filed.~~

~~(b) For purposes of this section only, a person executing an electronically filed annual report may deliver the report to the office of the secretary of state without a signature and without an exact or conformed copy, but the person's name must appear in the electronic filing as the person executing the filing, and the filing must state the capacity in which the person is executing the filing~~)) in accordance with section 1212 of this act.

Sec. 2144. RCW 23B.18.020 and 1989 c 165 s 192 are each amended to read as follows:

Such nonadmitted organizations shall have the right to foreclose such mortgages under the laws of this state or to receive voluntary conveyance in lieu of foreclosure, and in the course of such foreclosure or of such receipt of conveyance in lieu of foreclosure, to acquire the mortgaged property, and to hold and own such property and to dispose thereof. Such nonadmitted organizations however, shall not be allowed to hold, own, and operate said property for a period exceeding five years. In the event said nonadmitted organizations do hold, own, and operate said property for a period in excess of five years, it shall be forthwith required to appoint an agent as required by RCW 23B.15.070 and part I, Article 4 of this act for foreign corporations doing business in this state.

Sec. 2145. RCW 23B.18.030 and 1989 c 165 s 193 are each amended to read as follows:

The activities authorized by RCW 23B.18.010 and 23B.18.020 by such nonadmitted organizations shall not constitute "transacting business" within the meaning of chapter 23B.15 RCW or part I, Article 5 of this act.

Sec. 2146. RCW 23B.18.040 and 1989 c 165 s 194 are each amended to read as follows:

In any action in law or equity commenced by the obligor or obligors, it, his, her, or their assignee or assignees against the said nonadmitted organizations on the said notes secured by said real estate mortgages purchased by said nonadmitted organizations, service of all legal process may be ((~~had by serving the secretary of state of the state of Washington~~)) made in accordance with section 1411 of this act.

Sec. 2147. RCW 23B.19.020 and 1996 c 155 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter.

(1) "Acquiring person" means a person or group of persons, other than the target corporation or a subsidiary of the target corporation, who beneficially owns ten percent or more of the outstanding voting shares of the target corporation. The term "acquiring person" does not include a person who (a) beneficially owned ten percent or more of the outstanding voting shares of the target corporation on March 23, 1988; (b) acquires its shares by gift, inheritance, or in a transaction in which no consideration is exchanged; (c) exceeds the ten percent threshold as a result of action taken solely by the target corporation, such as redemption of shares, unless that person, by its own action, acquires additional shares of the target corporation; (d) beneficially was the owner of ten percent or more of the outstanding voting shares prior to the time the target corporation had a class of voting shares registered with the securities and exchange commission pursuant to section 12 or 15 of the exchange act; or (e) beneficially was the owner of ten percent or more of the outstanding voting shares prior to the time the target corporation amended its articles of incorporation to provide that the corporation shall be subject to the provisions of this chapter. An agent, bank, broker, nominee, or trustee for another person, if the other person is not an acquiring person, who acts in good faith and not for the purpose of circumventing this chapter, is not an acquiring person. For the purpose of determining whether a person is an acquiring person, the number of voting shares of the target corporation that are outstanding shall include shares beneficially owned by the person through application of subsection (4) of this section, but shall not include any other unissued voting shares of the target corporation which may be issuable pursuant to any agreement, arrangement, or understanding; or upon exercise of conversion rights, warrants, or options; or otherwise.

(2) "Affiliate" means a person who directly or indirectly controls, or is controlled by, or is under common control with, a person.

(3) "Announcement date," when used in reference to any significant business transaction, means the date of the first public announcement of the final, definitive proposal for such a significant business transaction.

(4) "Associate" means (a) a domestic or foreign corporation or organization of which a person is an officer, director, member, or partner or in which a person performs a similar function; (b) a direct or indirect beneficial owner of ten percent or more of any class of equity securities of a person; (c) a trust or estate in which a person has a beneficial interest or as to which a person serves as trustee or in a similar fiduciary capacity; and (d) the spouse or a parent or sibling of a person or a child, grandchild, sibling, parent, or spouse of any thereof, of a person or an individual having the same home as a person.

(5) "Beneficial ownership," when used with respect to any shares, means ownership by a person:

(a) Who, individually or with or through any of its affiliates or associates, beneficially owns such shares, directly or indirectly; or

(b) Who, individually or with or through any of its affiliates or associates, has (i) the right to acquire the shares, whether the right is exercisable immediately or only after the passage of time, pursuant to any agreement, arrangement, or understanding, whether or not in writing, or upon the exercise of conversion rights, exchange rights, warrants or options, or otherwise. A person is not the beneficial owner of shares tendered pursuant to a tender or exchange offer made by the person or any of the person's affiliates or associates until the tendered shares are accepted for purchase or

exchange; or (ii) the right to vote the shares pursuant to any agreement, arrangement, or understanding, whether or not in writing. A person is not the beneficial owner of any shares under (b)(ii) of this subsection if the agreement, arrangement, or understanding to vote the shares arises solely from a revocable proxy or consent given in response to a proxy or consent solicitation made in accordance with the applicable rules and regulations under the exchange act and is not then reportable on schedule 13D under the exchange act, or any comparable or successor report; or

(c) Who has any agreement, arrangement, or understanding, whether or not in writing, for the purpose of acquiring, holding, voting, except voting pursuant to a revocable proxy or consent as described in (b)(ii) of this subsection, or disposing of the shares with any other person who beneficially owns, or whose affiliates or associates beneficially own, directly or indirectly, the shares.

(6) "Common shares" means any shares other than preferred shares.

(7) "Consummation date," with respect to any significant business transaction, means the date of consummation of such a significant business transaction, or, in the case of a significant business transaction as to which a shareholder vote is taken, the later of the business day prior to the vote or twenty days prior to the date of consummation of such a significant business transaction.

(8) "Control," "controlling," "controlled by," and "under common control with," means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise. A person's beneficial ownership of ten percent or more of a domestic or foreign corporation's outstanding voting shares shall create a rebuttable presumption that such person has control of such corporation. However, a person does not have control of a domestic or foreign corporation if the person holds voting shares, in good faith and not for the purpose of circumventing this chapter, as an agent, bank, broker, nominee, custodian, or trustee for one or more beneficial owners who do not individually or as a group have control of such corporation.

(9) "Domestic corporation" means an issuer of voting shares which is organized under chapter 23B.02 RCW or any predecessor provision.

(10) "Exchange act" means the federal securities exchange act of 1934, as amended.

(11) "Market value," in the case of property other than cash or shares, means the fair market value of the property on the date in question as determined by the board of directors of the target corporation in good faith.

(12) "Person" means an individual, domestic or foreign corporation, partnership, trust, unincorporated association, or other entity; an affiliate or associate of any such person; or any two or more persons acting as a partnership, syndicate, or other group for the purpose of acquiring, holding, or dispersing of securities of a domestic or foreign corporation.

(13) "Preferred shares" means any class or series of shares of a target corporation which under the bylaws or articles of incorporation of such a corporation is entitled to receive payment of dividends prior to any payment of dividends on some other class or series of shares, or is entitled in the event of any voluntary liquidation, dissolution, or winding up of the target corporation to receive payment or distribution of a preferential amount before any payments or distributions are received by some other class or series of shares.

(14) "Shares" means any:

(a) Shares or similar security, any certificate of interest, any participation in any profit sharing agreement, any voting trust certificate, or any certificate of deposit for shares; and

(b) Security convertible, with or without consideration, into shares, or any warrant, call, or other option or privilege of buying shares without being bound to do so, or any other security carrying any right to acquire, subscribe to, or purchase shares.

(15) "Significant business transaction" means:

(a) A merger, share exchange, or consolidation of a target corporation or a subsidiary of a target corporation with (i) an acquiring person, or (ii) any other domestic or foreign corporation which is, or after the merger, share exchange, or consolidation would be, an affiliate or associate of the acquiring person;

(b) A sale, lease, exchange, mortgage, pledge, transfer, or other disposition or encumbrance, whether in one transaction or a series of transactions, to or with an acquiring person or an affiliate or associate of an acquiring person of assets of a target corporation or a subsidiary of a target corporation (i) having an aggregate market value equal to five percent or more of the aggregate market value of all the assets, determined on a consolidated basis, of the target corporation, (ii) having an aggregate market value equal to five percent or more of the aggregate market value of all the outstanding shares of the target corporation, or (iii) representing five percent or more of the earning power or net income, determined on a consolidated basis, of the target corporation;

(c) The termination, while the corporation has an acquiring person and as a result of the acquiring person's acquisition of ten percent or more of the shares of the corporation, of five percent or more of the employees of the target corporation or its subsidiaries employed in this state, whether at one time or over the five-year period following the share acquisition time. For the purposes of (c) of this subsection, a termination other than an employee's death or disability or bona fide voluntary retirement, transfer, resignation, termination for cause under applicable common law principles, or leave of absence shall be presumed to be a termination resulting from the acquiring person's acquisition of shares, which presumption is rebuttable. A bona fide voluntary transfer of employees between the target corporation and its subsidiaries or between its subsidiaries is not a termination for the purposes of (c) of this subsection;

(d) The issuance, transfer, or redemption by a target corporation or a subsidiary of a target corporation, whether in one transaction or a series of transactions, of shares or of options, warrants, or rights to acquire shares of a target corporation or a subsidiary of a target corporation to or beneficially owned by an acquiring person or an affiliate or associate of an acquiring person except pursuant to the exercise of warrants or rights to purchase shares offered, or a dividend, distribution, or redemption paid or made pro rata to, all shareholders or holders of options, warrants, or rights to acquire shares of the target corporation, and except for involuntary redemptions permitted by the target corporation's charter or by the law of this state or the state of incorporation;

(e) The liquidation or dissolution of a target corporation proposed by, or pursuant to an agreement, arrangement, or understanding, whether or not in writing, with an acquiring person or an affiliate or associate of an acquiring person;

(f) A reclassification of securities, including, without limitation, any shares split, shares dividend, or other distribution of shares in respect of stock, or any reverse shares split, or recapitalization of a target corporation, or a merger or consolidation of a target corporation with a subsidiary of the target corporation, or any other transaction, whether or not with or into or otherwise involving an acquiring person, proposed by, or pursuant to an agreement, arrangement, or understanding, whether or not in writing, with an acquiring person or an affiliate or associate of an acquiring person, that has the effect, directly or indirectly, of increasing the proportionate share of the outstanding shares of a class or series of voting shares or securities convertible into voting shares of a target corporation or a subsidiary of the target corporation that is directly or indirectly owned by an acquiring person or an affiliate or associate of an acquiring person, except as

a result of immaterial changes due to fractional share adjustments; or

(g) A receipt by an acquiring person or an affiliate or associate of an acquiring person of the benefit, directly or indirectly, except proportionately as a shareholder of a target corporation, of loans, advances, guarantees, pledges, or other financial assistance or tax credits or other tax advantages provided by or through a target corporation.

(16) "Share acquisition time" means the time at which a person first becomes an acquiring person of a target corporation.

(17) "Subsidiary" means a domestic or foreign corporation that has a majority of its outstanding voting shares owned, directly or indirectly, by another domestic or foreign corporation.

(18) "Tangible assets" means tangible real and personal property of all kinds. It shall also include leasehold interests in tangible real and personal property.

(19) "Target corporation" means:

(a) Every domestic corporation, if:

(i) The corporation has a class of voting shares registered with the securities and exchange commission pursuant to section 12 or 15 of the exchange act; or

(ii) The corporation's articles of incorporation have been amended to provide that such a corporation shall be subject to the provisions of this chapter, if the corporation did not have a class of voting shares registered with the securities and exchange commission pursuant to section 12 or 15 of the exchange act on the effective date of that amendment; and

(b) Every foreign corporation required to ((~~have a certificate of authority~~)) register to transact business in this state pursuant to chapter 23B.15 RCW and part I, Article 5 of this act, if:

(i) The corporation has a class of voting shares registered with the securities and exchange commission pursuant to section 12 or 15 of the exchange act;

(ii) The corporation's principal executive office is located in the state;

(iii) The corporation has: (A) More than ten percent of its shareholders of record resident in the state; or (B) more than ten percent of its shares owned of record by state residents; or (C) one thousand or more shareholders of record resident in the state;

(iv) A majority of the corporation's employees, together with those of its subsidiaries, are residents of the state or the corporation, together with its subsidiaries, employs more than one thousand residents of the state; and

(v) A majority of the corporation's tangible assets, together with those of its subsidiaries, measured by market value, are located in the state or the corporation, together with its subsidiaries, has more than fifty million dollars' worth of tangible assets located in the state.

For purposes of this subsection, the record date for determining the percentages and numbers of shareholders and shares shall be the last shareholder record date before the event requiring that the determination be made. A shareholder record date shall be determined pursuant to the comparable provision to RCW 23B.07.070 of the law of the state in which a foreign corporation is incorporated. If a shareholder record date has not been fixed by the board of directors within the preceding four months, the determination shall be made as of the end of the corporation's most recent fiscal quarter.

The residence of each shareholder is presumed to be the address appearing in the records of the corporation. Shares held of record by brokers or nominees shall be disregarded for purposes of calculating the percentages and numbers specified in this subsection. Shares of a corporation allocated to the account of an employee or former employee or beneficiaries of employees or former employees of a corporation and held in a plan that is qualified under section 401(a) of the federal internal revenue code of 1986, as amended, and is a defined contribution plan within the meaning of section 414(i) of the code shall be deemed, for the purposes of this subsection, to be held of record by the employee to whose account such shares are allocated.

A domestic or foreign corporation shall be deemed to be a target corporation if the domestic or foreign corporation's failure to satisfy the requirements of this subsection is caused by the action of, or is the result of a proposal by, an acquiring person or affiliate or associate of an acquiring person.

(20) "Voting shares" means shares of a corporation entitled to vote generally in the election of directors.

Sec. 2148. RCW 23B.01.400 and 2012 c 215 s 17 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this title.

(1) "Articles of incorporation" include amended and restated articles of incorporation and articles of merger.

(2) "Authorized shares" means the shares of all classes a domestic or foreign corporation is authorized to issue.

(3) "Conspicuous" means so prepared that a reasonable person against whom the record is to operate should have noticed it. For example, printing in italics or boldface or contrasting color, or typing in capitals or underlined, is conspicuous.

(4) "Corporate action" means any resolution, act, policy, contract, transaction, plan, adoption or amendment of articles of incorporation or bylaws, or other matter approved by or submitted for approval to a corporation's incorporators, board of directors or a committee thereof, or shareholders.

(5) "Corporation" or "domestic corporation" means a corporation for profit, including a social purpose corporation, which is not a foreign corporation, incorporated under or subject to the provisions of this title.

(6) "Deliver" includes (a) mailing, (b) for purposes of delivering a demand, consent, notice, or waiver to the corporation or one of its officers, directors, or shareholders, transmission by facsimile equipment, and (c) for purposes of delivering a demand, consent, notice, or waiver to the corporation or one of its officers, directors, or shareholders under RCW 23B.01.410 or chapter 23B.07, 23B.08, 23B.11, 23B.13, 23B.14, or 23B.16 RCW delivery by electronic transmission.

(7) "Distribution" means a direct or indirect transfer of money or other property, except its own shares, or incurrence of indebtedness by a corporation to or for the benefit of its shareholders in respect to any of its shares. A distribution may be in the form of a declaration or payment of a dividend; a distribution in partial or complete liquidation, or upon voluntary or involuntary dissolution; a purchase, redemption, or other acquisition of shares; a distribution of indebtedness; or otherwise.

(8) "Effective date of notice" has the meaning provided in RCW 23B.01.410.

(9) "Electronic transmission" means an electronic communication (a) not directly involving the physical transfer of a record in a tangible medium and (b) that may be retained, retrieved, and reviewed by the sender and the recipient thereof, and that may be directly reproduced in a tangible medium by such a sender and recipient.

(10) "Electronically transmitted" means the initiation of an electronic transmission.

(11) "Employee" includes an officer but not a director. A director may accept duties that make the director also an employee.

(12) "Entity" includes a corporation and foreign corporation, not-for-profit corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, two or more persons having a joint or common economic interest, the state, United States, and a foreign governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(13) "Execute," "executes," or "executed" means (a) signed with respect to a written record or (b) electronically transmitted along with sufficient information to determine the sender's identity with respect to an electronic transmission, or (c) with respect to a record to be filed with the secretary of state, in compliance with the standards for filing with the office of the secretary of state as prescribed by the secretary of state.

(14) "Foreign corporation" means a corporation for profit incorporated under a law other than the law of this state.

(15) "Foreign limited partnership" means a partnership formed under laws other than of this state and having as partners one or more general partners and one or more limited partners.

(16) "General social purpose" means the general social purpose for which a social purpose corporation is organized as set forth in the articles of incorporation of the corporation in accordance with RCW 23B.25.040(1)(c).

(17) "Governmental subdivision" includes authority, county, district, and municipality.

(18) "Includes" denotes a partial definition.

(19) "Individual" includes the estate of an incompetent or deceased individual.

(20) "Limited partnership" or "domestic limited partnership" means a partnership formed by two or more persons under the laws of this state and having one or more general partners and one or more limited partners.

(21) "Means" denotes an exhaustive definition.

(22) "Notice" has the meaning provided in RCW 23B.01.410.

(23) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(24) "Principal office" means the office, in or out of this state, so designated in the annual report where the principal executive offices of a domestic or foreign corporation are located.

(25) "Proceeding" includes civil suit and criminal, administrative, and investigatory action.

(26) "Public company" means a corporation that has a class of shares registered with the federal securities and exchange commission pursuant to section 12 or 15 of the securities exchange act of 1934, or section 8 of the investment company act of 1940, or any successor statute.

(27) "Record" means information inscribed on a tangible medium or contained in an electronic transmission.

(28) "Record date" means the date established under chapter 23B.07 RCW on which a corporation determines the identity of its shareholders and their shareholdings for purposes of this title. The determinations shall be made as of the close of business on the record date unless another time for doing so is specified when the record date is fixed.

(29) "Secretary" means the corporate officer to whom the board of directors has delegated responsibility under RCW 23B.08.400(3) for custody of the minutes of the meetings of the board of directors and of the shareholders and for authenticating records of the corporation.

(30) "Shares" means the units into which the proprietary interests in a corporation are divided.

(31) "Shareholder" means the person in whose name shares are registered in the records of a corporation or the beneficial owner of shares to the extent of the rights granted by a nominee certificate on file with a corporation.

(32) "Social purpose" includes any general social purpose and any specific social purpose.

(33) "Social purpose corporation" means a corporation that has elected to be governed as a social purpose corporation under chapter 23B.25 RCW.

(34) "Specific social purpose" means the specific social purpose or purposes for which a social purpose corporation is organized as set forth in the articles of incorporation of the corporation in accordance with RCW 23B.25.040(2)(a).

(35) "State," when referring to a part of the United States, includes a state and commonwealth, and their agencies and governmental subdivisions, and a territory and insular possession, and their agencies and governmental subdivisions, of the United States.

(36) "Subscriber" means a person who subscribes for shares in a corporation, whether before or after incorporation.

(37) "Tangible medium" means a writing, copy of a writing, or facsimile, or a physical reproduction, each on paper or on other tangible material.

(38) "United States" includes a district, authority, bureau, commission, department, and any other agency of the United States.

(39) "Voting group" means all shares of one or more classes or series that under the articles of incorporation or this title are entitled to vote and be counted together collectively on a matter at a meeting of shareholders. All shares entitled by the articles of incorporation or this title to vote generally on the matter are for that purpose a single voting group.

(40) "Writing" does not include an electronic transmission.

(41) "Written" means embodied in a tangible medium.

(42) "Registered office" means the address of the corporation's registered agent.

NEW SECTION. **Sec. 2149.** The following acts or parts of acts are each repealed:

(1) RCW 23B.01.210 (Forms) and 1991 c 72 s 25 & 1989 c 165 s 4;

(2) RCW 23B.01.260 (Judicial review of secretary of state's refusal to file a record) and 2002 c 297 s 7 & 1989 c 165 s 9;

(3) RCW 23B.01.270 (Evidentiary effect of copy of filed record) and 2002 c 297 s 8 & 1989 c 165 s 10;

(4) RCW 23B.01.500 (Domestic corporations—Notice of due date for payment of annual license fee and filing annual report) and 2011 c 183 s 3 & 1989 c 165 s 16;

(5) RCW 23B.01.510 (Foreign corporations—Notice of due date for payment of annual license fee and filing annual report) and 2011 c 183 s 4, 1990 c 178 s 3, & 1989 c 165 s 17;

(6) RCW 23B.01.530 (Domestic corporations—Inactive corporation defined—Annual license fee) and 2010 1st sp.s. c 29 s 2, 1993 c 269 s 3, & 1989 c 165 s 19;

(7) RCW 23B.01.550 (Foreign corporations—Annual license fees) and 1989 c 165 s 21;

(8) RCW 23B.01.560 (License fees for reinstated corporation) and 1993 c 269 s 4 & 1989 c 165 s 22;

(9) RCW 23B.01.580 (Waiver of penalty fees) and 1990 c 178 s 4 & 1989 c 165 s 24;

(10) RCW 23B.14.203 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 1;

(11) RCW 23B.14.210 (Administrative dissolution—Procedure and effect) and 2006 c 52 s 12 & 1989 c 165 s 161;

(12) RCW 23B.15.015 (Foreign degree-granting institution branch campus—Acts not deemed transacting business in state) and 1993 c 181 s 5;

(13) RCW 23B.15.310 (Revocation—Procedure and effect) and 1989 c 165 s 181; and

(14) RCW 23B.18.050 (Service of process—Procedure) and 1989 c 165 s 195.

PART III

NONPROFIT CORPORATION ACT REVISIONS

Sec. 3101. RCW 24.03.005 and 2004 c 265 s 1 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires, the term:

(1) "Corporation" or "domestic corporation" means a corporation not for profit subject to the provisions of this chapter, except a foreign corporation.

(2) "Foreign corporation" means a corporation not for profit organized under laws other than the laws of this state.

(3) "Not for profit corporation" or "nonprofit corporation" means a corporation no part of the income of which is distributable to its members, directors or officers.

(4) "Articles of incorporation" and "articles" mean the original articles of incorporation and all amendments thereto, and includes articles of merger and restated articles.

(5) "Bylaws" means the code or codes of rules adopted for the regulation or management of the affairs of the corporation irrespective of the name or names by which such rules are designated.

(6) "Member" means an individual or entity having membership rights in a corporation in accordance with the provisions of its articles ((~~or [of]~~)) of incorporation or bylaws.

(7) "Board of directors" means the group of persons vested with the management of the affairs of the corporation irrespective of the name by which such group is designated in the articles or bylaws.

(8) "Insolvent" means inability of a corporation to pay debts as they become due in the usual course of its affairs.

(9) "Deliver" means: (a) Mailing; (b) transmission by facsimile equipment, for purposes of delivering a demand, consent, notice, or waiver to the corporation or one of its officers, directors, or members; (c) electronic transmission, in accordance with the officer's, director's, or member's consent, for purposes of delivering a demand, consent, notice, or waiver to the corporation or one of its officers, directors, or members under RCW 24.03.009; and (d) as prescribed by the secretary of state for purposes of submitting a record for filing with the secretary of state.

(10) "Conforms to law" as used in connection with duties of the secretary of state in reviewing records for filing under this chapter, means the secretary of state has determined that the record complies as to form with the applicable requirements of this chapter and part I, Article 2 of this act.

(11) "Effective date" means, in connection with a record filing made by the secretary of state, the date ((~~which is shown by affixing a "filed" stamp on the records. When a record is received for filing by the secretary of state in a form which complies with the requirements of this chapter and which would entitle the record to be filed immediately upon receipt, but the secretary of state's approval action occurs subsequent to the date of receipt, the secretary of state's filing date shall relate back to the date on which the secretary of state first received the record in acceptable form. An applicant may request a specific effective date no more than thirty days later than the receipt date which might otherwise be applied as the effective date~~)) on which the filing becomes effective under section 1203 of this act.

(12) "Electronic transmission" means an electronic communication (a) not directly involving the physical transfer of a record in a tangible medium and (b) that may be retained, retrieved, and reviewed by the sender and the recipient thereof, and that may be directly reproduced in a tangible medium by a sender and recipient.

(13) "Electronically transmitted" means the initiation of an electronic transmission.

(14) "Execute," "executes," or "executed" means (a) signed, with respect to a written record or (b) electronically transmitted along with sufficient information to determine the sender's identity, with respect to an electronic transmission, or (c) filed in compliance with the standards for filing with the office of the secretary of state as prescribed by the secretary of state, with respect to a record to be filed with the secretary of state.

(15) "Executed by an officer of the corporation," or words of similar import, means that any record executed by such person shall be and is executed by that person under penalties of perjury and in an official and authorized capacity on behalf of the corporation or person making the record submission with the secretary of state and, for the purpose of records filed electronically with the secretary of state, in compliance with the rules adopted by the secretary of state for electronic filing.

(16) "An officer of the corporation" means, in connection with the execution of records submitted for filing with the secretary of state, the president, a vice president, the secretary, or the treasurer of the corporation.

(17) "Public benefit not for profit corporation" or "public benefit nonprofit corporation" means a corporation no part of the income of which is distributable to its members, directors, or officers and that holds a current tax exempt status as provided under 26 U.S.C. Sec. 501(c)(3) or is specifically exempted from the requirement to apply for its tax exempt status under 26 U.S.C. Sec. 501(c)(3).

(18) "Record" means information inscribed on a tangible medium or contained in an electronic transmission.

(19) "Tangible medium" means a writing, copy of a writing, facsimile, or a physical reproduction, each on paper or on other tangible material.

(20) "Writing" does not include an electronic transmission.

(21) "Written" means embodied in a tangible medium.

(22) "Registered office" means the address of the corporation's registered agent.

Sec. 3102. RCW 24.03.017 and 2004 c 265 s 5 are each amended to read as follows:

Any corporation organized under any act of the state of Washington for any one or more of the purposes for which a corporation may be organized under this chapter and for no purpose other than those permitted by this chapter, and to which this chapter does not otherwise apply, may elect to have this chapter and the provisions thereof apply to such corporation. Such corporation may so elect by having a resolution to do so adopted by the governing body of such corporation and by delivering to the secretary of state a statement of election in accordance with this section. Such statement of election shall be executed by the corporation by an officer of the corporation, and shall set forth:

(1) The name of the corporation;

(2) The act which created the corporation or pursuant to which it was organized;

(3) That the governing body of the corporation has elected to have this chapter and the provisions thereof apply to the corporation.

The statement of election shall be delivered to the secretary of state((~~. If the secretary of state finds that the statement of election conforms to law, the secretary of state shall, when fees in the same amount as required by this chapter for filing articles of incorporation have been paid, endorse on the statement the word "filed" and the effective date of the filing thereof, shall file the statement, and shall issue a certificate of elective coverage to which an exact or conformed copy of the statement shall be affixed.~~

~~The certificate of elective coverage together with the exact or conformed copy of the statement affixed thereto by the secretary of state shall be returned to the corporation or its representative~~)) for filing in accordance with part I, Article 2 of this act. Upon the filing of the statement of elective coverage, the provisions of this chapter shall apply to the corporation which thereafter shall be subject to and shall have the benefits of this chapter and the provisions thereof as they exist on the date of filing such statement of election and as they may be amended from time to time thereafter, including, without limiting the generality of the foregoing, the power to amend

its charter or articles of incorporation, whether or not created by special act of the legislature, delete provisions therefrom and add provisions thereto in any manner and to any extent it may choose to do from time to time so long as its amended articles shall not be inconsistent with the provisions of this chapter.

Sec. 3103. RCW 24.03.045 and 2004 c 265 s 7 are each amended to read as follows:

The corporate name((~~:~~

~~(1) Shall not contain any word or phrase which indicates or implies that it is organized for any purpose other than one or more of the purposes contained in its articles of incorporation.~~

~~(2)(a) Except as provided in (b) and (c) of this subsection, must be distinguishable upon the records of the secretary of state from:~~

~~(i) The corporate name or reserved name of a corporation or domestic corporation organized or authorized to transact business under this chapter;~~

~~(ii) A corporate name reserved or registered under chapter 23B.04 RCW;~~

~~(iii) The fictitious name adopted under RCW 23B.15.060 by a foreign corporation authorized to transact business in this state because its real name is unavailable;~~

~~(iv) The name or reserved name of a mutual corporation or miscellaneous corporation incorporated or authorized to do business under chapter 24.06 RCW;~~

~~(v) The name or reserved name of a foreign or domestic limited partnership formed or registered under chapter 25.10 RCW;~~

~~(vi) The name or reserved name of a limited liability company organized or registered under chapter 25.15 RCW; and~~

~~(vii) The name or reserved name of a limited liability partnership registered under chapter 25.04 RCW.~~

~~(b) A corporation may apply to the secretary of state for authorization to use a name that is not distinguishable upon the records from one or more of the names described in (a) of this subsection. The secretary of state shall authorize use of the name applied for if:~~

~~(i) The other corporation, company, holder, limited liability partnership, or limited partnership consents to the use in the form of a record and files with the secretary of state records necessary to change its name or the name reserved or registered to a name that is distinguishable upon the records of the secretary of state from the name of the applying corporation; or~~

~~(ii) The applicant delivers to the secretary of state a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this state.~~

~~(c) A corporation may use the name, including the fictitious name, of another domestic or foreign corporation, limited liability company, limited partnership, or limited liability partnership, that is used in this state if the other entity is formed or authorized to transact business in this state, and the proposed user corporation:~~

~~(i) Has merged with the other corporation, limited liability company, or limited partnership; or~~

~~(ii) Has been formed by reorganization of the other corporation.~~

~~(3) Shall be transliterated into letters of the English alphabet, if it is not in English.~~

~~(4) Shall not include or end with "incorporated," "company," "corporation," "partnership," "limited partnership," or "Ltd.," or any abbreviation thereof, but may use "club," "league," "association," "services," "committee," "fund," "society," "foundation," ". . . . . ," a nonprofit corporation," or any name of like import.~~

~~(5) May only include the term "public benefit" or names of like import if the corporation has been designated as a public benefit nonprofit corporation by the secretary in accordance with this chapter.~~

~~(6) A name shall not be considered distinguishable upon the records of the secretary of state by virtue of:~~

~~(a) A variation in any of the following designations for the same name: "Corporation," "incorporated," "company," "limited," "partnership," "limited partnership," "limited liability company," or "limited liability partnership," or the abbreviations "corp.," "inc.," "co.," "ltd.," "LP," "L.P.," "LLP," "L.L.P.," "LLC," or "L.L.C.";~~

~~(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;~~

~~(c) Punctuation, capitalization, or special characters or symbols in the same name; or~~

~~(d) Use of abbreviation or the plural form of a word in the same name.~~

~~(7) This title does not control the use of assumed business names or "trade names."~~)) must comply with the provisions of part I, Article 3 of this act.

Sec. 3104. RCW 24.03.046 and 1993 c 356 s 1 are each amended to read as follows:

A person may reserve the exclusive right to the use of a corporate name ((~~may be reserved by:~~

~~(1) Any person intending to organize a corporation under this title.~~

~~(2) Any domestic corporation intending to change its name.~~

~~(3) Any foreign corporation intending to make application for a certificate of authority to transact business in this state.~~

~~(4) Any foreign corporation authorized to transact business in this state and intending to change its name.~~

~~(5) Any person intending to organize a foreign corporation and intending to have such corporation make application for a certificate of authority to transact business in this state.~~

~~The reservation shall be made by filing with the secretary of state an application to reserve a specified corporate name, executed by or on behalf of the applicant. If the secretary of state finds that the name is available for corporate use, the secretary of state shall reserve the same for the exclusive use of the applicant for a period of one hundred and eighty days. Such reservation shall be limited to one filing.~~

~~The right to the exclusive use of a specified corporate name so reserved may be transferred to any other person or corporation by filing in the office of the secretary of state, a notice of such transfer, executed by the applicant for whom the name was reserved, and specifying the name and address of the transferee~~)) in accordance with section 1303 of this act.

Sec. 3105. RCW 24.03.047 and 1994 c 211 s 1306 are each amended to read as follows:

Any corporation((~~,~~)) organized and existing under the laws of any state or territory of the United States may register its corporate name ((~~under this title, provided its corporate name is not the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this state, the name of any foreign corporation authorized to transact business in this state, the name of any domestic limited liability company organized under the laws of this state, the name of any foreign limited liability company authorized to transact business in this state, the name of any limited partnership on file with the secretary, or any corporate name reserved or registered under this title.~~

~~Such registration shall be made by:~~

~~(1) Filing with the secretary of state: (a) An application for registration executed by the corporation by an officer thereof, setting forth the name of the corporation, the state or country under the laws of which it is incorporated, [and] the date of its incorporation, and (b) a certificate setting forth that such corporation is in good standing under the laws of the state or territory wherein it is organized, executed by the secretary of state of such state or country or by such other official as may have custody of the records pertaining to corporations, and~~

~~(2) Paying to the secretary of state the applicable registration fee.~~

~~The registration shall be effective until the close of the calendar year in which the application for registration is filed~~)) in accordance with section 1304 of this act.

Sec. 3106. RCW 24.03.048 and 1986 c 240 s 8 are each amended to read as follows:

A corporation which has in effect a registration of its corporate name((~~,~~)) may renew such registration ((~~from year to year by annually filing an application for renewal setting forth the facts required to be set forth in an original application for registration and a certificate of good standing as required for the original registration and by paying the applicable fee. A renewal application may be filed between the first day of October and the thirty-first day of December in each year, and shall extend the registration for the following calendar year~~)) in accordance with section 1304 of this act.

Sec. 3107. RCW 24.03.050 and 2009 c 202 s 1 are each amended to read as follows:

Each corporation shall have and continuously maintain in this state((~~:~~

~~(1) A registered office which may be, but need not be, the same as its principal office. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the corporation also maintains on file the specific geographic address of the registered office where personal service of process may be made.~~

~~(2) A registered agent, which agent may be either an individual resident in this state whose business office is identical with such registered office, or a domestic corporation, whether for profit or not for profit, or a governmental body or agency, or a foreign corporation, whether for profit or not for profit, authorized to transact business or conduct affairs in this state, having an office identical with such registered office, or a domestic limited liability company whose business office is identical with the registered office, or a foreign limited liability company authorized to conduct affairs in this state whose business address is identical with the registered office. A registered agent shall not be appointed without having given prior consent to the appointment, in the form of a record. The consent shall be filed with the secretary of state in such form as the secretary may prescribe. The consent shall be filed with or as a part of the record first appointing a registered agent. In the event any individual, corporation, or limited liability company has been appointed agent without consent, that person, corporation, or limited liability company may file a notarized statement attesting to that fact, and the name shall immediately be removed from the records of the secretary of state.~~

~~No Washington corporation or foreign corporation authorized to conduct affairs in this state may be permitted to maintain any action in any court in this state until the corporation complies with the requirements of this section~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 3108. RCW 24.03.055 and 2004 c 265 s 9 are each amended to read as follows:

A corporation may change its registered ((~~office or change its registered~~)) agent((~~, or both, upon~~)) by filing in the office of the secretary of state ((~~in the form prescribed by the secretary of state a statement setting forth:~~

~~(1) The name of the corporation.~~

~~(2) If the current registered office is to be changed, the street address to which the registered office is to be changed.~~

~~(3) If the current registered agent is to be changed, the name of the new registered agent.~~

~~(4) That the address of its registered office and the address of the office of its registered agent, as changed, will be identical.~~

~~Such statement shall be executed by the corporation by an officer of the corporation, and delivered to the secretary of state, together with a consent, in the form of a record, of the registered agent to the appointment, if applicable. If the secretary of state finds that such statement conforms to the provisions of this chapter, the secretary of state shall endorse thereon the word "Filed," and the month, day, and year of the filing thereof, and file the statement. The change of address of the registered office, or the appointment of a new registered agent, or both, as the case may be, shall become effective upon filing unless a later date is specified~~)) a statement of change in accordance with section 1407 of this act.

Any registered agent of a corporation may resign as such agent upon filing a notice thereof, in the form of a record, with the secretary of state((~~, who shall immediately deliver an exact or conformed copy thereof to the corporation in care of an officer, who is not the resigning registered agent, at the address of such officer as shown by the most recent annual report of the corporation. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the secretary of state~~)) in accordance with section 1410 of this act.

((~~If~~)) A registered agent ((~~changes the agent's business address to another place within the state, the agent may change such address and the address of the registered office of any corporation of which the agent is a registered agent, by filing a statement as required by this section except that it need be executed only by the registered agent, it need not be responsive to subsection (3) of this section, and it must recite that a copy of the statement has been delivered to the secretary of the corporation~~)) may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

Sec. 3109. RCW 24.03.060 and 1986 c 240 s 11 are each amended to read as follows:

((~~The registered agent so appointed by a corporation shall be an agent of such corporation upon whom any~~)) Service of process, notice, or demand required or permitted by law to be served upon the corporation may be ((~~served.~~

~~Whenever a corporation shall fail to appoint or maintain a registered agent in this state, or whenever its registered agent cannot with reasonable diligence be found at the registered office, then the secretary of state shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of the secretary of state's office, duplicate copies of such process, notice or demand. In the event any such process, notice or demand is served on the secretary of state, the secretary of state shall immediately cause one of the copies thereof to be forwarded by certified mail, addressed to the secretary of the corporation as shown on the records of the secretary of state. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~The secretary of state shall keep a record of all processes, notices and demands served upon the secretary of state under this section, and shall record therein the time of such service and the secretary of state's action with reference thereto.~~

~~Nothing herein contained shall limit or affect the right to serve any process, notice or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law~~)) made in accordance with section 1411 of this act.

Sec. 3110. RCW 24.03.145 and 2002 c 74 s 7 are each amended to read as follows:

The articles of incorporation shall be delivered to the secretary of state((~~. If the secretary of state finds that the articles of~~

~~incorporation conform to law, the secretary of state shall, when all fees have been paid as in this chapter prescribed:~~

~~(1) Endorse on the articles the word "Filed" and the effective date of the filing.~~

~~(2) File the articles.~~

~~(3) Issue a certificate of incorporation.~~

~~The certificate of incorporation together with an exact or conformed copy of the articles of incorporation will be returned to the incorporators or their representative~~)) for filing in accordance with part I, Article 2 of this act.

Sec. 3111. RCW 24.03.175 and 2002 c 74 s 8 are each amended to read as follows:

The articles of amendment shall be delivered to the secretary of state((~~. If the secretary of state finds that the articles of amendment conform to law, the secretary of state shall, when all fees have been paid as in this chapter prescribed:~~

~~(1) Endorse on the articles the word "Filed," and the effective date of the filing.~~

~~(2) File the articles.~~

~~The exact or conformed copy of the articles of amendment bearing the filing endorsement affixed thereto by the secretary of state, shall be returned to the corporation or its representative~~)) for filing in accordance with part I, Article 2 of this act.

Sec. 3112. RCW 24.03.180 and 1986 c 240 s 28 are each amended to read as follows:

((~~Upon the filing of the articles of amendment by the secretary of state, or on such later date, not more than thirty days subsequent to the filing thereof by the secretary of state, as may be provided in the articles of amendment, the amendment shall become effective and the articles of incorporation shall be deemed to be amended accordingly~~)) Articles of amendment are effective as provided in section 1203 of this act and may state a delayed effective date in accordance with section 1203 of this act.

No amendment shall affect any existing cause of action in favor of or against such corporation, or any pending action to which such corporation shall be a party, or the existing rights of persons other than members; and, in the event the corporate name shall be changed by amendment, no action brought by or against such corporation under its former name shall abate for that reason.

Sec. 3113. RCW 24.03.183 and 2004 c 265 s 18 are each amended to read as follows:

A domestic corporation may at any time restate its articles of incorporation by a resolution adopted by the board of directors. A corporation may amend and restate in one resolution, but may not present the amendments and restatement for filing by the secretary in a single record. Separate articles of amendment, under RCW 24.03.165 and articles of restatement, under this section, must be presented notwithstanding the corporation's adoption of a single resolution of amendment and restatement.

Upon the adoption of the resolution, restated articles of incorporation shall be executed by the corporation by one of its officers. The restated articles shall set forth all of the operative provisions of the articles of incorporation together with a statement that the restated articles of incorporation correctly set forth without change the provisions of the articles of incorporation as amended and that the restated articles of incorporation supersede the original articles of incorporation and all amendments thereto.

The restated articles of incorporation shall be delivered to the secretary of state((~~. If the secretary of state finds that the restated articles of incorporation conform to law, the secretary of state shall, when all fees required by this title have been paid:~~

~~(1) Endorse on the articles the word "Filed" and the date of the filing;~~

~~(2) File the restated articles.~~

~~An exact or conformed copy of the restated articles of incorporation bearing the endorsement affixed thereto by the secretary of state, shall be returned to the corporation or its representative~~)) for filing in accordance with part I, Article 2 of this act.

Upon the filing of the restated articles of incorporation by the secretary of state, the restated articles of incorporation shall become effective and shall supersede the original articles of incorporation and all amendments thereto.

Sec. 3114. RCW 24.03.200 and 2004 c 265 s 20 are each amended to read as follows:

(1) Upon such approval, articles of merger or articles of consolidation shall be executed by each corporation by an officer of each corporation, and shall set forth:

(a) The plan of merger or the plan of consolidation;

(b) Where the members of any merging or consolidating corporation have voting rights, then as to each such corporation (i) a statement setting forth the date of the meeting of members at which the plan was adopted, that a quorum was present at such meeting, and that such plan received at least two-thirds of the votes which members present at such meeting or represented by proxy were entitled to cast, or (ii) a statement that such amendment was adopted by a consent in the form of a record executed by all members entitled to vote with respect thereto;

(c) Where any merging or consolidating corporation has no members, or no members having voting rights, then as to each such corporation a statement of such fact, the date of the meeting of the board of directors at which the plan was adopted and a statement of the fact that such plan received the vote of a majority of the directors in office.

(2) The articles of merger or articles of consolidation shall be delivered to the secretary of state((~~. If the secretary of state finds that such articles conform to law, the secretary of state shall, when all fees have been paid as in this chapter prescribed:~~

~~(a) Endorse on the articles of merger or consolidation the word "Filed," and the date of the filing;~~

~~(b) File the articles of merger or consolidation.~~

~~An exact or conformed copy of the articles of merger or articles of consolidation bearing the filing endorsement affixed thereto by the secretary of state, shall be returned to the surviving or new corporation, as the case may be, or its representative~~)) for filing in accordance with part I, Article 2 of this act.

Sec. 3115. RCW 24.03.205 and 1986 c 240 s 34 are each amended to read as follows:

A merger or consolidation shall become effective upon the filing of the articles of merger or articles of consolidation with the secretary of state((~~, or on such later date, not more than thirty days after the filing thereof with the secretary of state, as shall be provided for in the plan~~)) as provided in section 1203 of this act, and may state a delayed effective date as provided in section 1203 of this act.

Sec. 3116. RCW 24.03.207 and 2004 c 265 s 21 are each amended to read as follows:

One or more foreign corporations and one or more domestic corporations may be merged or consolidated in the following manner, if such merger or consolidation is permitted by the laws of the state under which each such foreign corporation is organized:

(1) Each domestic corporation shall comply with the provisions of this title with respect to the merger or consolidation as the case may be, of domestic corporations and each foreign corporation shall comply with the applicable provisions of the laws of the state under which it is organized.

(2) If the surviving or new corporation in a merger or consolidation is to be governed by the laws of any state other than this state, it shall comply with the provisions of this title and part I, Article 5 of this act with respect to foreign corporations if it is to transact business in this state, and in every case it shall file with the secretary of state of this state((~~:~~

((~~(a)~~)) an agreement that it may be served with process in ((~~this state~~)) accordance with section 1411 of this act in any proceeding for the enforcement of any obligation of any domestic corporation which is a party to the merger or consolidation and in any proceeding for the enforcement of the rights, if any, of a member of any such domestic corporation against the surviving or new corporation((~~; and~~

~~(b) An irrevocable appointment of the secretary of state of this state as its agent to accept service of process in any such proceeding~~)).

The effect of the merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations, if the surviving or new corporation is to be governed by the laws of this state. If the surviving or new corporation is to be governed by the laws of any state other than this state, the effect of the merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations except as the laws of the other state provide otherwise.

(3) At any time prior to the effective date of the articles of merger or consolidation, the merger or consolidation may be abandoned pursuant to provision therefor, if any, set forth in the plan of merger or consolidation. In the event the merger or consolidation is abandoned, the parties thereto shall execute a notice of abandonment ((~~in triplicate~~)) executed by an officer for each corporation executing the notice, which must be in the form of a record, and deliver the notice to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds the notice conforms to law, the secretary of state shall:~~

~~(a) Endorse on each of the originals the word "Filed" and the date of the filing;~~

~~(b) File one of the triplicate originals in the secretary of state's office; and~~

~~(c) Issue the other triplicate originals to the respective parties or their representatives.~~))

Sec. 3117. RCW 24.03.245 and 2002 c 74 s 11 are each amended to read as follows:

Articles of dissolution shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that such articles of dissolution conform to law, the secretary of state shall, when all requirements have been met as in this chapter prescribed:~~

~~(1) Endorse on the articles of dissolution the word "Filed," and the effective date of the filing.~~

~~(2) File the articles of dissolution.~~

~~The exact or conformed copy of the articles of dissolution, bearing the filing endorsement affixed thereto by the secretary of state, shall be returned to the representative of the dissolved corporation.~~)) Upon the filing of such articles of dissolution the existence of the corporation shall cease, except for the purpose of suits, other proceedings and appropriate corporate action by members, directors, and officers as provided in this chapter.

Sec. 3118. RCW 24.03.300 and 1986 c 240 s 41 are each amended to read as follows:

The dissolution of a corporation either (1) by the filing and issuance of a certificate of dissolution, voluntary or administrative, by the secretary of state, or (2) by a decree of court when the court has not liquidated the assets and affairs of the corporation as provided in this chapter, or (3) by expiration of its period of duration, shall not take away or impair any remedy available to or against such corporation, its directors, officers, or members, for any right or claim existing, or any liability incurred, prior to such dissolution if action or other proceeding thereon is commenced within two years after the date of such dissolution. Any such action or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name. The members, directors and officers shall have power to take such corporate or other action as shall be appropriate to protect such remedy, right or claim. If such corporation was dissolved by the expiration of its period of duration, such corporation may amend its articles of incorporation at any time during such period of two years after expiration so as to extend its period of duration. If, during the period of dissolution, another person or corporation has reserved or adopted a corporate name which is identical to or deceptively similar to the dissolved corporation's name, the corporation extending its period of duration shall be required to adopt another name consistent with the requirements of ((~~this chapter~~)) part I, Article 3 of this act and to amend its articles of incorporation accordingly. The corporation shall also pay to the state all fees and penalties which would otherwise have been due if the corporate charter had not expired, plus a reinstatement fee as ((~~provided in this chapter~~)) established by the secretary of state under section 1213 of this act.

Sec. 3119. RCW 24.03.302 and 1994 c 287 s 8 are each amended to read as follows:

A corporation shall be administratively dissolved by the secretary of state ((~~upon the conditions prescribed in this section when the corporation:~~

~~(1) Has failed to file or complete its annual report within the time required by law; or~~

~~(2) Has failed for thirty days to appoint or maintain a registered agent in this state; or~~

~~(3) Has failed for thirty days, after change of its registered agent or registered office, to file in the office of the secretary of state a statement of such change.~~

~~A corporation shall not be dissolved under this section unless the secretary of state has given the corporation not less than sixty days' notice of its delinquency or omission, by first-class mail, postage prepaid, addressed to the registered office, or, if there is no registered office, to the last known address of any officer or director as shown by the records of the secretary of state, and unless the corporation has failed to correct the omission or delinquency before expiration of the sixty-day period.~~

~~When a corporation has given cause for dissolution under this section, and has failed to correct the delinquency or omission as provided in this section, the secretary of the state shall dissolve the corporation by issuing a certificate of administrative dissolution containing a statement that the corporation has been dissolved and the date and reason for which it was dissolved. The original certificate of administrative dissolution shall be filed in the records of the secretary of state, and a copy of the certificate shall forthwith be mailed to the corporation at its registered office or, if there is no registered office, to the last known address of the corporation or any officer, director, or incorporator of the corporation, as shown by the records of the secretary of state. Upon the filing of the certificate of administrative dissolution, the existence of the corporation shall cease, except as otherwise provided in this chapter, and its name shall be available to and may be adopted by another corporation after the dissolution.~~

~~Any notice provided by the secretary of state under this section shall be designed to clearly identify and warn the recipient of the contents thereof. A delinquency notice shall provide a succinct and readable description of the delinquency or omission, the date on which dissolution will occur, and the action necessary to cure the delinquency or omission prior to dissolution~~)) under the circumstances and procedures provided in part I, Article 6 of this act.

A corporation which has been administratively dissolved ((~~by operation of this section may be reinstated within a period of three years following its administrative dissolution if it completes and files a current annual report for the reinstatement year or if it appoints or maintains a registered agent, or if it files with the secretary of state a required statement of change of registered agent or registered office and in addition, if it pays a reinstatement fee as~~

~~set by rule by the secretary plus the full amount of all annual fees that would have been assessed for the years of administrative dissolution had the corporation been in active status, including the reinstatement year plus any penalties established by rule by the secretary of state. If, during the period of dissolution, another person or corporation has reserved or adopted a corporate name which is identical to or deceptively similar to the dissolved corporation's name, the dissolved corporation seeking reinstatement shall be required to adopt another name consistent with the requirements of this chapter and to amend its articles of incorporation accordingly~~)) under section 1603 of this act may apply to the secretary of state for reinstatement in accordance with section 1604 of this act.

When a corporation has been administratively dissolved ((~~by operation of this section~~)) under section 1603 of this act, remedies available to or against it shall survive in the manner provided in RCW 24.03.300 and the directors of the corporation shall hold the title to the property of the corporation as trustees for the benefit of its creditors and members.

Sec. 3120. RCW 24.03.305 and 1993 c 181 s 12 are each amended to read as follows:

((~~No~~)) (1) A foreign corporation shall ((~~have the right to~~)) not conduct affairs in this state until it ((~~shall have procured a certificate of authority so to do from~~)) registers with the secretary of state in accordance with part I, Article 5 of this act. ((~~No foreign corporation shall be entitled to procure a certificate of authority under this chapter to conduct in this state any affairs which a corporation organized under this chapter is not permitted to conduct. A foreign corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country under which such corporation is organized governing its organization and internal affairs differ from the laws of this state, and nothing in this chapter contained shall be construed to authorize this state to regulate the organization or the internal affairs of such corporation.~~

~~Without excluding other activities which may~~)) (2) A nonexhaustive list of activities that do not constitute conducting affairs in this state((~~, a foreign corporation shall not be considered to be conducting affairs in this state, for the purposes of this chapter, by reason of carrying on in this state any one or more of the following activities:~~

~~(1) Maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof or the settlement of claims or disputes.~~

~~(2) Holding meetings of its directors or members or carrying on other activities concerning its internal affairs.~~

~~(3) Maintaining bank accounts.~~

~~(4) Creating evidences of debt, mortgages or liens on real or personal property.~~

~~(5) Securing or collecting debts due to it or enforcing any rights in property securing the same.~~

~~(6) Effecting sales through independent contractors.~~

~~(7) Soliciting or procuring orders, whether by mail or through employees or agents or otherwise, where such orders require acceptance without this state before becoming binding contracts.~~

~~(8) Creating as borrower or lender, or acquiring, indebtedness or mortgages or other security interests in real or personal property.~~

~~(9) Securing or collecting debts or enforcing any rights in property securing the same.~~

~~(10) Transacting any business in interstate commerce.~~

~~(11) Conducting an isolated transaction completed within a period of thirty days and not in the course of a number of repeated transactions of like nature.~~

~~(12) Operating an approved branch campus of a foreign degree-granting institution in compliance with chapter 28B.90 RCW and in accordance with RCW 24.03.307~~)) is provided in section 1505 of this act.

Sec. 3121. RCW 24.03.310 and 1967 c 235 s 63 are each amended to read as follows:

A foreign corporation ((~~which shall have received a certificate of authority under this chapter shall, until a certificate of revocation or of withdrawal shall have been issued as provided in this chapter, enjoy the same, but no greater, rights and privileges as a domestic corporation organized for the purposes set forth in the application pursuant to which such certificate of authorization is issued; and, except as in this chapter otherwise provided, shall be subject to the same duties, restrictions, penalties and liabilities now or hereafter imposed upon a domestic corporation of like character~~)) that registers to conduct affairs in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign corporations.

Sec. 3122. RCW 24.03.315 and 1982 c 35 s 98 are each amended to read as follows:

((~~No certificate of authority shall be issued to a foreign corporation unless the corporate name of such corporation complies with the provisions of RCW 24.03.045. However, a foreign corporation applying for a certificate of authority may file with the secretary of state a resolution of its board of directors adopting a fictitious name for use in transacting business in this state, if the fictitious name complies with RCW 24.03.045~~)) The corporate name of a foreign corporation registered in this state must comply with the provisions of section 1506 of this act and part I, Article 3 of this act.

Sec. 3123. RCW 24.03.325 and 2002 c 74 s 12 are each amended to read as follows:

A foreign corporation((~~, in order to procure a certificate of authority~~)) may register to conduct affairs in this state((~~, shall make application therefor~~)) by delivering to the secretary of state((~~, which application shall set forth:~~

~~(1) The name of the corporation and the state or country under the laws of which it is incorporated.~~

~~(2) If the name of the corporation contains the word "corporation," "company," "incorporated," or "limited," or contains an abbreviation of one of such words, then the name of the corporation which it elects for use in this state.~~

~~(3) The date of incorporation and the period of duration of the corporation.~~

~~(4) The address of the principal office of the corporation.~~

~~(5) A statement that a registered agent has been appointed and the name and address of such agent, and that a registered office exists and the address of such registered office is identical to that of the registered agent.~~

~~(6) The purpose or purposes of the corporation which it proposes to pursue in conducting its affairs in this state.~~

~~(7) The names and respective addresses of the directors and officers of the corporation.~~

~~(8) Such additional information as may be necessary or appropriate in order to enable the secretary of state to determine whether such corporation is entitled to a certificate of authority to conduct affairs in this state.~~

~~The application shall be made in the form prescribed by the secretary of state and shall~~)) for filing a foreign registration statement in accordance with section 1503 of this act. The statement must be executed by the corporation by one of its officers.

((~~The application shall be accompanied by a certificate of good standing which has been issued no more than sixty days before the date of filing of the application for a certificate of authority to do business in this state and has been certified to by the proper officer of the state or country under the laws of which the corporation is incorporated.~~))

Sec. 3124. RCW 24.03.335 and 1982 c 35 s 100 are each amended to read as follows:

Upon the filing of the ((~~application for certificate of authority~~)) foreign registration statement by the secretary of state, the corporation shall be authorized to conduct affairs in this state for those purposes set forth in its application, subject, however, to the right of this state to ((~~suspend or to revoke such authority~~)) terminate the registration as provided in ((~~this chapter~~)) section 1511 of this act.

Sec. 3125. RCW 24.03.340 and 2004 c 265 s 29 are each amended to read as follows:

Each foreign corporation ((~~authorized~~)) registered to conduct affairs in this state shall have and continuously maintain in this state((~~:~~

~~(1) A registered office which may be, but need not be, the same as its principal office. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the corporation also maintains on file the specific geographic address of the registered office where personal service of process may be made.~~

~~(2) A registered agent, which agent may be either an individual resident in this state whose business office is identical with such registered office, or a domestic corporation, whether for profit or not for profit, or a foreign corporation, whether for profit or not for profit, authorized to transact business or conduct affairs in this state, having an office identical with such registered office or a domestic limited liability company whose business office is identical with the registered office or a foreign limited liability company authorized to conduct affairs in this state whose business address is identical with the registered office. A registered agent shall not be appointed without having given prior consent in the form of a record to the appointment. The consent shall be filed with the secretary of state in such form as the secretary may prescribe. The consent shall be filed with or as a part of the record first appointing a registered agent. In the event any individual, corporation, or limited liability company has been appointed agent without consent, that person, corporation, or limited liability company may file a notarized statement attesting to that fact, and the name shall immediately be removed from the records of the secretary of state.~~

~~No foreign corporation authorized to transact business in this state may be permitted to maintain any action in any court in this state until the corporation complies with the requirements of this section~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 3126. RCW 24.03.345 and 2004 c 265 s 30 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state may change its ((~~registered office or change its~~)) registered agent((~~, or both, upon filing in the office of~~)) by delivering to the secretary of state ((~~in a form approved by the secretary of state~~)) for filing a statement ((~~setting forth:~~

~~(1) The name of the corporation.~~

~~(2) If the current registered office is to be changed, the street address to which the registered office is to be changed.~~

~~(3) If the current registered agent is to be changed, the name of the new registered agent.~~

~~(4) That the address of its registered office and the address of the office of its registered agent, as changed, will be identical.~~

~~Such~~)) of change in accordance with section 1407 of this act. The statement shall be executed by the corporation by an officer of the corporation((~~, and delivered to the secretary of state, together with a consent, in the form of a record, of the registered agent to the appointment, if applicable. If the secretary of state finds that such statement conforms to the provisions of this chapter, the secretary of state shall endorse thereon the word "Filed," and the month, day, and year of the filing thereof, and file the statement. The change of address of the registered office, or the appointment of a new registered agent, or both, as the case may be, shall become effective upon filing unless a later date is specified~~)).

Any registered agent in this state appointed by a foreign corporation may resign as such agent ((~~upon filing a notice thereof, in the form of a record, executed in duplicate, with~~)) by executing and delivering to the secretary of state ((~~who shall immediately deliver a copy thereof to the secretary of the foreign corporation at its principal office as shown by its most recent annual report. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the secretary of state~~)) for filing a statement of resignation in accordance with section 1410 of this act.

((~~If~~)) A registered agent ((~~changes his or her business address to another place within the state, the registered agent may change such address and the address of the registered office of any corporation of which the registered agent is a registered agent by filing a statement as required by this section, except that it need be executed only by the registered agent, it need not be responsive to subsection (3) of this section, and it must recite that a copy of the statement has been delivered to the corporation~~)) of a foreign corporation may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

Sec. 3127. RCW 24.03.350 and 2011 c 336 s 658 are each amended to read as follows:

((~~The registered agent so appointed by a foreign corporation authorized to conduct affairs in this state shall be an agent of such corporation upon whom~~)) Service of any process, notice, or demand required or permitted by law to be served upon the corporation may be ((~~served.~~

~~Whenever a foreign corporation authorized to conduct affairs in this state shall fail to appoint or maintain a registered agent in this state, or whenever any such registered agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of authority of a foreign corporation shall be suspended or revoked, then the secretary of state shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of the secretary of state's office, duplicate copies of such process, notice or demand. In the event any such process, notice, or demand is served on the secretary of state, the secretary of state shall immediately cause one of such copies thereof to be forwarded by certified mail, addressed to the secretary of the corporation as shown on the records of the secretary of state. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~The secretary of state shall keep a record of all processes, notices, and demands served upon the secretary of state under this section, and shall record therein the time of such service and his or her action with reference thereto~~)) made in accordance with section 1411 of this act.

Nothing herein contained shall limit or affect the right to serve any process, notice, or demand, required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

Sec. 3128. RCW 24.03.365 and 2004 c 265 s 31 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state shall ((~~procure an amended certificate of authority in the event it changes its corporate name, or desires to~~

~~pursue in this state other or additional purposes than those set forth in its prior application for a certificate of authority, by making application therefor to the secretary of state.~~

~~The requirements in respect to the form and contents of such application, the manner of its execution, the filing of the application with the secretary of state, the issuance of an amended certificate of authority and the effect thereof, shall be the same as in the case of an original application for a certificate of authority~~)) amend its foreign registration statement under the circumstances specified in section 1504 of this act.

Sec. 3129. RCW 24.03.370 and 1993 c 356 s 7 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state may withdraw from this state ((~~upon procuring from~~)) by delivering a statement of withdrawal to the secretary of state ((~~a certificate of withdrawal. In order to procure such certificate of withdrawal, such foreign corporation shall deliver to the secretary of state an application for withdrawal, which shall set forth:~~

~~(1) The name of the corporation and the state or country under the laws of which it is incorporated.~~

~~(2) That the corporation is not conducting affairs in this state.~~

~~(3) That the corporation surrenders its authority to conduct affairs in this state.~~

~~(4) That the corporation revokes the authority of its registered agent in this state to accept service of process and consents that service of process in any action, suit or proceeding based upon any cause of action arising in this state during the time the corporation was authorized to conduct affairs in this state may thereafter be made on such corporation by service thereof on the secretary of state.~~

~~(5) A copy of a revenue clearance certificate issued pursuant to chapter 82.32 RCW.~~

~~(6) A post office address to which the secretary of state may mail a copy of any process against the corporation that may be served on the secretary of state.~~

~~The application for withdrawal shall be made on forms prescribed and furnished by the secretary of state and shall be executed by the corporation by an officer of the corporation, or, if the corporation is in the hands of a receiver or trustee, shall be executed on behalf of the corporation by such receiver or trustee~~)) for filing in accordance with section 1507 of this act.

Sec. 3130. RCW 24.03.380 and 2004 c 265 s 32 are each amended to read as follows:

(1) The ((~~certificate of authority~~)) registration of a foreign corporation to conduct affairs in this state ((~~shall be revoked~~)) may be terminated by the secretary of state ((~~upon the conditions prescribed in this section when:~~

~~(a) The corporation has failed to file its annual report within the time required by this chapter, or has failed to pay any fees or penalties prescribed by this chapter when they have become due and payable; or~~

~~(b) The corporation has failed for thirty days to appoint and maintain a registered agent in this state as required by this chapter; or~~

~~(c) The corporation has failed, for thirty days after change of its registered agent or registered office, to file in the office of the secretary of state a statement of such change as required by this chapter; or~~

~~(d) The corporation has continued to exceed or abuse the authority conferred upon it by this chapter; or~~

~~(e) A misrepresentation has been made of any material matter in any application, report, affidavit, or other record submitted by such corporation pursuant to this chapter.~~

~~(2) Prior to revoking a certificate of authority under subsection (1) of this section, the secretary of state shall give the corporation written notice of the corporation's delinquency or omission by first-class mail, postage prepaid, addressed to the corporation's registered agent. If, according to the records of the secretary of state, the corporation does not have a registered agent, the notice may be given by mail addressed to the corporation at its last known address or at the address of any officer or director of the corporation, as shown by the records of the secretary of state. Notice is deemed to have been given five days after the date deposited in the United States mail, correctly addressed, and with correct postage affixed. The notice shall inform the corporation that its certificate of authority shall be revoked at the expiration of sixty days following the date the notice had been deemed to have been given, unless it corrects the delinquency or omission within the sixty-day period.~~

~~(3) Any notice provided by the secretary of state under this section shall be designed to clearly identify and warn the recipient of the contents thereof. A delinquency notice shall provide a succinct and readable description of the delinquency or omission, the date on which dissolution will occur, and the action necessary to cure the delinquency or omission prior to dissolution.~~

~~(4) The attorney general may take such action regarding revocation of a certificate of authority as is provided by RCW 24.03.250 for the dissolution of a domestic corporation. The procedures of RCW 24.03.250 shall apply to any action under this section. The clerk of any superior court entering a decree of revocation of a certificate of authority shall file a certified copy, without cost or filing fee, with the office of the secretary of state~~)) in accordance with section 1511 of this act.

Sec. 3131. RCW 24.03.390 and 1986 c 240 s 52 are each amended to read as follows:

((~~No~~)) A foreign corporation which is conducting affairs in this state without ((~~a certificate of authority shall be permitted to maintain any action, suit or proceeding in any court of this state until such corporation shall have obtained a certificate of authority. Nor shall any action, suit or proceeding be maintained in any court of this state by any successor or assignee of such corporation on any right, claim or demand arising out of the conduct of affairs by such corporation in this state, until a certificate of authority shall have been obtained by such corporation or by a corporation which has acquired all or substantially all of its assets.~~

~~The failure of a foreign corporation to obtain a certificate of authority to conduct affairs in this state shall not impair the validity of any contract or act of such corporation, and shall not prevent such corporation from defending any action, suit or proceeding in any court of this state.~~

~~A foreign corporation which transacts business in this state without a certificate of authority shall be liable to this state, for the years or parts thereof during which it transacted business in this state without a certificate of authority, in an amount equal to all fees which would have been imposed by this chapter upon such corporation had it duly applied for and received a certificate of authority to transact business in this state as required by this chapter and thereafter filed all reports required by this chapter, plus all penalties imposed by this chapter for failure to pay such fees. The attorney general shall bring proceedings to recover all amounts due this state under the provisions of this section~~)) registering with the secretary of state is subject to section 1502 of this act.

Sec. 3132. RCW 24.03.395 and 1993 c 356 s 10 are each amended to read as follows:

Each domestic corporation, and each foreign corporation ((~~authorized~~)) registered to conduct affairs in this state, shall ((~~file, within the time prescribed by this chapter,~~)) deliver an annual report ((~~in the form prescribed by~~)) to the secretary of state((~~. The secretary may by rule provide that a biennial filing meets this requirement. The report shall set forth:~~

~~(1) The name of the corporation and the state or country under the laws of which it is incorporated;~~

~~(2) The address of the registered office of the corporation in this state including street and number and the name of its registered agent in this state at such address, and, in the case of a foreign corporation, the address of its principal office;~~

~~(3) A brief statement of the character of the affairs which the corporation is actually conducting, or, in the case of a foreign corporation, which the corporation is actually conducting in this state;~~

~~(4) The names and respective addresses of the directors and officers of the corporation; and~~

~~(5) The corporation's unified business identifier number.~~

~~The information shall be given as of the date of the execution of the report. It shall be executed by the corporation by an officer of the corporation, or, if the corporation is in the hands of a receiver or trustee, it shall be executed on behalf of the corporation by such receiver or trustee.~~

~~The secretary of state may provide that correction or updating of information appearing on previous annual or biennial filings is sufficient to constitute the current filing~~)) in accordance with section 1212 of this act.

Sec. 3133. RCW 24.03.405 and 2010 1st sp.s. c 29 s 3 are each amended to read as follows:

(((~~(1)~~))) Nonprofit corporations are subject to the applicable fees, charges, and penalties established by the secretary of state ((~~must establish by rule, fees for the following:~~

~~(a) Filing articles of incorporation.~~

~~(b) Filing an annual report of a domestic or foreign corporation.~~

~~(c) Filing an application of a foreign corporation for a certificate of authority to conduct affairs in this state.~~

~~(d) An application for reinstatement under RCW 24.03.386.~~

~~(e) Filing articles of amendment or restatement or an amendment or supplement to an application for reinstatement.~~

~~(f) Filing articles of merger or consolidation.~~

~~(g) Filing a statement of change of address of registered office or change of registered agent, or revocation, resignation, or any combination of these.~~

~~(h) Filing articles of dissolution.~~

~~(i) Filing an application of a foreign corporation for an amended certificate of authority to conduct affairs in this state.~~

~~(j) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal.~~

~~(k) Filing a certificate by a foreign corporation of the appointment of a registered agent.~~

~~(l) Filing a certificate of election adopting the provisions of chapter 24.03 RCW.~~

~~(m) Filing an application to reserve a corporate name.~~

~~(n) Filing a notice of transfer of a reserved corporate name.~~

~~(o) Filing a name registration.~~

~~(p) Filing any other statement or report authorized for filing under this chapter.~~

~~(2) Fees are adjusted by rule only in an amount that does not exceed the average biennial increase in the cost of providing service. This must be determined in a biennial cost study performed by the secretary~~)) under section 1213 of this act and RCW 43.07.120.

Sec. 3134. RCW 24.03.425 and 2004 c 265 s 34 are each amended to read as follows:

Each director and officer of a corporation, domestic or foreign, who fails or refuses within the time prescribed by this chapter to answer truthfully and fully interrogatories propounded to him or her by the secretary of state in accordance with the provisions of this chapter((~~, or who signs any articles, statement, report, application or other record filed with the secretary of state which is known to such officer or director to be false in any material respect,~~)) shall be deemed to be guilty of a misdemeanor, and upon conviction thereof may be fined in any amount not exceeding five hundred dollars.

Sec. 3135. RCW 24.03.445 and 2004 c 265 s 36 are each amended to read as follows:

((~~If the secretary of state shall fail to approve any articles of incorporation, amendment, merger, consolidation or dissolution, or any other record required by this chapter to be approved by the secretary of state before the same shall be filed in his or her office, the secretary of state shall give written notice of disapproval to the person or corporation, domestic or foreign, delivering the same, specifying the reasons therefor. Within thirty days from such disapproval such person or corporation may appeal to the superior court pursuant to the provisions of the administrative procedure act, chapter 34.05 RCW~~)) Section 1206 of this act governs the secretary of state's duty to file records delivered to the secretary of state for filing, the manner and effect of filing, and procedures that apply when the secretary of state refuses to file a record.

NEW SECTION. **Sec. 3136.** The following acts or parts of acts are each repealed:

(1) RCW 24.03.007 (Standards for electronic filing—Rules) and 2004 c 265 s 2 & 2002 c 74 s 5;

(2) RCW 24.03.008 (Records submitted for filing—Exact or conformed copies) and 2004 c 265 s 3 & 2002 c 74 s 6;

(3) RCW 24.03.3025 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 2;

(4) RCW 24.03.303 (Reinstatement under certain circumstances—Request for relief) and 1987 c 117 s 6;

(5) RCW 24.03.307 (Foreign degree-granting institution branch campus—Acts not deemed transacting business in state) and 1993 c 181 s 6;

(6) RCW 24.03.320 (Change of name by foreign corporation) and 1986 c 240 s 44 & 1967 c 235 s 65;

(7) RCW 24.03.330 (Filing of application for certificate of authority) and 2004 c 265 s 27, 2002 c 74 s 13, 1986 c 240 s 46, 1982 c 35 s 99, 1969 ex.s. c 163 s 4, & 1967 c 235 s 67;

(8) RCW 24.03.375 (Filing of application for withdrawal) and 2002 c 74 s 14, 1982 c 35 s 105, & 1967 c 235 s 76;

(9) RCW 24.03.385 (Issuance of certificate of revocation) and 1986 c 240 s 51, 1982 c 35 s 107, & 1967 c 235 s 78;

(10) RCW 24.03.386 (Foreign corporations—Application for reinstatement) and 1993 c 356 s 8, 1987 c 117 s 1, & 1986 c 240 s 57;

(11) RCW 24.03.388 (Foreign corporations—Fees for application for reinstatement—Filing current annual report—Penalties established by rule) and 1994 c 287 s 9, 1993 c 356 s 9, 1991 c 223 s 3, 1987 c 117 s 2, & 1986 c 240 s 58;

(12) RCW 24.03.400 (Filing of annual or biennial report of domestic and foreign corporations—Notice—Reporting dates) and 2011 c 183 s 5, 1993 c 356 s 11, 1986 c 240 s 54, 1982 c 35 s 109, 1973 c 90 s 1, & 1967 c 235 s 81;

(13) RCW 24.03.410 (Miscellaneous fees) and 2004 c 265 s 33, 1993 c 269 s 6, 1982 c 35 s 111, 1979 ex.s. c 133 s 2, 1969 ex.s. c 163 s 6, & 1967 c 235 s 83;

(14) RCW 24.03.415 (Disposition of fees) and 2011 c 336 s 659 & 1967 c 235 s 84; and

(15) RCW 24.03.450 (Certificates and certified copies to be received in evidence) and 2004 c 265 s 37, 1982 c 35 s 116, & 1967 c 235 s 91.

PART IV
NONPROFIT MISCELLANEOUS AND MUTUAL CORPORATIONS ACT REVISIONS

Sec. 4101. RCW 24.06.005 and 2001 c 271 s 1 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires, the term:

(1) "Corporation" or "domestic corporation" means a mutual corporation or miscellaneous corporation subject to the provisions of this chapter, except a foreign corporation.

(2) "Foreign corporation" means a mutual or miscellaneous corporation or other corporation organized under laws other than the laws of this state which would be subject to the provisions of this chapter if organized under the laws of this state.

(3) "Mutual corporation" means a corporation organized to accomplish one or more of its purposes on a mutual basis for members and other persons.

(4) "Miscellaneous corporation" means any corporation which is organized for a purpose or in a manner not provided for by the Washington business corporation act or by the Washington nonprofit corporation act, and which is not required to be organized under other laws of this state.

(5) "Articles of incorporation" includes the original articles of incorporation and all amendments thereto, and includes articles of merger.

(6) "Bylaws" means the code or codes of rules adopted for the regulation or management of the affairs of the corporation irrespective of the name or names by which such rules are designated.

(7) "Member" means one having membership rights in a corporation in accordance with provisions of its articles of incorporation or bylaws.

(8) "Stock" or "share" means the units into which the proprietary interests of a corporation are divided in a corporation organized with stock.

(9) "Stockholder" or "shareholder" means one who is a holder of record of one or more shares in a corporation organized with stock.

(10) "Board of directors" means the group of persons vested with the management of the affairs of the corporation irrespective of the name by which such group is designated.

(11) "Insolvent" means inability of a corporation to pay debts as they become due in the usual course of its affairs.

(12) "Duplicate originals" means two copies, original or otherwise, each with original signatures, or one original with original signatures and one copy thereof.

(13) "Conforms to law" as used in connection with duties of the secretary of state in reviewing documents for filing under this chapter, means the secretary of state has determined the document complies as to form with the applicable requirements of this chapter.

(14) "Effective date" means, in connection with a document filing made by the secretary of state, the date ((~~which is shown by affixing a "filed" stamp on the documents. When a document is received for filing by the secretary of state in a form which complies with the requirements of this chapter and which would entitle the document to be filed immediately upon receipt, but the secretary of state's approval action occurs subsequent to the date of receipt, the secretary of state's filing date shall relate back to the date on which the secretary of state first received the document in acceptable form. An applicant may request a specific effective date no more than thirty days later than the receipt date which might otherwise be applied as the effective date~~)) on which the filing becomes effective under section 1203 of this act.

(15) "Executed by an officer of the corporation," or words of similar import, means that any document signed by such person shall be and is signed by that person under penalties of perjury and in an official and authorized capacity on behalf of the corporation or person making the document submission with the secretary of state.

(16) "An officer of the corporation" means, in connection with the execution of documents submitted for filing with the secretary of state, the president, a vice president, the secretary, or the treasurer of the corporation.

(17) "Electronic transmission" or "electronically transmitted" means any process of electronic communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of the transmitted information by the recipient. However, such an electronic transmission must either set forth or be submitted with information, including any security or validation controls used, from which it can reasonably be determined that the electronic transmission was authorized by, as applicable, the corporation or shareholder or member by or on behalf of which the electronic transmission was sent.

(18) "Consumer cooperative" means a corporation engaged in the retail sale, to its members and other consumers, of goods or services of a type that are generally for personal, living, or family use.

(19) "Registered office" means the address of the corporation's registered agent.

Sec. 4102. RCW 24.06.032 and 2012 c 216 s 1 are each amended to read as follows:

(1) In addition to any other rights and powers granted under this chapter, any mutual or miscellaneous corporation that was organized under this chapter prior to June 10, 2004, and conducts its business on a cooperative basis is entitled, by means of an express election contained in its articles of incorporation or bylaws, to avail itself of part or all of the additional rights and powers granted to cooperative associations under RCW 23.86.105(1), 23.86.160, and 23.86.170, and, if the corporation is a consumer cooperative, under section 1302(6) of this act and RCW 23.86.030 (((~~(1) and~~)) (2).

(2) Any other provision of this chapter notwithstanding:

(a) A consumer cooperative organized under this chapter may give notice to its members of the place, day, and hour of its annual meeting not less than ten nor more than one hundred twenty days before the date of the annual meeting.

(b) A consumer cooperative organized under this chapter may satisfy any provisions of this chapter requiring that certain information or materials must be set forth in a writing accompanying or contained in the notice of a meeting of its members, by: (i) Posting the information or materials on an electronic network not less than thirty days prior to the meeting at which such information or materials will be considered by members; and (ii) delivering to those members who are eligible to vote a notification, either in a meeting notice authorized under this chapter or in such other reasonable form as the board of directors may specify, setting forth the address of the electronic network at which and the date after which such information or materials will be posted and available for viewing by members eligible to vote, together with comprehensible instructions regarding how to obtain access to the information and materials posted on the electronic network. A consumer cooperative that elects to post information or materials required by this chapter on an electronic network shall, at its expense, provide a copy of such information or materials in a written or other tangible medium to any member who is eligible to vote and so requests.

(c) The articles of incorporation or bylaws of a consumer cooperative organized under this chapter may provide that the annual meeting of its members need not involve a physical assembly at a particular geographic location if the meeting is held by means of electronic or other remote communications with its members, in a fashion that its board of directors determines will afford members a reasonable opportunity to read or hear the proceedings substantially concurrently with their occurrence, to vote by electronic transmission on matters submitted to a vote by members, and to pose questions of and make comments to management, subject to such procedural guidelines and limitations as its board of directors may adopt. Members participating in an annual meeting by means of electronic or other remote communications technology in accordance with any such procedural guidelines and limitations shall be deemed present at the meeting for all purposes under this

chapter. For any annual meeting of members that is conducted by means of electronic or other remote communications without a physical assembly at a geographic location, the address of the electronic network or other communications site or connection specified in the notice of the meeting shall be deemed to be the place of the meeting.

Sec. 4103. RCW 24.06.045 and 1998 c 102 s 4 are each amended to read as follows:

The corporate name((~~:~~

~~(1) Shall not contain any word or phrase which indicates or implies that it is organized for any purpose other than one or more of the purposes contained in its articles of incorporation.~~

~~(2)(a) Except as provided in (b) and (c) of this subsection, must be distinguishable upon the records of the secretary of state from:~~

~~(i) The corporate name of a corporation organized or authorized to transact business in this state;~~

~~(ii) A corporate name reserved or registered under chapter 23B.04 RCW;~~

~~(iii) The name or reserved name of a mutual corporation or miscellaneous corporation incorporated or authorized to do business under this chapter;~~

~~(iv) The fictitious name adopted under RCW 23B.15.060 by a foreign corporation authorized to transact business in this state because its real name is unavailable;~~

~~(v) The corporate name or reserved name of a not-for-profit corporation incorporated or authorized to conduct affairs in this state under chapter 24.03 RCW;~~

~~(vi) The name or reserved name of a foreign or domestic limited partnership formed or registered under chapter 25.10 RCW;~~

~~(vii) The name or reserved name of a limited liability company organized or registered under chapter 25.15 RCW; and~~

~~(viii) The name or reserved name of a limited liability partnership registered under chapter 25.04 RCW.~~

~~(b) A corporation may apply to the secretary of state for authorization to use a name that is not distinguishable upon the records from one or more of the names described in (a) of this subsection. The secretary of state shall authorize use of the name applied for if:~~

~~(i) The other corporation, company, holder, limited liability partnership, or limited partnership consents to the use in writing and files with the secretary of state documents necessary to change its name or the name reserved or registered to a name that is distinguishable upon the records of the secretary of state from the name of the applying corporation; or~~

~~(ii) The applicant delivers to the secretary of state a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this state.~~

~~(c) A corporation may use the name, including the fictitious name, of another domestic or foreign corporation, limited liability company, limited partnership, or limited liability partnership, that is used in this state if the other entity is incorporated, organized, formed, or authorized to transact business in this state, and the proposed user corporation:~~

~~(i) Has merged with the other corporation, limited liability company, or limited partnership; or~~

~~(ii) Has been formed by reorganization of the other corporation.~~

~~(3) Shall be transliterated into letters of the English alphabet if it is not in English.~~

~~(4) The name of any corporation formed under this section shall not include nor end with "incorporated", "company", or "corporation" or any abbreviation thereof, but may use "club", "league", "association", "services", "committee", "fund", "society", "foundation", ". . . . . ., a nonprofit mutual corporation", or any name of like import.~~

~~(5) A name shall not be considered distinguishable upon the records of the secretary of state by virtue of:~~

~~(a) A variation in any of the following designations for the same name: "Corporation," "incorporated," "company," "limited," "partnership," "limited partnership," "limited liability company," or "limited liability partnership," or the abbreviations "corp.," "inc.," "co.," "ltd.," "LP," "L.P.," "LLP," "L.L.P.," "LLC," or "L.L.C.";~~

~~(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;~~

~~(c) Punctuation, capitalization, or special characters or symbols in the same name; or~~

~~(d) Use of abbreviation or the plural form of a word in the same name.~~

~~(6) This title does not control the use of assumed business names or "trade names."~~)) must comply with the requirements of part I, Article 3 of this act.

Sec. 4104. RCW 24.06.046 and 1993 c 356 s 13 are each amended to read as follows:

The exclusive right to the use of a corporate name may be reserved ((~~by:~~

~~(1) Any person intending to organize a corporation under this title.~~

~~(2) Any domestic corporation intending to change its name.~~

~~(3) Any foreign corporation intending to make application for a certificate of authority to transact business in this state.~~

~~(4) Any foreign corporation authorized to transact business in this state and intending to change its name.~~

~~(5) Any person intending to organize a foreign corporation and intending to have such corporation make application for a certificate of authority to transact business in this state.~~

~~The reservation shall be made by filing with the secretary of state an application to reserve a specified corporate name, executed by or on behalf of the applicant. If the secretary of state finds that the name is available for corporate use, the secretary of state shall reserve the same for the exclusive use of the applicant for a period of one hundred and eighty days. Such reservation shall be limited to one filing.~~

~~The right to the exclusive use of a specified corporate name so reserved may be transferred to any other person or corporation by filing in the office of the secretary of state, a notice of such transfer, executed by the applicant for whom the name was reserved, and specifying the name and address of the transferee~~)) in accordance with section 1303 of this act.

Sec. 4105. RCW 24.06.047 and 1994 c 211 s 1308 are each amended to read as follows:

Any corporation, organized and existing under the laws of any state or territory of the United States may register its corporate name ((~~under this title, provided its corporate name is not the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this state, or the name of any foreign corporation authorized to transact business in this state, the name of any domestic limited liability company organized under the laws of this state, or the name of any foreign limited liability company authorized to transact business in this state, the name of any domestic or foreign limited partnership on file with the secretary, or any corporate name reserved or registered under this title.~~

~~Such registration shall be made by:~~

~~(1) Filing with the secretary of state: (a) An application for registration executed by the corporation by an officer thereof, setting forth the name of the corporation, the state or country under the laws of which it is incorporated, and the date of its incorporation, and (b) a certificate setting forth that such corporation is in good standing under the laws of the state or country wherein it is organized, executed by the secretary of state of such state or territory or by such other official as may have custody of the records pertaining to corporations, and~~

~~(2) Paying to the secretary of state the applicable annual registration fee.~~

~~The registration shall be effective until the close of the calendar year in which the application for registration is filed~~)) in accordance with section 1304 of this act.

Sec. 4106. RCW 24.06.048 and 1982 c 35 s 124 are each amended to read as follows:

A corporation which has in effect a registration of its corporate name, may renew such registration ((~~from year to year by annually filing an application for renewal setting forth the facts required to be set forth in an original application for registration and a certificate of good standing as required for the original registration and by paying a fee of ten dollars. A renewal application may be filed between the first day of October and the thirty-first day of December in each year, and shall extend the registration for the following calendar year~~)) in accordance with section 1304 of this act.

Sec. 4107. RCW 24.06.050 and 2009 c 202 s 2 are each amended to read as follows:

Each domestic corporation and foreign corporation authorized to do business in this state shall have and continuously maintain in this state((~~:~~

~~(1) A registered office which may be, but need not be, the same as its principal office. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the corporation also maintains on file the specific geographic address of the registered office where personal service of process may be made.~~

~~(2) A registered agent, which agent may be either an individual resident in this state whose business office is identical with such registered office, or a domestic corporation existing under any act of this state, or a governmental body or agency, or a foreign corporation authorized to transact business or conduct affairs in this state under any act of this state having an office identical with such registered office. The resident agent and registered office shall be designated by duly adopted resolution of the board of directors; and a statement of such designation, executed by an officer of the corporation, shall be filed with the secretary of state. A registered agent shall not be appointed without having given prior written consent to the appointment. The written consent shall be filed with the secretary of state in such form as the secretary may prescribe. The written consent shall be filed with or as a part of the document first appointing a registered agent. In the event any individual or corporation has been appointed agent without consent, that person or corporation may file a notarized statement attesting to that fact, and the name shall forthwith be removed from the records of the secretary of state.~~

~~No Washington corporation or foreign corporation authorized to transact business in this state may be permitted to maintain any action in any court in this state until the corporation complies with the requirements of this section~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 4108. RCW 24.06.055 and 2011 c 336 s 661 are each amended to read as follows:

A corporation may change its ((~~registered office or change its~~)) registered agent((~~, or both, upon filing in the office of the secretary of state a statement in the form prescribed by the secretary of state setting forth:~~

~~(1) The name of the corporation.~~

~~(2) If the address of its registered office is to be changed, the address to which the registered office is to be changed, including street and number.~~

~~(3) If the current registered agent is to be changed, the name of its successor registered agent.~~

~~(4) That the address of its registered office and the address of the office of its registered agent, as changed, will be identical.~~

~~Such statement shall be executed by the corporation by an officer of the corporation, and delivered to the secretary of state, together with a written consent of the registered office to his, her, or its appointment, if applicable. If the secretary of state finds that such statement conforms to the provisions of this chapter, the secretary of state shall file such statement, and upon such filing, the change of address of the registered office, or the appointment of a new registered agent, or both, as the case may be, shall become effective~~)) by delivering to the secretary of state for filing a statement of change in accordance with section 1407 of this act.

Any registered agent of a corporation may resign as ((~~such~~)) agent ((~~upon filing a written notice thereof, executed in duplicate, with the secretary of state, who shall forthwith mail a copy thereof to the corporation in care of an officer, who is not the resigning registered agent, at the address of such officer as shown by the most recent annual report of the corporation. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the secretary of state~~)) by delivering to the secretary of state for filing a statement of resignation in accordance with section 1410 of this act.

Sec. 4109. RCW 24.06.060 and 1982 c 35 s 127 are each amended to read as follows:

((~~The registered agent so appointed by a corporation shall be an agent of such corporation upon whom~~)) Service of any process, notice or demand required or permitted by law to be served upon the corporation may be ((~~served.~~

~~Whenever a corporation shall fail to appoint or maintain a registered agent in this state, or whenever its registered agent cannot with reasonable diligence be found at the registered office, then the secretary of state shall be an agent of such corporation upon whom any such process, notice, or demand may be served. Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of his or her office, duplicate copies of such process, notice or demand. In the event any such process, notice or demand is served on the secretary of state, the secretary of state shall immediately cause one of the copies thereof to be forwarded by certified mail, addressed to the corporation at its registered office. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~The secretary of state shall keep a record of all processes, notices and demands served upon the secretary of state under this section, and shall record therein the time of such service and his action with reference thereto.~~

~~Nothing herein contained shall limit or affect the right to serve any process, notice or demand required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law~~)) made in accordance with section 1411 of this act.

Sec. 4110. RCW 24.06.200 and 1982 c 35 s 131 are each amended to read as follows:

((~~Duplicate originals of~~)) The articles of amendment shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that the articles of amendment conform to law, he or she shall, when all fees have been paid as prescribed in this chapter:~~

~~(1) Endorse on each of such originals the word "filed", and the effective date of the filing thereof.~~

~~(2) File one of such originals in his or her office.~~

~~(3) Issue a certificate of amendment to which he or she shall affix one of such originals.~~

~~The certificate of amendment, together with the other duplicate original of the articles of amendment affixed thereto by the secretary of state shall be returned to the corporation or its representative and shall be retained by the corporation.~~))

Sec. 4111. RCW 24.06.205 and 1982 c 35 s 132 are each amended to read as follows:

Upon the filing of the articles of amendment by the secretary of state, the amendment shall become effective as provided in section 1203 of this act and the articles of incorporation shall be deemed to be amended accordingly.

No amendment shall affect any existing cause of action in favor of or against such corporation, nor any pending action to which such corporation shall be a party, nor the existing rights of persons other than members; and, in the event the corporate name shall be changed by amendment, no action brought by or against such corporation under its former name shall abate for that reason.

Sec. 4112. RCW 24.06.207 and 1982 c 35 s 133 are each amended to read as follows:

A domestic corporation may at any time restate its articles of incorporation as theretofore amended, by a resolution adopted by the board of directors.

Upon the adoption of the resolution, restated articles of incorporation shall be executed ((~~in duplicate~~)) by the corporation by one of its officers and shall set forth all of the operative provisions of the articles of incorporation as theretofore amended together with a statement that the restated articles of incorporation correctly set forth without change the corresponding provisions of the articles of incorporation as theretofore amended and that the restated articles of incorporation supersede the original articles of incorporation and all amendments thereto.

((~~Duplicate originals of~~)) The restated articles of incorporation shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that the restated articles of incorporation conform to law, the secretary of state shall, when all fees required by this title have been paid:~~

~~(1) Endorse on each duplicate original the word "Filed" and the effective date of the filing thereof;~~

~~(2) File one duplicate original; and~~

~~(3) Issue a restated certificate of incorporation, to which the other duplicate original shall be affixed.~~

~~The restated certificate of incorporation, together with the duplicate original of the restated articles of incorporation affixed thereto by the secretary of state, shall be returned to the corporation or its representative.~~))

Upon the filing of the restated articles of incorporation by the secretary of state, the restated articles of incorporation shall become effective as provided in section 1203 of this act and shall supersede the original articles of incorporation and all amendments thereto.

Sec. 4113. RCW 24.06.225 and 2000 c 167 s 9 are each amended to read as follows:

(1) Upon approval, articles of merger or articles of consolidation shall be executed ((~~in duplicate originals~~)) by each corporation, by an officer of each corporation, and shall set forth:

(a) The plan of merger or the plan of consolidation;

(b) A statement setting forth the date of the meeting of members or shareholders at which the plan was adopted, that a quorum was present at such meeting, and that such plan received at least two-thirds of the votes which members and shareholders of the corporation and of each class entitled to vote thereon as a class, present at such meeting in person or by mail or by electronic transmission or represented by proxy were entitled to cast, or a statement that such amendment was adopted by a consent in writing signed by all members;

(2) ((~~Duplicate originals of~~)) The articles of merger or articles of consolidation shall be delivered to the secretary of state((~~. If the secretary of state finds that such articles conform to law, he or she shall, when all fees have been paid as prescribed in this chapter:~~

~~(a) Endorse on each of such originals the word "filed", and the effective date of the filing thereof;~~

~~(b) File one of such originals in his or her office;~~

~~(c) Issue a certificate of merger or a certificate of consolidation to which he or she shall affix one of such originals.~~

~~The certificate of merger or certificate of consolidation, together with the original of the articles of merger or articles of consolidation affixed thereto by the secretary of state shall be returned to the surviving or new corporation, as the case may be, or its representative, and shall be retained by the corporation~~)) for filing in accordance with part I, Article 2 of this act.

Sec. 4114. RCW 24.06.233 and 1982 c 35 s 136 are each amended to read as follows:

One or more foreign corporations and one or more domestic corporations may be merged or consolidated or participate in an exchange in the following manner, if such merger, consolidation, or exchange is permitted by the laws of the state under which each such foreign corporation is organized:

(1) Each domestic corporation shall comply with the provisions of this title with respect to the merger, consolidation, or exchange, as the case may be, of domestic corporations and each foreign corporation shall comply with the applicable provisions of the laws of the state under which it is organized.

(2) If the surviving or new corporation in a merger or consolidation is to be governed by the laws of any state other than this state, it shall comply with the provisions of this title and part I, Article 5 of this act with respect to foreign corporations if it is to transact business in this state, and in every case it shall file with the secretary of state of this state:

(a) An agreement that it may be served with process in ((~~this state~~)) accordance with section 1411 of this act in any proceeding for the enforcement of any obligation of any domestic corporation which is a party to such merger or consolidation and in any proceeding for the enforcement of the rights, if any, of a dissenting shareholder of any such domestic corporation against the surviving or new corporation; and

(b) ((~~An irrevocable appointment of the secretary of state of this state as its agent to accept service of process in any such proceeding; and~~

~~(c)~~)) An agreement that it will promptly pay to the dissenting shareholders of any such domestic corporation the amount, if any, to which they shall be entitled under the provisions of this title with respect to the rights of dissenting shareholders.

The effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations, if the surviving or new corporation is to be governed by the laws of this state. If the surviving or new corporation is to be governed by the laws of any state other than this state, the effect of such merger or consolidation shall be the same as in the case of the merger or consolidation of domestic corporations except insofar as the laws of such other state provide otherwise.

(3) At any time prior to the effective date of the articles of merger, consolidation, or exchange, the merger, consolidation, or exchange, may be abandoned pursuant to provision therefor, if any, set forth in the plan of merger, consolidation or exchange. In the event the merger, consolidation, or exchange is abandoned, the parties thereto shall execute a notice of abandonment ((~~in triplicate~~)) signed by an officer for each corporation signing the notice and deliver the notice to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds the notice conforms to law, the secretary of state shall:~~

~~(a) Endorse on each of the originals the word "Filed" and the effective date of the filing thereof;~~

~~(b) File one of the triplicate originals in the secretary of state's office; and~~

~~(c) Issue the other triplicate originals to the respective parties or their representatives.~~))

Sec. 4115. RCW 24.06.280 and 1982 c 35 s 139 are each amended to read as follows:

((~~Duplicate originals of~~)) The articles of dissolution shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that such articles of dissolution conform to law, he or she shall, when all requirements have been met as prescribed in this chapter:~~

~~(1) Endorse on each of such originals the word "filed", and the effective date of the filing thereof.~~

~~(2) File one of the originals in his or her office.~~

~~(3) Issue a certificate of dissolution which he or she shall affix to one of such originals.~~

~~The certificate of dissolution, together with the original of the articles of dissolution affixed thereto by the secretary of state, shall be returned to the representative of the dissolved corporation and shall be retained with the corporation minutes.~~))

Upon the filing of the articles of dissolution, the corporate existence shall cease, except for the purpose of determining such suits, other proceedings and appropriate corporate action by members, directors and officers as are authorized in this chapter.

Sec. 4116. RCW 24.06.290 and 1994 c 287 s 10 are each amended to read as follows:

Failure of the corporation to file its annual report within the time required shall not derogate from the rights of its creditors, or prevent the corporation from being sued and from defending lawsuits, nor shall it release the corporation from any of the duties or liabilities of a corporation under law.

A corporation shall be administratively dissolved by the secretary of state ((~~upon the conditions prescribed in this section when the corporation:~~

~~(1) Has failed to file or complete its annual report within the time required by law;~~

~~(2) Has failed for thirty days to appoint or maintain a registered agent in this state; or~~

~~(3) Has failed for thirty days, after change of its registered agent or registered office, to file in the office of the secretary of state a statement of such change.~~

~~A corporation shall not be dissolved under this section unless the secretary of state has given the corporation not less than sixty days' notice of its delinquency or omission, by first class mail, postage prepaid, addressed to the registered office, or, if there is no registered office, to the last known address of any officer or director as shown by the records of the secretary of state, and unless the corporation has failed to correct the omission or delinquency before expiration of the sixty-day period.~~

~~When a corporation has given cause for dissolution under this section, and has failed to correct the delinquency or omission as provided in this section, the secretary of state shall dissolve the corporation by issuing a certificate of involuntary dissolution containing a statement that the corporation has been dissolved and the date and reason for which it was dissolved. The original certificate of involuntary dissolution shall be filed in the records of the secretary of state, and a copy of the certificate shall forthwith be mailed to the corporation at its registered office or, if there is no registered office, to the last known address of the corporation or any officer, director, or incorporator of the corporation, as shown by the records of the secretary of state. Upon the filing of the certificate of involuntary dissolution, the existence of the corporation shall cease, except as otherwise provided in this chapter, and its name shall be available to and may be adopted by another corporation after the dissolution~~)) under the circumstances and procedures provided in part I, Article 6 of this act.

A corporation which has been administratively dissolved ((~~by operation of this section may be reinstated within a period of three years following its dissolution if it completes and files a current annual report for the current reinstatement year or it appoints or maintains a registered agent, or files a required statement of change of registered agent or registered office and in addition pays the reinstatement fee as set by rule by the secretary of state, plus the full amount of all annual fees that would have been assessed for the years of administrative dissolution had the corporation been in active status, including the reinstatement year plus any penalties as established by rule by the secretary of state. If during the period of dissolution another person or corporation has reserved or adopted a corporate name which is identical or deceptively similar to the dissolved corporation's name, the dissolved corporation seeking reinstatement shall be required to adopt another name consistent with the requirements of this chapter and to amend its articles accordingly~~)) under section 1603 of this act may apply to the secretary of state for reinstatement in accordance with section 1604 of this act.

When a corporation has been administratively dissolved ((~~by operation of this section~~)) under section 1603 of this act, remedies available to or against it shall survive in the manner provided by RCW 24.06.335 and thereafter the directors of the corporation shall hold title to the property of the corporation as trustees for the benefit of its creditors and shareholders.

Sec. 4117. RCW 24.06.340 and 1969 ex.s. c 120 s 68 are each amended to read as follows:

(1) No foreign corporation shall have the right to conduct affairs in this state until it ((~~shall have procured a certificate of authority from~~)) registers with the secretary of state ((~~to do so~~)) in accordance with the requirements of part I, Article 5 of this act. ((~~No foreign corporation shall be entitled to procure a certificate of authority under this chapter to conduct in this state any affairs which a corporation organized under this chapter is not permitted to conduct: PROVIDED, That no foreign corporation shall be denied a certificate of authority by reason of the fact that the laws of the state or country under which such corporation is organized governing its organization and internal affairs differ from the laws of this state: PROVIDED FURTHER, That nothing in this chapter contained shall be construed to authorize this state to regulate the organization or the internal affairs of such corporation.~~))

(2) ((~~Without excluding other activities not constituting the conduct of affairs in this state, a foreign corporation shall, for purposes of this chapter, not be considered to be~~)) A nonexhaustive list of activities that do not constitute conducting affairs in this state ((~~by reason of carrying on in this state any one or more of the following activities:~~

~~(a) Maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof, or the settlement of claims or disputes.~~

~~(b) Holding meetings of its directors, members, or shareholders, or carrying on other activities concerning its internal affairs.~~

~~(c) Maintaining bank accounts.~~

~~(d) Creating evidences of debt, mortgages or liens on real or personal property.~~

~~(e) Securing or collecting debts due to it or enforcing any rights in property securing the same~~)) is provided in section 1505 of this act.

Sec. 4118. RCW 24.06.345 and 1969 ex.s. c 120 s 69 are each amended to read as follows:

A foreign corporation ((~~which shall have received a certificate of authority under this chapter shall, until a certificate of revocation or of withdrawal shall have been issued as provided in this chapter,~~

~~enjoy the same but no greater rights and privileges as a domestic corporation organized for the purposes set forth in the application pursuant to which such certificate of authorization is issued, and shall be subject to the same duties, restrictions, penalties and liabilities now or hereafter imposed upon a domestic corporation of like character~~)) that registers to conduct affairs in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign corporations.

Sec. 4119. RCW 24.06.350 and 1982 c 35 s 143 are each amended to read as follows:

((~~No certificate of authority shall be issued to a foreign corporation unless the corporate name of such corporation complies with the provisions of RCW 24.06.045. However, a foreign corporation applying for a certificate of authority may file with the secretary of state a resolution of its board of directors adopting a fictitious name for use in transacting business in this state, if the fictitious name complies with RCW 24.06.045.~~)) The corporate name of a foreign corporation registered in this state must comply with the provisions of section 1506 and part I, Article 3 of this act.

Sec. 4120. RCW 24.06.360 and 1989 c 307 s 38 are each amended to read as follows:

A foreign corporation((~~, in order to procure a certificate of authority~~)) may register to conduct affairs in this state((~~, shall make application therefor~~)) by delivering to the secretary of state((~~, which application shall set forth:~~

~~(1) The name of the corporation and the state or country under the laws of which it is incorporated.~~

~~(2) The date of incorporation and the period of duration of the corporation.~~

~~(3) The address of the principal office of the corporation in the state or country under the laws of which it is incorporated.~~

~~(4) The address of the proposed registered office of the corporation in this state, and the name of its proposed registered agent in this state at such address.~~

~~(5) For the purpose or purposes of the corporation which it proposes to pursue in conducting its affairs in this state.~~

~~(6) The names and respective addresses of the directors and officers of the corporation.~~

~~(7) Such additional information as may be necessary or appropriate in order to enable the secretary of state to determine whether such corporation is entitled to a certificate of authority to conduct affairs in this state~~)) for filing a foreign registration statement in accordance with section 1503 of this act.

Sec. 4121. RCW 24.06.370 and 1982 c 35 s 145 are each amended to read as follows:

Upon the filing of the ((~~application for certificate of authority~~)) foreign registration statement by the secretary of state, the corporation shall be authorized to conduct affairs in this state for those purposes set forth in its application((~~: PROVIDED, That the state may suspend or revoke such authority as provided in this chapter for revocation and suspension of domestic corporation franchises~~)) subject to the right of the state to terminate the registration as provided in section 1511 of this act.

Sec. 4122. RCW 24.06.375 and 1969 ex.s. c 120 s 75 are each amended to read as follows:

Every foreign corporation ((~~authorized~~)) registered to conduct affairs in this state shall have and continuously maintain in this state((~~:~~

~~(1) A registered office which may but need not be the same as its principal office.~~

~~(2) A registered agent, who may be:~~

~~(a) An individual resident of this state whose business office is identical with the registered office; or~~

~~(b) A domestic corporation organized under any law of this state; or~~

~~(c) A foreign corporation authorized under any law of this state to transact business or conduct affairs in this state, having an office identical with the registered office~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 4123. RCW 24.06.380 and 1993 c 356 s 19 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state may change its ((~~registered office or change its~~)) registered agent((~~, or both, upon filing in the office of~~)) by delivering to the secretary of state ((~~in a form approved by the secretary of state a statement setting forth:~~

~~(1) The name of the corporation.~~

~~(2) If the address of the current registered office is to be changed, such new address.~~

~~(3) If the current registered agent is to be changed, the name of the new registered agent.~~

~~(4) That the address of its registered office and the address of the office of its registered agent, as changed, will be identical.~~

~~Such~~)) for filing a statement of change in accordance with section 1407 of this act. The statement shall be executed by the corporation, by an officer of the corporation((~~, and delivered to the secretary of state, together with a written consent of the registered agent to his or its appointment, if applicable. If the secretary of state finds that such statement conforms to the provisions of this chapter, he or she shall file such statement in his or her office, and upon such filing the change of address of the registered office, or the appointment of a new registered agent, or both, as the case may be, shall become effective~~)).

((~~If~~)) A registered agent ((~~changes his or her business address to another place within the state, the registered agent may change such address and the address of the registered office of any corporation of which the registered agent is registered agent by filing a statement as required by this section, except that it need be signed only by the registered agent, it need not be responsive to subsection (3) of this section, and it shall recite that a copy of the statement has been mailed to the corporation~~)) may change its information on file with the secretary of state in accordance with sections 1408 or 1409 of this act.

Sec. 4124. RCW 24.06.385 and 1969 ex.s. c 120 s 77 are each amended to read as follows:

Any registered agent in this state appointed by a foreign corporation may resign as such agent ((~~upon filing a written notice thereof, executed in duplicate, with~~)) by executing and delivering to the secretary of state((~~, who shall forthwith mail a copy thereof to the foreign corporation at its principal office in the state or country under the laws of which it is incorporated as shown by its most recent annual report. The appointment of such agent shall terminate upon the expiration of thirty days after receipt of such notice by the secretary of state~~)) for filing a statement of resignation in accordance with section 1410 of this act.

Sec. 4125. RCW 24.06.390 and 1969 ex.s. c 120 s 78 are each amended to read as follows:

((~~The registered agent so appointed by a foreign corporation authorized to conduct affairs in this state shall be an agent of such corporation upon whom~~)) Service of any process, notice or demand required or permitted by law to be served upon the corporation may be ((~~served~~)) made in accordance with section 1411 of this act.

Sec. 4126. RCW 24.06.395 and 1982 c 35 s 147 are each amended to read as follows:

Whenever a foreign corporation authorized to conduct affairs in this state shall fail to appoint or maintain a registered agent in this state, or whenever any such registered agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of authority of a foreign corporation shall be suspended or revoked((~~, then the secretary of state shall be an agent of such corporation upon whom any such~~)) service of any process, notice,

or demand upon the corporation may be ((~~served. Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the corporation department of the secretary of state's office, duplicate copies of such process, notice or demand. In the event any such process, notice or demand is served on the secretary of state, the secretary of state shall immediately cause one of such copies thereof to be forwarded by certified mail, addressed to the corporation at its principal office in the state or country under the laws of which it is incorporated. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~The secretary of state shall keep a record of all processes, notices and demands served upon the secretary of state under this action, and shall record therein the time of such service and his or her action with reference thereto: PROVIDED, That~~)) made in accordance with section 1411 of this act. Nothing contained in this section shall limit or affect the right to serve any process, notice or demand, required or permitted by law to be served upon a corporation in any other manner now or hereafter permitted by law.

Sec. 4127. RCW 24.06.410 and 1969 ex.s. c 120 s 82 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state shall ((~~apply for an amended certificate of authority in the event that it wishes to change its corporate name, or desires to pursue in this state purposes other or additional to those set forth in its initial application for a certificate of authority.~~

~~The requirements with respect to the form and content of such application, the manner of its execution, the filing, the issuance of an amended certificate of authority, and the effect thereof shall be the same as in the case of an original application for a certificate of authority~~)) amend its foreign registration statement under the circumstances specified in section 1504 of this act.

Sec. 4128. RCW 24.06.415 and 1993 c 356 s 20 are each amended to read as follows:

A foreign corporation ((~~authorized~~)) registered to conduct affairs in this state may withdraw from this state ((~~upon procuring from~~)) by delivering a statement of withdrawal to the secretary of state ((~~a certificate of withdrawal. In order to procure such certificate of withdrawal, the foreign corporation shall deliver to the secretary of state an application for withdrawal, which shall set forth:~~

~~(1) The name of the corporation and the state or country under whose laws it is incorporated.~~

~~(2) A declaration that the corporation is not conducting affairs in this state.~~

~~(3) A surrender of its authority to conduct affairs in this state.~~

~~(4) A notice that the corporation revokes the authority of its registered agent in this state to accept service of process and consents that service of process in any action, suit or proceeding, based upon any cause of action arising in this state during the time the corporation was authorized to conduct affairs in this state, may thereafter be made upon such corporation by service thereof on the secretary of state.~~

~~(5) A copy of the revenue clearance certificate issued pursuant to chapter 82.32 RCW.~~

~~(6) A post office address to which the secretary of state may mail a copy of any process that may be served on the secretary of state as agent for the corporation.~~

~~The application for withdrawal shall be made on forms prescribed and furnished by the secretary of state and shall be executed by the corporation, by one of the officers of the corporation, or, if the corporation is in the hands of a receiver or trustee, shall be executed on behalf of the corporation by such receiver or trustee~~)) for filing in accordance with section 1507 of this act.

Sec. 4129. RCW 24.06.425 and 1982 c 35 s 150 are each amended to read as follows:

(((~~(1)~~))) The ((~~certificate of authority~~)) registration of a foreign corporation to conduct affairs in this state may be ((~~revoked~~)) terminated by the secretary of state ((~~upon the conditions prescribed in this section when:~~

~~(a) The corporation has failed to file its annual report within the time required by this chapter or has failed to pay any fees or penalties prescribed by this chapter as they become due and payable; or~~

~~(b) The corporation has failed for thirty days to appoint and maintain a registered agent in this state as required by this chapter; or~~

~~(c) The corporation has failed, for thirty days after change of its registered agent or registered office, to file in the office of the secretary of state a statement of such change as required by this chapter; or~~

~~(d) The corporation has failed to file in the office of the secretary of state any amendment to its articles of incorporation or any articles of merger within the time prescribed by this chapter; or~~

~~(e) The certificate of authority of the corporation was procured through fraud practiced upon the state; or~~

~~(f) The corporation has continued to exceed or abuse the authority conferred upon it by this chapter; or~~

~~(g) A misrepresentation has been made as to any material matter in any application, report, affidavit, or other document, submitted by such corporation pursuant to this chapter.~~

~~(2) No certificate of authority of a foreign corporation shall be revoked by the secretary of state unless the secretary of state shall have given the corporation not less than sixty days' notice thereof by first class mail addressed to its registered office in this state, or, if there is no registered office, to the last known address of any officer or director of the corporation as shown by the records of the secretary of state, and the corporation shall have failed prior to revocation to (a) file such annual report, (b) pay such fees or penalties, (c) file the required statement of change of registered agent or registered office, (d) file such articles of amendment or articles of merger, or (e) correct any delinquency, omission, or material misrepresentation in its application, report, affidavit, or other document~~)) in accordance with section 1511 of this act.

Sec. 4130. RCW 24.06.435 and 1969 ex.s. c 120 s 87 are each amended to read as follows:

((~~No~~)) A foreign corporation conducting affairs in this state without ((~~a certificate of authority shall be permitted to maintain any action, suit, or proceeding in any court of this state until such corporation shall have obtained a certificate of authority. Nor shall any action, suit or proceeding be maintained in any court of this state by any successor or assignee of such corporation on any right, claim, or demand arising out of the conduct of affairs by such corporation in this state until a certificate of authority shall have been obtained by the corporation or by a valid corporation which has (1) acquired all or substantially all of its assets and (2) assumed all of its liabilities: PROVIDED, That the failure of a foreign corporation to obtain a certificate of authority to conduct affairs in this state shall not impair the substantive validity of any contract or act of such corporation, and shall not prevent such corporation from defending any action, suit or proceeding in any court of this state under such terms and conditions as a court may find just~~)) registering with the secretary of state is subject to section 1502 of this act.

Sec. 4131. RCW 24.06.440 and 1993 c 356 s 22 are each amended to read as follows:

Each domestic corporation, and each foreign corporation ((~~authorized~~)) registered to conduct affairs in this state, shall ((~~file, within the time prescribed by this chapter,~~)) deliver an annual ((~~or biennial~~)) report((~~, established by~~)) to the secretary of state ((~~by rule, in the form prescribed by the secretary of state setting forth:~~

~~(1) The name of the corporation and the state or country under whose laws it is incorporated.~~

~~(2) The address of the registered office of the corporation in this state, including street and number, the name of its registered agent in this state at such address, and, in the case of a foreign corporation, the address of its principal office in the state or country under whose laws it is incorporated.~~

~~(3) A brief statement of the character of the affairs in which the corporation is engaged, or, in the case of a foreign corporation, engaged in this state.~~

~~(4) The names and respective addresses of the directors and officers of the corporation.~~

~~(5) The corporation's unified business identifier number.~~

~~The information shall be given as of the date of the execution of the report. It shall be executed by the corporation by an officer of the corporation, or, if the corporation is in the hands of a receiver or trustee, it shall be executed on behalf of the corporation by such receiver or trustee.~~

~~The secretary of state may by rule adopted under chapter 34.05 RCW provide that correction or updating of information appearing on previous annual or biennial filings is sufficient to constitute the current filing~~)) in accordance with section 1212 of this act.

Sec. 4132. RCW 24.06.450 and 2010 1st sp.s. c 29 s 4 are each amended to read as follows:

(((~~(1)~~)) Corporations are subject to the applicable fees, charges, and penalties established by the secretary of state ((~~must establish by rule, fees for the following:~~

~~(a) Filing articles of incorporation.~~

~~(b) Filing an annual report.~~

~~(c) Filing an application of a foreign corporation for a certificate of authority to conduct affairs in this state.~~

~~(d) Filing articles of amendment or restatement.~~

~~(e) Filing articles of merger or consolidation.~~

~~(f) Filing a statement of change of address of registered office or change of registered agent, or revocation, resignation, or any combination of these.~~

~~(g) Filing articles of dissolution, no fee.~~

~~(h) Filing an application of a foreign corporation for an amended certificate of authority to conduct affairs in this state.~~

~~(i) Filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to conduct affairs in this state.~~

~~(j) Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to conduct affairs in this state.~~

~~(k) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal.~~

~~(l) Filing a certificate by a foreign corporation of the appointment of a registered agent.~~

~~(m) Filing a certificate by a foreign corporation of the revocation of the appointment of a registered agent.~~

~~(n) Filing an application to reserve a corporate name.~~

~~(o) Filing a notice of transfer of a reserved corporate name.~~

~~(p) Filing any other statement or report of a domestic or foreign corporation.~~

~~(2) Fees are adjusted by rule in an amount that does not exceed the average biennial increase in the cost of providing service. This must be determined in a biennial cost study performed by the secretary~~)) under section 1213 of this act and RCW 43.07.120.

Sec. 4133. RCW 24.06.470 and 2011 c 336 s 669 are each amended to read as follows:

Each director and officer of a corporation, domestic or foreign, who fails or refuses within the time prescribed by this chapter, to answer truthfully and fully any interrogatories propounded to him or her by the secretary of state in accordance with the provisions of this chapter, ((~~or who signs any articles, statement, report, application, or other document filed with the secretary of state,~~)) which is known to such officer or director to be false in any material respect, shall be deemed to be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not to exceed five hundred dollars on each count.

Sec. 4134. RCW 24.06.490 and 1982 c 35 s 160 are each amended to read as follows:

(((~~(1) If the secretary of state shall fail to approve any articles of incorporation, amendment, merger, consolidation, or dissolution, or any other document required by this chapter to be approved by the secretary of state before the same shall be filed in his or her office, the secretary of state shall, within ten days after the delivery of such document to him or her, give written notice of disapproval to the person or corporation, domestic or foreign, delivering the same, specifying the reasons therefor. The person or corporation may apply to the superior court of the county in which the registered office of such corporation is situated, or is proposed, in the document, by filing a petition with the clerk of such court setting forth a copy of the articles or other document tendered to the secretary of state, together with a copy of the written disapproval thereof by the secretary of state; whereupon the matter shall be tried to the court on all questions of fact and law; and the court shall either sustain or overrule the action of the secretary of state.~~

~~(2) If the secretary of state shall revoke the certificate of authority to conduct affairs in this state of any foreign corporation, such foreign corporation may likewise apply to the superior court of the county where the registered office of such corporation in this state is situated, by filing with the clerk of such court a petition setting forth a copy of its certificate of authority to conduct affairs in this state and a copy of the notice of revocation given by the secretary of state; whereupon the matter shall be tried to the court on all questions of fact and law; and the court shall either sustain or overrule the action of the secretary of state.~~

~~(3) Appeals from all final orders and judgments entered by the superior court under this section, in the review of any ruling or decision of the secretary of state may be taken as in other civil actions.~~)) Section 1206 of this act governs the secretary of state's duty to file records delivered to the secretary of state for filing, the manner and effect of filing, and procedures that apply when the secretary of state refuses to file a record.

NEW SECTION. **Sec. 4135.** The following acts or parts of acts are each repealed:

(1) RCW 24.06.170 (Filing of articles of incorporation) and 1982 c 35 s 128, 1981 c 302 s 5, & 1969 ex.s. c 120 s 34;

(2) RCW 24.06.293 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 3;

(3) RCW 24.06.355 (Change of name by foreign corporation) and 1969 ex.s. c 120 s 71;

(4) RCW 24.06.365 (Filing of application for certificate of authority—Issuance) and 1982 c 35 s 144 & 1969 ex.s. c 120 s 73;

(5) RCW 24.06.420 (Filing of application for withdrawal—Issuance of certificate of withdrawal) and 1982 c 35 s 149 & 1969 ex.s. c 120 s 84;

(6) RCW 24.06.430 (Issuance and filing of certificate of revocation—Effect) and 1982 c 35 s 151 & 1969 ex.s. c 120 s 86;

(7) RCW 24.06.433 (Foreign corporations—Application for reinstatement) and 1993 c 356 s 21;

(8) RCW 24.06.445 (Filing of annual or biennial report of domestic and foreign corporations) and 2011 c 183 s 6, 1993 c 356 s 23, 1982 c 35 s 153, 1973 c 146 s 1, & 1969 ex.s. c 120 s 89;

(9) RCW 24.06.455 (Miscellaneous fees) and 1993 c 269 s 8, 1982 c 35 s 155, 1979 ex.s. c 133 s 3, 1973 c 70 s 3, & 1969 ex.s. c 120 s 91;

(10) RCW 24.06.460 (Disposition of fees) and 1982 c 35 s 156 & 1969 ex.s. c 120 s 92;

(11) RCW 24.06.495 (Certificates and certified copies to be received in evidence) and 1982 c 35 s 161 & 1969 ex.s. c 120 s 99; and

(12) RCW 24.06.915 (Notice to existing corporations) and 1982 c 35 s 164 & 1969 ex.s. c 120 s 109.

PART V
GENERAL AND LIMITED LIABILITY PARTNERSHIPS AND REVISED UNIFORM PARTNERSHIP ACT REVISIONS

Sec. 5101. RCW 25.05.005 and 2009 c 202 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Business" includes every trade, occupation, and profession.

(2) "Debtor in bankruptcy" means a person who is the subject of:

(a) An order for relief under Title 11 of the United States Code or a comparable order under a successor statute of general application; or

(b) A comparable order under federal, state, or foreign law governing insolvency.

(3) "Distribution" means a transfer of money or other property from a partnership to a partner in the partner's capacity as a partner or to the partner's transferee.

(4) "Foreign limited liability partnership" means a partnership that:

(a) Is formed under laws other than the laws of this state; and

(b) Has the status of a limited liability partnership under those laws.

(5) "Limited liability partnership" means a partnership that has filed an application under RCW 25.05.500 and does not have a similar statement in effect in any other jurisdiction.

(6) "Partnership" means an association of two or more persons to carry on as co-owners a business for profit formed under RCW 25.05.055, predecessor law, or comparable law of another jurisdiction.

(7) "Partnership agreement" means the agreement, whether written, oral, or implied, among the partners concerning the partnership, including amendments to the partnership agreement.

(8) "Partnership at will" means a partnership in which the partners have not agreed to remain partners until the expiration of a definite term or the completion of a particular undertaking.

(9) "Partnership interest" or "partner's interest in the partnership" means all of a partner's interests in the partnership, including the partner's transferable interest and all management and other rights.

(10) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(11) "Property" means all property, real, personal, or mixed, tangible or intangible, or any interest therein.

(12) "Registered agent" means ((~~an individual resident of this state, a domestic corporation, a government, governmental subdivision, agency, or instrumentality, or a foreign corporation authorized to do business in this state~~)) the person designated under part I, Article 4 of this act to serve as the agent of the entity authorized to receive service of any process, notice, or demand required or permitted by law to be served on the entity.

(13) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or insular possession subject to the jurisdiction of the United States.

(14) "Statement" means a statement of partnership authority under RCW 25.05.110, a statement of denial under RCW 25.05.115, a statement of dissociation under RCW 25.05.265, a statement of dissolution under RCW 25.05.320, or an amendment or cancellation of any statement under these sections.

(15) "Transfer" includes an assignment, conveyance, lease, mortgage, deed, and encumbrance.

Sec. 5102. RCW 25.05.025 and 1998 c 103 s 105 are each amended to read as follows:

(1) A statement may be ((~~filed in~~)) delivered to the office of the secretary of state for filing in accordance with part I, Article 2 of this act. A certified copy of a statement that is filed in an office in another state may be ((~~filed in~~)) delivered to the office of the secretary of state for filing in accordance with part I, Article 2 of this act. Either filing has the effect provided in this chapter with respect to partnership property located in or transactions that occur in this state.

(2) A statement ((~~filed~~)) delivered by a partnership to the secretary of state for filing must be executed by at least two partners. Other statements must be executed by a partner or other person authorized by this chapter. An individual who executes a statement as, or on behalf of, a partner or other person shall personally declare under penalty of perjury that the contents of the statement are accurate.

(3) A person authorized by this chapter to ((~~file~~)) deliver a statement to the secretary of state for filing may amend or cancel the statement by delivering to the secretary of state for filing an amendment or cancellation that names the partnership, identifies the statement, and states the substance of the amendment or cancellation.

(4) A person who ((~~files~~)) delivers a statement ((~~pursuant to this section~~)) to the secretary of state for filing shall promptly send a copy of the statement to every nonfiling partner and to any other person named as a partner in the statement. Failure to send a copy of a statement to a partner or other person does not limit the effectiveness of the statement as to a person not a partner.

Sec. 5103. RCW 25.05.110 and 1998 c 103 s 303 are each amended to read as follows:

(1) A partnership may ((~~file~~)) deliver to the secretary of state for filing a statement of partnership authority, which:

(a) Must include:

(i) The name of the partnership; and

(ii) The street address of its chief executive office and of one office in this state, if there is one; and

(b) May state the names of all of the partners, the names of the partners authorized to execute an instrument transferring real property held in the name of the partnership, the authority, or limitations on the authority, of some or all of the partners to enter into other transactions on behalf of the partnership and any other matter.

(2) A grant of authority contained in a filed statement of partnership authority is conclusive in favor of a person not a partner who gives value without knowledge to the contrary, so long as and to the extent that a limitation on that authority is not then contained in a subsequently filed statement. A filed cancellation of a limitation on authority revives the previous grant of authority.

(3) A person not a partner is deemed to know of a limitation on the authority of a partner to transfer real property held in the name of the partnership if the limitation is contained in a filed statement of partnership authority.

(4) Except as otherwise provided in subsection (3) of this section and RCW 25.05.265 and 25.05.320, a person not a partner is not deemed to know of a limitation on the authority of a partner merely because the limitation is contained in a filed statement.

(5) Unless earlier canceled, a filed statement of partnership authority is canceled by operation of law five years after the date on which the statement, or the most recent amendment, was filed ((~~with~~)) by the secretary of state.

Sec. 5104. RCW 25.05.115 and 1998 c 103 s 304 are each amended to read as follows:

A partner, or other person named as a partner in a filed statement of partnership authority, may ((~~file~~)) deliver to the secretary of state for filing a statement of denial stating the name of the partnership and the fact that is being denied, which may include denial of a person's authority or status as a partner. A statement of denial is a limitation on authority as provided in RCW 25.05.110 (2) and (3).

Sec. 5105. RCW 25.05.355 and 2009 c 188 s 1405 are each amended to read as follows:

(1) A partnership may be converted to a limited partnership pursuant to this section.

(2) The terms and conditions of a conversion of a partnership to a limited partnership must be approved by all of the partners or by a number or percentage specified for conversion in the partnership agreement.

(3) After the conversion is approved by the partners, the partnership shall file a certificate of limited partnership in the jurisdiction in which the limited partnership is to be formed. The certificate must include:

(a) A statement that the partnership was converted to a limited partnership from a partnership;

(b) Its former name; and

(c) A statement of the number of votes cast by the partners for and against the conversion and, if the vote is less than unanimous, the number or percentage required to approve the conversion under the partnership agreement.

(4) If the partnership was converted to a domestic limited partnership, the certificate must also include:

(a) The name of the limited partnership;

(b) The address of the office for records and the name and address of the registered agent for service of process ((~~appointed pursuant to RCW 25.10.121~~)) designated in accordance with part I, Article 4 of this act;

(c) The name and the geographical and mailing address of each general partner;

(d) The latest date upon which the limited partnership is to dissolve; and

(e) Any other matters the general partners determine to include therein.

(5) The conversion takes effect when the certificate of limited partnership is filed or at any later date specified in the certificate in accordance with section 1203 of this act.

(6) A general partner who becomes a limited partner as a result of the conversion remains liable as a general partner for an obligation incurred by the partnership before the conversion takes effect. If the other party to a transaction with the limited partnership reasonably believes when entering the transaction that the limited partner is a general partner, the limited partner is liable for an obligation incurred by the limited partnership within ninety days after the conversion takes effect. The limited partner's liability for all other obligations of the limited partnership incurred after the conversion takes effect is that of a limited partner as provided in the Washington uniform limited partnership act.

Sec. 5106. RCW 25.05.370 and 1998 c 103 s 905 are each amended to read as follows:

(1) One or more domestic partnerships may merge with one or more domestic partnerships, domestic limited partnerships, domestic limited liability companies, or domestic corporations pursuant to a plan of merger approved or adopted as provided in RCW 25.05.375.

(2) The plan of merger must set forth:

(a) The name of each partnership, limited liability company, limited partnership, and corporation planning to merge and the name of the surviving partnership, limited liability company, limited partnership, or corporation into which the other partnership, limited liability company, limited partnership, or corporation plans to merge;

(b) The terms and conditions of the merger; and

(c) The manner and basis of converting the interests of each member of each limited liability company, the partnership interests in each partnership and each limited partnership, and the shares of each corporation party to the merger into the interests, shares, obligations, or other securities of the surviving or any other partnership, limited liability company, limited partnership, or corporation or into cash or other property in whole or part.

(3) The plan of merger may set forth:

(a) Amendments to the certificate of formation of the surviving limited liability company;

(b) Amendments to the certificate of limited partnership of the surviving limited partnership;

(c) Amendments to the articles of incorporation of the surviving corporation; and

(d) Other provisions relating to the merger.

(4) If the plan of merger does not specify a delayed effective date, it shall become effective upon the filing of articles of merger as provided in section 1203 of this act. ((~~If the~~)) A plan of merger ((~~specifies~~)) may specify a delayed effective time and date((~~, the plan of merger becomes effective at the time and date specified. If the plan of merger specifies a delayed effective date but no time is specified, the plan of merger is effective at the close of business on that date. A delayed effective date for a plan of merger may not be later than the ninetieth day after the date it is filed~~)) in accordance with section 1203 of this act.

Sec. 5107. RCW 25.05.390 and 2009 c 188 s 1408 are each amended to read as follows:

(1) One or more foreign partnerships, foreign limited liability companies, foreign limited partnerships, and foreign corporations may merge with one or more domestic partnerships, domestic limited liability companies, domestic limited partnerships, or domestic corporations if:

(a) The merger is permitted by the law of the jurisdiction under which each foreign partnership was organized, each foreign limited liability company was formed, each foreign limited partnership was organized, and each foreign corporation was incorporated, and each foreign partnership, foreign limited liability company, foreign limited partnership, and foreign corporation complies with that law in effecting the merger;

(b) The surviving entity complies with RCW 25.05.380;

(c) Each domestic limited liability company complies with RCW 25.15.400;

(d) Each domestic limited partnership complies with RCW 25.10.781; and

(e) Each domestic corporation complies with RCW 23B.11.080.

(2) Upon the merger taking effect, a surviving foreign limited liability company, limited partnership, or corporation ((~~is deemed to appoint the secretary of state as its agent for service of~~)) may be served with process in accordance with section 1411 of this act in a proceeding to enforce any obligation or the rights of dissenting members, partners, or shareholders of each domestic limited liability company, domestic limited partnership, or domestic corporation party to the merger.

Sec. 5108. RCW 25.05.500 and 2010 1st sp.s. c 29 s 5 are each amended to read as follows:

(1) A partnership which is not a limited liability partnership on June 11, 1998, may become a limited liability partnership upon the approval of the terms and conditions upon which it becomes a limited liability partnership by the vote necessary to amend the partnership agreement except, in the case of a partnership agreement that expressly considers obligations to contribute to the partnership,

the vote necessary to amend those provisions, and by delivering to the secretary of state for filing the applications required by subsection (2) of this section. A partnership which is a limited liability partnership on June 11, 1998, continues as a limited liability partnership under this chapter.

(2)(a) To become and to continue as a limited liability partnership, a partnership must ((~~file with~~)) deliver to the secretary of state for filing an application stating the name of the partnership; ((~~the location of a registered office, which need not be a place of its activity in this state;~~)) the address of its principal office; ((~~if the partnership's principal office is not located in this state, the address of a registered office and~~)) the name and address of a registered agent for service of process in this state which the partnership will be required to continuously maintain in accordance with part I, Article 4 of this act; the number of partners; a brief statement of the business in which the partnership engages; any other matters that the partnership determines to include; and that the partnership thereby applies for status as a limited liability partnership.

(b) A registered agent for service of process under (a) of this subsection ((~~must be an individual who is a resident of this state or other person authorized to do business in this state~~)) may be any person authorized under part I, Article 4 of this act to serve as registered agent.

(3) The application must be accompanied by a fee for each partnership as established by the secretary of state ((~~in rule~~)) under section 1213 of this act.

(4) The secretary of state must register as a limited liability partnership any partnership that submits a completed application with the required fee.

(5) A partnership registered under this section must pay an annual fee, in each year following the year in which its application is filed, on a date and in an amount specified by the secretary of state under section 1213 of this act. The fee must be accompanied by a notice, on a form provided by the secretary of state, of the number of partners currently in the partnership and of any material changes in the information contained in the partnership's application for registration.

(6) Registration is effective ((~~immediately after the date an application is filed~~)) as specified in section 1203 of this act, and remains effective until:

(a) It is voluntarily withdrawn by ((~~filing with~~)) delivering to the secretary of state for filing a written withdrawal notice executed by a majority of the partners or by one or more partners or other persons authorized to execute a withdrawal notice; or

(b) Thirty days after receipt by the partnership of a notice from the secretary of state, which notice must be sent by first-class mail, postage prepaid, that the partnership has failed to make timely payment of the annual fee specified in subsection (5) of this section, unless the fee is paid within such a thirty-day period.

(7) The status of a partnership as a limited liability partnership, and the liability of the partners thereof, is not affected by: (a) Errors in the information stated in an application under subsection (2) of this section or a notice under subsection (6) of this section; or (b) changes after the filing of such an application or notice in the information stated in the application or notice.

(((~~(8) The secretary of state may provide forms for the application under subsection (2) of this section or a notice under subsection (6) of this section.~~)))

Sec. 5109. RCW 25.05.505 and 1998 c 103 s 1102 are each amended to read as follows:

The name of a limited liability partnership ((~~shall contain the words "limited liability partnership" or the abbreviation "L.L.P." or "LLP" as the last words or letters of its name~~)) must comply with part I, Article 3 of this act.

Sec. 5110. RCW 25.05.530 and 2009 c 437 s 5 are each amended to read as follows:

(((~~(1) In order to~~)) A limited liability partnership may change its ((~~registered office,~~)) registered agent for service of process((~~, or the address of its registered agent for service of process, a limited liability partnership must deliver to the secretary of state for filing a statement of change containing:~~

~~(a) The name of the limited liability partnership;~~

~~(b) The street and mailing address of its current registered office;~~

~~(c) If the current registered office is to be changed, the street and mailing address of the new registered office;~~

~~(d) The name and street and mailing address of its current registered agent for service of process; and~~

~~(e) If the current registered agent for service of process or an address of the registered agent is to be changed, the new information.~~

~~(2) A statement of change is effective when filed by the secretary of state~~)) by delivering to the secretary of state for filing a statement of change in accordance with section 1407 of this act.

Sec. 5111. RCW 25.05.533 and 2009 c 437 s 6 are each amended to read as follows:

(((~~(1) In order to resign as~~)) A registered agent for service of process of a limited liability partnership((~~, the registered agent must deliver to the secretary of state for filing a statement of resignation containing the name of the limited liability partnership.~~

~~(2) After receiving a statement of resignation, the secretary of state shall file it and mail a copy to the registered office of the limited liability partnership and another copy to the principal office if the address of the office appears in the records of the secretary of state and is different from the address of the registered office.~~

~~(3) A registered agent for service of process is terminated on the thirty-first day after the secretary of state files the statement of resignation~~)) may resign as agent by delivering to the secretary of state for filing a statement of resignation in accordance with section 1410 of this act.

Sec. 5112. RCW 25.05.536 and 2009 c 437 s 7 are each amended to read as follows:

(((~~(1) A registered agent for service of process appointed by a limited liability partnership is a registered agent of the limited liability partnership for~~)) Service of any process, notice, or demand required or permitted by law to be served upon the limited liability partnership may be made in accordance with section 1411 of this act.

(((~~(2) If a limited liability partnership does not appoint or maintain a registered agent for service of process in this state or the registered agent for service of process cannot with reasonable diligence be found at the registered agent's address, the secretary of state is an agent of the limited liability partnership upon whom process, notice, or demand may be served.~~

~~(3) Service of any process, notice, or demand on the secretary of state may be made by delivering to and leaving with the secretary of state duplicate copies of the process, notice, or demand. If a process, notice, or demand is served on the secretary of state, the secretary of state shall forward one of the copies by registered or certified mail, return receipt requested, to the limited liability partnership at its registered office.~~

~~(4) Service is effected under subsection (3) of this section at the earliest of:~~

~~(a) The date the limited liability partnership receives the process, notice, or demand;~~

~~(b) The date shown on the return receipt, if signed on behalf of the limited liability partnership; or~~

~~(c) Five days after the process, notice, or demand is deposited in the mail, if mailed postpaid and correctly addressed.~~

~~(5) The secretary of state shall keep a record of each process, notice, and demand served pursuant to this section and record the time of, and the action taken regarding, the service.~~

~~(6) This section does not affect the right to serve process, notice, or demand in any other manner provided by law.~~))

Sec. 5113. RCW 25.05.550 and 1998 c 103 s 1201 are each amended to read as follows:

(((~~(1) The law under which a foreign limited liability partnership is formed governs relations among the partners and between the partners and the partnership and, except as otherwise provided in RCW 25.05.125(4), the liability of partners for obligations of the partnership.~~

~~(2) A foreign limited liability partnership may not be denied a statement of foreign qualification by reason of any difference between the law under which the partnership was formed and the law of this state.~~

~~(3) A statement of foreign qualification does not authorize a foreign limited liability partnership to engage in any business or exercise any power that a partnership may not engage in or exercise in this state as a limited liability partnership~~)) A foreign limited liability partnership that registers to transact business in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign limited liability partnerships.

Sec. 5114. RCW 25.05.555 and 1998 c 103 s 1202 are each amended to read as follows:

Before transacting business in this state, a foreign limited liability partnership must register with the secretary of state ((~~under this chapter in the same manner as a limited liability partnership, except that if the foreign limited liability partnership's name contains the words "registered limited liability partnership" or the abbreviation "R.L.L.P." or "RLLP," it may include those words or abbreviations in its application with the secretary of state~~)) in accordance with part I, Article 5 of this act.

Sec. 5115. RCW 25.05.560 and 2009 c 437 s 12 are each amended to read as follows:

(((~~(1)~~))) A foreign limited liability partnership transacting business in this state ((~~may not maintain an action or proceeding in this state unless it has in effect a registration as a foreign limited liability partnership.~~

~~(2) The failure of a foreign limited liability partnership to have in effect a registration as a foreign limited liability partnership does not impair the validity of a contract or act of the foreign limited liability partnership or preclude it from defending an action or proceeding in this state.~~

~~(3) A limitation on personal liability of a partner is not waived solely by transacting business in this state without registration as a foreign limited liability partnership~~)) without registering with the secretary of state is subject to section 1502 of this act.

(((~~(4)~~))) If a foreign limited liability partnership transacts business in this state without a registration as a foreign limited liability partnership, ((~~the secretary of state is its agent, as set forth under RCW 25.05.589, for~~)) service of process with respect to a right of action arising out of the transaction of business in this state may be made on the foreign limited liability partnership in accordance with section 1411 of this act.

Sec. 5116. RCW 25.05.565 and 1998 c 103 s 1204 are each amended to read as follows:

(((~~(1)~~))) A nonexhaustive list of activities of a foreign limited liability partnership ((~~which~~)) that do not constitute transacting business ((~~for the purpose of this article include:~~

~~(a) Maintaining, defending, or settling an action or proceeding;~~

~~(b) Holding meetings of its partners or carrying on any other activity concerning its internal affairs;~~

~~(c) Maintaining bank accounts;~~

~~(d) Maintaining offices or agencies for the transfer, exchange, and registration of the partnership's own securities or maintaining trustees or depositories with respect to those securities;~~

~~(e) Selling through independent contractors;~~

~~(f) Soliciting or obtaining orders, whether by mail or through employees or agents or otherwise, if the orders require acceptance outside this state before they become contracts;~~

~~(g) Creating or acquiring indebtedness, with or without a mortgage, or other security interest in property;~~

~~(h) Collecting debts or foreclosing mortgages or other security interests in property securing the debts, and holding, protecting, and maintaining property so acquired;~~

~~(i) Conducting an isolated transaction that is completed within thirty days and is not one in the course of similar transactions; and~~

~~(j) Transacting business in interstate commerce.~~

~~(2) For purposes of this article, the ownership in this state of income producing real property or tangible personal property, other than property excluded under subsection (1) of this section, constitutes transacting business in this state.~~

~~(3) This section does not apply in determining the contacts or activities that may subject a foreign limited liability partnership to service of process, taxation, or regulation under any other law of this state~~)) in this state is provided in section 1505 of this act.

Sec. 5117. RCW 25.05.580 and 2009 c 437 s 8 are each amended to read as follows:

(((~~(1)~~))) A foreign limited liability partnership shall designate and continuously maintain in this state((~~:~~

~~(a) A registered office, which need not be a place of its activity in this state; and~~

~~(b) A registered agent for service of process.~~

~~(2) A registered agent for service of process of a foreign limited liability partnership must be an individual who is a resident of this state or other person authorized to do business in this state~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 5118. RCW 25.05.583 and 2009 c 437 s 9 are each amended to read as follows:

(((~~(1) In order to~~))) A foreign limited liability partnership may change its ((~~registered office,~~)) registered agent for service of process((~~, or the address of its registered agent for service of process, a foreign limited liability partnership must deliver to the secretary of state for filing a statement of change containing:~~

~~(a) The name of the foreign limited liability partnership;~~

~~(b) The street and mailing address of its current registered office;~~

~~(c) If the current registered office is to be changed, the street and mailing address of the new registered office;~~

~~(d) The name and street and mailing address of its current registered agent for service of process; and~~

~~(e) If the current registered agent for service of process or an address of the registered agent is to be changed, the new information.~~

~~(2) A statement of change is effective when filed by the secretary of state~~)) by delivering to the secretary of state for filing a statement of change in accordance with section 1407 of this act.

Sec. 5119. RCW 25.05.586 and 2009 c 437 s 10 are each amended to read as follows:

(((~~(1) In order to resign as a registered agent for service of process of a foreign limited liability partnership, the registered agent must deliver to the secretary of state for filing a statement of resignation containing the name of the foreign limited liability partnership.~~

~~(2) After receiving a statement of resignation, the secretary of state shall file it and mail a copy to the registered office of the foreign limited liability partnership and another copy to the principal office if the address of the office appears in the records of the secretary of state and is different from the address of the registered office.~~

~~(3) A registered agent for service of process is terminated on the thirty-first day after the secretary of state files the statement of resignation~~)) A registered agent of a foreign limited liability

partnership may resign as agent by delivering to the secretary of state for filing a statement of resignation in accordance with section 1410 of this act.

Sec. 5120. RCW 25.05.589 and 2009 c 437 s 11 are each amended to read as follows:

(((~~(1) A registered agent for service of process appointed by a foreign limited liability partnership is a registered agent of the foreign limited liability partnership for~~)) Service of any process, notice, or demand required or permitted by law to be served upon the foreign limited liability partnership((~~.~~

~~(2) If a foreign limited liability partnership does not appoint or maintain a registered agent for service of process in this state or the registered agent for service of process cannot with reasonable diligence be found at the registered agent's address, the secretary of state is an agent of the foreign limited liability partnership upon whom process, notice, or demand may be served.~~

~~(3) Service of any process, notice, or demand on the secretary of state may be made by delivering to and leaving with the secretary of state duplicate copies of the process, notice, or demand. If a process, notice, or demand is served on the secretary of state, the secretary of state shall forward one of the copies by registered or certified mail, return receipt requested, to the foreign limited liability partnership at its registered office.~~

~~(4) Service is effected under subsection (3) of this section at the earliest of:~~

~~(a) The date the foreign limited liability partnership receives the process, notice, or demand;~~

~~(b) The date shown on the return receipt, if signed on behalf of the foreign limited liability partnership; or~~

~~(c) Five days after the process, notice, or demand is deposited in the mail, if mailed postpaid and correctly addressed.~~

~~(5) The secretary of state shall keep a record of each process, notice, and demand served pursuant to this section and record the time of, and the action taken regarding, the service.~~

~~(6) This section does not affect the right to serve process, notice, or demand in any other manner provided by law~~)) may be made in accordance with section 1411 of this act.

Sec. 5121. RCW 25.05.902 and 1998 c 103 s 1306 are each amended to read as follows:

(((~~(1)~~))) Partnerships are subject to the applicable fees, charges, and penalties established by the secretary of state ((~~shall adopt rules establishing fees which shall be charged and collected for:~~

~~(a) Filing of a statement;~~

~~(b) Filing of a certified copy of a statement that is filed in an office in another state;~~

~~(c) Filing amendments to any of the foregoing or any other certificate, statement, or report authorized or permitted to be filed; and~~

~~(d) Copies, certified copies, certificates, and expedited filings or other special services.~~

~~(2) In the establishment of a fee schedule, the secretary of state shall, insofar as is possible and reasonable, be guided by the fee schedule provided for corporations covered by Title 23B RCW. Fees for copies, certified copies, and certificates of record shall be as provided for in RCW 23B.01.220.~~

~~(3) All fees collected by the secretary of state shall be deposited with the state treasurer pursuant to law~~)) under section 1213 of this act and RCW 43.07.120.

NEW SECTION. **Sec. 5122.** The following acts or parts of acts are each repealed:

(1) RCW 25.04.716 (Name—Reservation of exclusive right—Filing) and 1998 c 102 s 7; and

(2) RCW 25.05.570 (Action by attorney general) and 1998 c 103 s 1205.

PART VI

UNIFORM LIMITED PARTNERSHIP ACT REVISIONS

Sec. 6101. RCW 25.10.011 and 2009 c 188 s 102 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Certificate of limited partnership" means the certificate required by RCW 25.10.201, including the certificate as amended or restated.

(2) "Contribution," except in the term "right of contribution," means any benefit provided by a person to a limited partnership in order to become a partner or in the person's capacity as a partner.

(3) "Debtor in bankruptcy" means a person that is the subject of:

(a) An order for relief under Title 11 of the United States Code or a comparable order under a successor statute of general application; or

(b) A comparable order under federal, state, or foreign law governing insolvency.

(4) "Designated office" means((~~:~~

~~(a) With respect to a limited partnership, the office that the limited partnership is required to designate and maintain under RCW 25.10.121; and~~

~~(b) With respect to a foreign limited partnership, its principal office~~)) the principal office indicated in the limited partnership's most recent annual report, or if the principal office is not located within this state, the office of the limited partnership's registered agent.

(5) "Distribution" means a transfer of money or other property from a limited partnership to a partner in the partner's capacity as a partner or to a transferee on account of a transferable interest owned by the transferee.

(6) "Foreign limited liability limited partnership" means a foreign limited partnership whose general partners have limited liability for the obligations of the foreign limited partnership under a provision similar to RCW 25.10.401(3).

(7) "Foreign limited partnership" means a partnership formed under the laws of a jurisdiction other than this state and required by those laws to have one or more general partners and one or more limited partners. "Foreign limited partnership" includes a foreign limited liability limited partnership.

(8) "General partner" means:

(a) With respect to a limited partnership, a person that:

(i) Becomes a general partner under RCW 25.10.371; or

(ii) Was a general partner in a limited partnership when the limited partnership became subject to this chapter under RCW 25.10.911 (1) or (2); and

(b) With respect to a foreign limited partnership, a person that has rights, powers, and obligations similar to those of a general partner in a limited partnership.

(9) "Limited liability limited partnership," except in the term "foreign limited liability limited partnership," means a limited partnership whose certificate of limited partnership states that the limited partnership is a limited liability limited partnership.

(10) "Limited partner" means:

(a) With respect to a limited partnership, a person that:

(i) Becomes a limited partner under RCW 25.10.301; or

(ii) Was a limited partner in a limited partnership when the limited partnership became subject to this chapter under RCW 25.10.911 (1) or (2); and

(b) With respect to a foreign limited partnership, a person that has rights, powers, and obligations similar to those of a limited partner in a limited partnership.

(11) "Limited partnership," except in the terms "foreign limited partnership" and "foreign limited liability limited partnership," means an entity, having one or more general partners and one or

more limited partners, that is formed under this chapter by two or more persons or becomes subject to this chapter under article 11 of this chapter or RCW 25.10.911 (1) or (2). "Limited partnership" includes a limited liability limited partnership.

(12) "Partner" means a limited partner or general partner.

(13) "Partnership agreement" means the partners' agreement, whether oral, implied, in a record, or in any combination, concerning the limited partnership. "Partnership agreement" includes the agreement as amended.

(14) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation, or any other legal or commercial entity.

(15) "Person dissociated as a general partner" means a person dissociated as a general partner of a limited partnership.

(16) "Principal office" means the office where the principal executive office of a limited partnership or foreign limited partnership is located, whether or not the office is located in this state.

(17) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(18) "Required information" means the information that a limited partnership is required to maintain under RCW 25.10.091.

(19) "Sign" means:

(a) To sign with respect to a written record;

(b) To electronically transmit along with sufficient information to determine the sender's identity with respect to an electronic transmission; or

(c) With respect to a record to be filed with the secretary of state, to comply with the standard for filing with the office of the secretary of state as prescribed by the secretary of state.

(20) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(21) "Transfer" includes an assignment, conveyance, deed, bill of sale, lease, mortgage, security interest, encumbrance, gift, and transfer by operation of law.

(22) "Transferable interest" means a partner's right to receive distributions.

(23) "Transferee" means a person to which all or part of a transferable interest has been transferred, whether or not the transferor is a partner.

Sec. 6102. RCW 25.10.061 and 2009 c 188 s 108 are each amended to read as follows:

(((~~(1)~~))) The name of a limited partnership ((~~may contain the name of any partner.~~

~~(2) The name of a limited partnership that is not a limited liability limited partnership must contain the term "limited partnership" or the abbreviation "LP" or "L.P." and may not contain the term "limited liability limited partnership" or the abbreviation "LLLP" or "L.L.L.P."~~

~~(3) The name of a limited liability limited partnership must contain the term "limited liability limited partnership" or the abbreviation "LLLP" or "L.L.L.P." and must not contain the abbreviation "LP" or "L.P."~~

~~(4) Unless authorized by subsection (5) of this section, the name of a limited partnership must be distinguishable in the records of the secretary of state from:~~

~~(a) The name of each person other than an individual incorporated, organized, or authorized to transact business in this state through a filing or registration with the secretary of state; and~~

~~(b) Each name reserved under RCW 25.10.071.~~

~~(5) A limited partnership may apply to the secretary of state for authorization to use a name that does not comply with subsection (4) of this section. The secretary of state shall authorize use of the name applied for if, as to each conflicting name:~~

~~(a) The present user, registrant, or owner of the conflicting name consents in a signed record to the use and submits an undertaking in a form satisfactory to the secretary of state to change the conflicting name to a name that complies with subsection (4) of this section and is distinguishable in the records of the secretary of state from the name applied for;~~

~~(b) The applicant delivers to the secretary of state a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use in this state the name applied for; or~~

~~(c) The applicant delivers to the secretary of state proof satisfactory to the secretary of state that the present user, registrant, or owner of the conflicting name:~~

~~(i) Has merged into the applicant;~~

~~(ii) Has been converted into the applicant; or~~

~~(iii) Has transferred substantially all of its assets, including the conflicting name, to the applicant.~~

~~(6) Subject to RCW 25.10.661, this section applies to any foreign limited partnership transacting business in this state, having a certificate of authority to transact business in this state, or applying for a certificate of authority.~~

~~(7) A name shall not be considered distinguishable upon the records of the secretary of state by virtue of:~~

~~(a) A variation in any of the following designations for the same name: "Corporation," "incorporated," "company," "limited," "partnership," "limited partnership," "limited liability limited partnership," "limited liability company," or "limited liability partnership," or the abbreviations "corp.," "inc.," "co.," "ltd.," "LP," "L.P.," "LLP," "L.L.P.," "LLLP," "L.L.L.P.," "LLC," or "L.L.C.";~~

~~(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;~~

~~(c) Punctuation, capitalization, or special characters or symbols in the same name; or~~

~~(d) Use of abbreviation or the plural form of a word in the same name.~~

~~(8) This chapter does not control the use of assumed business names or trade names~~)) must comply with the provisions of part I, Article 3 of this act.

Sec. 6103. RCW 25.10.071 and 2009 c 188 s 109 are each amended to read as follows:

(((~~(1)~~))) A person may reserve the exclusive right to the use of a limited partnership name ((~~that complies with RCW 25.10.061 may be reserved by:~~

~~(a) A person intending to organize a limited partnership under this chapter and to adopt the name;~~

~~(b) A limited partnership or a foreign limited partnership authorized to transact business in this state intending to adopt the name;~~

~~(c) A foreign limited partnership intending to obtain a certificate of authority to transact business in this state and adopt the name;~~

~~(d) A person intending to organize a foreign limited partnership and intending to have it obtain a certificate of authority to transact business in this state and adopt the name;~~

~~(e) A foreign limited partnership formed under the name; or~~

~~(f) A foreign limited partnership formed under a name that does not comply with RCW 25.10.061 (2) or (3), but the name reserved under this subsection (1)(f) may differ from the foreign limited partnership's name only to the extent necessary to comply with RCW 25.10.061 (2) and (3).~~

~~(2) A person may apply to reserve a name under subsection (1) of this section by delivering to the secretary of state for filing an~~

~~application that states the name to be reserved and the subsection of subsection (1) of this section that applies. If the secretary of state finds that the name is available for use by the applicant, the secretary of state shall file a statement of name reservation and thereby reserve the name for the exclusive use of the applicant for one hundred eighty days.~~

~~(3) An applicant that has reserved a name pursuant to subsection (2) of this section may reserve the same name for additional one hundred eighty-day periods. A person having a current reservation for a name may not apply for another one hundred eighty-day period for the same name until ninety days have elapsed in the current reservation.~~

~~(4) A person that has reserved a name under this section may deliver to the secretary of state for filing a notice of transfer that states the reserved name, the name and street and mailing address of some other person to which the reservation is to be transferred, and the subsection of subsection (1) of this section that applies to the other person. Subject to RCW 25.10.251(3), the transfer is effective when the secretary of state files the notice of transfer~~)) in accordance with section 1303 of this act.

Sec. 6104. RCW 25.10.121 and 2009 c 188 s 114 are each amended to read as follows:

(((~~(1)~~))) A limited partnership or foreign limited partnership shall designate and continuously maintain in this state((~~:~~

~~(a) An office, which need not be a place of its activity in this state; and~~

~~(b) An agent for service of process.~~

~~(2) A foreign limited partnership shall designate and continuously maintain in this state an agent for service of process.~~

~~(3) An agent for service of process of a limited partnership or foreign limited partnership must be an individual who is a resident of this state or other person authorized to do business in this state~~)) a registered agent in accordance with part I, Article 4 of this act.

Sec. 6105. RCW 25.10.131 and 2009 c 188 s 115 are each amended to read as follows:

(((~~(1) In order to change its designated office, agent for service of process, or the address of its agent for service of process,~~)) A limited partnership or a foreign limited partnership ((~~must deliver~~)) may change its registered agent by delivering to the secretary of state for filing a statement of change ((~~containing:~~

~~(a) The name of the limited partnership or foreign limited partnership;~~

~~(b) The street and mailing address of its current designated office;~~

~~(c) If the current designated office is to be changed, the street and mailing address of the new designated office;~~

~~(d) The name and street and mailing address of its current agent for service of process; and~~

~~(e) If the current agent for service of process or an address of the agent is to be changed, the new information.~~

~~(2) Subject to RCW 25.10.251(3), a statement of change is effective when filed by the secretary of state~~)) in accordance with section 1407 of this act.

Sec. 6106. RCW 25.10.141 and 2009 c 188 s 116 are each amended to read as follows:

(((~~(1) In order to~~)) A registered agent may resign as an agent for service of process of a limited partnership or foreign limited partnership((~~, the agent must deliver~~)) by delivering to the secretary of state for filing a statement of resignation ((~~containing the name of the limited partnership or foreign limited partnership.~~

~~(2) After receiving a statement of resignation, the secretary of state shall file it and mail a copy to the designated office of the limited partnership or foreign limited partnership and another copy to the principal office if the address of the office appears in the records of the secretary of state and is different from the address of the designated office.~~

~~(3) An agent for service of process is terminated on the thirty-first day after the secretary of state files the statement of resignation~~)) in accordance with section 1410 of this act.

Sec. 6107. RCW 25.10.151 and 2009 c 188 s 117 are each amended to read as follows:

(((~~(1) An agent for service of process appointed by a limited partnership or foreign limited partnership is an agent of the limited partnership or foreign limited partnership for~~)) Service of any process, notice, or demand required or permitted by law to be served upon the limited partnership or foreign limited partnership((~~.~~

~~(2) If a limited partnership or foreign limited partnership does not appoint or maintain an agent for service of process in this state or the agent for service of process cannot with reasonable diligence be found at the agent's address, the secretary of state is an agent of the limited partnership or foreign limited partnership upon whom process, notice, or demand may be served.~~

~~(3) Service of any process, notice, or demand on the secretary of state may be made by delivering to and leaving with the secretary of state duplicate copies of the process, notice, or demand. If a process, notice, or demand is served on the secretary of state, the secretary of state shall forward one of the copies by registered or certified mail, return receipt requested, to the limited partnership or foreign limited partnership at its designated office.~~

~~(4) Service is effected under subsection (3) of this section at the earliest of:~~

~~(a) The date the limited partnership or foreign limited partnership receives the process, notice, or demand;~~

~~(b) The date shown on the return receipt, if signed on behalf of the limited partnership or foreign limited partnership; or~~

~~(c) Five days after the process, notice, or demand is deposited in the mail, if mailed postpaid and correctly addressed.~~

~~(5) The secretary of state shall keep a record of each process, notice, and demand served pursuant to this section and record the time of, and the action taken regarding, the service.~~

~~(6) This section does not affect the right to serve process, notice, or demand in any other manner provided by law~~)) may be made in accordance with section 1411 of this act.

Sec. 6108. RCW 25.10.201 and 2009 c 188 s 201 are each amended to read as follows:

(1) In order for a limited partnership to be formed, a certificate of limited partnership must be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. The certificate of limited partnership must state:

(a) The name of the limited partnership, which must comply with ((~~RCW 25.10.061~~)) part I, Article 3 of this act;

(b) The ((~~street and mailing address of the initial designated office and the~~)) name and street and mailing address of the initial agent for service of process;

(c) The name and the street and mailing address of each general partner;

(d) Whether the limited partnership is a limited liability limited partnership; and

(e) Any additional information required by article 11 of this chapter.

(2) A certificate of limited partnership may also contain any other matters but may not vary or otherwise affect the provisions specified in RCW 25.10.081(2) in a manner inconsistent with that section.

(3) If there has been substantial compliance with subsection (1) of this section, subject to ((~~RCW 25.10.251(3)~~)) section 1203 of this act, a limited partnership is formed when the secretary of state files the certificate of limited partnership.

(4) Subject to subsection (2) of this section, if any provision of a partnership agreement is inconsistent with the filed certificate of limited partnership or with a filed statement of dissociation, termination, or change or filed articles of conversion or merger:

(a) The partnership agreement prevails as to partners and transferees; and

(b) The filed certificate of limited partnership, statement of dissociation, termination, or change or articles of conversion or merger prevails as to persons, other than partners and transferees, that reasonably rely on the filed record to their detriment.

Sec. 6109. RCW 25.10.211 and 2009 c 188 s 202 are each amended to read as follows:

(1) In order to amend its certificate of limited partnership, a limited partnership must deliver to the secretary of state for filing an amendment or, pursuant to article 11 of this chapter, articles of merger stating:

(a) The name of the limited partnership;

(b) The date of filing of its initial certificate of limited partnership; and

(c) The changes the amendment makes to the certificate of limited partnership as most recently amended or restated.

(2) A limited partnership shall promptly deliver to the secretary of state for filing an amendment to a certificate of limited partnership to reflect:

(a) The admission of a new general partner;

(b) The dissociation of a person as a general partner; or

(c) The appointment of a person to wind up the limited partnership's activities under RCW 25.10.581 (3) or (4).

(3) A general partner that knows that any information in a filed certificate of limited partnership was false when the certificate was filed or has become false due to changed circumstances shall promptly:

(a) Cause the certificate of limited partnership to be amended; or

(b) If appropriate, deliver to the secretary of state for filing a statement of change pursuant to ((~~RCW 25.10.131~~)) section 1407 of this act or a statement of correction pursuant to ((~~RCW 25.10.261~~)) section 1205 of this act.

(4) A certificate of limited partnership may be amended at any time for any other proper purpose as determined by the limited partnership.

(5) A restated certificate of limited partnership may be delivered to the secretary of state for filing in the same manner as an amendment.

(6) ((~~Subject to RCW 25.10.251(3),~~)) An amendment or restated certificate of limited partnership is effective when filed by the secretary of state as provided in section 1203 of this act, and may state a delayed effective date in accordance with section 1203 of this act.

Sec. 6110. RCW 25.10.231 and 2009 c 188 s 204 are each amended to read as follows:

(1) Each record delivered to the secretary of state for filing pursuant to ((~~this chapter~~)) part I, Article 2 of this act must be signed in the following manner:

(a) An initial certificate of limited partnership must be signed by all general partners listed in the certificate.

(b) An amendment adding or deleting a statement that the limited partnership is a limited liability limited partnership must be signed by all general partners listed in the certificate.

(c) An amendment designating as general partner a person admitted under RCW 25.10.571(3)(b) following the dissociation of a limited partnership's last general partner must be signed by that person.

(d) An amendment required by RCW 25.10.581(3) following the appointment of a person to wind up the dissolved limited partnership's activities must be signed by that person.

(e) Any other amendment must be signed by:

(i) At least one general partner listed in the certificate of limited partnership;

(ii) Each other person designated in the amendment as a new general partner; and

(iii) Each person that the amendment indicates has dissociated as a general partner, unless:

(A) The person is deceased or a guardian or general conservator has been appointed for the person and the amendment so states; or

(B) The person has previously delivered to the secretary of state for filing a statement of dissociation.

(f) A restated certificate of limited partnership must be signed by at least one general partner listed in the certificate, and, to the extent the restated certificate effects a change under any other subsection of this subsection (1), the certificate must be signed in a manner that satisfies that subsection.

(g) A statement of termination must be signed by all general partners listed in the certificate or, if the certificate of a dissolved limited partnership lists no general partners, by the person appointed pursuant to RCW 25.10.581 (3) or (4) to wind up the dissolved limited partnership's activities.

(h) Articles of conversion must be signed by each general partner listed in the certificate of limited partnership.

(i) Articles of merger must be signed as provided in RCW 25.10.786(1).

(j) Any other record delivered on behalf of a limited partnership to the secretary of state for filing must be signed by at least one general partner listed in the certificate of limited partnership.

(k) A statement by a person pursuant to RCW 25.10.531(1)(d) stating that the person has dissociated as a general partner must be signed by that person.

(l) A statement of withdrawal by a person pursuant to RCW 25.10.351 must be signed by that person.

(m) A record delivered on behalf of a foreign limited partnership to the secretary of state for filing must be signed by at least one general partner of the foreign limited partnership.

(n) Any other record delivered on behalf of any person to the secretary of state for filing must be signed by that person.

(2) Any person may sign by an ((~~attorney-in-fact~~)) agent any record to be ((~~filed pursuant to this chapter~~)) delivered to the secretary of state for filing under part I, Article 2 of this act.

Sec. 6111. RCW 25.10.241 and 2009 c 188 s 205 are each amended to read as follows:

(((~~(1)~~))) If a person required by this chapter to sign a record or deliver a record to the secretary of state for filing does not do so, any other person that is aggrieved may petition the appropriate court ((~~to order:~~

~~(a) The person to sign the record;~~

~~(b) Delivery of the record to the secretary of state for filing; or~~

~~(c) The secretary of state to file the record unsigned.~~

~~(2) If the person aggrieved under subsection (1) of this section is not the limited partnership or foreign limited partnership to which the record pertains, the aggrieved person shall make the limited partnership or foreign limited partnership a party to the action. A person aggrieved under subsection (1) of this section may seek the remedies provided in subsection (1) of this section in the same action in combination or in the alternative.~~

~~(3) A record filed unsigned pursuant to this section is effective without being signed~~)) under section 1210 of this act to order the signing or delivery of the record.

Sec. 6112. RCW 25.10.251 and 2009 c 188 s 206 are each amended to read as follows:

(1) A record authorized or required to be delivered to the secretary of state for filing under this chapter must ((~~be captioned to describe the record's purpose, be in a medium permitted by the secretary of state, and be delivered to the secretary of state. Unless the secretary of state determines that a record does not comply with the filing requirements of this chapter, and if all filing fees have been~~

~~paid,~~)) comply with the requirements of part I, Article 2 of this act. The secretary of state shall ((~~file the record and~~)):

(a) For a statement of dissociation, send:

(i) A copy of the filed statement and a receipt for the fees to the person that the statement indicates has dissociated as a general partner; and

(ii) A copy of the filed statement and receipt to the limited partnership;

(b) For a statement of withdrawal, send:

(i) A copy of the filed statement and a receipt for the fees to the person on whose behalf the record was filed; and

(ii) If the statement refers to an existing limited partnership, a copy of the filed statement and receipt to the limited partnership; and

(c) For all other records, send a copy of the filed record and a receipt for the fees to the person on whose behalf the record was filed.

(2) ((~~Upon request and payment of a fee, the secretary of state shall send to the requester a certified copy of the requested record.~~

~~(3) Except as otherwise provided in RCW 25.10.141 and 25.10.261,~~)) A record delivered to the secretary of state for filing under this chapter may specify an effective time and a delayed effective date in accordance with section 1203 of this act. Except as otherwise provided in this chapter, a record filed by the secretary of state is effective((~~:~~

~~(a) If the record does not specify an effective time and does not specify a delayed effective date, on the date and at the time the record is filed as evidenced by the secretary of state's endorsement of the date and time on the record;~~

~~(b) If the record specifies an effective time but not a delayed effective date, on the date the record is filed at the time specified in the record;~~

~~(c) If the record specifies a delayed effective date but not an effective time, at 12:01 a.m. on the earlier of:~~

~~(i) The specified date; or~~

~~(ii) The ninetieth day after the record is filed; or~~

~~(d) If the record specifies an effective time and a delayed effective date, at the specified time on the earlier of:~~

~~(i) The specified date; or~~

~~(ii) The ninetieth day after the record is filed~~)) as provided in section 1203 of this act.

Sec. 6113. RCW 25.10.261 and 2009 c 188 s 207 are each amended to read as follows:

(((~~(1)~~))) A limited partnership or foreign limited partnership may ((~~deliver to the secretary of state for filing a statement of correction to correct a record previously delivered by the limited partnership or foreign limited partnership to the secretary of state and filed by the secretary of state, if at the time of filing the record contained false or erroneous information or was defectively signed.~~

~~(2) A statement of correction may not state a delayed effective date and must:~~

~~(a) Describe the record to be corrected, including its filing date, or attach a copy of the record as filed;~~

~~(b) Specify the incorrect information and the reason it is incorrect or the manner in which the signing was defective; and~~

~~(c) Correct the incorrect information or defective signature.~~

~~(3) When filed by the secretary of state, a statement of correction is effective retroactively as of the effective date of the record the statement corrects, but the statement is effective when filed:~~

~~(a) For the purposes of RCW 25.10.016 (3) and (4); and~~

~~(b) As to persons relying on the uncorrected record and adversely affected by the correction~~)) correct a record filed by the secretary of state in accordance with section 1205 of this act.

Sec. 6114. RCW 25.10.271 and 2009 c 188 s 208 are each amended to read as follows:

(1) If a record delivered to the secretary of state for filing under this chapter and filed by the secretary of state contains false information, a person that suffers loss by reliance on the information may recover damages for the loss from:

(a) A person that signed the record, or caused another to sign it on the person's behalf, and knew the information to be false at the time the record was signed; and

(b) A general partner that has notice that the information was false when the record was filed or has become false because of changed circumstances, if the general partner has notice for a reasonably sufficient time before the information is relied upon to enable the general partner to effect an amendment under RCW 25.10.211, file a petition under RCW 25.10.241, or deliver to the secretary of state for filing a statement of change under ((~~RCW 25.10.131~~)) section 1407 of this act or a statement of correction under ((~~RCW 25.10.261~~)) section 1205 of this act.

(2) A person who signs a record authorized or required to be filed under this chapter that such a person knows is false in any material respect with intent that the record be delivered to the secretary of state for filing is ((~~guilty of a gross misdemeanor punishable under chapter 9A.20 RCW~~)) subject to a criminal penalty under section 1209 of this act.

Sec. 6115. RCW 25.10.281 and 2009 c 188 s 209 are each amended to read as follows:

(((~~(1)~~))) Any person may apply to the secretary of state under section 1208 of this act to furnish a certificate of existence for a domestic limited partnership or a certificate of ((~~authorization~~)) registration for a foreign limited partnership.

(((~~(2) A certificate of existence or authorization means that as of the date of its issuance:~~

~~(a) The domestic limited partnership is duly formed under the laws of this state, or that the foreign limited partnership is authorized to transact business in this state;~~

~~(b) All fees and penalties owed to this state under this chapter have been paid, if (i) payment is reflected in the records of the secretary of state, and (ii) nonpayment affects the existence or authorization of the domestic or foreign limited partnership;~~

~~(c) The limited partnership's most recent annual report required by RCW 25.10.291 has been delivered to the secretary of state;~~

~~(d) The partnership's certificate of limited partnership has not been amended to state that the limited partnership is dissolved; and~~

~~(e) A statement of termination or an application for withdrawal has not been filed by the secretary of state.~~

~~(3) A person may apply to the secretary of state to issue a certificate covering any fact of record.~~

~~(4) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the secretary of state may be relied upon as conclusive evidence that the domestic or foreign limited partnership is in existence or is authorized to transact business in the limited partnership form in this state.~~))

Sec. 6116. RCW 25.10.291 and 2009 c 188 s 210 are each amended to read as follows:

(((~~(1)~~))) A limited partnership or a foreign limited partnership authorized to transact business in this state shall deliver to the secretary of state for filing an annual report ((~~that states:~~

~~(a) The name of the limited partnership or foreign limited partnership;~~

~~(b) The street and mailing address of its designated office and the name and street and mailing address of its agent for service of process in this state;~~

~~(c) In the case of a limited partnership, the street and mailing address of its principal office; and~~

~~(d) In the case of a foreign limited partnership, the state or other jurisdiction under whose law the foreign limited partnership is formed and any alternate name adopted under RCW 25.10.661(1).~~

~~(2) Information in an annual report must be current as of the date the annual report is delivered to the secretary of state for filing.~~

~~(3) Annual reports must be delivered to the secretary of state on a date determined by the secretary of state, and at such additional times as the partnership elects.~~

~~(4) If an annual report does not contain the information required in subsection (1) of this section, the secretary of state shall promptly notify the reporting limited partnership or foreign limited partnership and return the report to it for correction. If the report is corrected to contain the information required in subsection (1) of this section and delivered to the secretary of state within thirty days after the effective date of the notice, it is timely delivered.~~

~~(5) If a filed annual report contains an address of a designated office or the name or address of an agent for service of process that differs from the information shown in the records of the secretary of state immediately before the filing, the differing information in the annual report is considered a statement of change under RCW 25.10.131~~)) in accordance with section 1212 of this act.

Sec. 6117. RCW 25.10.571 and 2009 c 188 s 801 are each amended to read as follows:

Except as otherwise provided in RCW 25.10.576, a limited partnership is dissolved, and its activities must be wound up, only upon the occurrence of any of the following:

(1) The happening of an event specified in the partnership agreement;

(2) The consent of all general partners and of limited partners owning a majority of the rights to receive distributions as limited partners at the time the consent is to be effective;

(3) The passage of ninety days after the dissociation of a person as a general partner if following such dissociation the limited partnership does not have a remaining general partner unless before the end of the period:

(a) Consent to continue the activities of the limited partnership and admit at least one general partner is given by limited partners owning a majority of the rights to receive distributions as limited partners at the time the consent is to be effective; and

(b) At least one person is admitted as a general partner in accordance with the consent;

(4) The passage of ninety days after the dissociation of the limited partnership's last limited partner, unless before the end of the period the limited partnership admits at least one limited partner; or

(5) The signing and filing of a ((~~declaration~~)) statement of administrative dissolution by the secretary of state under ((~~RCW 25.10.611(3)~~)) section 1603 of this act.

Sec. 6118. RCW 25.10.611 and 2009 c 188 s 809 are each amended to read as follows:

(((~~(1)~~))) The secretary of state may dissolve a limited partnership administratively ((~~if the limited partnership does not:~~

~~(a) Within sixty days after the due date:~~

~~(i) Pay any fee, tax, or penalty due to the secretary of state under this chapter or other law; or~~

~~(ii) Deliver its annual report to the secretary of state;~~

~~(b) Maintain a registered agent and registered office as required under RCW 25.10.121; or~~

~~(c) Notify the secretary of state that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued.~~

~~(2) If the secretary of state determines that grounds exist for administratively dissolving a limited partnership, the secretary of state shall send notice of the grounds for dissolution to the limited partnership by first-class mail, postage prepaid.~~

~~(3) If within sixty days after service of the copy the limited partnership does not correct each ground for dissolution or demonstrate to the reasonable satisfaction of the secretary of state that each ground determined by the secretary of state does not exist, the secretary of state shall administratively dissolve the limited partnership. The secretary of state shall send the limited partnership a declaration of administrative dissolution stating the grounds for the dissolution.~~

~~(4) A limited partnership administratively dissolved continues its existence but may carry on only activities necessary to wind up its activities and liquidate its assets under RCW 25.10.581 and 25.10.621 and to notify claimants under RCW 25.10.596 and 25.10.601.~~

~~(5) The administrative dissolution of a limited partnership does not terminate the authority of its agent for service of process~~)) under the circumstances and procedures specified in part I, Article 6 of this act.

Sec. 6119. RCW 25.10.616 and 2009 c 188 s 810 are each amended to read as follows:

(((~~(1)~~))) A limited partnership that has been administratively dissolved may apply to the secretary of state for reinstatement ((~~within five years after the effective date of dissolution. The application must be delivered to the secretary of state for filing and state:~~

~~(a) The name of the limited partnership and the effective date of its administrative dissolution;~~

~~(b) That the grounds for dissolution either did not exist or have been eliminated; and~~

~~(c) That the limited partnership's name satisfies the requirements of RCW 25.10.061.~~

~~(2) If the secretary of state determines that an application contains the information required by subsection (1) of this section and that the information is correct, the secretary of state shall prepare a declaration of reinstatement that states this determination, sign and file the original of the declaration of reinstatement, and send a copy of the filed declaration to the limited partnership.~~

~~(3) When reinstatement becomes effective, it relates back to and takes effect as of the effective date of the administrative dissolution and the limited partnership may resume its activities as if the administrative dissolution had never occurred~~)) in accordance with section 1604 of this act.

Sec. 6120. RCW 25.10.641 and 2009 c 188 s 901 are each amended to read as follows:

(((~~(1) The laws of the state or other jurisdiction under which a foreign limited partnership is organized govern relations among the partners of the foreign limited partnership and between the partners and the foreign limited partnership and the liability of partners as partners for an obligation of the foreign limited partnership.~~

~~(2) A foreign limited partnership may not be denied a certificate of authority by reason of any difference between the laws of the jurisdiction under which the foreign limited partnership is organized and the laws of this state.~~

~~(3) A certificate of authority does not authorize a foreign limited partnership to engage in any business or exercise any power that a limited partnership may not engage in or exercise in this state~~)) A foreign limited partnership that registers to transact business in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign limited partnerships.

Sec. 6121. RCW 25.10.646 and 2009 c 188 s 902 are each amended to read as follows:

(((~~(1)~~))) Before transacting business in this state, a foreign limited partnership shall ((~~apply for a certificate of authority to transact business in this state by delivering an application to~~)) register with the secretary of state ((~~for filing. The application must state:~~

~~(a) The name of the foreign limited partnership and, if the name does not comply with RCW 25.10.061, an alternate name adopted pursuant to RCW 25.10.661(1);~~

~~(b) The name of the state or other jurisdiction under whose law the foreign limited partnership is organized;~~

~~(c) The street and mailing address of the foreign limited partnership's principal office and, if the laws of the jurisdiction under which the foreign limited partnership is organized require the foreign limited partnership to maintain an office in that jurisdiction, the street and mailing address of the required office;~~

~~(d) The name and street and mailing address of the foreign limited partnership's initial agent for service of process in this state;~~

~~(e) The name and street and mailing address of each of the foreign limited partnership's general partners; and~~

~~(f) Whether the foreign limited partnership is a foreign limited liability limited partnership.~~

~~(2) A foreign limited partnership shall deliver with the completed application a certificate of existence or a record of similar import signed by the secretary of state or other official having custody of the foreign limited partnership's publicly filed records in the state or other jurisdiction under whose law the foreign limited partnership is organized~~)) in accordance with part I, Article 5 of this act.

Sec. 6122. RCW 25.10.651 and 2009 c 188 s 903 are each amended to read as follows:

(((~~(1)~~))) A nonexhaustive list of activities of a foreign limited partnership that do not constitute transacting business in this state ((~~within the meaning of this article include:~~

~~(a) Maintaining, defending, and settling an action or proceeding;~~

~~(b) Holding meetings of its partners or carrying on any other activity concerning its internal affairs;~~

~~(c) Maintaining accounts in financial institutions;~~

~~(d) Maintaining offices or agencies for the transfer, exchange, and registration of the foreign limited partnership's own securities or maintaining trustees or depositories with respect to those securities;~~

~~(e) Selling through independent contractors;~~

~~(f) Soliciting or obtaining orders, whether by mail or electronic means or through employees or agents or otherwise, if the orders require acceptance outside this state before they become contracts and the contracts do not involve any local performance other than delivery and installation;~~

~~(g) Making loans or creating or acquiring indebtedness, mortgages, or security interests in real or personal property;~~

~~(h) Securing or collecting debts or enforcing mortgages or other security interests in property securing the debts, and holding, protecting, and maintaining property so acquired;~~

~~(i) Owning, without more, real or personal property;~~

~~(j) Conducting an isolated transaction that is completed within thirty days and is not one in the course of similar transactions of a like manner;~~

~~(k) Owning a controlling interest in a domestic or foreign corporation, or participating as a limited partner of a domestic or foreign limited partnership, or participating as a member or a manager of a domestic or foreign limited liability company, that transacts business in this state; and~~

~~(l) Transacting business in interstate commerce.~~

~~(2) The list of activities in subsection (1) of this section is not exhaustive.~~

~~(3) This section does not apply in determining the contacts or activities that may subject a foreign limited partnership to service of process, taxation, or regulation under any other law of this state~~)) is provided in section 1505 of this act.

Sec. 6123. RCW 25.10.661 and 2009 c 188 s 905 are each amended to read as follows:

(((~~(1) A foreign limited partnership whose name does not comply with RCW 25.10.061 may not obtain a certificate of authority until it adopts, for the purpose of transacting business in this state, an alternate name that complies with RCW 25.10.061. A foreign limited partnership that adopts an alternate name under this subsection and then obtains a certificate of authority with the name need not comply with RCW 19.80.010. After obtaining a certificate of authority with an alternate name, a foreign limited partnership shall transact business in this state under the name unless the foreign limited partnership is authorized under RCW 19.80.010 to transact business in this state under another name.~~

~~(2) If a foreign limited partnership authorized to transact business in this state changes its name to one that does not comply with RCW 25.10.061, it may not thereafter transact business in this state until it complies with subsection (1) of this section and obtains an amended certificate of authority~~)) The name of a foreign limited partnership registered in this state must comply with the provisions of section 1506 of this act and part I, Article 3 of this act.

Sec. 6124. RCW 25.10.666 and 2009 c 188 s 906 are each amended to read as follows:

(((~~(1) A certificate of authority of a foreign limited partnership to transact business in this state may be revoked by~~)) The secretary of state may terminate the registration of a registered foreign limited partnership in ((~~the manner provided in subsections (2) and (3) of this section if the foreign limited partnership does not:~~

~~(a) Pay, within sixty days after the due date, any fee, tax, or penalty due to the secretary of state under this chapter or other law;~~

~~(b) Deliver, within sixty days after the due date, its annual report required under RCW 25.10.291;~~

~~(c) Appoint and maintain an agent for service of process as required by RCW 25.10.121; or~~

~~(d) Deliver for filing a statement of a change under RCW 25.10.131 within thirty days after a change has occurred in the name or address of the agent.~~

~~(2) In order to revoke a certificate of authority, the secretary of state must prepare, sign, and file a notice of revocation and send a copy to the foreign limited partnership's agent for service of process in this state, or if the foreign limited partnership does not appoint and maintain a proper agent in this state, to the foreign limited partnership's designated office. The notice must state:~~

~~(a) The revocation's effective date, which must be at least sixty days after the date the secretary of state sends the copy; and~~

~~(b) The foreign limited partnership's failures to comply with subsection (1) of this section that are the reason for the revocation.~~

~~(3) The authority of the foreign limited partnership to transact business in this state ceases on the effective date of the notice of revocation unless before that date the foreign limited partnership cures each failure to comply with subsection (1) of this section stated in the notice. If the foreign limited partnership cures the failures, the secretary of state shall so indicate on the filed notice~~)) accordance with section 1511 of this act.

Sec. 6125. RCW 25.10.671 and 2009 c 188 s 907 are each amended to read as follows:

(((~~(1)~~))) In order to ((~~cancel its certificate of authority to transact business in this state~~)) withdraw its registration, a foreign limited partnership must deliver to the secretary of state for filing a ((~~notice of cancellation. The certificate is canceled when the notice becomes effective under RCW 25.10.251.~~

~~(2) A foreign limited partnership transacting business in this state may not maintain an action or proceeding in this state unless it has a certificate of authority to transact business in this state.~~

~~(3) The failure of a foreign limited partnership to have a certificate of authority to transact business in this state does not impair the validity of a contract or act of the foreign limited partnership or prevent the foreign limited partnership from defending an action or proceeding in this state.~~

~~(4) A partner of a foreign limited partnership is not liable for the obligations of the foreign limited partnership solely by reason of the foreign limited partnership's having transacted business in this state without a certificate of authority.~~

~~(5) If a foreign limited partnership transacts business in this state without a certificate of authority or cancels its certificate of authority, it appoints the secretary of state as its agent for service of process for rights of action arising out of the transaction of business in this state~~)) statement of withdrawal in accordance with section 1507 of this act.

Sec. 6126. RCW 25.10.766 and 2009 c 188 s 1104 are each amended to read as follows:

(1) After a plan of conversion is approved:

(a) A converting limited partnership shall deliver to the secretary of state for filing articles of conversion, which must include:

(i) A statement that the limited partnership has been converted into another organization;

(ii) The name and form of the organization and the jurisdiction of its governing statute;

(iii) The date the conversion is effective under the governing statute of the converted organization;

(iv) A statement that the conversion was approved as required by this chapter;

(v) A statement that the conversion was approved as required by the governing statute of the converted organization; and

(vi) If the converted organization is a foreign organization not ((~~authorized~~)) registered to transact business in this state, the street and mailing address of ((~~an office that the secretary of state may use for the purposes of RCW 25.10.771(3)~~)) the organization's principal office that may be used for service of process under section 1411 of this act; and

(b) If the converting organization is not a converting limited partnership, the converting organization shall deliver to the secretary of state for filing a certificate of limited partnership, which must include, in addition to the information required by RCW 25.10.201:

(i) A statement that the limited partnership was converted from another organization;

(ii) The name and form of the organization and the jurisdiction of its governing statute; and

(iii) A statement that the conversion was approved in a manner that complied with the organization's governing statute.

(2) A conversion becomes effective:

(a) If the converted organization is a limited partnership, when the certificate of limited partnership takes effect; and

(b) If the converted organization is not a limited partnership, as provided by the governing statute of the converted organization.

Sec. 6127. RCW 25.10.771 and 2009 c 188 s 1105 are each amended to read as follows:

(1) An organization that has been converted pursuant to this article is for all purposes the same entity that existed before the conversion.

(2) When a conversion takes effect:

(a) All property owned by the converting organization remains vested in the converted organization;

(b) All debts, liabilities, and other obligations of the converting organization continue as obligations of the converted organization;

(c) An action or proceeding pending by or against the converting organization may be continued as if the conversion had not occurred;

(d) Except as prohibited by other law, all of the rights, privileges, immunities, powers, and purposes of the converting organization remain vested in the converted organization;

(e) Except as otherwise provided in the plan of conversion, the terms and conditions of the plan of conversion take effect; and

(f) Except as otherwise agreed, the conversion does not dissolve a converting limited partnership for the purposes of article 8 of this chapter.

(3) A converted organization that is a foreign organization consents to the jurisdiction of the courts of this state to enforce any obligation owed by the converting limited partnership, if before the conversion the converting limited partnership was subject to suit in this state on the obligation. A converted organization that is a foreign organization and not ((~~authorized~~)) registered to transact business in this state ((~~appoints the secretary of state as its agent for service of~~)) may be served with process pursuant to section 1411 of this act for purposes of enforcing an obligation under this subsection. ((~~Service on the secretary of state under this subsection is made in the same manner and with the same consequences as in RCW 25.10.151 (3) and (4).~~))

Sec. 6128. RCW 25.10.786 and 2009 c 188 s 1108 are each amended to read as follows:

(1) After each constituent organization has approved a merger, articles of merger must be signed on behalf of:

(a) Each constituent limited partnership, by each general partner listed in the certificate of limited partnership; and

(b) Each other constituent organization, by an authorized representative.

(2) The articles of merger must include:

(a) The name and form of each constituent organization and the jurisdiction of its governing statute;

(b) The name and form of the surviving organization and the jurisdiction of its governing statute;

(c) The date the merger is effective under the governing statute of the surviving organization;

(d) Any amendments provided for in the plan of merger for the organizational document that created the surviving organization;

(e) A statement as to each constituent organization that the merger was approved as required by the organization's governing statute;

(f) If the surviving organization is a foreign organization not ((~~authorized~~)) registered to transact business in this state, the street and mailing address of ((~~an office that the secretary of state may use for the purposes of RCW 25.10.791(2)~~)) the organization's principal office that may be used for service of process under section 1411 of this act; and

(g) Any additional information required by the governing statute of any constituent organization.

(3) Each constituent limited partnership shall deliver the articles of merger for filing in the office of the secretary of state.

(4) A merger becomes effective under this article:

(a) If the surviving organization is a limited partnership, upon the later of:

(i) Compliance with subsection (3) of this section; or

(ii) Subject to RCW 25.10.251((~~(3)~~)) (2), as specified in the articles of merger; or

(b) If the surviving organization is not a limited partnership, as provided by the governing statute of the surviving organization.

Sec. 6129. RCW 25.10.791 and 2009 c 188 s 1109 are each amended to read as follows:

(1) When a merger becomes effective:

(a) The surviving organization continues;

(b) Each constituent organization that merges into the surviving organization ceases to exist as a separate entity;

(c) All property owned by each constituent organization that ceases to exist vests in the surviving organization;

(d) All debts, liabilities, and other obligations of each constituent organization that ceases to exist continue as obligations of the surviving organization;

(e) An action or proceeding pending by or against any constituent organization that ceases to exist may be continued as if the merger had not occurred;

(f) Except as prohibited by other law, all of the rights, privileges, immunities, powers, and purposes of each constituent organization that ceases to exist vest in the surviving organization;

(g) Except as otherwise provided in the plan of merger, the terms and conditions of the plan of merger take effect;

(h) Except as otherwise agreed, if a constituent limited partnership ceases to exist, the merger does not dissolve the limited partnership for the purposes of article 8 of this chapter; and

(i) Any amendments provided for in the articles of merger for the organizational document that created the surviving organization become effective.

(2) A surviving organization that is a foreign organization consents to the jurisdiction of the courts of this state to enforce any obligation owed by a constituent organization, if before the merger the constituent organization was subject to suit in this state on the obligation. A surviving organization that is a foreign organization and not ((~~authorized~~)) registered to transact business in this state ((~~appoints the secretary of state as its agent for service of~~)) may be served with process pursuant to section 1411 of this act for the purposes of enforcing an obligation under this subsection. ((~~Service on the secretary of state under this subsection is made in the same manner and with the same consequences as in RCW 25.10.151 (3) and (4).~~))

Sec. 6130. RCW 25.10.916 and 2009 c 188 s 1307 are each amended to read as follows:

(((~~(1)~~))) Limited partnerships are subject to the applicable fees, charges, and penalties adopted by the secretary of state ((~~shall adopt rules establishing fees that shall be charged and collected for:~~

~~(a) Filing of a certificate of limited partnership or an application for a certificate of authority of a foreign limited partnership;~~

~~(b) Filing of an amendment or restatement of a certificate of domestic or foreign limited partnership;~~

~~(c) Filing an application to reserve, register, or transfer a limited partnership name;~~

~~(d) Filing any other certificate, statement, or report authorized or permitted to be filed; and~~

~~(e) Copies, certified copies, certificates, service of process filings, and expedited filings or other special services.~~

~~(2) In the establishment of a fee schedule, the secretary of state shall, insofar as is possible and reasonable, be guided by the fee schedule provided for corporations governed by Title 23B RCW.~~

~~(a) Fees for copies, certified copies, certificates of record, and service of process filings are the same as in RCW 23B.01.220.~~

~~(b) Fees for reinstatement of a foreign or domestic limited partnership are the same as in RCW 23B.01.560.~~

~~(c) All fees collected by the secretary of state shall be deposited with the state treasurer pursuant to law~~)) under section 1213 of this act and RCW 43.07.120.

NEW SECTION. **Sec. 6131.** The following acts or parts of acts are each repealed:

(1) RCW 25.10.040 (Registered office and agent) and 2009 c 202 s 4, 1987 c 55 s 3, & 1981 c 51 s 4;

(2) RCW 25.10.171 (Standards for electronic filing rules) and 2009 c 188 s 119;

(3) RCW 25.10.656 (Filing of certificate of authority) and 2009 c 188 s 904; and

(4) RCW 25.10.676 (Action by attorney general) and 2009 c 188 s 908.

PART VII

LIMITED LIABILITY COMPANIES ACT REVISIONS

Sec. 7101. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 3 are each amended to read as follows:

(((~~(1)~~))) The name of each limited liability company as set forth in its certificate of formation((~~:~~

~~(a) Must contain the words "Limited Liability Company," the words "Limited Liability" and abbreviation "Co.," or the abbreviation "L.L.C." or "LLC";~~

~~(b) Must not contain language stating or implying that the limited liability company is formed for a purpose other than those permitted by RCW 25.15.--- (section 8, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015);~~

~~(c) Must not contain any of the words or phrases: "Cooperative," "partnership," "corporation," "incorporated," or the abbreviations "corp.," "ltd.," or "inc.," or "LP," "L.P.," "LLP," "L.L.P.," "LLLP," "L.L.L.P.," or any words or phrases prohibited by any statute of this state; and~~

~~(d) Unless authorized by subsection (2) of this section, must be distinguishable in the records of the secretary of state from (i) the name of each person incorporated, formed, or authorized to transact business in this state through a filing or registration with the secretary of state; and (ii) each name reserved under RCW 25.15.--- (section 4, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) or under other statutes of this state providing for the reservation of names with the secretary of state.~~

~~(2) A limited liability company may apply to the secretary of state for authorization to use any name which is not distinguishable upon the records of the secretary of state from one or more of the names described in subsection (1)(d) of this section. The secretary of state shall authorize use of the name applied for if the other person consents in writing to the use and files with the secretary of state records necessary to change its name or the name reserved to a name that is distinguishable upon the records of the secretary of state from the name of the applying limited liability company.~~

~~(3) A name shall not be considered distinguishable upon the records of the secretary of state by virtue of:~~

~~(a) A variation in any of the following designations for the same name: "Corporation," "incorporated," "company," "professional corporation," "professional service," "limited," "partnership," "limited partnership," "limited liability limited partnership," "limited liability company," "professional limited liability company," or "limited liability partnership," or their permitted abbreviations;~~

~~(b) The addition or deletion of an article or conjunction such as "the" or "and" from the same name;~~

~~(c) Punctuation, capitalization, or special characters or symbols in the same name; or~~

~~(d) Use of abbreviation or the plural form of a word in the same name.~~

~~(4) This chapter does not control the use of assumed business names or "trade names."~~

~~(5) Violation of subsection (1)(c) of this section by a limited liability company whose certificate of formation or amendment thereto has been accepted for filing by the secretary of state shall not, in itself, invalidate the formation or existence of a limited liability company or render this chapter inapplicable to a limited liability company~~)) must comply with part I, Article 3 of this act.

Sec. 7102. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 4 are each amended to read as follows:

(1) Reserved Name—Domestic Limited Liability Company.

(((~~(a)~~))) A person may reserve the exclusive use of a limited liability company name by delivering an application to the secretary of state for filing in accordance with section 1303 of this act. ((~~The application must set forth the name and address of the applicant and the name proposed to be reserved. If the secretary of state finds that the limited liability company name applied for is available, the secretary of state shall reserve the name for the applicant's exclusive use for a nonrenewable one hundred eighty-day period.~~

~~(b) The owner of a reserved limited liability company name may transfer the reservation to another person by delivering to the~~

~~secretary of state an executed notice of the transfer that states the name and address of the transferee.~~))

(2) Reserved Name—Foreign Limited Liability Company.

(((~~(a)~~))) A foreign limited liability company may reserve its name ((~~if the name is distinguishable upon the records of the secretary of state from the names specified in RCW 25.15.--- (section 3, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).~~

~~(b) A foreign limited liability company reserves its name~~)) by delivering to the secretary of state for filing an application ((~~that:~~

~~(i) Sets forth its name and the state or country and date of its formation; and~~

~~(ii) Is accompanied by a certificate of existence, or a record of similar import, from the state or country of formation.~~

~~(c) The name is reserved for the applicant's exclusive use upon the effective date of the application and until the close of the calendar year in which the application for name reservation is filed.~~

~~(d) A foreign limited liability company whose name reservation is effective may renew it for successive years by delivering to the secretary of state for filing a renewal application, which complies with the requirements of (b) of this subsection, between October 1st and December 31st of the preceding year. The renewal application when filed renews the name reservation for the following calendar year.~~

~~(e) A foreign limited liability company whose name reservation is effective may thereafter register as a foreign limited liability company under the reserved name, or consent in writing to the use of that name by a domestic limited liability company, domestic corporation, domestic limited partnership, or domestic limited liability partnership thereafter formed, or by another foreign limited liability company, foreign corporation, foreign limited partnership, or foreign limited liability partnership thereafter authorized to transact business in this state. The name reservation terminates when the domestic limited liability company is formed, the domestic corporation is incorporated, the domestic limited liability partnership is formed, or the domestic limited partnership is formed, or the foreign limited liability company registers or consents to the registration of another foreign limited liability company, corporation, limited partnership, or limited liability partnership under the reserved name~~)) in accordance with section 1304 of this act.

Sec. 7103. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 6 are each amended to read as follows:

(1) Each limited liability company shall continuously maintain in this state((~~:~~

~~(a) A registered office, which may but need not be a place of its business in this state. The registered office shall be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the limited liability company also maintains on file the specific geographic address of the registered office where personal service of process may be made;~~

~~(b) A registered agent that may be:~~

~~(i) An individual residing in this state whose business office is identical with the limited liability company's registered office;~~

~~(ii) The limited liability company itself, whose business office is identical with such registered office;~~

~~(iii) A domestic corporation, partnership, limited partnership, or limited liability company whose business office is identical with such registered office; or~~

~~(iv) A government, governmental subdivision, agency, or instrumentality, or a foreign corporation, partnership, limited partnership, or limited liability company authorized to do business in this state having a business office identical with such registered office; and~~

~~(c) A registered agent who shall not be appointed without having given prior consent in a record to the appointment. The consent shall be filed with the secretary of state in such form and at such time as the secretary may prescribe~~)) a registered agent in accordance with part I, Article 4 of this act.

(2) A limited liability company may change its ((~~registered office or~~)) registered agent by delivering to the secretary of state for filing a statement of change ((~~that sets forth:~~

~~(a) The name of the limited liability company;~~

~~(b) If the current registered office is to be changed, the street address of the new registered office in accordance with subsection (1) of this section;~~

~~(c) If the current registered agent is to be changed, the name of the new registered agent and the new agent's consent in a record, which shall be filed with the secretary of state in such form and at such time as the secretary of state may prescribe; and~~

~~(d) That after the change or changes are made, the street addresses of its registered office and the business office of its registered agent will be identical~~)) in accordance with section 1407 of this act.

(3) ((~~If~~)) A registered agent ((~~changes the street address of the agent's business office, the registered agent may change the street address of the registered office of any limited liability company for which the agent is the registered agent by notifying the limited liability company of the change either (a) in a written record, or (b) if the limited liability company has designated an address, location, or system to which the notices may be electronically transmitted and the registered agent electronically transmits the notice to the limited liability company at the designated address, location, or system in an electronically transmitted record and delivering to the secretary of state for filing a statement that complies with the requirements of subsection (2) of this section and recites that the limited liability company has been notified of the change~~)) may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

(4) A registered agent may resign as agent by executing and delivering to the secretary of state for filing a statement of resignation((~~. The statement may include a statement that the registered office is also discontinued. After filing the statement the secretary of state shall mail a copy of the statement to the limited liability company at its principal office. The agency appointment is terminated, and the registered office discontinued if so provided, on the thirty-first day after the date on which the statement was filed~~)) in accordance with section 1410 of this act.

Sec. 7104. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 7 are each amended to read as follows:

(((~~(1) A limited liability company's registered agent is its agent for~~)) Service of process, notice, or demand required or permitted by law to be served on the limited liability company may be made in accordance with section 1411 of this act.

(((~~(2) The secretary of state shall be an agent of a limited liability company upon whom any such process, notice, or demand may be served if:~~

~~(a) The limited liability company fails to appoint or maintain a registered agent in this state; or~~

~~(b) The registered agent cannot with reasonable diligence be found at the registered office.~~

~~(3) Service on the secretary of state of any such process, notice, or demand shall be made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the secretary of state's office, the process, notice, or demand. In the event any such~~

~~process, notice, or demand is served on the secretary of state, the secretary of state shall immediately cause a copy thereof to be forwarded by certified mail, addressed to the limited liability company at its principal office as it appears on the records of the secretary of state. Any service so had on the secretary of state shall be returnable in not less than thirty days.~~

~~(4) The secretary of state shall keep a record of all processes, notices, and demands served upon the secretary of state under this section, and shall record therein the time of such service and the secretary of state's action with reference thereto.~~

~~(5) This section does not limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a limited liability company in any other manner now or hereafter permitted by law.~~))

Sec. 7105. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 13 are each amended to read as follows:

(1) A person or group of persons duly licensed or otherwise legally authorized to render the same professional services within this state may form and become a member or members of a professional limited liability company under the provisions of this chapter for the purposes of rendering professional service.

(2) A professional limited liability company is subject to all the provisions of chapter 18.100 RCW that apply to a professional corporation. A professional limited liability company's managers, members, agents, and employees are subject to all the provisions of chapter 18.100 RCW that apply to the directors, officers, shareholders, agents, or employees of a professional corporation, except as provided otherwise in this section and RCW 25.15.--- (section 14, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).

(3) If the limited liability company's members are required to be licensed to practice such profession, and the limited liability company fails to maintain for itself and for its members practicing in this state a policy of professional liability insurance, bond, or other evidence of financial responsibility of a kind designated by rule by the state insurance commissioner and in the amount of at least one million dollars or a greater amount as the state insurance commissioner may establish by rule for a licensed profession or for any specialty within a profession, taking into account the nature and size of the business, then the limited liability company's members are personally liable to the extent that, had the insurance, bond, or other evidence of responsibility been maintained, it would have covered the liability in question.

(4) For purposes of applying chapter 18.100 RCW to a professional limited liability company, the terms "director" or "officer" means manager, "shareholder" means member, "corporation" means professional limited liability company, "articles of incorporation" means certificate of formation, "shares" or "capital stock" means a limited liability company interest, "incorporator" means the person who executes the certificate of formation, and "bylaws" means the limited liability company agreement.

(5) The name of a professional limited liability company must ((~~contain either the words "Professional Limited Liability Company," or the words "Professional Limited Liability" and the abbreviation "Co.," or the abbreviation "P.L.L.C." or "PLLC" provided that the name of a professional limited liability company formed to render dental services must contain the full names or surnames of all members and no other word than "chartered" or the words "professional services" or the abbreviation "P.L.L.C." or "PLLC."~~)) comply with section 1302 of this act.

(6) Subject to Article VII of this chapter, the following may be a member of a professional limited liability company and may be the transferee of the interest of an ineligible person or deceased member of the professional limited liability company:

(a) A professional corporation, if its shareholders, directors, and its officers, other than the secretary and the treasurer, are licensed or otherwise legally authorized to render the same specific professional services as the professional limited liability company; and

(b) Another professional limited liability company, if the managers and members of both professional limited liability companies are licensed or otherwise legally authorized to render the same specific professional services.

(7) Formation of a limited liability company under this section does not restrict the application of the uniform disciplinary act under chapter 18.130 RCW, or any applicable health care professional statutes under Title 18 RCW, including but not limited to restrictions on persons practicing a health profession without being appropriately credentialed and persons practicing beyond the scope of their credential.

Sec. 7106. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 18 are each amended to read as follows:

(1) In order to form a limited liability company, one or more persons must execute a certificate of formation. The certificate of formation must be ((~~filed in~~)) delivered to the office of the secretary of state for filing in accordance with part I, Article 2 of this act and set forth:

(a) The name of the limited liability company;

(b) The ((~~address of the registered office and the~~)) name and address of the registered agent for service of process required to be maintained by RCW 25.15.--- (section 6, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015 and part I, Article 4 of this act;

(c) The address of the principal office of the limited liability company;

(d) If the limited liability company is to have a specific date of dissolution, the latest date on which the limited liability company is to dissolve;

(e) Any other matters the members decide to include; and

(f) The name and address of each person executing the certificate of formation.

(2)(a) Unless a delayed effective date is specified in accordance with section 1203 of this act, a limited liability company is formed when its certificate of formation is filed by the secretary of state. ((~~A delayed effective date for a certificate of formation may be no later than the ninetieth day after the date it is filed.~~))

(b) The secretary of state's filing of the certificate of formation is conclusive proof that the persons executing the certificate satisfied all conditions precedent to the formation.

(3) A limited liability company formed under this chapter is a separate legal entity and has a perpetual existence.

(4) Any person may apply to the secretary of state under section 1208 of this act to furnish a certificate of existence for a domestic limited liability company or a certificate of ((~~authorization~~)) registration for a foreign limited liability company.

(((~~(5) A certificate of existence or authorization means that as of the date of its issuance:~~

~~(a) The domestic limited liability company is duly formed under the laws of this state or that the foreign limited liability company is authorized to transact business in this state;~~

~~(b) All fees and penalties owed to this state under this title have been paid, if (i) payment is reflected in the records of the secretary of state, and (ii) nonpayment affects the existence or authorization of the domestic or foreign limited liability company;~~

~~(c) The limited liability company's initial report or its most recent annual report required by RCW 25.15.--- (section 24, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) has been delivered to the secretary of state;~~

~~(d) In the case of a domestic limited liability company, a certificate of dissolution has not been filed with the secretary of state, or a filed certificate of dissolution has been revoked in~~

~~accordance with RCW 25.15.--- (section 57, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015);~~

~~(e) In the case of a foreign limited liability company, a certificate of cancellation has not been filed with the secretary of state; and~~

~~(f) The limited liability company has not been administratively dissolved under RCW 25.15.--- (section 55, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) or, if administratively dissolved, has been reinstated under RCW 25.15.--- (section 56, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).~~

~~(6) A person may apply to the secretary of state to issue a certificate covering any fact of record.~~

~~(7) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the secretary of state may be relied upon as conclusive evidence that the domestic or foreign limited liability company is in existence or is authorized to transact business in the limited liability company form in this state.~~))

Sec. 7107. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 19 are each amended to read as follows:

(1) A certificate of formation is amended by ((~~filing~~)) delivering a certificate of amendment ((~~thereto with~~)) to the secretary of state for filing. The certificate of amendment shall set forth:

(a) The name of the limited liability company; and

(b) The amendment to the certificate of formation.

(2) A manager or, if there is no manager, then any member who becomes aware that any statement in a certificate of formation was false when made, or that any matter described has changed making the certificate of formation false in any material respect, must promptly amend the certificate of formation.

(3) A certificate of formation may be amended at any time for any other proper purpose.

(4) Unless ((~~otherwise provided in this chapter or unless a later~~)) a delayed effective date((~~, which is a date not later than the ninetieth day after the date it is filed,~~)) is provided for in the certificate of amendment in accordance with section 1203 of this act, a certificate of amendment is effective when filed by the secretary of state as provided in section 1203 of this act.

Sec. 7108. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 20 are each amended to read as follows:

(1) A limited liability company may, whenever desired, integrate into a single instrument all of the provisions of its certificate of formation which are then in effect and operative as a result of there having been filed with the secretary of state one or more certificates or other instruments pursuant to any of the sections referred to in this chapter and it may at the same time also further amend its certificate of formation by ((~~filing~~)) delivering a restated certificate of formation to the secretary of state for filing in accordance with part I, Article 2 of this act.

(2) A restated certificate of formation must state, either in its heading or in an introductory paragraph, the limited liability company's name and, if it is not to be effective upon filing, the future effective date or time, which ((~~is a date not later than the ninetieth day after the date it is filed~~)) must comply with section 1203 of this act. If a restated certificate only restates and integrates and does not further amend a limited liability company's certificate of formation as amended or supplemented, it must state that fact as well.

(3) Upon the filing of a restated certificate of formation ((~~with~~)) by the secretary of state, or upon the future effective date or time of a restated certificate of formation as provided for, the initial certificate of formation, as amended or supplemented, is superseded; and the restated certificate of formation, including any further amendment or changes made thereby, is thereafter the certificate of formation of the limited liability company, but the original effective date of formation remains unchanged.

(4) Any amendment or change effected in connection with the restatement of the certificate of formation is subject to any other provision of this chapter, not inconsistent with this section, which would apply if a separate certificate of amendment were filed to effect such amendment or change.

Sec. 7109. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 21 are each amended to read as follows:

(((~~(1)~~))) Each record required or permitted by this chapter to be filed in the office of the secretary of state must comply with the requirements of part I, Article 2 of this act and must be executed in the following manner((~~, or in compliance with the rules established to facilitate electronic filing under RCW 25.15.--- (section 2, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)):

(((~~(a)~~))) (1) Each original certificate of formation must be executed by the person or persons forming the limited liability company;

(((~~(b)~~))) (2) A reservation of name may be executed by any person;

(((~~(c)~~))) (3) A transfer of reservation of name must be executed by, or on behalf of, the applicant for the reserved name;

(((~~(d)~~))) (4) A registration of name must be executed by any member or manager of the foreign limited liability company;

(((~~(e)~~))) (5) A certificate of amendment or restatement must be executed by at least one manager, or by a member if management of the limited liability company is reserved to the members;

(((~~(f)~~))) (6) A certificate of dissolution must be executed by the person or persons authorized to wind up the limited liability company's affairs pursuant to RCW 25.15.---(3) (section 58, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015);

(((~~(g)~~))) (7) If a surviving domestic limited liability company is filing articles of merger, the articles of merger must be executed by at least one manager, or by a member if management of the limited liability company is reserved to the members, or if the articles of merger are being filed by a surviving foreign limited liability company, limited partnership, corporation, or other person, the articles of merger must be executed by a person authorized by such foreign limited liability company, limited partnership, corporation, or other person;

(((~~(h)~~))) (8) A foreign limited liability company's application for registration as a foreign limited liability company doing business within the state must be executed by any member or manager of the foreign limited liability company; and

(((~~(i)~~))) (9) If a converting limited liability company is filing articles of conversion, the articles of conversion must be executed by at least one manager, or by a member if management of the limited liability company is reserved to the members.

(((~~(2) Any person may execute a certificate, articles of merger, articles of conversion, limited liability company agreement, or other record by an attorney-in-fact or other person acting in a valid representative capacity, so long as each record executed in such manner identifies the capacity in which the person is executing the record.~~

~~(3) The person executing the record must indicate, adjacent to or underneath the signature or, if the record is electronically transmitted, identifying information of the person executing the record, as applicable, the capacity in which the person executes the record. The record must meet such legibility or other standards as may be prescribed by the secretary of state.~~

~~(4) The execution of a certificate, articles of merger, or articles of conversion by any person constitutes an affirmation under the penalties of perjury that the facts stated are true.~~))

Sec. 7110. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 22 are each amended to read as follows:

(1) If a person required to execute a certificate required by this chapter fails or refuses to do so, any other person who is adversely affected by the failure or refusal may petition the superior courts to

direct the execution of the certificate under section 1210 of this act. ((~~If the court finds that the execution of the certificate is proper and that any person so designated has failed or refused to execute the certificate, it must order the secretary of state to record an appropriate certificate.~~))

(2) If a person required to execute a limited liability company agreement or amendment thereof fails or refuses to do so, any other person who is adversely affected by the failure or refusal may petition the superior courts to direct the execution of the limited liability company agreement or amendment thereof. If the court finds that the limited liability company agreement or amendment thereof should be executed and that any person required to execute the limited liability company agreement or amendment thereof has failed or refused to do so, it shall enter an order granting appropriate relief.

Sec. 7111. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 23 are each amended to read as follows:

(((~~(1) The executed certificate of formation or any other record required to be filed pursuant to this chapter must be delivered to the secretary of state. If the secretary of state determines that the records conform to the filing provisions of this chapter, he or she shall, when all required filing fees have been paid:~~

~~(a) Endorse on each executed record the word "filed" and the date of its acceptance for filing;~~

~~(b) Retain the executed record in the secretary of state's files; and~~

~~(c) Return a copy to the person who filed it or the person's representative.~~

~~(2) If the secretary of state is unable to make the determination required for filing by subsection (1) of this section at the time any records are delivered for filing, the records are deemed to have been filed at the time of delivery if the secretary of state subsequently determines that the records as delivered conform to the filing provisions of this chapter.~~

~~(3) If the filing and determination requirements of this chapter are not satisfied completely, the records must not be filed.~~

~~(4) Upon the filing of a certificate of amendment, judicial decree of amendment, or restated certificate in the office of the secretary of state, or upon the future effective date or time of a certificate of amendment, judicial decree thereof, or restated certificate, as provided for therein, the certificate of formation is amended or restated as set forth therein.~~)) Section 1206 of this act governs the secretary of state's duty to file records delivered to the secretary of state for filing, the manner and effect of filing, and procedures that apply when the secretary of state refuses to file a record.

Sec. 7112. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 24 are each amended to read as follows:

(((~~(1)~~)) Each domestic limited liability company ((~~must deliver to the secretary of state for filing both initial and annual reports~~)), and each foreign limited liability company authorized to transact business in this state, must deliver to the secretary of state for filing initial and annual reports((~~, that set forth:~~

~~(a) The name of the limited liability company and the state, country, or other jurisdiction under whose law it is formed;~~

~~(b) The street address of its registered office and the name of its registered agent at that office in this state;~~

~~(c) The address of its principal office;~~

~~(d) The names and addresses of the limited liability company's members, or if the management of the limited liability company is vested in a manager or managers, then the name and address of its manager or managers; and~~

~~(e) A brief description of the nature of its business.~~

~~(2) Information in an initial report or an annual report must be current as of the date the report is executed on behalf of the limited liability company.~~

~~(3) A limited liability company's initial report must be delivered to the secretary of state within one hundred twenty days of the date on which a limited liability company's certificate of formation was filed. Subsequent annual reports must be delivered to the secretary of state on a date determined by the secretary of state, and at such additional times as the limited liability company elects.~~

~~(4) The secretary of state may allow a limited liability company to file an initial or annual report through electronic means. If allowed, the secretary of state shall adopt rules detailing the circumstances under which the electronic filing of such reports is permitted and how such reports may be filed.~~

~~(5) Each domestic limited liability company and foreign limited liability company authorized to transact business in this state must pay its annual license fee and any applicable penalty fees to the secretary of state at the time such limited liability company is required to file its initial or annual report with the secretary of state~~)) in accordance with section 1212 of this act.

Sec. 7113. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 51 are each amended to read as follows:

A limited liability company is dissolved and its affairs must be wound up upon the first to occur of the following:

(1) The dissolution date, if any, specified in the certificate of formation. If a dissolution date is specified in the certificate of formation, the certificate of formation may be amended and the date of dissolution of the limited liability company may be extended by vote of all the members;

(2) The happening of events specified in a limited liability company agreement;

(3) The written consent of all members;

(4) Ninety days following an event of dissociation of the last remaining member, unless those having the rights of transferees in the limited liability company under RCW 25.15.---(1) (section 28, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) have, by the ninetieth day, voted to admit one or more members, voting as though they were members, and in the manner set forth in RCW 25.15.---(1) (section 26, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015);

(5) The entry of a decree of judicial dissolution under RCW 25.15.--- (section 53, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015); or

(6) The administrative dissolution of the limited liability company by the secretary of state under ((~~RCW 25.15.--- (2) (section 55, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) section 1603 of this act, unless the limited liability company is reinstated by the secretary of state under ((~~RCW 25.15.--- (section 56, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) section 1604 of this act.

Sec. 7114. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 54 are each amended to read as follows:

The secretary of state may commence a proceeding ((~~under RCW 25.15.--- (section 55, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) to administratively dissolve a limited liability company ((~~if:~~

~~(1) The limited liability company does not pay any license fees or penalties imposed by this chapter when they become due;~~

~~(2) The limited liability company does not deliver its completed initial report or annual report to the secretary of state when it is due; or~~

~~(3) The limited liability company is without a registered agent or registered office in this state for sixty days or more~~)) under the circumstances and procedures provided in part I, Article 6 of this act.

Sec. 7115. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 56 are each amended to read as follows:

(((~~(1)~~))) A limited liability company that has been administratively dissolved under ((~~RCW 25.15.--- (section 55,~~

~~chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) section 1603 of this act may apply to the secretary of state for reinstatement ((~~within five years after the effective date of dissolution. The application must be delivered to the secretary of state for filing and state:~~

~~(a) The name of the limited liability company and the effective date of its administrative dissolution;~~

~~(b) That the ground or grounds for dissolution either did not exist or have been eliminated; and~~

~~(c) That the limited liability company's name satisfies the requirements of RCW 25.15.--- (section 3, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).~~

~~(2) A limited liability company seeking reinstatement must pay the full amount of all license fees that would have been due for the years of the period of administrative dissolution had the limited liability company not been dissolved, plus all penalties established by law or by the secretary of state by rule, and the license fee for the year of reinstatement.~~

~~(3) If the secretary of state determines that an application contains the information required by subsection (1) of this section and that the name is available, and that all fees and penalties required by subsection (2) of this section have been paid, the secretary of state shall reinstate the limited liability company and give the limited liability company written notice, as provided in RCW 25.15.--- (1) (section 55, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015), of the reinstatement that recites the effective date of reinstatement. If the name is not available, the limited liability company must file with its application for reinstatement an amendment to its certificate of formation reflecting a change of name.~~

~~(4) When reinstatement and revocation of any certificate of dissolution become effective, they relate back to and take effect as of the effective date of the administrative dissolution and the limited liability company may resume carrying on its activities as if the administrative dissolution had never occurred~~)) in accordance with section 1604 of this act.

Sec. 7116. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 57 are each amended to read as follows:

(1) A limited liability company dissolved under RCW 25.15.--- (2) or (3) (section 51, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) may revoke its dissolution in accordance with this section at any time, except that a limited liability company that has filed a certificate of dissolution may not revoke its dissolution under this section more than one hundred twenty days after the filing of its certificate of dissolution.

(2)(a) Except as provided in (b) of this subsection, revocation of dissolution must be approved in the same manner as the dissolution was approved unless that approval permitted revocation in some other manner, in which event the dissolution may be revoked in the manner permitted.

(b) If dissolution occurred upon the happening of events specified in the limited liability company agreement, revocation of dissolution must be approved in the manner necessary to amend the provisions of the limited liability company agreement specifying the events of dissolution.

(3) A limited liability company that has filed a certificate of dissolution may, at any time after revocation of its dissolution has been approved but not more than one hundred twenty days after the filing of its certificate of dissolution, revoke the dissolution by delivering to the secretary of state for filing a certificate of revocation of dissolution that sets forth:

(a) The name of the limited liability company and a statement that the name satisfies the requirements of ((~~RCW 25.15.--- (section 3, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015~~)) part I, Article 3 of this act; if the name is not available, the limited liability company must ((~~file~~)) deliver to the secretary of state for filing a certificate of amendment changing its name with the certificate of revocation of dissolution;

(b) The effective date of the dissolution that was revoked;

(c) The date that the revocation of dissolution was approved; and

(d) A statement that the revocation was approved in the manner required by subsection (2) of this section.

(4) If a limited liability company has not filed a certificate of dissolution, revocation of dissolution becomes effective upon approval of the revocation as provided in subsection (2) of this section. If a limited liability company has filed a certificate of dissolution, revocation of dissolution becomes effective upon the filing of a certificate of revocation of dissolution. The filing of a certificate of revocation of dissolution automatically revokes any certificate of dissolution previously filed with respect to the limited liability company.

(5) Revocation of dissolution relates back to and takes effect as of the effective date of the dissolution and the limited liability company may resume carrying on its activities as if the dissolution had never occurred.

Sec. 7117. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 62 are each amended to read as follows:

(((~~(1) Subject to the Constitution of the state of Washington:~~

~~(a) The laws of the state, territory, possession, or other jurisdiction or country under which a foreign limited liability company is organized govern its organization and internal affairs and the liability of its members and managers; and~~

~~(b) A foreign limited liability company may not be denied registration by reason of any difference between those laws and the laws of this state.~~

~~(2) A foreign limited liability company and its members and managers doing business in this state submit to personal jurisdiction of the courts of this state.~~)) A foreign limited liability company registered to do business in this state is subject to section 1501 of this act relating to the effect of registration and the governing law for registered foreign limited liability companies.

Sec. 7118. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 63 are each amended to read as follows:

Before doing business in this state, a foreign limited liability company must register with the secretary of state in accordance with part I, Article 5 of this act. ((~~In order to register, a foreign limited liability company must submit to the secretary of state an application for registration as a foreign limited liability company executed by any member or manager of the foreign limited liability company, setting forth:~~

~~(1) The name of the foreign limited liability company and, if different, the name under which it proposes to register and do business in this state;~~

~~(2) The state, territory, possession, or other jurisdiction or country where formed, the date of its formation, and a duly authenticated statement from the secretary of state or other official having custody of limited liability company records in the jurisdiction under whose law it was formed, that as of the date of filing the foreign limited liability company validly exists as a limited liability company under the laws of the jurisdiction of its formation;~~

~~(3) The nature of the business or purposes to be conducted or promoted in this state;~~

~~(4) The address of the registered office and the name and address of the registered agent for service of process required to be maintained by RCW 25.15.--- (2) (section 65, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015);~~

~~(5) The address of the principal office of the foreign limited liability company;~~

~~(6) The names and addresses of the foreign limited liability company's members, or if the management of the foreign limited~~

~~liability company is vested in a manager or managers, then the name and address of its manager or managers;~~

~~(7) A statement that the secretary of state is appointed the agent of the foreign limited liability company for service of process under the circumstances set forth in RCW 25.15.--- (2) (section 71, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015); and~~

~~(8) The date on which the foreign limited liability company first did, or intends to do, business in this state.~~))

Sec. 7119. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 65 are each amended to read as follows:

(1) A foreign limited liability company may register with the secretary of state under any name that ((~~includes the words "Limited Liability Company," the words "Limited Liability" and the abbreviation "Co.," or the abbreviation "L.L.C." or "LLC" and that could be registered by a domestic limited liability company. A foreign limited liability company may apply to the secretary of state for authorization to use a name which is not distinguishable upon the records of the office of the secretary of state from the names described in RCW 23B.04.010 and 25.10.061, and the names of any domestic or foreign limited liability company reserved, registered, or formed under the laws of this state. The secretary of state must authorize use of the name applied for if the other corporation, limited liability company, limited liability partnership, or limited partnership consents in writing to the use and files with the secretary of state documents necessary to change its name, or the name reserved or registered to a name that is distinguishable upon the records of the secretary of state from the name of the applying foreign limited liability company~~)) complies with section 1506 of this act and part I, Article 3 of this act.

(2) Each foreign limited liability company must continuously maintain in this state((~~:~~

~~(a) A registered office, which may but need not be a place of its business in this state. The registered office must be at a specific geographic location in this state, and be identified by number, if any, and street, or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A registered office may not be identified by post office box number or other nongeographic address. For purposes of communicating by mail, the secretary of state may permit the use of a post office address in conjunction with the registered office address if the foreign limited liability company also maintains on file the specific geographic address of the registered office where personal service of process may be made;~~

~~(b) A registered agent for service of process on the foreign limited liability company, which agent may be either an individual resident of this state whose business office is identical with the foreign limited liability company's registered office, or a domestic corporation, a limited partnership, or limited liability company, or a foreign corporation authorized to do business in this state having a business office identical with such registered office; and~~

~~(c) A registered agent who must not be appointed without having given prior written consent to the appointment. The written consent shall be filed with the secretary of state in such form as the secretary may prescribe. The written consent must be filed with or as a part of the document first appointing a registered agent. In the event any individual, limited liability company, limited partnership, or corporation has been appointed agent without consent, that person or corporation may file a notarized statement attesting to that fact, and the name must be removed from the records of the secretary of state~~)) a registered agent in accordance with part I, Article 4 of this act.

(3) A foreign limited liability company may change its ((~~registered office or~~)) registered agent by delivering to the secretary of state for filing a statement of change ((~~that sets forth:~~

~~(a) The name of the foreign limited liability company;~~

~~(b) If the current registered office is to be changed, the street address of the new registered office in accordance with subsection (2)(a) of this section;~~

~~(c) If the current registered agent is to be changed, the name of the new registered agent and the new agent's written consent, either on the statement or attached to it, to the appointment; and~~

~~(d) That after the change or changes are made, the street addresses of its registered office and the business office of its registered agent will be identical~~)) in accordance with section 1407 of this act.

(4) ((~~If~~)) A registered agent ((~~changes the street address of the agent's business office, the registered agent may change the street address of the registered office of any foreign limited liability company for which the agent is the registered agent by notifying the foreign limited liability company in writing of the change and executing, either manually or in facsimile, and delivering to the secretary of state for filing a statement that complies with the requirements of subsection (3) of this section and recites that the foreign limited liability company has been notified of the change~~)) of a foreign limited liability company may change its information on file with the secretary of state in accordance with section 1408 or 1409 of this act.

(5) A registered agent of any foreign limited liability company may resign as agent by executing and delivering to the secretary of state for filing a statement ((~~that the registered office is also discontinued. After filing the statement the secretary of state must mail a copy of the statement to the foreign limited liability company at its principal office shown in its application for certificate of registration if no annual report has been filed. The agency appointment is terminated, and the registered office discontinued if so provided, on the thirty first day after the date on which the statement was filed~~)) of resignation in accordance with section 1410 of this act.

Sec. 7120. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 66 are each amended to read as follows:

((~~If any statement in the application for registration of a foreign limited liability company was false when made or any arrangements or other facts described have changed, making the application false in any respect, the foreign limited liability company must promptly file in the office of the secretary of state a certificate, executed by any member or manager, correcting such statement.~~)) A registered foreign limited liability company must amend its foreign registration statement under the circumstances provided in section 1504 of this act.

Sec. 7121. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 67 are each amended to read as follows:

(((~~(1)~~))) A foreign limited liability company may ((~~cancel~~)) withdraw its registration by ((~~filing with~~)) delivering to the secretary of state for filing a ((~~certificate of cancellation, executed by any member or manager. A cancellation does not terminate the authority of the secretary of state to accept service of process on the foreign limited liability company with respect to causes of action arising out of the doing of business in this state.~~

~~(2) The certificate of cancellation must set forth:~~

~~(a) The name of the foreign limited liability company;~~

~~(b) The date of filing of its certificate of registration;~~

~~(c) The reason for filing the certificate of cancellation;~~

~~(d) The future effective date, not later than the ninetieth day after the date it is filed, of cancellation if it is not to be effective upon filing of the certificate;~~

~~(e) The address to which service of process may be forwarded; and~~

~~(f) Any other information the person filing the certificate of cancellation desires.~~)) statement of withdrawal in accordance with section 1507 of this act.

Sec. 7122. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 68 are each amended to read as follows:

(((~~(1)~~))) A foreign limited liability company doing business in this state ((~~may not maintain any action, suit, or proceeding in this state until it has registered in this state and has paid to this state all fees and penalties for the years or parts thereof, during which it did business in this state without having registered.~~

~~(2) Neither the failure of a foreign limited liability company to register in this state nor the issuance of a certificate of cancellation with respect to a foreign limited liability company's registration in this state impairs:~~

~~(a) The validity of any contract or act of the foreign limited liability company;~~

~~(b) The right of any other party to the contract to maintain any action, suit, or proceeding on the contract; or~~

~~(c) The foreign limited liability company from defending any action, suit, or proceeding in any court of this state.~~

~~(3) A member or a manager of a foreign limited liability company is not liable for the obligations of the foreign limited liability company solely by reason of the limited liability company's having done business in this state without registration~~)) without registering with the secretary of state is subject to section 1502 of this act.

Sec. 7123. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 69 are each amended to read as follows:

((~~The superior courts have jurisdiction to enjoin any foreign limited liability company, or any agent thereof, from doing any business in this state if such foreign limited liability company has failed to register under this article or if such foreign limited liability company has secured a certificate of registration from the secretary of state under RCW 25.15.--- (section 64, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) on the basis of false or misleading representations. The secretary of state must, upon the secretary's own motion or upon the relation of proper parties, proceed for this purpose by complaint in any county in which such foreign limited liability company is doing or has done business.~~)) A foreign limited liability company may be enjoined from doing business in this state under section 1512 of this act.

Sec. 7124. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 70 are each amended to read as follows:

(((~~(1) The following activities, among others,~~)) A nonexhaustive list of activities that do not constitute transacting business ((~~within the meaning of this article:~~

~~(a) Maintaining or defending any action or suit or any administrative or arbitration proceeding, or effecting the settlement thereof or the settlement of claims or disputes;~~

~~(b) Holding meetings of the members, or managers if any, or carrying on other activities concerning internal limited liability company affairs;~~

~~(c) Maintaining bank accounts, share accounts in savings and loan associations, custodian or agency arrangements with a bank or trust company, or stock or bond brokerage accounts;~~

~~(d) Maintaining offices or agencies for the transfer, exchange, and registration of the foreign limited liability company's own securities or interests or maintaining trustees or depositaries with respect to those securities or interests;~~

~~(e) Selling through independent contractors;~~

~~(f) Soliciting or procuring orders, whether by mail or through employees or agents or otherwise, where the orders require acceptance outside this state before becoming binding contracts and where the contracts do not involve any local performance other than delivery and installation;~~

~~(g) Making loans or creating or acquiring evidences of debt, mortgages, or liens on real or personal property, or recording same;~~

~~(h) Securing or collecting debts or enforcing mortgages and security interests in property securing the debts;~~

~~(i) Owning, without more, real or personal property;~~

~~(j) Conducting an isolated transaction that is completed within thirty days and that is not one in the course of repeated transactions of a like nature;~~

~~(k) Transacting business in interstate commerce;~~

~~(l) Owning a controlling interest in a corporation or a foreign corporation that transacts business within this state;~~

~~(m) Participating as a limited partner of a domestic or foreign limited partnership that transacts business within this state; or~~

~~(n) Participating as a member or a manager of a domestic or foreign limited liability company that transacts business within this state.~~

~~(2) The list of activities in subsection (1) of this section is not exhaustive~~)) in this state is provided in section 1505 of this act.

Sec. 7125. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 71 are each amended to read as follows:

(((~~(1) A foreign limited liability company's registered agent is its agent for~~)) Service of process, notice, or demand required or permitted by law to be served on the foreign limited liability company may be made in accordance with section 1411 of this act.

(((~~(2) The secretary of state is an agent of a foreign limited liability company upon whom any such process, notice, or demand may be served if:~~

~~(a) The foreign limited liability company fails to appoint or maintain a registered agent in this state; or~~

~~(b) The registered agent cannot with reasonable diligence be found at the registered office.~~

~~(3) Service on the secretary of state of any such process, notice, or demand is made by delivering to and leaving with the secretary of state, or with any duly authorized clerk of the secretary of state's office, the process, notice, or demand. In the event any such process, notice, or demand is served on the secretary of state, the secretary of state must immediately cause a copy thereof to be forwarded by certified mail, addressed to the foreign limited liability company at the address of its principal office as it appears on the records of the secretary of state. Any service so had on the secretary of state is returnable in not less than thirty days.~~

~~(4) The secretary of state must keep a record of all processes, notices, and demands served upon the secretary of state under this section, and must record the time of such service and the secretary of state's action with reference thereto.~~

~~(5) This section does not limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a foreign limited liability company in any other manner now or hereafter permitted by law.~~))

Sec. 7126. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 72 are each amended to read as follows:

(((~~(1)~~))) Any foreign limited liability company which does business in this state without having registered under ((~~RCW 25.15.--- (section 63, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) part I, Article 5 of this act has thereby ((~~appointed and constituted the secretary of state its agent for the acceptance~~)) consented to service of legal process in accordance with section 1411 of this act in any civil action, suit, or proceeding against it in any state or federal court in this state arising or growing out of any business done by it within this state. The doing of business in this state by such foreign limited liability company is a signification of the agreement of such foreign limited liability company that any such process when so served is of the same legal force and validity as if served upon a registered agent personally within this state.

(((~~(2) In the event of service upon the secretary of state in accordance with subsection (1) of this section, the secretary of state must notify the foreign limited liability company thereof by letter, certified mail, return receipt requested, directed to the foreign limited liability company at the address furnished to the secretary of state by the plaintiff in such action, suit, or proceeding. Such letter~~

~~must enclose a copy of the process and any other papers served upon the secretary of state. It is the duty of the plaintiff in the event of such service to serve process and any other papers in duplicate and to notify the secretary of state that service is being made pursuant to this subsection.~~))

Sec. 7127. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 73 are each amended to read as follows:

The secretary of state may ((~~commence a proceeding under RCW 25.15.--- (section 74, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) to revoke~~)) terminate the registration of a foreign limited liability company ((~~authorized to transact business~~)) registered in this state ((~~if:~~

~~(1) The foreign limited liability company does not pay any license fees or penalties imposed by this chapter when they become due;~~

~~(2) The foreign limited liability company does not deliver its completed annual report to the secretary of state when it is due;~~

~~(3) The foreign limited liability company is without a registered agent or registered office in this state for sixty days or more; or~~

~~(4) The secretary of state receives a duly authenticated certificate from the secretary of state or other official having custody of limited liability company records in the jurisdiction under which the foreign limited liability company was organized stating that the foreign limited liability company has been dissolved or its certificate or articles of formation canceled~~)) under the circumstances and procedures specified in section 1511 of this act.

Sec. 7128. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 82 are each amended to read as follows:

(1) After each constituent organization has approved a merger, articles of merger must be executed on behalf of each constituent organization by an authorized representative.

(2) The articles of merger must include:

(a) The name and form of each constituent organization and the jurisdiction of its governing statute;

(b) The name and form of the surviving organization and the jurisdiction of its governing statute;

(c) The date the merger is effective under the governing statute of the surviving organization;

(d) Any amendments provided for in the plan of merger for the organizational document that created the surviving organization;

(e) A statement as to each constituent organization that the merger was approved as required by the organization's governing statute;

(f) If the surviving organization is a foreign organization not ((~~authorized~~)) registered to transact business in this state, the street and mailing address of ((~~an office that the secretary of state may use~~)) the surviving organization's principal office for the purposes of ((~~RCW 25.15.--- (3) (section 83, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) service of process under section 1411 of this act; and

(g) Any additional information required by the governing statute of any constituent organization.

(3) The surviving organization must deliver the articles of merger for filing in the office of the secretary of state.

(4) The effective time of a merger is:

(a) If the surviving organization is a limited liability company, upon the later of:

(i) Filing of the articles of merger in the office of the secretary of state; or

(ii) Subject to subsection (5) of this section, as specified in the articles of merger; or

(b) If the surviving organization is not a limited liability company, as provided by the governing statute of the surviving organization.

(5) If the articles of merger do not specify a delayed effective date, the articles of merger become effective upon filing as provided in section 1203 of this act. ((~~If~~)) The articles of merger may specify a delayed effective time and date((~~, the articles of merger become effective at the time and date specified. If the articles of merger specify a delayed effective date but no time is specified, the articles of merger are effective at the close of business on that date. A delayed effective date for articles of merger may not be later than the ninetieth day after the date they are filed~~)) in accordance with section 1203 of this act.

Sec. 7129. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 83 are each amended to read as follows:

(1) When a merger becomes effective:

(a) The surviving organization continues;

(b) Each constituent organization that merges into the surviving organization ceases to exist as a separate entity;

(c) The title to all real estate and other property owned by each constituent organization is vested in the surviving organization without reversion or impairment;

(d) The surviving organization has all liabilities of each constituent organization;

(e) A proceeding pending by or against any constituent organization may be continued as if the merger did not occur or the surviving organization may be substituted in the proceeding for the constituent organization whose existence ceased;

(f) Except as prohibited by other law, all of the rights, privileges, immunities, powers, and purposes of each constituent organization that ceases to exist vest in the surviving organization;

(g) Except as otherwise provided in the plan of merger, the terms and conditions of the plan of merger take effect;

(h) The organizational documents of the surviving organization are amended to the extent provided in the articles of merger; and

(i) The former holders of interests of every constituent limited liability company are entitled only to the rights provided in the plan of merger and to their rights under article XII of this chapter.

(2) A merger of a limited liability company, including a limited liability company which is not the surviving organization in the merger, does not require the limited liability company to wind up its affairs under RCW 25.15.--- (section 58, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015) or pay its liabilities and distribute its assets under RCW 25.15.--- (section 60, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).

(3) A surviving organization that is a foreign organization consents to the jurisdiction of the courts of this state to enforce any obligation owed by a constituent organization, if before the merger the constituent organization was subject to suit in this state on the obligation. A surviving organization that is a foreign organization and not ((~~authorized~~)) registered to transact business in this state ((~~appoints the secretary of state as its agent for service of~~)) may be served with process pursuant to section 1411 of this act for the purposes of enforcing an obligation under this subsection. ((~~Service on the secretary of state under this subsection is made in the same manner and with the same consequences as in RCW 25.15.--- (3) (section 7, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).~~))

Sec. 7130. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 86 are each amended to read as follows:

(1) After a plan of conversion is approved, the converting organization must make one of the following filings to complete the conversion:

(a) A converting limited liability company must deliver to the secretary of state for filing articles of conversion, which must include:

(i) A statement that the limited liability company has been converted into another organization;

(ii) The name and form of the converted organization and the jurisdiction of its governing statute;

(iii) The date the conversion is effective under the governing statute of the converted organization;

(iv) A statement that the conversion was approved as required by this chapter;

(v) A statement that the conversion was approved as required by the governing statute of the converted organization; and

(vi) If the converted organization is a foreign organization not ((~~authorized~~)) registered to transact business in this state, the street and mailing address of ((~~an office that the secretary of state may use~~)) the converted organization's principal office for the purposes of ((~~RCW 25.15.--- (3) (section 87, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015)~~)) service of process under section 1411 of this act; or

(b) A converting organization that is not a limited liability company must deliver to the secretary of state for filing a certificate of formation, together with articles of conversion, which must include:

(i) A statement that the limited liability company was converted from another organization;

(ii) The name and form of the converting organization and the jurisdiction of its governing statute; and

(iii) A statement that the conversion was approved in a manner that complied with the converting organization's governing statute.

(2) The effective time of a conversion is either:

(a) If the converted organization is a limited liability company, when the certificate of formation takes effect; or

(b) If the converted organization is not a limited liability company, as provided by the governing statute of the converted organization.

(3) If the certificate of formation filed pursuant to this section does not specify a delayed effective date, it becomes effective upon filing as provided in section 1203 of this act. ((~~If~~)) The certificate of formation ((~~specifies~~)) may specify a delayed effective time and date((~~, the certificate of formation becomes effective at the time and date specified. If the certificate of formation specifies a delayed effective date but no time is specified, the certificate of formation is effective at the close of business on that date. A delayed effective date for a certificate of formation may not be later than the ninetieth day after the date it is filed~~)) in accordance with section 1203 of this act.

Sec. 7131. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 87 are each amended to read as follows:

(1) An organization that has been converted pursuant to this article is for all purposes the same entity that existed before the conversion.

(2) When a conversion takes effect:

(a) The title to all real estate and other property owned by the converting organization remains vested in the converted organization without reversion or impairment;

(b) All debts, liabilities, and other obligations of the converting organization continue as obligations of the converted organization;

(c) An action or proceeding pending by or against the converting organization may be continued as if the conversion had not occurred;

(d) Except as prohibited by other law, all of the rights, privileges, immunities, powers, and purposes of the converting organization remain vested in the converted organization;

(e) Except as otherwise provided in the plan of conversion, the terms and conditions of the plan of conversion take effect; and

(f) Except as otherwise agreed, the conversion does not dissolve a converting limited liability company for the purposes of article VIII of this chapter.

(3) A converted organization that is a foreign organization consents to the jurisdiction of the courts of this state to enforce any obligation owed by the converting limited liability company, if before the conversion the converting limited liability company was subject to suit in this state on the obligation. A converted organization that is a foreign organization and not ((~~authorized~~)) registered to transact business in this state ((~~appoints the secretary of state as its agent for service of~~)) may be served with process in accordance with section 1411 of this act for purposes of enforcing an obligation under this subsection. ((~~Service on the secretary of state under this subsection is made in the same manner and with the same consequences as in RCW 25.15.--- (3) (section 7, chapter ..... (Substitute Senate Bill No. 5030), Laws of 2015).~~))

Sec. 7132. RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 102 are each amended to read as follows:

(((~~(1) The secretary of state must adopt rules establishing fees which are charged and collected for:~~

~~(a) Filing of a certificate of formation, certificate of amendment, or restated certificate of formation for a domestic limited liability company;~~

~~(b) Filing of an application for registration, or a certificate correcting any statement in an application for registration, of a foreign limited liability company;~~

~~(c) Filing of articles of merger or articles of conversion for a domestic limited liability company;~~

~~(d) Filing of a certificate of dissolution for a domestic limited liability company;~~

~~(e) Filing of a certificate of revocation of dissolution for a domestic limited liability company;~~

~~(f) Filing of an application for reinstatement of a domestic limited liability company;~~

~~(g) Filing of a certificate of cancellation for a foreign limited liability company;~~

~~(h) Filing of an application to reserve, register, or transfer a foreign or domestic limited liability company name;~~

~~(i) Filing of any other certificate, statement, or report authorized or permitted to be filed;~~

~~(j) Copies, certified copies, certificates, service of process filings, and expedited filings or other special services; and~~

~~(k) The initial and annual report for a limited liability company, or the annual report for a foreign limited liability company, and any related penalties.~~

~~(2) In the establishment of a fee schedule, the secretary of state must, insofar as is possible and reasonable, be guided by the fee schedule provided for corporations governed by Title 23B RCW. Fees for copies, certified copies, certificates of record, and service of process filings must be as provided for in RCW 23B.01.220.~~

~~(3) All fees collected by the secretary of state must be deposited with the state treasurer pursuant to law.~~)) Limited liability companies are subject to the applicable fees, charges, and penalties established by the secretary of state under section 1213 of this act and RCW 43.07.120.

NEW SECTION. **Sec. 7133.** The following acts or parts of acts are each repealed:

(1) RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 2;

(2) RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 55;

(3) RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 64; and

(4) RCW 25.15.--- and 2015 c ..... (Substitute Senate Bill No. 5030) s 74.

PART VIII
SECRETARY OF STATE REVISIONS

Sec. 8101. RCW 43.07.120 and 2010 1st sp.s. c 29 s 6 are each amended to read as follows:

(1) The secretary of state must establish by rule and collect the fees in this subsection:

(a) For a copy of any law, resolution, record, or other document or paper on file in the secretary's office;

(b) For any certificate under seal;

(c) For filing and recording trademark;

(d) For each deed or patent of land issued by the governor;

(e) For recording miscellaneous records, papers, or other documents.

(2) The secretary of state may adopt rules under chapter 34.05 RCW establishing reasonable fees for the following services rendered under chapter 23.--- RCW (the new chapter created in section 1801 of this act), Title 23B RCW, chapter 18.100, 19.09, 19.34, 19.77, 23.86, 23.90, 24.03, 24.06, 24.12, 24.20, 24.24, 24.28, 24.36, 25.04, 25.15, 25.10, 25.05, or 26.60 RCW:

(a) Any service rendered in-person at the secretary of state's office;

(b) Any expedited service;

(c) The electronic or facsimile transmittal of information from corporation records or copies of documents;

(d) The providing of information by micrographic or other reduced-format compilation;

(e) The handling of checks, drafts, or credit or debit cards upon adoption of rules authorizing their use for which sufficient funds are not on deposit; and

(f) Special search charges.

(3) To facilitate the collection of fees, the secretary of state may establish accounts for deposits by persons who may frequently be assessed such fees to pay the fees as they are assessed. The secretary of state may make whatever arrangements with those persons as may be necessary to carry out this section.

(4) The secretary of state may adopt rules for the use of credit or debit cards for payment of fees.

(5) No member of the legislature, state officer, justice of the supreme court, judge of the court of appeals, or judge of the superior court may be charged for any search relative to matters pertaining to the duties of his or her office; nor may such official be charged for a certified copy of any law or resolution passed by the legislature relative to his or her official duties, if such law has not been published as a state law.

Sec. 8102. RCW 43.07.130 and 2010 1st sp.s. c 29 s 7 are each amended to read as follows:

There is created within the state treasury a revolving fund, to be known as the "secretary of state's revolving fund," which must be used by the office of the secretary of state to defray the costs of providing registration and information services authorized by law by the office of the secretary of state, and any other cost of carrying out the functions of the secretary of state under Title 11, 18, 19, 23, 23B, 24, 25, 26, ((~~30~~)) 30A, 30B, 42, 43, or 64 RCW.

The secretary of state is authorized to charge a fee for publications in an amount which will compensate for the costs of printing, reprinting, and distributing such printed matter. Fees recovered by the secretary of state under RCW 43.07.120(2), 19.09.305, 19.09.315, 19.09.440, ((~~23B.01.220 (1)(e), (6) and (7), 23B.18.050, 24.03.410, 24.06.455, 25.10.600(6), 25.10.916(1)(e)~~)) section 1213(1) (a)(ii) and (iii) and (d) of this act, or 46.64.040, and such other moneys as are expressly designated for deposit in the secretary of state's revolving fund must be placed in the secretary of state's revolving fund.

During the 2005-2007 fiscal biennium, the legislature may transfer from the secretary of state's revolving fund to the state general fund such amounts as reflect the excess fund balance of the fund.

PART IX
MISCELLANEOUS REVISIONS

Sec. 9101. RCW 23.78.020 and 1991 c 72 s 9 are each amended to read as follows:

Any corporation organized under the laws of this state may elect to be governed as an employee cooperative under the provisions of this chapter, by so stating in its articles of incorporation, or articles of amendment filed in accordance with Title 23B RCW and part I, Article 2 of this act.

A corporation so electing shall be governed by all provisions of Title 23B RCW, except RCW 23B.07.050, 23B.13.020, and chapter 23B.11 RCW, and except as otherwise provided in this chapter.

Sec. 9102. RCW 23.78.030 and 1991 c 72 s 10 are each amended to read as follows:

An employee cooperative may revoke its election under this chapter by a vote of two-thirds of the members and through articles of amendment ((~~filed with~~)) delivered to the secretary of state for filing in accordance with RCW 23B.01.200 ((~~and~~)), 23B.10.060, and part I, Article 2 of this act.

Sec. 9103. RCW 23.86.030 and 1989 c 307 s 5 are each amended to read as follows:

(1) The name of any association subject to this chapter ((~~may contain the word "corporation," "incorporated," or "limited" or an abbreviation of any such word~~)) must comply with part I, Article 3 of this act.

(2) No corporation or association organized or doing business in this state shall be entitled to use the term "cooperative" as a part of its corporate or other business name or title, unless it: (a) Is subject to the provisions of this chapter, chapter 23.78, or 31.12 RCW; (b) is subject to the provisions of chapter 24.06 RCW and operating on a cooperative basis; (c) is, on July 23, 1989, an organization lawfully using the term "cooperative" as part of its corporate or other business name or title; or (d) is a nonprofit corporation or association the voting members of which are corporations or associations operating on a cooperative basis. Any corporation or association violating the provisions of this section may be enjoined from doing business under such name at the instance of any member or any association subject to this chapter.

(3) A member of the board of directors or an officer of any association subject to this chapter shall have the same immunity from liability as is granted in RCW 4.24.264.

Sec. 9104. RCW 23.86.055 and 1989 c 307 s 8 are each amended to read as follows:

(1) ((~~Duplicate originals of~~)) The articles of incorporation shall be signed by the incorporators ((~~shall be~~)) and delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that the articles of incorporation conform to law, the secretary of state shall, when all required fees have been paid:~~

~~(a) Endorse each original with the word "filed" and the effective date of the filing.~~

~~(b) File one original in his or her office.~~

~~(c) Issue a certificate of incorporation with one original attached.~~))

(2) ((~~The certificate of incorporation, with an original of the articles of incorporation affixed by the secretary of state, shall be returned to the incorporators or their representatives and shall be retained by the association.~~

~~(3)~~)) Upon the filing of the articles of incorporation, the corporate existence shall begin, and the certificate of incorporation shall, except as against the state in a proceeding to cancel or revoke the certificate of incorporation, be conclusive evidence that all conditions precedent required to be performed by the incorporators have been complied with and that the corporation has been incorporated under this chapter.

Sec. 9105. RCW 23.86.070 and 2010 1st sp.s. c 29 s 10 are each amended to read as follows:

((~~For filing articles of incorporation of an association organized under this chapter or filing application for a certificate of authority~~

~~by a foreign corporation, there must be paid to the secretary of state a fee as established by the secretary by rule. Fees for filing an amendment to articles of incorporation must be established by the secretary of state by rule. For filing other documents with the secretary of state and issuing certificates, fees are as prescribed in RCW 23B.01.220. Associations subject to this chapter are not subject to any corporation license fees excepting the fees hereinabove enumerated.~~)) Associations organized under or subject to this chapter are subject to the applicable fees, charges, and penalties established by the secretary of state under section 1213 of this act and RCW 43.07.120.

Sec. 9106. RCW 23.86.095 and 1989 c 307 s 13 are each amended to read as follows:

Effective January 1, 1990, every association subject to this chapter shall have and maintain a ((~~registered office and a~~)) registered agent in this state in accordance with the requirements set forth in ((~~RCW 24.06.050~~)) part I, Article 4 of this act.

Sec. 9107. RCW 23.86.210 and 1991 c 72 s 18 are each amended to read as follows:

(1) A cooperative association may be converted to a domestic ordinary business corporation pursuant to the following procedures:

(a) The board of directors of the association shall, by affirmative vote of not less than two-thirds of all such directors, adopt a plan for such conversion setting forth:

(i) The reasons why such conversion is desirable and in the interests of the members of the association;

(ii) The proposed contents of articles of conversion with respect to items (ii) through (ix) of subparagraph (c) below; and

(iii) Such other information and matters as the board of directors may deem to be pertinent to the proposed plan.

(b) After adoption by the board of directors, the plan for conversion shall be submitted for approval or rejection to the members of the association at any regular meetings or at any special meetings called for that purpose, after notice of the proposed conversion has been given to all members entitled to vote thereon, in the manner provided by the bylaws. The notice of the meeting shall be accompanied by a full copy of the proposed plan for conversion or by a summary of its provisions. At the meeting members may vote upon the proposed conversion in person, or by written proxy, or by mailed ballot. The affirmative vote of two-thirds of the members voting thereon shall be required for approval of the plan of conversion. If the total vote upon the proposed conversion shall be less than twenty-five percent of the total membership of the association, the conversion shall not be approved.

(c) Upon approval by the members of the association, the articles of conversion shall be executed in duplicate by the association by one of its officers and shall set forth:

(i) The dates and vote by which the plan for conversion was adopted by the board of directors and members respectively;

(ii) The corporate name of the converted organization. The name shall comply with requirements in part I, Article 3 of this act for names of business corporations formed under Title 23B RCW, and shall not contain the term "cooperative";

(iii) The purpose or purposes for which the converted corporation is to exist;

(iv) The duration of the converted corporation, which may be perpetual or for a stated term of years;

(v) The capitalization of the converted corporation and the class or classes of shares of stock into which divided, together with the par value, if any, of such shares, in accordance with statutory requirements applicable to ordinary business corporations, and the basis upon which outstanding shares of the association are converted into shares of the converted corporation;

(vi) Any provision limiting or denying to shareholders the preemptive right to acquire additional shares of the converted corporation;

(vii) The address of the converted corporation's ((~~initial registered office and its~~)) initial registered agent ((~~at such address~~));

(viii) The names and addresses of the persons who are to serve as directors of the converted corporation until the first annual meeting of shareholders of the converted corporation or until their successors are elected and qualify;

(ix) Any additional provisions, not inconsistent with law, provided for by the plan for conversion for the regulation of the internal affairs of the converted corporation, including any provision restricting the transfer of shares or which under Title 23B RCW is required or permitted to be set forth in bylaws.

(d) The ((~~executed duplicate originals of the~~)) articles of conversion shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that the articles of conversion conform to law, the secretary of state shall, when all the fees have been paid as in this section prescribed:~~

~~(i) Endorse on each of such originals the word "Filed", and the effective date of such filing;~~

~~(ii) File one of such originals; and~~

~~(iii) Issue a certificate of conversion to which one of such originals shall be affixed.~~))

(e) ((~~The certificate of conversion, together with the original of the articles of conversion affixed thereto by the secretary of state, shall be returned to the converted corporation or its representative. The original affixed to the certificate of conversion shall be retained by the converted corporation.~~

~~(f)~~)) Upon ((~~filing~~)) delivering the articles of conversion to the secretary of state for filing, the converted corporation shall pay, and the secretary of state shall collect, the same filing and license fees as for filing articles of incorporation of a newly formed business corporation similarly capitalized.

(2) Upon filing by the secretary of state of the articles of conversion, the conversion of the cooperative association to an ordinary business corporation shall become effective as provided in section 1203 of this act; the articles of conversion shall thereafter constitute and be treated in like manner as articles of incorporation; and the converted corporation shall be subject to all laws applicable to corporations formed under Title 23B RCW, and shall not thereafter be subject to laws applying only to cooperative associations. The converted corporation shall constitute and be deemed to constitute a continuation of the corporate substance of the cooperative association and the conversion shall in no way derogate from the rights of creditors of the former association.

Sec. 9108. RCW 23.86.220 and 1991 c 72 s 19 are each amended to read as follows:

(1) A cooperative association may merge with one or more domestic cooperative associations, or with one or more domestic ordinary business corporations, in accordance with the procedures and subject to the conditions set forth or referred to in this section.

(2) If the merger is into another domestic cooperative association, the board of directors of each of the associations shall approve by vote of not less than two-thirds of all the directors, a plan of merger setting forth:

(a) The names of the associations proposing to merge;

(b) The name of the association which is to be the surviving association in the merger;

(c) The terms and conditions of the proposed merger;

(d) The manner and basis of converting the shares of each merging association into shares or other securities or obligations of the surviving association;

(e) A statement of any changes in the articles of incorporation of the surviving association to be effected by such merger; and

(f) Such other provisions with respect to the proposed merger as are deemed necessary or desirable.

(3) Following approval by the boards of directors, the plan of merger shall be submitted to a vote of the members of each of the associations at any regular meeting or at any special meetings called for that purpose, after notice of the proposed merger has been given to all members entitled to vote thereon, in the manner provided in the bylaws. The notice of the meeting shall be in writing stating the purpose or purposes of the meeting and include or be accompanied by a copy or summary of the plan of merger. At the meeting members may vote upon the proposed merger in person, or by written proxy, or by mailed ballot. The affirmative vote of two-thirds of the members voting thereon, by each association, shall be required for approval of the plan of merger. If the total vote of either association upon the proposed merger shall be less than twenty-five percent of the total membership of such association, the merger shall not be approved.

(4) Upon approval by the members of the associations proposing to merge, articles of merger shall be executed in duplicate by each association by an officer of each association, and shall set forth:

(a) The plan of merger;

(b) As to each association, the number of members and, if there is capital stock, the number of shares outstanding; and

(c) As to each association, the number of members who voted for and against such plan, respectively.

(5) ((~~Duplicate originals of~~)) The articles of merger shall be delivered to the secretary of state for filing in accordance with part I, Article 2 of this act. ((~~If the secretary of state finds that such articles conform to law, the secretary of state shall, when all fees have been paid as in this section prescribed:~~

~~(a) Endorse on each of such originals the word "Filed", and the effective date of such filing;~~

~~(b) File one of such originals; and~~

~~(c) Issue a certificate of merger to which one of such originals shall be affixed.~~))

(6) ((~~The certificate of merger, together with the duplicate original of the articles of merger affixed thereto by the secretary of state shall be returned to the surviving association or its representative.~~

~~(7)~~)) For filing articles of merger hereunder the secretary of state shall charge and collect the same fees as apply to filing of articles of merger of ordinary business corporations.

(((~~(8)~~))) (7) If the plan of merger is for merger of the cooperative association into a domestic ordinary business corporation, the association shall follow the same procedures as hereinabove provided for merger of domestic cooperative associations and the ordinary business corporation shall follow the applicable procedures set forth in RCW 23B.07.050 and chapter 23B.11 RCW.

(((~~(9)~~))) (8) At any time prior to filing of the articles of merger, the merger may be abandoned pursuant to provisions therefor, if any, set forth in the plan of merger.

Sec. 9109. RCW 23.86.310 and 1989 c 307 s 15 are each amended to read as follows:

((~~Effective January 1, 1990,~~)) Every association subject to this chapter shall ((~~comply with the requirements set forth in RCW 24.06.440~~)) deliver an annual report to the secretary of state in accordance with section 1212 of this act.

Sec. 9110. RCW 23.86.330 and 1991 c 72 s 21 are each amended to read as follows:

The provisions of ((~~RCW 23B.14.200 and 23B.14.210~~)) part I, Article 6 of this act relating to administrative dissolution by the secretary of state shall apply to every association subject to this chapter formed on or after July 23, 1989.

Sec. 9111. RCW 23.86.370 and 1989 c 307 s 33 are each amended to read as follows:

The provisions of ((~~RCW 24.06.340 through 24.06.435~~)) part I, Article 5 of this act and RCW 24.06.367 and 24.06.369 shall apply to every foreign corporation which desires to conduct affairs in this state under the authority of this chapter.

Sec. 9112. RCW 23.90.040 and 1981 c 302 s 3 are each amended to read as follows:

(1) Any Massachusetts trust desiring to do business in this state shall file with the secretary of state, in accordance with part I, Article 2 of this act, a verified copy of the trust instrument creating such a trust and any amendment thereto, the assumed business name, if any, and the names and addresses of its trustees.

(2) Any person dealing with such Massachusetts trust shall be bound by the terms and conditions of the trust instrument and any amendments thereto so filed.

(3) Any Massachusetts trust created under this chapter or entering this state pursuant thereto shall pay such taxes and fees as are imposed by the laws, ordinances, and resolutions of the state of Washington and any counties and municipalities thereof on domestic and foreign corporations, respectively, on an identical basis therewith. In computing such taxes and fees, the shares of beneficial interest of such a trust shall have the character for tax purposes of shares of stock in private corporations.

(4) Any Massachusetts trust shall be subject to such applicable provisions of law, now or hereafter enacted, with respect to domestic and foreign corporations, respectively, as relate to the issuance of securities, filing of required statements or reports, service of process, general grants of power to act, right to sue and be sued, limitation of individual liability of shareholders, rights to acquire, mortgage, sell, lease, operate and otherwise to deal in real and personal property, and other applicable rights and duties existing under the common law and statutes of this state in a manner similar to those applicable to domestic and foreign corporations.

(5) The secretary of state, director of licensing, and the department of revenue of the state of Washington are each authorized and directed to prescribe binding rules and regulations applicable to said Massachusetts trusts consistent with this chapter.

Sec. 9113. RCW 24.12.045 and 2009 c 437 s 13 are each amended to read as follows:

(1) Each corporation sole registered in this state shall ((~~file, with a ten dollar filing fee and within the time prescribed by this chapter,~~)) deliver an annual report ((~~in the form prescribed by~~)) to the secretary of state in accordance with section 1212 of this act. The report shall ((~~set forth:~~

~~(a) The name of the corporation sole and the state or country under the laws of which it is incorporated;~~

~~(b) The address of the principal place of business of the corporation sole in this state including street and number;~~

~~(c) The name and respective address of the bishop, overseer, or presiding elder of the corporation sole; and~~

~~(d) The corporation sole's unified business identifier number.~~

~~(2)(a) The information shall be given as of the date of the execution of the report. It shall~~)) be executed by the corporation sole by an officer of the corporation sole or, if the corporation sole is in the hands of a receiver or trustee, it shall be executed on behalf of the corporation sole by such receiver or trustee.

(((~~(b)~~))) (2) The secretary of state may provide that correcting or updating information appearing on previous annual or biennial filings is sufficient to constitute the current filing.

(3) The secretary may administratively dissolve a corporation sole that does not comply with this section in accordance with section 1603 of this act. However, the secretary shall reinstate a corporation sole administratively dissolved under this subsection if the corporation sole complies with the requirements of RCW 24.12.055 within five years of the administrative dissolution.

Sec. 9114. RCW 24.12.051 and 2011 c 183 s 7 are each amended to read as follows:

(((~~(1) Not less than thirty days prior to a corporation sole's renewal date,~~)) The secretary of state shall send to each corporation sole((~~, by postal or electronic mail, as elected by the corporation sole, addressed to its registered office, or to an electronic address designated by the corporation sole, in a record retained by the secretary of state,~~)) a notice in accordance with section 1212 of this act that its annual report must be filed as required by this chapter((~~, and stating that if it fails to file its annual report it shall be dissolved or its certificate of authority revoked, as the case may be. Failure of the secretary of state to send the notice does not relieve a corporation sole from its obligation to file the annual reports required by this chapter. The option to receive the notice provided under this section by electronic mail may be selected only when the secretary of state makes the option available.~~

~~(2)(a) The report of a corporation sole shall be delivered to the secretary of state on an annual renewal date as the secretary of state may establish. The secretary of state may adopt rules to establish biennial reporting dates and to stagger reporting dates.~~

~~(b) If the secretary of state finds that the report substantially conforms to the requirements of this chapter, the secretary of state shall file that report~~)).

Sec. 9115. RCW 24.20.010 and 1981 c 302 s 11 are each amended to read as follows:

Any grand lodge, encampment, chapter or any subordinate lodge or body of Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, or other fraternal society, desiring to incorporate, shall ((~~make~~)) deliver articles of incorporation ((~~in duplicate, and file one of such articles in the office of~~)) to the secretary of state for filing in accordance with part I, Article 2 of this act; such articles shall be signed by the presiding officer and the secretary of such lodge, chapter or encampment, and attested by the seal thereof, and shall specify:

(1) The name of such lodge or other society, and the place of holding its meetings;

(2) The name of the grand body from which it derives its rights and powers as such lodge or society; or if it be a grand lodge, the manner in which its powers as such grand lodge are derived;

(3) The names of the presiding officer and the secretary having the custody of the seal of such lodge or society;

(4) What officers shall join in the execution of any contract by such lodge or society to give it force and effect in accordance with the usages of such lodges or society.

Sec. 9116. RCW 24.20.020 and 1993 c 269 s 10 are each amended to read as follows:

The secretary of state shall file such articles of incorporation in the secretary of state's office and issue a certificate of incorporation to any such lodge or other society upon the payment of the ((~~sum of twenty dollars~~)) filing fee established by the secretary of state under section 1213 of this act.

Sec. 9117. RCW 24.24.010 and 1982 c 35 s 166 are each amended to read as follows:

Any ten or more residents of this state who are members of any chartered body or of different chartered bodies of any fraternal order or society who shall desire to incorporate for the purpose of owning real or personal property or both real and personal property for the purpose and for the benefit of such bodies, may make and execute articles of incorporation, which shall be executed in duplicate, and shall be subscribed by each of the persons so associating themselves together: PROVIDED, That no lodge shall be incorporated contrary to the provisions of the laws and regulations of the order or society of which it is a constituent part. Such articles, at the election of the incorporators, may either provide for the issuing of capital stock or for incorporation as a society of corporation without shares of stock. One of such articles shall be filed in the office of the secretary of state in accordance with part I, Article 2 of this act, accompanied by a filing fee ((~~of twenty dollars~~)) established by the secretary of state under section 1213 of this act, and the other of such articles shall be preserved in the records of the corporation.

Sec. 9118. RCW 24.24.100 and 1993 c 269 s 11 are each amended to read as follows:

The secretary of state shall file such articles of incorporation or amendment thereto in the secretary of state's office and issue a certificate of incorporation or amendment, as the case may be, to such fraternal association upon the payment of a fee ((~~in the sum of twenty dollars~~)) established by the secretary of state under section 1213 of this act.

Sec. 9119. RCW 24.28.010 and 1981 c 302 s 13 are each amended to read as follows:

Any grange of the patrons of husbandry, desiring hereafter to incorporate, may incorporate and become bodies politic in this state, by filing in the office of the secretary of state of Washington in accordance with part I, Article 2 of this act, a certificate or article subscribed and acknowledged by not less than five members of such grange and by the master of the Washington state grange embodying:

(1) The name of such grange and the place of holding its meetings.

(2) What elective officers the said grange will have, when such officers shall be elected; how, and by whom, the business of the grange shall be conducted or managed, and what officers shall join in the execution of any contract by such grange to give force and effect in accordance with the usages of the order of the patrons of husbandry; such articles shall be subscribed by the master of such grange attested by the secretary, with the seal of the grange.

(3) A copy of the bylaws of such grange shall also be filed in the said office of the secretary of state.

(4) The names of all such officers at the time of filing the application, and the time for which they may be respectively elected. When such articles shall be filed, such grange shall be a body politic and corporate, with all the incidents of a corporation, subject nevertheless to the laws and parts of laws now in force or hereafter to be passed regulating corporations.

Sec. 9120. RCW 18.100.120 and 1993 c 290 s 1 are each amended to read as follows:

Corporations organized pursuant to this chapter shall render professional service and exercise its authorized powers under a name permitted by law and the professional ethics of the profession in which the corporation is so engaged. The corporate name of a professional service corporation must ((~~contain either the words "professional service" or "professional corporation" or the abbreviation "P.S." or "P.C." The corporate name may also contain either the words "corporation," "incorporated," "company," or "limited," or the abbreviation "corp.," "inc.," "co.," or "ltd."~~)) comply with the requirements of part I, Article 3 of this act. With the filing of its first annual report and any filings thereafter, a professional service corporation shall list its then shareholders((~~: PROVIDED, That notwithstanding the foregoing provisions of this section, the corporate name of a corporation organized to render dental services shall contain the full names or surnames of all shareholders and no other word than "chartered" or the words "professional services" or the abbreviation "P.S." or "P.C."~~)).

NEW SECTION. **Sec. 9121.** The following acts or parts of acts are each repealed:

(1) RCW 23.86.155 (Failure to appoint registered agent—Removal—Reinstatement) and 1989 c 307 s 35;

(2) RCW 23.86.300 (Application of RCW 24.06.055 and 24.06.060) and 1989 c 307 s 14;

(3) RCW 23.86.320 (Application of RCW 24.06.445) and 1989 c 307 s 16;

(4) RCW 23.86.335 (Application of RCW 23B.14.203—Name not distinguishable from name of governmental entity) and 1997 c 12 s 8;

(5) RCW 23.86.340 (Application of RCW 23B.14.220—Reinstatement) and 1991 c 72 s 22 & 1989 c 307 s 18;

(6) RCW 24.12.060 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 4;

(7) RCW 24.20.040 (Reincorporation) and 1903 c 80 s 4;

(8) RCW 24.20.050 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 5;

(9) RCW 24.24.130 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 6; and

(10) RCW 24.28.045 (Administrative dissolution or revocation of a certificate of authority—Corporation name not distinguishable from name of governmental entity—Application by governmental entity) and 1997 c 12 s 7."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5395 Prime Sponsor, Senator Roach: Modifying exemptions relating to real estate appraisals. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton and Gregory.

MINORITY recommendation: Without recommendation. Signed by Representative Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5396 Prime Sponsor, Senator Roach: Exempting information of guardians or family members of children enrolled in child care, early learning, parks and recreation, after-school, and youth development programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SSB 5411 Prime Sponsor, Committee on Government Operations & Security: Providing liability immunity for local jurisdictions when wheeled all-terrain vehicles are operated on public roadways. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 25, 2015

SB 5466 Prime Sponsor, Senator Becker: Clarifying employee eligibility for benefits from the public employees' benefits board and conforming the eligibility provisions with federal law. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Haler; Hansen; Hudgins; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Hunt, G.; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta and Dent.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5482 Prime Sponsor, Senator Roach: Addressing the disclosure of global positioning system data by law enforcement officers. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5491 Prime Sponsor, Senator Parlette: Maintaining reservations of water for certain future uses. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 9122.** A new section is added to chapter 90.54 RCW to read as follows:

(1) Except as otherwise provided in this section, all reservations of water for certain future uses included in rules establishing minimum levels and flows that were adopted and amended pursuant to this chapter or chapter 90.22 RCW after the year 2001 and prior to the supreme court of Washington's October 3, 2013, opinion in *Swinomish Indian Tribal Community v. Washington State Department of Ecology* are consistent with legislative intent and specifically authorized to be maintained and implemented by the department.

(2) This section does not:

(a) Apply to the amended rule at issue in the supreme court of Washington's October 3, 2013, opinion in *Swinomish Indian Tribal Community v. Washington State Department of Ecology*; or

(b) Alter or affect the department's authority to adopt, amend, or repeal rules establishing minimum instream levels and flows. However, the department may not amend a rule affected by this section to increase the reservations of water for certain future uses."

Correct the title.

Do pass as amended. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt and Schmick.

Passed to Committee on Rules for second reading.

April 1, 2015

ESB 5524 Prime Sponsor, Senator Sheldon: Enhancing the employment of persons with disabilities. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SSB 5538 Prime Sponsor, Committee on Financial Institutions & Insurance: Concerning procedures and requirements relating to the death of a tenant. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9123.** RCW 59.18.030 and 2012 c 41 s 2 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Certificate of inspection" means an unsworn statement, declaration, verification, or certificate made in accordance with the requirements of RCW 9A.72.085 by a qualified inspector that states that the landlord has not failed to fulfill any substantial obligation imposed under RCW 59.18.060 that endangers or impairs the health or safety of a tenant, including (a) structural members that are of insufficient size or strength to carry imposed loads with safety, (b) exposure of the occupants to the weather, (c) plumbing and sanitation defects that directly expose the occupants to the risk of illness or injury, (d) not providing facilities adequate to supply heat and water and hot water as reasonably required by the tenant, (e) providing heating or ventilation systems that are not functional or are hazardous, (f) defective, hazardous, or missing electrical wiring or electrical service, (g) defective or hazardous exits that increase the risk of injury to occupants, and (h) conditions that increase the risk of fire.

(2) "Distressed home" has the same meaning as in RCW 61.34.020.

(3) "Distressed home conveyance" has the same meaning as in RCW 61.34.020.

(4) "Distressed home purchaser" has the same meaning as in RCW 61.34.020.

(5) "Dwelling unit" is a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences and units of multiplexes, apartment buildings, and mobile homes.

(6) "Gang" means a group that: (a) Consists of three or more persons; (b) has identifiable leadership or an identifiable name, sign, or symbol; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

(7) "Gang-related activity" means any activity that occurs within the gang or advances a gang purpose.

(8) "In danger of foreclosure" means any of the following:

(a) The homeowner has defaulted on the mortgage and, under the terms of the mortgage, the mortgagee has the right to accelerate full payment of the mortgage and repossess, sell, or cause to be sold the property;

(b) The homeowner is at least thirty days delinquent on any loan that is secured by the property; or

(c) The homeowner has a good faith belief that he or she is likely to default on the mortgage within the upcoming four months due to a lack of funds, and the homeowner has reported this belief to:

(i) The mortgagee;

(ii) A person licensed or required to be licensed under chapter 19.134 RCW;

(iii) A person licensed or required to be licensed under chapter 19.146 RCW;

(iv) A person licensed or required to be licensed under chapter 18.85 RCW;

(v) An attorney-at-law;

(vi) A mortgage counselor or other credit counselor licensed or certified by any federal, state, or local agency; or

(vii) Any other party to a distressed property conveyance.

(9) "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and in addition means any person designated as representative of the owner, lessor, or sublessor including, but not limited to, an agent, a resident manager, or a designated property manager.

(10) "Mortgage" is used in the general sense and includes all instruments, including deeds of trust, that are used to secure an obligation by an interest in real property.

(11) "Owner" means one or more persons, jointly or severally, in whom is vested:

(a) All or any part of the legal title to property; or

(b) All or part of the beneficial ownership, and a right to present use and enjoyment of the property.

(12) "Person" means an individual, group of individuals, corporation, government, or governmental agency, business trust, estate, trust, partnership, or association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(13) "Premises" means a dwelling unit, appurtenances thereto, grounds, and facilities held out for the use of tenants generally and any other area or facility which is held out for use by the tenant.

(14) "Property" or "rental property" means all dwelling units on a contiguous quantity of land managed by the same landlord as a single, rental complex.

(15) "Prospective landlord" means a landlord or a person who advertises, solicits, offers, or otherwise holds a dwelling unit out as available for rent.

(16) "Prospective tenant" means a tenant or a person who has applied for residential housing that is governed under this chapter.

(17) "Qualified inspector" means a United States department of housing and urban development certified inspector; a Washington state licensed home inspector; an American society of home inspectors certified inspector; a private inspector certified by the

national association of housing and redevelopment officials, the American association of code enforcement, or other comparable professional association as approved by the local municipality; a municipal code enforcement officer; a Washington licensed structural engineer; or a Washington licensed architect.

(18) "Reasonable attorneys' fees," where authorized in this chapter, means an amount to be determined including the following factors: The time and labor required, the novelty and difficulty of the questions involved, the skill requisite to perform the legal service properly, the fee customarily charged in the locality for similar legal services, the amount involved and the results obtained, and the experience, reputation and ability of the lawyer or lawyers performing the services.

(19) "Rental agreement" means all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.

(20) A "single-family residence" is a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it shall be deemed a single-family residence if it has direct access to a street and shares neither heating facilities nor hot water equipment, nor any other essential facility or service, with any other dwelling unit.

(21) A "tenant" is any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement.

(22) "Tenant screening" means using a consumer report or other information about a prospective tenant in deciding whether to make or accept an offer for residential rental property to or from a prospective tenant.

(23) "Tenant screening report" means a consumer report as defined in RCW 19.182.010 and any other information collected by a tenant screening service.

(24) "Commercially reasonable manner," with respect to a sale of a deceased tenant's personal property, means a sale where every aspect of the sale, including the method, manner, time, place, and other terms, must be commercially reasonable. If commercially reasonable, a landlord may sell the tenant's property by public or private proceedings, by one or more contracts, as a unit or in parcels, and at any time and place and on any terms.

(25) "Designated person" means a person designated by the tenant under section 2 of this act.

(26) "Reasonable manner," with respect to disposing of a deceased tenant's personal property, means to dispose of the property by donation to a not-for-profit charitable organization, by removal of the property by a trash hauler or recycler, or by any other method that is reasonable under the circumstances.

(27) "Tenant representative" means:

(a) A personal representative of a deceased tenant's estate if known to the landlord;

(b) If the landlord has no knowledge that a personal representative has been appointed for the deceased tenant's estate, a person claiming to be a successor of the deceased tenant who has provided the landlord with proof of death and an affidavit made by the person that meets the requirements of RCW 11.62.010(2);

(c) In the absence of a personal representative under (a) of this subsection or a person claiming to be a successor under (b) of this subsection, a designated person; or

(d) In the absence of a personal representative under (a) of this subsection, a person claiming to be a successor under (b) of this subsection, or a designated person under (c) of this subsection, any person who provides the landlord with reasonable evidence that he or she is a successor of the deceased tenant as defined in RCW 11.62.005. The landlord has no obligation to identify all of the deceased tenant's successors.

NEW SECTION. **Sec. 9124.** A new section is added to chapter 59.18 RCW to read as follows:

(1)(a) At a landlord's request, the tenant may designate a person to act for the tenant on the tenant's death when the tenant is the sole occupant of the dwelling unit.

(b) Any designation must be in writing, be separate from the rental agreement, and include:

(i) The designated person's name, mailing address, any address used for the receipt of electronic communications, and telephone number;

(ii) A signed statement authorizing the landlord in the event of the tenant's death when the tenant is the sole occupant of the dwelling unit to allow the designated person to: access the tenant's dwelling unit, remove the tenant's property, receive refunds of amounts due to the tenant, and dispose of the tenant's property consistent with the tenant's last will and testament and any applicable intestate succession law; and

(iii) A conspicuous statement that the designation remains in effect until it is revoked in writing by the tenant or replaced with a new designation.

(2) A tenant may, without request from the landlord, designate a person to act for the tenant on the tenant's death when the tenant is the sole occupant of the dwelling unit by providing the landlord with the information and signing a statement as provided in subsection (1) of this section.

(3) The tenant may change the designated person or revoke any previous designation in writing at any time prior to his or her death.

(4) Once the landlord or the designated person knows of the appointment of a personal representative for the deceased tenant's estate or of a person claiming to be a successor of the deceased tenant who has provided the landlord with proof of death and an affidavit made by the person that meets the requirements of RCW 11.62.010(2), the designated person's authority to act under this section terminates.

NEW SECTION. **Sec. 9125.** A new section is added to chapter 59.18 RCW to read as follows:

(1) In the event of the death of a tenant who is the sole occupant of the dwelling unit:

(a) The landlord must mail or personally deliver written notice to any known personal representative, known designated person, emergency contact identified by the tenant on the rental application, known person reasonably believed to be a successor of the tenant as defined in RCW 11.62.005, and to the deceased tenant at the address of the dwelling unit. If the landlord knows of any address used for the receipt of electronic communications, the landlord must email the notice to that address as well. The notice must include:

(i) The name of the deceased tenant and address of the dwelling unit;

(ii) The approximate date of the deceased tenant's death;

(iii) The rental amount and date through which rent is paid;

(iv) A statement that the tenancy will terminate fifteen days from the date the notice is mailed or personally delivered or the date through which rent is paid, whichever comes later, unless during that time period a tenant representative makes arrangements with the landlord to pay rent in advance for no more than sixty days from the date of the tenant's death to allow a tenant representative to arrange for orderly removal of the tenant's property. At the end of the period for which the rent has been paid pursuant to this subsection, the tenancy ends;

(v) A statement that failure to remove the tenant's property before the tenancy is terminated or ends as provided in (a)(iv) of this subsection will allow the landlord to enter the dwelling unit and take possession of any property found on the premises, store it in a reasonably secure place, and charge the actual or reasonable costs, whichever is less, of drayage and storage of the property, and after service of a second forty-five day notice sell or dispose of the property as provided in subsection (2) of this section; and

(vi) A copy of any designation executed by the tenant pursuant to section 2 of this act;

(b) The landlord shall turn over possession of the tenant's property to a tenant representative if a request is made in writing within the specified time period or any subsequent date agreed to by the parties;

(c) Within fourteen days after the removal of the property by the tenant representative, the landlord shall refund any unearned rent and shall give a full and specific statement of the basis for retaining any deposit together with the payment of any refund due the deceased tenant under the terms and conditions of the rental agreement to the tenant representative; and

(d) Any tenant representative who removes property from the tenant's dwelling unit or the premises must, at the time of removal, provide to the landlord an inventory of the removed property and signed acknowledgment that he or she has only been given possession and not ownership of the property.

(2) If the landlord places the property in storage pursuant to subsection (1)(a) of this section, the landlord must mail a second written notice to any known personal representative, known designated person, emergency contact identified by the tenant on the rental application, known person reasonably believed to be a successor of the tenant as defined in RCW 11.62.005, and to the deceased tenant at the dwelling unit. The second notice must state that the landlord may sell or dispose of the property on or after a specified date that is at least forty-five days after the second notice is mailed if a tenant representative does not claim and remove the property in accordance with this subsection.

(a) The landlord shall turn over possession of the tenant's property to a tenant representative if a written request is made within forty-five days after the second notice is mailed, provided the tenant representative: (i) pays the actual or reasonable costs, whichever is less, of drayage and storage of the property; and (ii) gives the landlord an inventory of the property and signs an acknowledgment that he or she has only been given possession and not ownership of the property.

(b) Within fourteen days after the removal of the property by the tenant representative, the landlord shall refund any unearned rent and shall give a full and specific statement of the basis for retaining any deposit together with the payment of any refund due the deceased tenant under the terms and conditions of the rental agreement to the tenant representative.

(c) If the landlord is not contacted within the forty-five day notice period by a tenant representative entitled to remove the property under this section, the landlord may sell or dispose of the deceased tenant's property, except for personal papers and personal photographs, as provided in this subsection.

(i) If the landlord reasonably estimates the fair market value of the stored property to be more than one thousand dollars, the landlord shall arrange to sell the property in a commercially reasonable manner and may dispose of any property that remains unsold in a reasonable manner.

(ii) If the value of the stored property does not meet the threshold provided in (c)(i) of this subsection, the landlord may dispose of the property in a reasonable manner.

(iii) The landlord may apply any income derived from the sale of the property pursuant to this section against any costs of sale and moneys due the landlord, including actual or reasonable costs, whichever is less, of drayage and storage of the deceased tenant's property. Any excess income derived from the sale of such property under this section must be held by the landlord for a period of one year from the date of sale, and if no claim is made for recovery of the excess income before the expiration of that one-year period, the balance must be treated as abandoned property and deposited by the landlord with the department of revenue pursuant to chapter 63.29 RCW.

(d) Personal papers and personal photographs that are not claimed by a tenant representative within ninety days after a sale or other disposition of the deceased tenant's other property shall be either destroyed or held for the benefit of any successor of the deceased tenant as defined in RCW 11.62.005.

(e) No landlord or employee of a landlord, or his or her family members, may acquire, directly or indirectly, the property sold pursuant to (c)(i) of this subsection or disposed of pursuant to (c)(ii) of this subsection.

(3) Upon learning of the death of the tenant, the landlord may enter the deceased tenant's dwelling unit and immediately dispose of any perishable food, hazardous materials, and garbage found on the premises and turn over animals to a tenant representative or to an animal control officer, humane society, or other individual or organization willing to care for the animals.

(4) Any notices sent by the landlord under this section must include a mailing address, any address used for the receipt of electronic communications, and a telephone number of the landlord.

(5) If a landlord knowingly violates this section, the landlord is liable to the deceased tenant's estate for actual damages. The prevailing party in any action pursuant to this subsection may recover costs and reasonable attorneys' fees.

(6) A landlord who complies with this section is relieved from any liability relating to the deceased tenant's property.

Sec. 9126. RCW 59.18.310 and 2011 c 132 s 16 are each amended to read as follows:

(1) If the tenant defaults in the payment of rent and reasonably indicates by words or actions the intention not to resume tenancy, the tenant shall be liable for the following for such abandonment: PROVIDED, That upon learning of such abandonment of the premises the landlord shall make a reasonable effort to mitigate the damages resulting from such abandonment:

(((1))) (a) When the tenancy is month-to-month, the tenant shall be liable for the rent for the thirty days following either the date the landlord learns of the abandonment, or the date the next regular rental payment would have become due, whichever first occurs.

(((2))) (b) When the tenancy is for a term greater than month-to-month, the tenant shall be liable for the lesser of the following:

(((a))) (i) The entire rent due for the remainder of the term; or

(((b))) (ii) All rent accrued during the period reasonably necessary to rerent the premises at a fair rental, plus the difference between such fair rental and the rent agreed to in the prior agreement, plus actual costs incurred by the landlord in rerenting the premises together with statutory court costs and reasonable attorneys' fees.

(2) In the event of such abandonment of tenancy and an accompanying default in the payment of rent by the tenant, the landlord may immediately enter and take possession of any property of the tenant found on the premises and may store the same in any reasonably secure place. A landlord shall make reasonable efforts to provide the tenant with a notice containing the name and address of the landlord and the place where the property is stored and informing the tenant that a sale or disposition of the property shall take place pursuant to this section, and the date of the sale or disposal, and further informing the tenant of the right under RCW 59.18.230 to have the property returned prior to its sale or disposal. The landlord's efforts at notice under this subsection shall be satisfied by the mailing by first-class mail, postage prepaid, of such notice to the tenant's last known address and to any other address provided in writing by the tenant or actually known to the landlord where the tenant might receive the notice. The landlord shall return the property to the tenant after the tenant has paid the actual or reasonable drayage and storage costs whichever is less if the tenant makes a written request for the return of the property before the landlord has sold or disposed of the property. After forty-five days from the date the notice of such sale or disposal is mailed or

personally delivered to the tenant, the landlord may sell or dispose of such property, including personal papers, family pictures, and keepsakes. The landlord may apply any income derived therefrom against moneys due the landlord, including actual or reasonable costs whichever is less of drayage and storage of the property. If the property has a cumulative value of two hundred fifty dollars or less, the landlord may sell or dispose of the property in the manner provided in this section, except for personal papers, family pictures, and keepsakes, after seven days from the date the notice of sale or disposal is mailed or personally delivered to the tenant: PROVIDED, That the landlord shall make reasonable efforts, as defined in this section, to notify the tenant. Any excess income derived from the sale of such property under this section shall be held by the landlord for the benefit of the tenant for a period of one year from the date of sale, and if no claim is made or action commenced by the tenant for the recovery thereof prior to the expiration of that period of time, the balance shall be the property of the landlord, including any interest paid on the income.

(3) This section does not apply to the disposition of property of a deceased tenant. Section 3 of this act governs the disposition of property on the death of a tenant when the tenant is the sole occupant of the dwelling unit."

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Hansen; Kirby; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler and Klippert.

Passed to Committee on Rules for second reading.

March 31, 2015

E2SSB 5564 Prime Sponsor, Committee on Ways & Means: Concerning the sealing of juvenile records and fines imposed in juvenile cases. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5587 Prime Sponsor, Senator Becker: Authorizing funding and expenditures for the hosting of the annual conference of the national association of state treasurers. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

ESSB 5607 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning the complaint procedure for the modification or termination of guardianship. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9127.** RCW 11.88.120 and 1991 c 289 s 7 are each amended to read as follows:

(1) At any time after establishment of a guardianship or appointment of a guardian, the court may, upon the death of the guardian or limited guardian, or, for other good reason, modify or terminate the guardianship or replace the guardian or limited guardian((.

~~(2) Any person, including an incapacitated person, may apply to the court for an order to modify or terminate a guardianship or to replace a guardian or limited guardian. If applicants are represented by counsel, counsel shall move for an order to show cause why the relief requested should not be granted. If applicants are not represented by counsel, they may move for an order to show cause, or they may deliver a written request to the clerk of the court.~~

~~(3) By the next judicial day after receipt of an unrepresented person's request to modify or terminate a guardianship order, or to replace a guardian or limited guardian, the clerk shall deliver the request to the court. The court may (a) direct the clerk to schedule a hearing, (b) appoint a guardian ad litem to investigate the issues raised by the application or to take any emergency action the court deems necessary to protect the incapacitated person until a hearing can be held, or (c) deny the application without scheduling a hearing, if it appears based on documents in the court file that the application is frivolous. Any denial of an application without a hearing shall be in writing with the reasons for the denial explained. A copy of the order shall be mailed by the clerk to the applicant, to the guardian, and to any other person entitled to receive notice of proceedings in the matter. Unless within thirty days after receiving the request from the clerk the court directs otherwise, the clerk shall schedule a hearing on the request and mail notice to the guardian, the incapacitated person, the applicant, all counsel of record, and any other person entitled to receive notice of proceedings in the matter.~~

~~(4) In a hearing on an application to modify or terminate a guardianship, or to replace a guardian or limited guardian, the court may grant such relief as it deems just and in the best interest of the incapacitated person.~~

~~(5)~~)) or modify the authority of a guardian or limited guardian. Such action may be taken based on the court's own motion, based on a motion by an attorney for a person or entity, based on a motion of a person or entity representing themselves, or based on a written complaint, as described in this section. The court may grant relief under this section as it deems just and in the best interest of the incapacitated person. For any hearing to modify or terminate a guardianship, the incapacitated person shall be given reasonable notice of the hearing and of the incapacitated person's right to be represented at the hearing by counsel of his or her own choosing.

(2)(a) An unrepresented person or entity may submit a complaint to the court. Complaints must be addressed to one of the following designees of the court: The clerk of the court having jurisdiction in the guardianship, the court administrator, or the guardianship monitoring program, and must identify the complainant and the incapacitated person who is the subject of the guardianship. The complaint must also provide the complainant's address, the case number (if available), and the address of the incapacitated person (if available). The complaint must state facts to support the claim.

(b) By the next judicial day after receipt of a complaint from an unrepresented person, the court's designee must ensure the original complaint is filed and deliver the complaint to the court.

(c) Within fourteen days of being presented with a complaint, the court must enter an order to do one or more of the following actions:

(i) To show cause, with fourteen days' notice, directing the guardian to appear at a hearing set by the court in order to respond to the complaint;

(ii) To appoint a guardian ad litem to investigate the issues raised by the complaint or to take any emergency action the court deems necessary to protect the incapacitated person until a hearing can be held;

(iii) To dismiss the complaint without scheduling a hearing, if it appears to the court that the complaint: Is without merit on its face; is filed in other than good faith; is filed for an improper purpose; regards issues that have already been adjudicated; or is frivolous. In making a determination, the court may review the matter and consider previous behavior of the complainant that is documented in the guardianship record;

(iv) To direct the guardian to provide, in not less than fourteen days, a written report to the court on the issues raised in the complaint;

(v) To defer consideration of the complaint until the next regularly scheduled hearing in the guardianship, if the date of that hearing is within the next three months, provided that there is no indication that the incapacitated person will suffer physical, emotional, financial, or other harm as a result of the court's deferral of consideration;

(vi) To order other action, in the court's discretion, in addition to doing one or more of the actions set out in this subsection.

(d) If after consideration of the complaint, the court believes that the complaint is made without justification or for reason to harass or delay or with malice or other bad faith, the court has the power to levy necessary sanctions, including but not limited to the imposition of reasonable attorney fees, costs, fees, striking pleadings, or other appropriate relief.

(3) The court may order persons who have been removed as guardians to deliver any property or records belonging to the incapacitated person in accordance with the court's order. Similarly, when guardians have died or been removed and property or records of an incapacitated person are being held by any other person, the court may order that person to deliver it in accordance with the court's order. Disobedience of an order to deliver shall be punishable as contempt of court.

(4) The administrative office of the courts must develop and prepare in consultation with interested persons, a model form for the complaint described in subsection (2)(a) of this section and a model form for the order that must be issued by the court under subsection (2)(c) of this section.

(5) The board may send a grievance it has received regarding an active guardian case to the court's designee with a request that the court review the grievance and take any action the court deems necessary. This type of request from the board must be treated as a complaint under this section and the person who sent the complaint must be treated as the complainant. The court must direct the clerk to transmit a copy of its order to the board. The board must consider the court order when taking any further action and note the court order in any final determination.

(6) In any court action under this section that involves a professional guardian, the court must direct the clerk of the court to send a copy of the order entered under this section to the board.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Board" means the certified professional guardianship board.

(b) "Complaint" means a written submission by an unrepresented person or entity, who is referred to as the complainant."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Haler and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representatives Rodne, Ranking Minority Member; Muri and Stokesbary.

Passed to Committee on Rules for second reading.

March 31, 2015

SSB 5631 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9128.** RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each amended to read as follows:

(1) The legislature finds that domestic violence is an issue of ((~~growing~~)) serious concern at all levels of society and government and that there is a ((~~present and growing~~)) pressing need ((~~to develop~~)) for innovative strategies to address and prevent domestic violence and to strengthen services which will ameliorate and reduce the trauma of domestic violence and enhance survivors' resiliency and autonomy. ((~~Research findings show that domestic violence constitutes a significant percentage of homicides, aggravated assaults, and assaults and batteries in the United States. Domestic violence is a disruptive influence on personal and community life and is often interrelated with a number of other family problems and stresses.~~))

(2) The legislature finds that there are a wide range of consequences to domestic violence, including deaths, injuries, hospitalizations, homelessness, employment problems, property damage, and lifelong physical and psychological impacts on victims and their children. These impacts also affect victims' friends and families, neighbors, employers, landlords, law enforcement, the courts, the health care system, and Washington state and society as a whole. Advocacy and shelters for victims of domestic violence are essential to provide ((~~protection~~)) support to victims ((~~from~~)) in preventing further abuse ((~~and physical harm~~)) and to help ((~~the victim find~~)) victims assess and plan for their immediate and longer term safety, including finding long-range alternative living situations, if requested. ((~~Shelters provide safety, refuge, advocacy, and helping resources to victims who may not have access to such things if they remain in abusive situations.~~

~~The legislature therefore recognizes the need for the statewide development and expansion of shelters for victims of domestic violence.~~))

(3) Thus, it is the intent of the legislature to:

(a) Provide for a statewide network of supportive services, emergency shelter services, and advocacy for victims of domestic violence and their dependents;

(b) Provide for culturally relevant and appropriate services for victims of domestic violence and their children from populations that have been traditionally unserved or underserved;

(c) Provide for a statewide domestic violence information and referral resource;

(d) Assist communities in efforts to increase public awareness about, and primary and secondary prevention of domestic violence;

(e) Provide for the collection, analysis, and dissemination of current information related to emerging issues and model and promising practices related to preventing and intervening in situations involving domestic violence; and

(f) Provide for ongoing training and technical assistance for individuals working with victims in community-based domestic violence programs and other persons seeking such training and technical assistance.

Sec. 9129. RCW 70.123.020 and 2008 c 6 s 303 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Shelter" means ((~~a place of temporary refuge, offered on a twenty-four hour, seven day per week basis~~)) temporary lodging and supportive services, offered by community-based domestic violence programs to victims of domestic violence and their children.

(2) "Domestic violence" ((~~is~~)) means the infliction or threat of physical harm against an intimate partner, and includes physical, sexual, and psychological abuse against the partner, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner. It may include, but is not limited to, a categorization of offenses, as defined in RCW 10.99.020, committed by one ((~~cohabitant~~)) intimate partner against another.

(3) "Department" means the department of social and health services.

(4) "Victim" means ((~~a cohabitant~~)) an intimate partner who has been subjected to domestic violence.

(5) "((~~Cohabitant~~)) Intimate partner" means a person who is or was married, in a state registered domestic partnership, or ((~~cohabiting with another person~~)) in an intimate or dating relationship with another person at the present or at sometime in the past. Any person who has one or more children in common with another person, regardless of whether they have been married, in a domestic partnership with each other, or lived together at any time, shall be treated as ((~~a cohabitant~~)) an intimate partner.

(6) "Community advocate" means a person employed or supervised by a ((~~local~~)) community-based domestic violence program who is trained to provide ongoing assistance ((~~to~~)) and advocacy for victims of domestic violence in assessing and planning for safety needs, ((~~documenting the incidents and the extent of violence for possible use in the legal system,~~)) making appropriate social service, legal, and housing referrals, ((~~and developing protocols and~~)) providing community education, maintaining ((~~ongoing~~)) contacts necessary for prevention efforts, and developing protocols for local systems coordination.

(7) "Domestic violence program" means an agency ((~~that provides shelter, advocacy, and counseling for domestic violence victims in a supportive environment~~)), organization, or program with a primary purpose and a history of effective work in providing advocacy, safety assessment and planning, and self-help services for domestic violence in a supportive environment, and includes, but is not limited to, a community-based domestic violence program, emergency shelter, or domestic violence transitional housing program.

(8) "Legal advocate" means a person employed by a domestic violence program or court system to advocate for victims of domestic violence, within the criminal and civil justice systems, by attending court proceedings, assisting in document and case preparation, and ensuring linkage with the community advocate.

(9) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

(10) "Community-based domestic violence program" means a nonprofit program or organization that provides, as its primary purpose, assistance and advocacy for domestic violence victims. Domestic violence assistance and advocacy includes crisis intervention, individual and group support, information and referrals, and safety assessment and planning. Domestic violence assistance and advocacy may also include, but is not limited to: Provision of shelter, emergency transportation, self-help services, culturally specific services, legal advocacy, economic advocacy, community education, primary and secondary prevention efforts, and accompaniment and advocacy through medical, legal, immigration, human services, and financial assistance systems. Domestic violence programs that are under the auspices of, or the direct supervision of, a court, law enforcement or prosecution agency, or the child protective services section of the department as defined in RCW 26.44.020, are not considered community-based domestic violence programs.

(11) "Emergency shelter" means a place of supportive services and safe, temporary lodging offered on a twenty-four hour, seven-day per week basis to victims of domestic violence and their children.

(12) "Domestic violence coalition" means a statewide nonprofit domestic violence organization that has a membership that includes the majority of the primary purpose, community-based domestic violence programs in the state, has board membership that is representative of community-based, primary purpose domestic violence programs, and has as its purpose to provide education, support, and technical assistance to such community-based, primary purpose domestic violence programs and to assist the programs in providing shelter, advocacy, supportive services, and prevention efforts for victims of domestic violence and dating violence and their dependents.

Sec. 9130. RCW 70.123.030 and 2005 c 374 s 4 are each amended to read as follows:

The department of social and health services, in consultation with ((~~the state department of health, and individuals or groups having experience and knowledge of the problems of victims of domestic violence~~)) relevant state departments, the domestic violence coalition, and individuals or groups having experience and knowledge of the prevention of, and the problems facing victims of domestic violence, including those with experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, shall:

(1) Develop and maintain a plan for delivering domestic violence victim services, prevention efforts, and access to emergency shelter across the state. In developing the plan under this section, the department shall consider the distribution of community-based domestic violence programs and emergency shelter programs in a particular geographic area, population density, and specific population needs, including the needs in rural and urban areas, the availability and existence of domestic violence outreach and prevention activities, and the need for culturally and linguistically appropriate services. The department shall also develop and maintain a plan for providing a statewide toll-free information and referral hotline or other statewide accessible information and referral service for victims of domestic violence;

(2) Establish minimum standards for ((~~shelters~~)) community-based domestic violence programs, emergency shelter programs, programs providing culturally or linguistically specific services, programs providing prevention and intervention services to children or youth, and programs conducting domestic violence outreach and prevention activities applying for grants from the department under this chapter((~~. Classifications may be made dependent upon size, geographic location, and population needs~~));

(((~~(2)~~))) (3) Receive grant applications for the development and establishment of ((~~shelters for victims of domestic violence~~)) community-based domestic violence programs, emergency shelter programs, and culturally or linguistically specific services for victims of domestic violence, programs providing prevention and intervention services to children who have been exposed to domestic violence or youth who have been victims of dating violence, and programs conducting domestic violence outreach and prevention activities;

(((~~(3)~~))) (4) Distribute funds((~~, within forty-five days after approval,~~)) to those ((~~shelters~~)) community-based domestic violence programs, emergency shelter programs, programs providing culturally or linguistically specific services, programs providing prevention and intervention services to children or youth, and programs conducting domestic violence outreach and prevention activities meeting departmental standards;

(((~~(4)~~))) (5) Evaluate biennially each ((~~shelter~~)) community-based domestic violence program, emergency shelter program, program providing culturally or linguistically specific services, program providing prevention and intervention services to children or youth, and program conducting domestic violence outreach and prevention activities receiving departmental funds for compliance with the established minimum standards;

(((~~(5)~~))) (6) Review the minimum standards each biennium to ensure applicability to community and client needs; ((~~and (6)~~)) (7) Administer funds available from the domestic violence prevention account under RCW 70.123.150 ((~~and establish minimum standards for preventive, nonshelter community-based services receiving funds administered by the department. Preventive, nonshelter community-based services include services for victims of domestic violence from communities that have been traditionally underserved or unserved and services for children who have witnessed domestic violence~~)) to provide for:

(a) Culturally specific prevention efforts and culturally appropriate community-based domestic violence services for victims of domestic violence from populations that have been traditionally underserved or unserved;

(b) Age appropriate prevention and intervention services for children who have been exposed to domestic violence or youth who have been victims of dating violence; and

(c) Outreach and education efforts by community-based domestic violence programs designed to increase public awareness about, and primary and secondary prevention of, domestic and dating violence; and

(8) Receive applications from, and award grants or issue contracts to, eligible nonprofit groups or organizations with experience and expertise in the field of domestic violence and a statewide perspective for:

(a) Providing resources, ongoing training opportunities, and technical assistance relating to domestic violence for community-based domestic violence programs across the state to develop effective means for preventing domestic violence and providing effective and supportive services and interventions for victims of domestic violence;

(b) Providing resource information, technical assistance, and collaborating to develop model policies and protocols to improve the capacity of individuals, governmental entities, and communities to prevent domestic violence and to provide effective, supportive services and interventions to address domestic violence; and

(c) Providing opportunities to persons working in the area of domestic violence to exchange information and resources.

Sec. 9131. RCW 70.123.040 and 2006 c 259 s 3 are each amended to read as follows:

(1) The department shall establish minimum standards that ensure that community-based domestic violence programs provide client-centered advocacy and services designed to enhance immediate and longer term safety, victim autonomy, and security by means such as, but not limited to, safety assessment and planning, information and referral, legal advocacy, culturally and linguistically appropriate services, access to shelter, and client confidentiality.

(2) Minimum standards established by the department under RCW 70.123.030 shall ensure that emergency shelter((~~s~~)) programs receiving grants under this chapter provide services meeting basic survival needs, where not provided by other means, such as, but not limited to, food, clothing, housing, ((~~safety,~~)) emergency transportation, child care assistance, safety assessment and planning, and security((~~, client advocacy, client confidentiality, and counseling~~)). Emergency shelters receiving grants under this chapter shall also provide client-centered advocacy and services designed to enhance client autonomy, client confidentiality, and immediate and longer term safety. These services shall be problem-oriented and designed to provide necessary assistance to the victims of domestic violence and their children.

(((~~(2) The department shall establish minimum standards that ensure that nonshelter community-based services for victims of domestic violence funded under RCW 70.123.150 provide services designed to enhance safety and security by means such as, but not limited to, client advocacy, client confidentiality, and counseling.~~)))

(3) In establishing minimum standards for programs providing culturally relevant prevention efforts and culturally appropriate services, priority for funding must be given to agencies or organizations that have a demonstrated history and expertise of serving domestic violence victims from the relevant populations that have traditionally been underserved or unserved.

(4) In establishing minimum standards for age appropriate prevention and intervention services for children who have been exposed to domestic violence, or youth who have been victims of dating violence, priority for funding must be given to programs with a documented history of effective work in providing advocacy and services to victims of domestic violence or dating violence, or an agency with a demonstrated history of effective work with children and youth partnered with a domestic violence program.

Sec. 9132. RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended to read as follows:

((~~Shelters~~)) (1) Community-based domestic violence programs receiving state funds under this chapter shall:

(a) Provide a location to assist victims of domestic violence who have a need for community advocacy or support services;

(b) Make available confidential services, advocacy, and prevention programs to victims of domestic violence and to their children within available resources;

(c) Require that persons employed by or volunteering services for a community-based domestic violence program protect the confidentiality and privacy of domestic violence victims and their families in accordance with this chapter and RCW 5.60.060(8);

(d) Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to recruit staff and volunteers from relevant communities to provide culturally and linguistically appropriate services;

(e) Ensure that all employees or volunteers providing intervention or prevention programming to domestic violence victims or their children have completed or will complete sufficient training in connection with domestic violence; and

(f) Refrain from engaging in activities that compromise the safety of victims or their children.

(2) Emergency shelter programs receiving state funds under this chapter shall:

(((~~(1) Make available~~)) (a) Provide intake for and access to safe shelter services to any person who is a victim of domestic violence and to that person's children, within available resources. Priority for

emergency shelter shall be made for victims who are in immediate risk of harm or imminent danger from domestic violence;

(((~~(2) Encourage victims, with the financial means to do so, to reimburse the shelter for the services provided;~~

~~(3)~~)) (b) Require that persons employed by or volunteering services for an emergency shelter protect the confidentiality and privacy of domestic violence victims and their families in accordance with this chapter and RCW 5.60.060(8);

(c) Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to ((~~provide bilingual services~~)) recruit staff and volunteers from relevant communities to provide culturally and linguistically appropriate services;

(((~~(4) Provide prevention and treatment programs to victims of domestic violence, their children and, where possible, the abuser;~~

~~(5) Provide a day program or drop-in center to assist victims of domestic violence who have found other shelter but who have a need for support services.~~)) (d) Ensure that all employees or volunteers providing intervention or prevention programming to domestic violence victims or their children have completed or will complete sufficient training in connection with domestic violence; and

(e) Refrain from engaging in activities that compromise the safety of victims or their children.

Sec. 9133. RCW 70.123.075 and 1994 c 233 s 1 are each amended to read as follows:

(1) Client records maintained by domestic violence programs shall not be subject to discovery in any judicial proceeding unless:

(a) A written pretrial motion is made to a court stating that discovery is requested of the client's domestic violence records;

(b) The written motion is accompanied by an affidavit or affidavits setting forth specifically the reasons why discovery is requested of the domestic violence program's records;

(c) The court reviews the domestic violence program's records in camera to determine whether the domestic violence program's records are relevant and whether the probative value of the records is outweighed by the victim's privacy interest in the confidentiality of such records, taking into account the further trauma that may be inflicted upon the victim or the victim's children by the disclosure of the records; and

(d) The court enters an order stating whether the records or any part of the records are discoverable and setting forth the basis for the court's findings. The court shall further order that the parties are prohibited from further dissemination of the records or parts of the records that are discoverable, and that any portion of any domestic violence program records included in the court file be sealed.

(2) For purposes of this section, "domestic violence program" means a program that provides shelter, advocacy, or counseling services for domestic violence victims.

(3) Disclosure of domestic violence program records is not a waiver of the victim's rights or privileges under statutes, rules of evidence, or common law.

(4) If disclosure of a victim's records is required by court order, the domestic violence program shall make reasonable attempts to provide notice to the recipient affected by the disclosure, and shall take steps necessary to protect the privacy and safety of the persons affected by the disclosure of the information.

Sec. 9134. RCW 70.123.080 and 1979 ex.s. c 245 s 8 are each amended to read as follows:

The department shall consult in all phases with key stakeholders in the implementation of this chapter, including relevant state departments, the domestic violence coalition, individuals or groups who have experience providing culturally appropriate services to populations that have traditionally been underserved or unserved, and other persons and organizations having experience and expertise in the field of domestic violence.

Sec. 9135. RCW 70.123.090 and 1979 ex.s. c 245 s 9 are each amended to read as follows:

The department is authorized, under this chapter and the rules adopted to effectuate its purposes, to make available grants awarded on a contract basis to public or private nonprofit agencies, organizations, or individuals providing community-based domestic violence services, emergency shelter services, domestic violence hotline or information and referral services, and prevention efforts meeting minimum standards established by the department. Consideration as to need, geographic location, population ratios, the needs of specific underserved and cultural populations, and the extent of existing services shall be made in the award of grants. The department shall provide ((~~technical assistance~~)) consultation to any nonprofit organization desiring to apply for the contracts if the organization does not possess the resources and expertise necessary to develop and transmit an application without assistance.

Sec. 9136. RCW 70.123.110 and 2011 1st sp.s. c 36 s 16 are each amended to read as follows:

Aged, blind, or disabled assistance benefits, essential needs and housing support benefits, pregnant women assistance benefits, or temporary assistance for needy families payments shall be made to otherwise eligible individuals who are residing in a secure shelter, a housing network, an emergency shelter, or other shelter facility which provides shelter services to persons who are victims of domestic violence. Provisions shall be made by the department for the confidentiality of the shelter addresses where victims are residing.

Sec. 9137. RCW 70.123.150 and 2005 c 374 s 3 are each amended to read as follows:

The domestic violence prevention account is created in the state treasury. All receipts from fees imposed for deposit in the domestic violence prevention account under RCW 36.18.016 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for funding ((~~nonshelter community-based services for victims of domestic violence~~)) the following:

(1) Culturally specific prevention efforts and culturally appropriate community-based domestic violence services for victims of domestic violence from populations that have been traditionally underserved or unserved;

(2) Age appropriate prevention and intervention services for children who have been exposed to domestic violence or youth who have been victims of dating violence; and

(3) Outreach and education efforts by community-based domestic violence programs designed to increase public awareness about, and primary and secondary prevention of, domestic and dating violence.

Sec. 9138. RCW 36.18.016 and 2009 c 417 s 2 are each amended to read as follows:

(1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of ((~~thirty~~)) fifty-four dollars. The clerk of the superior court shall transmit monthly ((~~twenty-four~~)) forty-eight dollars of the ((~~thirty~~)) fifty-four dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based domestic violence services within the county ((~~for victims of domestic violence~~)), except for five percent of the six dollars, which may be

retained by the court for administrative purposes. On or before December 15th of each year, the county shall report to the department of social and health services revenues associated with this section and community-based domestic violence services expenditures. The department of social and health services shall develop a reporting form to be utilized by counties for uniform reporting purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed thirty dollars per hour.

(12) For processing ex parte orders, the clerk may collect a fee of thirty dollars.

(13) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audio tape and twenty-five dollars for each video tape or other electronic storage medium.

(14) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(15) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(16) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(17) For filing ((~~a water rights statement~~)) an adjudication claim under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(18) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(19) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(20) A service fee of five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(21) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(22) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(23) Investment service charge and earnings under RCW 36.48.090 must be charged.

(24) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(25) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred twenty dollars as established by authority of local ordinance. This charge shall be used solely to offset the cost of the mandatory arbitration program.

(26) For filing a request for trial de novo of an arbitration award, a fee not to exceed two hundred fifty dollars as established by authority of local ordinance must be charged.

(27) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(28) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(29) For the collection of unpaid legal financial obligations, the clerk may impose an annual fee of up to one hundred dollars, pursuant to RCW 9.94A.780.

(30) A surcharge of up to twenty dollars may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

Sec. 9139. RCW 43.235.020 and 2011 c 105 s 1 are each amended to read as follows:

(1) The department is authorized, subject to the availability of state funds, ((~~the department shall contract with~~)) to make available grants awarded on a contract basis to an entity with expertise in domestic violence policy and education and with a statewide perspective to gather and maintain data relating to and coordinate review of domestic violence fatalities.

(2) The coordinating entity shall be authorized to:

(a) Convene regional review panels;

(b) Convene statewide issue-specific review panels;

(c) Gather information for use of regional or statewide issue-specific review panels;

(d) Provide training and technical assistance to regional or statewide issue-specific review panels;

(e) Compile information and issue reports with recommendations; and

(f) Establish a protocol that may be used as a guideline for identifying domestic violence related fatalities, forming review panels, convening reviews, and selecting which cases to review. The

coordinating entity may also establish protocols for data collection and preservation of confidentiality.

(((~~(2)~~))) (3)(a) The coordinating entity may convene a regional or statewide issue-specific domestic violence fatality review panel to review any domestic violence fatality.

(b) Private citizens may request a review of a particular death by submitting a written request to the coordinating entity within two years of the death. Of these, the appropriate regional review panel may review those cases which fit the criteria set forth in the protocol for the project.

Sec. 9140. RCW 43.235.040 and 2012 c 223 s 6 are each amended to read as follows:

(1) An oral or written communication or a document shared with the coordinating entity or within or produced by a domestic violence fatality review panel related to a domestic violence fatality review is confidential and not subject to disclosure or discoverable by a third party. An oral or written communication or a document provided by a third party to the coordinating entity or a domestic violence fatality review panel, or between a third party and a domestic violence fatality review panel, related to a domestic violence fatality review is confidential and not subject to disclosure or discovery by a third party. Notwithstanding the foregoing, recommendations from the domestic violence fatality review panel and the coordinating entity generally may be disclosed minus personal identifiers.

(2) The coordinating entity and review panels, only to the extent otherwise permitted by law or court rule, shall have access to information and records regarding the domestic violence victims and perpetrators under review held by domestic violence perpetrators' treatment providers; dental care providers; hospitals, medical providers, and pathologists; coroners and medical examiners; mental health providers; lawyers; the state and local governments; the courts; and employers. The coordinating entity and the review panels shall maintain the confidentiality of such information to the extent required by any applicable law.

(3) The coordinating entity or review panels shall review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary to an investigation, guardian ad litem reports, parenting evaluations, and victim impact statements; probation information; mental health evaluations done for court; presentence interviews and reports, and any recommendations made regarding bail and release on own recognizance; child protection services, welfare, and other information held by the department; any law enforcement incident documentation, such as incident reports, dispatch records, victim, witness, and suspect statements, and any supplemental reports, probable cause statements, and 911 call taker's reports; corrections and postsentence supervision reports; and any other information determined to be relevant to the review. The coordinating entity and the review panels shall maintain the confidentiality of such information to the extent required by any applicable law.

Sec. 9141. RCW 10.99.080 and 2004 c 15 s 2 are each amended to read as follows:

(1) All superior courts, and courts organized under Title 3 or 35 RCW, may impose a penalty of one hundred dollars, plus an additional fifteen dollars on any person convicted of a crime involving domestic violence; in no case shall a penalty assessment ((~~not to~~)) exceed one hundred fifteen dollars on any person convicted of a crime involving domestic violence. The assessment shall be in addition to, and shall not supersede, any other penalty, restitution, fines, or costs provided by law.

(2) Revenue from the:

(a) One hundred dollar assessment shall be used solely for the purposes of establishing and funding domestic violence advocacy and domestic violence prevention and prosecution programs in the city or county of the court imposing the assessment. Such revenue from the assessment shall not be used for indigent criminal defense. If the city or county does not have domestic violence advocacy or domestic violence prevention and prosecution programs, cities and counties may use the revenue collected from the assessment to contract with recognized community-based domestic violence program providers.

(b) Fifteen dollar assessment must be remitted monthly to the state treasury for deposit in the domestic violence prevention account.

(3) The one hundred dollar assessment imposed under this section shall not be subject to any state or local remittance requirements under chapter 3.46, 3.50, 3.62, 7.68, 10.82, or 35.20 RCW.

(4) For the purposes of this section, "convicted" includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, or the levying of a fine. For the purposes of this section, "domestic violence" has the same meaning as that term is defined under RCW 10.99.020 and includes violations of equivalent local ordinances.

(5) When determining whether to impose a penalty assessment under this section, judges are encouraged to solicit input from the victim or representatives for the victim in assessing the ability of the convicted offender to pay the penalty, including information regarding current financial obligations, family circumstances, and ongoing restitution.

Sec. 9142. RCW 26.50.110 and 2013 c 84 s 31 are each amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court:

(i) May require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(ii) Shall impose a fine of fifteen dollars, in addition to any penalty or fine imposed, for a violation of a domestic violence protection order issued under this chapter. Revenue from the fifteen dollar fine must be remitted monthly to the state treasury for deposit in the domestic violence prevention account.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, that

restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for violating the provisions of an order issued under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

NEW SECTION. **Sec. 9143.** The following acts or parts of acts are each repealed:

(1)RCW 70.123.050 (Contracts with nonprofit organizations—Purposes) and 1979 ex.s. c 245 s 5; and

(2)RCW 70.123.130 (Technical assistance grant program—Local communities) and 1991 c 301 s 11."

Correct the title.

Signed by Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Griffey; Moscoso; Pettigrew and Wilson.

MINORITY recommendation: Without recommendation. Signed by Representative Klippert, Ranking Minority Member.

Referred to Committee on Appropriations.

March 30, 2015

SSB 5640 Prime Sponsor, Committee on Transportation: Concerning the limitation on towing and storage deficiency claims after auction of a private property vehicle impound. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Bergquist; Gregerson; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Rodne; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Pike and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Harmsworth; Shea; Wilson and Zeiger.

Passed to Committee on Rules for second reading.

April 1, 2015

E2SSB 5649 Prime Sponsor, Committee on Ways & Means: Concerning involuntary outpatient mental health treatment. (REVISED FOR ENGROSSED: Concerning the involuntary treatment act.) Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9144.** RCW 71.05.010 and 1998 c 297 s 2 are each amended to read as follows:

(1) The provisions of this chapter are intended by the legislature:

(((~~(1)~~))) (a) To protect the health and safety of persons suffering from mental disorders and to protect public safety through use of the parens patriae and police powers of the state;

(b) To prevent inappropriate, indefinite commitment of mentally disordered persons and to eliminate legal disabilities that arise from such commitment;

(((~~(2)~~))) (c) To provide prompt evaluation and timely and appropriate treatment of persons with serious mental disorders;

(((~~(3)~~))) (d) To safeguard individual rights;

(((~~(4)~~))) (e) To provide continuity of care for persons with serious mental disorders;

(((~~(5)~~))) (f) To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures; and

(((~~(6)~~))) (g) To encourage, whenever appropriate, that services be provided within the community((~~;~~

~~(7) To protect the public safety~~)).

(2) When construing the requirements of this chapter the court must focus on the merits of the petition, except where requirements have been totally disregarded, as provided in *In re C.W.*, 147 Wn.2d 259, 281 (2002). A presumption in favor of deciding petitions on their merits furthers both public and private interests because the mental and physical well-being of individuals as well as public safety may be implicated by the decision to release an individual and discontinue his or her treatment.

NEW SECTION. **Sec. 9145.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The department may use a single bed certification process as outlined in rule to provide additional treatment capacity for a person suffering from a mental disorder for whom an evaluation and treatment bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the patient receiving treatment.

(3) A designated mental health professional who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate mental health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The department may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

NEW SECTION. **Sec. 9146.** A new section is added to chapter 71.05 RCW to read as follows:

(1) A designated mental health professional shall make a report to the department when he or she determines a person meets detention criteria under RCW 71.05.150, 71.05.153, 71.34.700, or 71.34.710 and there are not any beds available at an evaluation and treatment facility, the person has not been provisionally accepted for admission by a facility, and the person cannot be served on a single bed certification or less restrictive alternative. Starting at the time when the designated mental health professional determines a person meets detention criteria and the investigation has been completed, the designated mental health professional has twenty-four hours to submit a completed report to the department.

(2) The report required under subsection (1) of this section must contain at a minimum:

(a) The date and time that the investigation was completed;

(b) The identity of the responsible regional support network or behavioral health organization;

(c) The county in which the person met detention criteria;

(d) A list of facilities which refused to admit the person; and

(e) Identifying information for the person, including age or date of birth.

(3) The department shall develop a standardized reporting form or modify the current form used for single bed certifications for the report required under subsection (2) of this section and may require additional reporting elements as it determines are necessary or supportive. The department shall also determine the method for the transmission of the completed report from the designated mental health professional to the department.

(4) The department shall create quarterly reports displayed on its web site that summarize the information reported under subsection (2) of this section. At a minimum, the reports must display data by county and by month. The reports must also include the number of single bed certifications granted by category. The categories must include all of the reasons that the department recognizes for issuing a single bed certification, as identified in rule.

(5) The reports provided according to this section may not display "protected health information" as that term is used in the federal health insurance portability and accountability act of 1996, nor information contained in "mental health treatment records" as that term is used in chapter 70.02 RCW or elsewhere in state law, and must otherwise be compliant with state and federal privacy laws.

(6) For purposes of this section, the term "single bed certification" means a situation in which an adult on a seventy-two hour detention, fourteen-day commitment, ninety-day commitment, or one hundred eighty-day commitment is detained to a facility that is:

(a) Not certified as an inpatient evaluation and treatment facility; or

(b) A certified inpatient evaluation and treatment facility that is already at capacity.

NEW SECTION. **Sec. 9147.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The department shall promptly share reports it receives under section 3 of this act with the responsible regional support network or behavioral health organization. The regional support network or behavioral health organization receiving this notification must attempt to engage the person in appropriate services for which the person is eligible and report back within seven days to the department.

(2) The department shall track and analyze reports submitted under section 3 of this act. The department must initiate corrective action when appropriate to ensure that each regional support network or behavioral health organization has implemented an adequate plan to provide evaluation and treatment services. Corrective actions may include remedies under RCW 71.24.330 and 43.20A.894, including requiring expenditure of reserve funds. An adequate plan may include development of less restrictive alternatives to involuntary commitment such as crisis triage, crisis diversion, voluntary treatment, or prevention programs reasonably calculated to reduce demand for evaluation and treatment under this chapter.

Sec. 9148. RCW 71.05.050 and 2000 c 94 s 3 are each amended to read as follows:

(1) Nothing in this chapter shall be construed to limit the right of any person to apply voluntarily to any public or private agency or practitioner for treatment of a mental disorder, either by direct application or by referral. Any person voluntarily admitted for inpatient treatment to any public or private agency shall be released immediately upon his or her request. Any person voluntarily admitted for inpatient treatment to any public or private agency shall orally be advised of the right to immediate discharge, and further advised of such rights in writing as are secured to them pursuant to this chapter and their rights of access to attorneys, courts, and other legal redress. Their condition and status shall be reviewed at least once each one hundred eighty days for evaluation as to the need for further treatment or possible discharge, at which time they shall again be advised of their right to discharge upon request((~~: PROVIDED HOWEVER, That~~)).

(2) If the professional staff of any public or private agency or hospital regards a person voluntarily admitted who requests discharge as presenting, as a result of a mental disorder, an imminent likelihood of serious harm, or is gravely disabled, they may detain such person for sufficient time to notify the ((~~county~~)) designated mental health professional of such person's condition to enable the ((~~county~~)) designated mental health professional to authorize such person being further held in custody or transported to an evaluation and treatment center pursuant to the provisions of this chapter, which shall in ordinary circumstances be no later than the next judicial day((~~: PROVIDED FURTHER, That~~)).

(3) If a person is brought to the emergency room of a public or private agency or hospital for observation or treatment, the person refuses voluntary admission, and the professional staff of the public or private agency or hospital regard such person as presenting as a result of a mental disorder an imminent likelihood of serious harm, or as presenting an imminent danger because of grave disability, they may detain such person for sufficient time to notify the ((~~county~~)) designated mental health professional of such person's condition to enable the ((~~county~~)) designated mental health professional to authorize such person being further held in custody or transported to an evaluation treatment center pursuant to the conditions in this chapter, but which time shall be no more than six hours from the time the professional staff ((~~determine that an evaluation by~~)) notify the ((~~county~~)) designated mental health professional ((~~is necessary~~)) of the need for evaluation, not counting time periods prior to medical clearance.

(4) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in

the few cases where the facility staff or designated mental health professional has totally disregarded the requirements of this section.

Sec. 9149. RCW 71.05.153 and 2011 c 305 s 8 and 2011 c 148 s 2 are each reenacted and amended to read as follows:

(1) When a designated mental health professional receives information alleging that a person, as the result of a mental disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated mental health professional may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility for not more than seventy-two hours as described in RCW 71.05.180.

(2) A peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, or the emergency department of a local hospital under the following circumstances:

(a) Pursuant to subsection (1) of this section; or

(b) When he or she has reasonable cause to believe that such person is suffering from a mental disorder and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, or triage facility that has elected to operate as an involuntary facility by peace officers pursuant to subsection (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

(4) Within three hours ((~~of~~)) after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional. Within twelve hours of ((~~arrival~~)) notice of the need for evaluation, not counting time periods prior to medical clearance, the designated mental health professional must determine whether the individual meets detention criteria. If the individual is detained, the designated mental health professional shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the mental health provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

(5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated mental health professional has totally disregarded the requirements of this section.

Sec. 9150. RCW 71.05.210 and 2009 c 217 s 1 are each amended to read as follows:

Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility (1) shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by (a) a licensed physician who may be assisted by a physician assistant according to chapter 18.71A RCW and a mental health professional, (b) an advanced registered nurse practitioner according to chapter 18.79 RCW and a mental health professional, or (c) a licensed physician and a psychiatric advanced registered nurse practitioner and (2) shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.340, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (a) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (b) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

If, after examination and evaluation, the mental health professional and licensed physician or psychiatric advanced registered nurse practitioner determine that the initial needs of the person would be better served by placement in a chemical dependency treatment facility, then the person shall be referred to an approved treatment program defined under RCW 70.96A.020.

An evaluation and treatment center admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated mental health professional and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 9151. RCW 71.24.035 and 2014 c 225 s 11 are each amended to read as follows:

(1) The department is designated as the state mental health authority.

(2) The secretary shall provide for public, client, tribal, and licensed service provider participation in developing the state mental health program, developing contracts with behavioral health organizations, and any waiver request to the federal government under medicaid.

(3) The secretary shall provide for participation in developing the state mental health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state mental health program.

(4) The secretary shall be designated as the behavioral health organization if the behavioral health organization fails to meet state minimum standards or refuses to exercise responsibilities under its contract or RCW 71.24.045, until such time as a new behavioral health organization is designated.

(5) The secretary shall:

(a) Develop a biennial state mental health program that incorporates regional biennial needs assessments and regional mental health service plans and state services for adults and children with mental illness;

(b) Assure that any behavioral health organization or county community mental health program provides medically necessary services to medicaid recipients consistent with the state's medicaid state plan or federal waiver authorities, and nonmedicaid services consistent with priorities established by the department;

(c) Develop and adopt rules establishing state minimum standards for the delivery of mental health services pursuant to RCW 71.24.037 including, but not limited to:

(i) Licensed service providers. These rules shall permit a county-operated mental health program to be licensed as a service provider subject to compliance with applicable statutes and rules. The secretary shall provide for deeming of compliance with state minimum standards for those entities accredited by recognized behavioral health accrediting bodies recognized and having a current agreement with the department;

(ii) Inpatient services, an adequate network of evaluation and treatment services and facilities under chapter 71.05 RCW to ensure

access to treatment, resource management services, and community support services;

(d) Assure that the special needs of persons who are minorities, elderly, disabled, children, low-income, and parents who are respondents in dependency cases are met within the priorities established in this section;

(e) Establish a standard contract or contracts, consistent with state minimum standards which shall be used in contracting with behavioral health organizations. The standard contract shall include a maximum fund balance, which shall be consistent with that required by federal regulations or waiver stipulations;

(f) Establish, to the extent possible, a standardized auditing procedure which is designed to assure compliance with contractual agreements authorized by this chapter and minimizes paperwork requirements of behavioral health organizations and licensed service providers. The audit procedure shall focus on the outcomes of service as provided in RCW 43.20A.895, 70.320.020, and 71.36.025;

(g) Develop and maintain an information system to be used by the state and behavioral health organizations that includes a tracking method which allows the department and behavioral health organizations to identify mental health clients' participation in any mental health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and chapter 70.02 RCW;

(h) License service providers who meet state minimum standards;

(i) Periodically monitor the compliance of behavioral health organizations and their network of licensed service providers for compliance with the contract between the department, the behavioral health organization, and federal and state rules at reasonable times and in a reasonable manner;

(j) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections;

(k) Monitor and audit behavioral health organizations and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;

(l) Adopt such rules as are necessary to implement the department's responsibilities under this chapter;

(m) License or certify crisis stabilization units that meet state minimum standards;

(n) License or certify clubhouses that meet state minimum standards; and

(o) License or certify triage facilities that meet state minimum standards.

(6) The secretary shall use available resources only for behavioral health organizations, except:

(a) To the extent authorized, and in accordance with any priorities or conditions specified, in the biennial appropriations act; or

(b) To incentivize improved performance with respect to the client outcomes established in RCW 43.20A.895, 70.320.020, and 71.36.025, integration of behavioral health and medical services at the clinical level, and improved care coordination for individuals with complex care needs.

(7) Each behavioral health organization and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A behavioral health organization or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may be subject to the behavioral health organization contractual remedies in RCW 43.20A.894 or may have its service provider certification or license revoked or suspended.

(8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to: (a) The law; (b) applicable rules and regulations; (c) applicable standards; or (d) state minimum standards.

(9) The superior court may restrain any behavioral health organization or service provider from operating without a contract, certification, or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.

(10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any behavioral health organization((~~s [organization]~~)) or service provider refusing to consent to inspection or examination by the authority.

(11) Notwithstanding the existence or pursuit of any other remedy, the secretary may file an action for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a behavioral health organization or service provider without a contract, certification, or a license under this chapter.

(12) The standards for certification or licensure of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapters 71.05 and 71.34 RCW, and shall otherwise assure the effectuation of the purposes of these chapters.

(13) The standards for certification or licensure of crisis stabilization units shall include standards that:

(a) Permit location of the units at a jail facility if the unit is physically separate from the general population of the jail;

(b) Require administration of the unit by mental health professionals who direct the stabilization and rehabilitation efforts; and

(c) Provide an environment affording security appropriate with the alleged criminal behavior and necessary to protect the public safety.

(14) The standards for certification or licensure of a clubhouse shall at a minimum include:

(a) The facilities may be peer-operated and must be recovery-focused;

(b) Members and employees must work together;

(c) Members must have the opportunity to participate in all the work of the clubhouse, including administration, research, intake and orientation, outreach, hiring, training and evaluation of staff, public relations, advocacy, and evaluation of clubhouse effectiveness;

(d) Members and staff and ultimately the clubhouse director must be responsible for the operation of the clubhouse, central to this responsibility is the engagement of members and staff in all aspects of clubhouse operations;

(e) Clubhouse programs must be comprised of structured activities including but not limited to social skills training, vocational rehabilitation, employment training and job placement, and community resource development;

(f) Clubhouse programs must provide in-house educational programs that significantly utilize the teaching and tutoring skills of members and assist members by helping them to take advantage of adult education opportunities in the community;

(g) Clubhouse programs must focus on strengths, talents, and abilities of its members;

(h) The work-ordered day may not include medication clinics, day treatment, or other therapy programs within the clubhouse.

(15) The department shall distribute appropriated state and federal funds in accordance with any priorities, terms, or conditions specified in the appropriations act.

(16) The secretary shall assume all duties assigned to the nonparticipating behavioral health organizations under chapters 71.05 and 71.34 RCW and this chapter. Such responsibilities shall include those which would have been assigned to the nonparticipating counties in regions where there are not participating behavioral health organizations.

The behavioral health organizations, or the secretary's assumption of all responsibilities under chapters 71.05 and 71.34 RCW and this chapter, shall be included in all state and federal plans affecting the state mental health program including at least those required by this chapter, the medicaid program, and P.L. 99-660. Nothing in these plans shall be inconsistent with the intent and requirements of this chapter.

(17) The secretary shall:

(a) Disburse funds for the behavioral health organizations within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with behavioral health organizations. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; and (iii) emergency response systems.

(c) Notify behavioral health organizations of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(d) Deny all or part of the funding allocations to behavioral health organizations based solely upon formal findings of noncompliance with the terms of the behavioral health organization's contract with the department. Behavioral health organizations disputing the decision of the secretary to withhold funding allocations are limited to the remedies provided in the department's contracts with the behavioral health organizations.

(18) The department, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for services provided by freestanding evaluation and treatment facilities certified under chapter 71.05 RCW. The department shall periodically report its efforts to the appropriate committees of the senate and the house of representatives.

Sec. 9152. RCW 71.24.300 and 2008 c 261 s 4 are each amended to read as follows:

(1) Upon the request of a tribal authority or authorities within a regional support network the joint operating agreement or the county authority shall allow for the inclusion of the tribal authority to be represented as a party to the regional support network.

(2) The roles and responsibilities of the county and tribal authorities shall be determined by the terms of that agreement including a determination of membership on the governing board and advisory committees, the number of tribal representatives to be party to the agreement, and the provisions of law and shall assure the provision of culturally competent services to the tribes served.

(3) The state mental health authority may not determine the roles and responsibilities of county authorities as to each other under regional support networks by rule, except to assure that all duties required of regional support networks are assigned and that counties and the regional support network do not duplicate functions and that a single authority has final responsibility for all available resources and performance under the regional support network's contract with the secretary.

(4) If a regional support network is a private entity, the department shall allow for the inclusion of the tribal authority to be represented as a party to the regional support network.

(5) The roles and responsibilities of the private entity and the tribal authorities shall be determined by the department, through negotiation with the tribal authority.

(6) Regional support networks shall submit an overall six-year operating and capital plan, timeline, and budget and submit progress reports and an updated two-year plan biennially thereafter, to assume within available resources all of the following duties:

(a) Administer and provide for the availability of all resource management services, residential services, and community support services.

(b) Administer and provide for the availability of an adequate network of evaluation and treatment services to ensure access to treatment, all investigation, transportation, court-related, and other services provided by the state or counties pursuant to chapter 71.05 RCW.

(c) Provide within the boundaries of each regional support network evaluation and treatment services for at least ninety percent of persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. Regional support networks may contract to purchase evaluation and treatment services from other networks if they are unable to provide for appropriate resources within their boundaries. Insofar as the original intent of serving persons in the community is maintained, the secretary is authorized to approve exceptions on a case-by-case basis to the requirement to provide evaluation and treatment services within the boundaries of each regional support network. Such exceptions are limited to:

(i) Contracts with neighboring or contiguous regions; or

(ii) Individuals detained or committed for periods up to seventeen days at the state hospitals at the discretion of the secretary.

(d) Administer and provide for the availability of all other mental health services, which shall include patient counseling, day treatment, consultation, education services, employment services as ((~~defined~~)) described in RCW 71.24.035, and mental health services to children.

(e) Establish standards and procedures for reviewing individual service plans and determining when that person may be discharged from resource management services.

(7) A regional support network may request that any state-owned land, building, facility, or other capital asset which was ever purchased, deeded, given, or placed in trust for the care of the persons with mental illness and which is within the boundaries of a regional support network be made available to support the operations of the regional support network. State agencies managing such capital assets shall give first priority to requests for their use pursuant to this chapter.

(8) Each regional support network shall appoint a mental health advisory board which shall review and provide comments on plans and policies developed under this chapter, provide local oversight regarding the activities of the regional support network, and work with the regional support network to resolve significant concerns regarding service delivery and outcomes. The department shall establish statewide procedures for the operation of regional advisory committees including mechanisms for advisory board feedback to the department regarding regional support network performance. The composition of the board shall be broadly representative of the demographic character of the region and shall include, but not be limited to, representatives of consumers and families, law enforcement, and where the county is not the regional support network, county elected officials. Composition and length of terms of board members may differ between regional support networks but

shall be included in each regional support network's contract and approved by the secretary.

(9) Regional support networks shall assume all duties specified in their plans and joint operating agreements through biennial contractual agreements with the secretary.

(10) Regional support networks may receive technical assistance from the housing trust fund and may identify and submit projects for housing and housing support services to the housing trust fund established under chapter 43.185 RCW. Projects identified or submitted under this subsection must be fully integrated with the regional support network six-year operating and capital plan, timeline, and budget required by subsection (6) of this section.

Sec. 9153. RCW 71.24.300 and 2014 c 225 s 39 are each amended to read as follows:

(1) Upon the request of a tribal authority or authorities within a behavioral health organization the joint operating agreement or the county authority shall allow for the inclusion of the tribal authority to be represented as a party to the behavioral health organization.

(2) The roles and responsibilities of the county and tribal authorities shall be determined by the terms of that agreement including a determination of membership on the governing board and advisory committees, the number of tribal representatives to be party to the agreement, and the provisions of law and shall assure the provision of culturally competent services to the tribes served.

(3) The state mental health authority may not determine the roles and responsibilities of county authorities as to each other under behavioral health organizations by rule, except to assure that all duties required of behavioral health organizations are assigned and that counties and the behavioral health organization do not duplicate functions and that a single authority has final responsibility for all available resources and performance under the behavioral health organization's contract with the secretary.

(4) If a behavioral health organization is a private entity, the department shall allow for the inclusion of the tribal authority to be represented as a party to the behavioral health organization.

(5) The roles and responsibilities of the private entity and the tribal authorities shall be determined by the department, through negotiation with the tribal authority.

(6) Behavioral health organizations shall submit an overall six-year operating and capital plan, timeline, and budget and submit progress reports and an updated two-year plan biennially thereafter, to assume within available resources all of the following duties:

(a) Administer and provide for the availability of all resource management services, residential services, and community support services.

(b) Administer and provide for the availability of an adequate network of evaluation and treatment services to ensure access to treatment, all investigation, transportation, court-related, and other services provided by the state or counties pursuant to chapter 71.05 RCW.

(c) Provide within the boundaries of each behavioral health organization evaluation and treatment services for at least ninety percent of persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. Behavioral health organizations may contract to purchase evaluation and treatment services from other organizations if they are unable to provide for appropriate resources within their boundaries. Insofar as the original intent of serving persons in the community is maintained, the secretary is authorized to approve exceptions on a case-by-case basis to the requirement to provide evaluation and treatment services within the boundaries of each behavioral health organization. Such exceptions are limited to:

(i) Contracts with neighboring or contiguous regions; or

(ii) Individuals detained or committed for periods up to seventeen days at the state hospitals at the discretion of the secretary.

(d) Administer and provide for the availability of all other mental health services, which shall include patient counseling, day treatment, consultation, education services, employment services as described in RCW 71.24.035, and mental health services to children.

(e) Establish standards and procedures for reviewing individual service plans and determining when that person may be discharged from resource management services.

(7) A behavioral health organization may request that any state-owned land, building, facility, or other capital asset which was ever purchased, deeded, given, or placed in trust for the care of the persons with mental illness and which is within the boundaries of a behavioral health organization be made available to support the operations of the behavioral health organization. State agencies managing such capital assets shall give first priority to requests for their use pursuant to this chapter.

(8) Each behavioral health organization shall appoint a mental health advisory board which shall review and provide comments on plans and policies developed under this chapter, provide local oversight regarding the activities of the behavioral health organization, and work with the behavioral health organization to resolve significant concerns regarding service delivery and outcomes. The department shall establish statewide procedures for the operation of regional advisory committees including mechanisms for advisory board feedback to the department regarding behavioral health organization performance. The composition of the board shall be broadly representative of the demographic character of the region and shall include, but not be limited to, representatives of consumers and families, law enforcement, and where the county is not the behavioral health organization, county elected officials. Composition and length of terms of board members may differ between behavioral health organizations but shall be included in each behavioral health organization's contract and approved by the secretary.

(9) Behavioral health organizations shall assume all duties specified in their plans and joint operating agreements through biennial contractual agreements with the secretary.

(10) Behavioral health organizations may receive technical assistance from the housing trust fund and may identify and submit projects for housing and housing support services to the housing trust fund established under chapter 43.185 RCW. Projects identified or submitted under this subsection must be fully integrated with the behavioral health organization six-year operating and capital plan, timeline, and budget required by subsection (6) of this section.

NEW SECTION. **Sec. 9154.** A new section is added to chapter 71.24 RCW to read as follows:

The department must collaborate with regional support networks or behavioral health organizations and the Washington state institute for public policy to estimate the capacity needs for evaluation and treatment services within each regional service area. Estimated capacity needs shall include consideration of the average occupancy rates needed to provide an adequate network of evaluation and treatment services to ensure access to treatment. A regional service network or behavioral health organization must develop and maintain an adequate plan to provide for evaluation and treatment needs.

NEW SECTION. **Sec. 9155.** A new section is added to chapter 71.34 RCW to read as follows:

(1) The department may use a single bed certification process as outlined in rule to provide additional treatment capacity for a minor suffering from a mental disorder for whom an evaluation and treatment bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the minor receiving treatment.

(3) A designated mental health professional who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate mental health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The department may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

Sec. 9156. RCW 71.05.020 and 2011 c 148 s 1 and 2011 c 89 s 14 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the regional support network to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020((~~(3)~~)) (5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under section 2 of this act. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(22) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(23) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(24) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(25) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(30) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(31) "Professional person" means a mental health professional and shall also mean a physician, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(32) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(34) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(36) "Registration records" include all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(37) "Release" means legal termination of the commitment under the provisions of this chapter;

(38) "Resource management services" has the meaning given in chapter 71.24 RCW;

(39) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(40) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(41) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(42) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(43) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(44) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others;

(45) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property;

(46) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated mental health professional.

Sec. 9157. RCW 71.05.020 and 2014 c 225 s 79 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the behavioral health organization to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020((~~(4)~~)) (5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under section 2 of this act. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(22) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(23) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(24) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(25) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(30) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(31) "Professional person" means a mental health professional and shall also mean a physician, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(32) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(34) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(36) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(37) "Release" means legal termination of the commitment under the provisions of this chapter;

(38) "Resource management services" has the meaning given in chapter 71.24 RCW;

(39) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(40) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(41) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(42) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(43) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(44) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(45) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property;

(46) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated mental health professional.

NEW SECTION. **Sec. 9158.** (1) The Washington state institute for public policy is directed to complete a study by December 1, 2015, regarding the implementation of certain aspects of the involuntary treatment act under chapter 71.05 RCW. The study must include, but not be limited to:

(a) An assessment of the nonemergent detention process provided under RCW 71.05.150, which examines:

(i) The number of nonemergent petitions filed in each county by year;

(ii) The reasons for variation in the use of nonemergent detentions based on feedback from judicial officers, prosecutors, public defenders, and mental health professionals; and

(iii) Models in other states for handling civil commitments when imminent danger is not present.

(b) An analysis of less restrictive alternative orders under the involuntary treatment act including:

(i) Differences across counties with respect to: (A) The use of less restrictive alternatives and reasons why least restrictive alternatives may or may not be utilized in different jurisdictions; (B) monitoring practices; and (C) rates of, grounds for, and outcomes of petitions for revocation or modification;

(ii) A systematic review of the research literature on the effectiveness of alternatives to involuntary hospitalizations in reducing violence and rehospitalizations; and

(iii) Approaches used in other states to monitor and enforce least restrictive orders, including associated costs.

Sec. 9159. RCW 71.05.620 and 2013 c 200 s 23 are each amended to read as follows:

(1) The files and records of court proceedings under this chapter and chapters 70.96A, 71.34, and 70.96B RCW shall be closed but shall be accessible to:

(a) The department;

(b) The state hospitals as defined in RCW 72.23.010;

(c) Any person who is the subject of a petition ((~~and to~~));

(d) The person's attorney((~~,~~)) or guardian ((~~ad litem,~~));

(e) Resource management services((~~, or~~)) for that person; and

(f) Service providers authorized to receive such information by resource management services.

(2) The department shall adopt rules to implement this section.

NEW SECTION. **Sec. 9160.** (1) Sections 9 and 13 of this act expire April 1, 2016.

(2) Section 15 of this act expires June 30, 2016.

NEW SECTION. **Sec. 9161.** Sections 10 and 14 of this act take effect April 1, 2016.

NEW SECTION. **Sec. 9162.** Sections 1 through 9 and 11 through 13 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Shea, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

March 31, 2015

SB 5650 Prime Sponsor, Senator Padden: Modifying provisions governing inmate funds subject to deductions. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 1, 2015

SSB 5715 Prime Sponsor, Committee on Ways & Means: Including the contents of fiscal impact statements in the ballot title for certain initiative measures. Reported by Committee on State Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9163.** RCW 29A.72.050 and 2003 c 111 s 1806 are each amended to read as follows:

(1) The ballot title for an initiative to the people, an initiative to the legislature, a referendum bill, or a referendum measure consists of: (a) A statement of the subject of the measure; (b) a concise description of the measure; and (c) a question in the form prescribed in this section for the ballot measure in question. The statement of the subject of a measure must be sufficiently broad to reflect the subject of the measure, sufficiently precise to give notice of the measure's subject matter, and not exceed ten words. The concise description must contain no more than thirty words, be a true and impartial description of the measure's essential contents, clearly identify the proposition to be voted on, and not, to the extent reasonably possible, create prejudice either for or against the measure.

(2) For an initiative to the people, or for an initiative to the legislature for which the legislature has not proposed an alternative, the ballot title must be displayed on the ballot substantially as follows:

"Initiative Measure No. . . . concerns (statement of subject). This measure would (concise description). Should this measure be enacted into law?

Yes ..... □

No ..... □

The ballot title under this subsection is subject to revision under RCW 29A.72.250 (2) or (3).

(3) For an initiative to the legislature for which the legislature has proposed an alternative, the ballot title must be displayed on the ballot substantially as follows:

"Initiative Measure Nos. . . . and . . .B concern (statement of subject).

Initiative Measure No. . . . would (concise description).

As an alternative, the legislature has proposed Initiative Measure No. . . .B, which would (concise description).

1. Should either of these measures be enacted into law?

Yes ..... □

No ..... □

2. Regardless of whether you voted yes or no above, if one of these measures is enacted, which one should it be?

Measure No. ..... □

or

Measure No. ..... □

(4) For a referendum bill submitted to the people by the legislature, the ballot issue must be displayed on the ballot substantially as follows:

"The legislature has passed . . . . Bill No. . . . concerning (statement of subject). This bill would (concise description). Should this bill be:

Approved ..... □

Rejected ..... □

(5) For a referendum measure by state voters on a bill the legislature has passed, the ballot issue must be displayed on the ballot substantially as follows:

"The legislature passed . . . Bill No. . . . concerning (statement of subject) and voters have filed a sufficient referendum petition on this bill. This bill would (concise description). Should this bill be:

Approved ..... □

Rejected ..... □

(6) The legislature may specify the statement of subject or concise description, or both, in a referendum bill that it refers to the people. The legislature may specify the concise description for an alternative it submits for an initiative to the legislature. If the legislature fails to specify these matters, the attorney general shall prepare the material that was not specified. The statement of subject and concise description as so provided must be included as part of the ballot title unless changed on appeal.

The attorney general shall specify the statement of subject and concise description for an initiative to the people, an initiative to the legislature, and a referendum measure. The statement of subject and concise description as so provided must be included as part of the ballot title unless changed on appeal.

Sec. 9164. RCW 29A.72.250 and 2013 c 11 s 75 are each amended to read as follows:

(1) If a referendum or initiative petition for submission of a measure to the people is found sufficient, the secretary of state shall at the time and in the manner that he or she certifies to the county auditors of the various counties the names of candidates for state and district officers certify to each county auditor the serial numbers and ballot titles of the several initiative and referendum measures and serial numbers and short descriptions of measures submitted for an advisory vote of the people to be voted upon at the next ensuing general election or special election ordered by the legislature.

(2) For an initiative to the people, or for an initiative to the legislature for which the legislature has not proposed an alternative,

that has been certified for the ballot, and for which the fiscal impact statement prepared pursuant to RCW 29A.72.025 indicates that the initiative will result in an estimated net biennial increase in state expenditures of twenty-five million dollars or greater, or an estimated net biennial decrease in state revenues of twenty-five million dollars or greater, the ballot title to be displayed in the voters' pamphlet and on the ballot shall be revised substantially as follows:

"Initiative Measure No. . . . concerns (statement of subject). This measure would (concise description). The state budget office has determined that this proposal is estimated to have an unfunded net impact of (amount) per biennium on the state budget. This means other state spending may need to be reduced or taxes increased to implement the proposal. Should this measure be enacted into law?

Yes .....□

No ..... □"

(3) For an initiative to the people, or for an initiative to the legislature for which the legislature has not proposed an alternative, that has been certified for the ballot, and for which the fiscal impact statement prepared pursuant to RCW 29A.72.025 indicates that the initiative will result in an estimated net biennial decrease in state expenditures of twenty-five million dollars or greater, or an estimated net biennial increase in state revenues of twenty-five million dollars or greater, the ballot title to be displayed in the voters' pamphlet and on the ballot shall be revised substantially as follows:

"Initiative Measure No. . . . concerns (statement of subject). This measure would (concise description). The state budget office has determined that this proposal would have net positive impact of (amount) on the state budget. This means additional funding may be available for other state spending or taxes decreased as a result of the proposal. Should this measure be enacted into law?

Yes .....□

No ..... □"

NEW SECTION. **Sec. 9165.** This act takes effect January 1, 2016."

Correct the title.

Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5777 Prime Sponsor, Senator Becker: Concerning state employee whistleblower protection. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

ESSB 5785 Prime Sponsor, Committee on Government Operations & Security: Revising the definition of official duties of state officers. Reported by Committee on State Government

MAJORITY recommendation: Do pass as amended.

On page 3, line 31, after "responsibilities," insert "activities described in an agency's publicly released strategic plan or similar document,"

Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Appleton and Gregory.

MINORITY recommendation: Do not pass. Signed by Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member and Hawkins.

Passed to Committee on Rules for second reading.

April 1, 2015

SB 5793 Prime Sponsor, Senator Darneille: Providing credit towards child support obligations for veterans benefits. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

April 1, 2015

ESSB 5810 Prime Sponsor, Committee on Government Operations & Security: Promoting the use, acceptance, and removal of barriers to the use and acceptance of electronic signatures. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, S., Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton; Gregory and Hawkins.

Passed to Committee on Rules for second reading.

March 31, 2015

SSB 5820 Prime Sponsor, Committee on Transportation: Concerning the sale of certain department of transportation surplus property. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9166.** RCW 47.12.283 and 2010 c 8 s 10006 are each amended to read as follows:

(1) Whenever the department of transportation determines that any real property owned by the state of Washington and under the jurisdiction of the department is no longer required for highway purposes and that it is in the public interest to do so, the department may, in its discretion, sell the property under RCW 47.12.063 or under subsections (2) through (6) of this section.

(2) Whenever the department determines to sell real property under its jurisdiction at public auction, the department shall first give notice thereof by ((~~publication on the same day of the week for two consecutive weeks, with the first publication at least two~~

~~weeks prior to the date of the auction, in a legal newspaper of general circulation in the area where the property to be sold is located. The notice shall be placed in both the legal notices section and the real estate classified section of the newspaper~~)) the most appropriate method as determined by the department. The notice shall contain a description of the property, the time and place of the auction, and the terms of the sale. The sale may be for cash or by real estate contract.

(3) The department shall sell the property at the public auction, in accordance with the terms set forth in the notice, to the highest and best bidder providing the bid is equal to or higher than the appraised fair market value of the property.

(4) If no bids are received at the auction or if all bids are rejected, the department may, in its discretion, enter into negotiations for the sale of the property or may list the property with a licensed real estate broker. No property shall be sold by negotiations or through a broker for less than the property's appraised fair market value. Any offer to purchase real property pursuant to this subsection shall be in writing and may be rejected at any time prior to written acceptance by the department.

(5) ((~~Before the department shall approve any offer for the purchase of real property having an appraised value of more than ten thousand dollars, pursuant to subsection (4) of this section, the department shall first publish a notice of the proposed sale in a local newspaper of general circulation in the area where the property is located. The notice shall include a description of the property, the selling price, the terms of the sale, including the price and interest rate if sold by real estate contract, and the name and address of the department employee or the real estate broker handling the transaction. The notice shall further state that any person may, within ten days after the publication of the notice, deliver to the designated state employee or real estate broker a written offer to purchase the property for not less than ten percent more than the negotiated sale price, subject to the same terms and conditions. A subsequent offer shall not be considered unless it is accompanied by a deposit of twenty percent of the offer in the form of cash, money order, cashiers check, or certified check payable to the Washington state treasurer, to be forfeited to the state (for deposit in the motor vehicle fund) if the offeror fails to complete the sale if the offeror's offer is accepted. If a subsequent offer is received, the first offeror shall be informed by registered or certified mail sent to the address stated in his or her offer. The first offeror shall then have ten days, from the date of mailing the notice of the increased offer, in which to file with the designated state employee or real estate broker a higher offer than that of the subsequent offeror. After the expiration of the ten-day period, the department shall approve in writing the highest and best offer which the department then has on file.~~

~~(6)~~)) All moneys received pursuant to this section, less any real estate broker's commissions paid pursuant to RCW 47.12.320, shall be deposited in the motor vehicle fund.

Sec. 9167. RCW 47.12.063 and 2011 c 376 s 2 are each amended to read as follows:

(1) It is the intent of the legislature to continue the department's policy giving priority consideration to abutting property owners in agricultural areas when disposing of property through its surplus property program under this section.

(2) Whenever the department determines that any real property owned by the state of Washington and under the jurisdiction of the department is no longer required for transportation purposes and that it is in the public interest to do so, the department may sell the property or exchange it in full or part consideration for land or building improvements or for construction of highway improvements at fair market value to any person through the solicitation of written bids through public advertising in the manner prescribed under RCW 47.28.050 or in the manner prescribed under RCW 47.12.283.

(3) The department may forego the processes prescribed by RCW 47.28.050 and 47.12.283 and sell the real property to any of the following entities or persons at fair market value:

(a) Any other state agency;

(b) The city or county in which the property is situated;

(c) Any other municipal corporation;

(d) Regional transit authorities created under chapter 81.112 RCW;

(e) The former owner of the property from whom the state acquired title;

(f) In the case of residentially improved property, a tenant of the department who has resided thereon for not less than six months and who is not delinquent in paying rent to the state;

(g) Any abutting private owner but only after each other abutting private owner (if any), as shown in the records of the county assessor, is notified in writing of the proposed sale. If more than one abutting private owner requests in writing the right to purchase the property within fifteen days after receiving notice of the proposed sale, the property shall be sold at public auction in the manner provided in RCW 47.12.283;

(h) To any other owner of real property required for transportation purposes;

(i) In the case of property suitable for residential use, any nonprofit organization dedicated to providing affordable housing to very low-income, low-income, and moderate-income households as defined in RCW 43.63A.510 and is eligible to receive assistance through the Washington housing trust fund created in chapter 43.185 RCW; or

(j) A federally recognized Indian tribe within whose reservation boundary the property is located.

(4) When selling real property pursuant to RCW 47.12.283, the department may withhold or withdraw the property from an auction when requested by one of the entities or persons listed in subsection (3) of this section and only after the receipt of a nonrefundable deposit equal to ten percent of the fair market value of the real property or five thousand dollars, whichever is less. This subsection does not prohibit the department from exercising its discretion to withhold or withdraw the real property from an auction if the department determines that the property is no longer surplus or chooses to sell the property through one of the other means listed in subsection (2) of this section. If a transaction under this subsection is not completed within sixty days, the real property must be put back up for sale.

(5) Sales to purchasers may, at the department's option, be for cash, by real estate contract, or exchange of land or highway improvements. Transactions involving the construction of improvements must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as applicable, and must comply with all other applicable laws and rules.

(6) Conveyances made pursuant to this section shall be by deed executed by the secretary of transportation and shall be duly acknowledged.

(7) Unless otherwise provided, all moneys received pursuant to the provisions of this section less any real estate broker commissions paid pursuant to RCW 47.12.320 shall be deposited in the motor vehicle fund.

(8) The department may not enter into equal value exchanges or property acquisitions for building improvements without first consulting with the office of financial management and the joint transportation committee."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Takko; Tarleton; Wilson and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Shea and Young.

Passed to Committee on Rules for second reading.

March 25, 2015

ESSB 5826 Prime Sponsor, Committee on Ways & Means: Creating the Washington small business retirement marketplace. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 9168.** The legislature finds that there is a retirement savings access gap in Washington; that Americans reach the median salary four years later than they did in 1980 and therefore have four fewer years of savings opportunities; and that one in six Americans retire in poverty. Employees who are unable to effectively build their retirement savings risk living on low incomes in their elderly years and are more likely to become dependent on state services. Further, small businesses, which employ more than forty percent of private sector employees in Washington, often choose not to offer retirement plans to employees due to concerns about costs, administrative burdens, and potential liability that they believe such plans would place on their business. In response, the legislature recognizes the work of the federal government in addressing these issues by establishing the myRA program: A safe, affordable, and accessible retirement vehicle designed to remove barriers to retirement savings. In addition, the legislature recognizes that many private financial services firms in Washington currently offer high quality retirement options for small businesses and their employees.

The Washington small business retirement marketplace will remove barriers to entry into the retirement market for small businesses by educating small employers on plan availability and promoting, without mandated participation, qualified, low-cost, low-burden retirement savings vehicles and myRA. The marketplace furthers greater retirement plan access for the residents of Washington while ensuring that individuals participating in these retirement plans will have all the protections offered by the employee retirement income security act. Further, the Washington small business retirement marketplace will not pose any significant financial burden upon taxpayers. The Washington small business retirement marketplace will be the best way for Washington to close the retirement savings access gap, protect the fiscal stability of the state and its citizens well into the future, and further cement its place as a national leader in retirement and investor promotion and protection. The marketplace will educate and promote retirement saving among employees and in particular market to small employers with fifty or fewer employees.

NEW SECTION. **Sec. 9169.** The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise.

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with fewer than one hundred qualified employees at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

(5) "myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.

(6) "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

(7) "Private sector financial services firms" or "financial services firms" mean persons or entities licensed and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

(8) "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

(9) "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

(10) "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

NEW SECTION. **Sec. 9170.** (1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms that meet the qualifications of this section and section 10 of this act. The director may remove approved plans that no longer meet the requirements of this chapter.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including life insurance plans that are designed for retirement purposes, and at least two types of plans for eligible employer participation: (a) A SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts; and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account.

(6) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of

financial institutions and the office of the insurance commissioner pursuant to section 2(7) of this act that each plan meets the requirements of this section.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. The marketplace must offer myRA.

(8) In order for the marketplace to operate, there must be at least two financial services firms offering approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

NEW SECTION. **Sec. 9171.** (1) The director shall contract with a private sector entity to:

(a) Establish a protocol for reviewing and approving the qualifications of all private sector financial services firms that meet the qualifications to participate in the marketplace;

(b) Design and operate an internet web site that includes information about how eligible employers can voluntarily participate in the marketplace;

(c) Develop marketing materials about the marketplace that can be distributed electronically, posted on agency web sites that interact with eligible employers, or inserted into mail from the department of revenue, department of labor and industries, employment security department, the office of minority and women's business enterprises, department of licensing, and secretary of state's division of corporations;

(d) Identify and promote existing federal and state tax credits and benefits for employers and employees that are related to encouraging retirement savings or participating in retirement plans; and

(e) Promote the benefits of retirement savings and other information that promotes financial literacy.

(2) The director shall address how rollovers are handled for eligible Washington employers that have workers in other states, and whether out-of-state employees with existing IRA's can roll them into the plans offered through the Washington small business retirement marketplace.

(3) The director shall direct the entity retained pursuant to subsection (1) of this section to assure that licensed professionals who assist their eligible business clients or employees to enroll in a plan offered through the Washington small business retirement marketplace may receive routine, market-based commissions or other compensation for their services.

(4) The director shall ensure by rule that there is objective criteria in the protocol provided in subsection (1)(a) of this section and that the protocol does not provide unfair advantage to the private sector entity which establishes the protocol.

(5) The director shall encourage the participation of private sector financial services firms in the marketplace.

NEW SECTION. **Sec. 9172.** In addition to any appropriated funds, the director may use private funding sources, including private foundation grants, to pay for marketplace expenses. On behalf of the marketplace, the department shall seek federal and private grants and is authorized to accept any funds awarded to the department for use in the marketplace.

NEW SECTION. **Sec. 9173.** The department shall not expose the state of Washington as an employer or through administration of the marketplace to any potential liability under the federal employee retirement income act of 1974. As such, the department is specifically prohibited from offering and operating a state-based retirement plan for businesses or individuals who are not employed by the state of Washington.

NEW SECTION. **Sec. 9174.** Using funds specifically appropriated for this purpose, and funds provided by private foundations or other private sector entities, the director may provide incentive payments to participating employers that enroll in the marketplace.

NEW SECTION. **Sec. 9175.** The director shall report biennially to the legislature on the effectiveness and efficiency of the Washington small business retirement marketplace, including the levels of enrollment and the retirement savings levels of participating enrollees that are obtained in aggregate on a voluntary basis from private sector financial services firms that participate in the marketplace.

NEW SECTION. **Sec. 9176.** The director shall adopt rules necessary to allow the marketplace to operate as authorized by this subchapter. As part of the rule development process, the director shall consult with organizations representing eligible employers, qualified employees, private and nonprofit sector retirement plan administrators and providers, organizations representing private sector financial services firms, and any other individuals or entities that the director determines relevant to the development of an effective and efficient method for operating the marketplace. The rules must be proposed by January 1st of the year of implementation and rules shall not be adopted until after the end of the regular legislative session of that year.

NEW SECTION. **Sec. 9177.** A new section is added to chapter 43.320 RCW to read as follows:

The department of financial institutions, annually, or upon request of the department of commerce, must review individual retirement account products proposed for inclusion in the Washington small business retirement marketplace to confirm that the products comply with the requirements of section 3 of this act.

NEW SECTION. **Sec. 9178.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. **Sec. 9179.** Sections 1 through 9 of this act are each added to chapter 43.330 RCW and codified with the subchapter heading of "Washington small business retirement marketplace.""

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Wilcox, Assistant Ranking Minority Member; Cody; Dunshee; Hansen; Hudgins; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Fagan; Haler; Hunt, G.; MacEwen; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member; Dent and Schmick.

Passed to Committee on Rules for second reading.

March 31, 2015

ESB 5863 Prime Sponsor, Senator Jayapal: Concerning highway construction workforce development. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 9180.** RCW 47.01.435 and 2012 c 66 s 1 are each amended to read as follows:

(1) The department shall expend federal funds received by the department, and funds that may be available to the department, under 23 U.S.C. Sec. 140(b) to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce by conducting activities in subsections (4) and (5) of this section.

(2) The requirements contained in subsection (1) of this section do not apply to or reduce the federal funds that would be otherwise allocated to local government agencies.

(3) The department shall, ((~~to the greatest extent practicable,~~)) in coordination with the ((~~apprenticeship and training council described in chapter 49.04 RCW~~)) department of labor and industries, expend moneys for apprenticeship preparation and support services, including providing grants to local Indian tribes, churches, nonprofits, and other organizations. The department shall, to the greatest extent practicable, expend moneys from ((~~other~~)) sources other than those specified in subsection (1) of this section for the activities in this subsection and subsections (4) and (5) of this section.

(4) The department shall coordinate with the ((~~apprenticeship and training council~~)) department of labor and industries to provide any portion of the following services:

(a) Preapprenticeship programs approved by the apprenticeship and training council;

(b) Preemployment counseling;

(c) Orientations on the highway construction industry, including outreach to women, minorities, and other disadvantaged individuals;

(d) Basic skills improvement classes;

(e) Career counseling;

(f) Remedial training;

(g) Entry requirements for training programs;

(h) Supportive services and assistance with transportation;

(i) Child care and special needs;

(j) Job site mentoring and retention services; ((~~and~~))

(k) Assistance with tools, protective clothing, and other related support for employment costs; and

(l) The recruitment of women and persons of color to participate in the apprenticeship program at the department.

(5) The department must actively engage with communities with populations that are underrepresented in current transportation apprenticeship programs.

(6) The department, in coordination with the ((~~apprenticeship and training council~~)) department of labor and industries, shall submit a report to the transportation committees of the legislature by December 1st of each year beginning in 2012. The report must contain:

(a) An analysis of the results of the activities in subsections (4) and (5) of this section;

(b) The amount available to the department from federal funds for the activities in subsections (4) and (5) of this section and the amount expended for those activities; and

(c) The performance outcomes achieved from each activity, including the number of persons receiving services, training, and employment.

(7) By December 31, 2020, the department must report to the legislature on the results of how the department's efforts to actively engage with communities with populations that are underrepresented in current transportation apprenticeship programs have resulted in an increased participation of underrepresented groups in the department's apprenticeship program over a five-year period."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Pike; Shea; Wilson and Young.

Passed to Committee on Rules for second reading.

March 31, 2015

ESB 5935 Prime Sponsor, Senator Parlette: Concerning biological products. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Jinkins; Johnson; Moeller; Robinson; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

April 1, 2015

SSB 5965 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Evaluating mitigation options for impacts to base flows and minimum instream flows. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Beginning on page 1, line 17, strike all of section 2 and insert the following:

"NEW SECTION. **Sec. 2.** (1) The department of ecology must produce a report evaluating options for mitigating the effects of permit-exempt groundwater withdrawals on existing water rights, including base flows and minimum instream flows. For the purposes of the report required in this section, the mitigation techniques that the department of ecology must evaluate include, but are not limited to:

(a) Demand management strategies, such as household conservation and associated water use metering;

(b) Supply side strategies, such as use of rainwater collection, greywater, cisterns, bulk or hauled water, and the extension of water supply pipelines.

(2) When preparing the report required under this section, the department of ecology must:

(a) Consult with the office of the attorney general;

(b) Coordinate with the existing water resources advisory committee formed by the department of ecology to provide feedback on the development of the report and any final recommendations; and

(c) Make available a draft of the report on its web site for at least thirty days for public review prior to the completion of the report to allow sufficient opportunity to consider input that may be received.

(3) The report required in this section must include:

(a) An examination of scientific methods for establishing instream flows, including a discussion of methods regularly used by the department of ecology and the department of fish and wildlife for each element of the instream flows required to be protected under RCW 90.54.020(3);

(b)(i) An analysis of the impacts, including cumulative impacts, of permit-exempt groundwater withdrawals on instream flows in several representative basins, including the impacts from existing and future withdrawals based on full build out scenarios.

(ii) The analysis required under this subsection should include a specific focus on impacts to tributaries that serve as habitat for salmonid spawning and rearing and should include empirical data concerning household water use for each category of use identified in RCW 90.44.050;

(c) A description of mitigation techniques, including out-of-kind mitigation, the department of ecology has employed or approved pursuant to RCW 90.03.255 in the previous ten years, or which may be available, to address the impacts of permit-exempt groundwater withdrawals on instream flows, including the location, cost, and legal authority for each type of mitigation technique;

(d) A survey of in-kind streamflow enhancement strategies, other than regulation of permit-exempt groundwater withdrawals, that would improve streamflow levels in a cost-effective manner;

(e)(i) An assessment of the effectiveness of each type of mitigation technique identified in (c) of this subsection, that may be available to the department of ecology to mitigate the impacts of permit-exempt groundwater withdrawals on instream flows.

(ii) The analyses required under this section must include:

(A) A scientific analysis of how the technique fully mitigates for harm; and

(B) An evaluation of how the mitigation techniques are funded, monitored, enforced, evaluated to determine effectiveness, and modified if mitigation fails;

(f) An evaluation of all mitigation options that may be available for permit-exempt groundwater withdrawals in the areas covered under the instream resources protection program for the lower and upper Skagit river basin, water resource inventory areas 3 and 4, and a discussion of the advantages and disadvantages of employing each type of mitigation technique in those areas;

(g) An evaluation of how mitigation sequencing approaches may be utilized to encourage avoidance of impacts; and

(h) Any recommendations regarding mitigation options that will be available to landowners who are required to mitigate the impacts of permit-exempt groundwater withdrawals on instream flows.

(4) By December 1, 2015, the department of ecology must submit the final report to the legislature consistent with RCW 43.01.036.

NEW SECTION. **Sec. 3.** This act expires June 30, 2016."

Renumber the remaining section consecutively and correct the title.

On page 1, line 6, after "development" strike all material through "flows." on line 16 and insert "requires access to uninterruptible water supplies. However, water supplies are not unlimited due to senior water rights and regulations that establish base flows and minimum instream flows. When senior water rights and flow regulations limit additional out-of-stream uses, mitigation options may provide a viable option if they are readily available and well-understood. The legislature recognizes the importance of providing clarity regarding the range of available mitigation options to help provide economic opportunities in rural areas."

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dunshee; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Assistant Ranking Minority Member; Chandler; Orcutt and Schmick.

Referred to Committee on General Government & Information Technology.

April 1, 2015

SSB 5972 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning the procurement of seeds by state agencies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 4.** A new section is added to chapter 39.26 RCW to read as follows:

(1) When purchasing seed in a lot or lots that exceed forty pounds, all agencies must require suppliers of seed to ensure the identity and purity of the seed through appropriate testing performed by the Washington state department of agriculture or by any other agency authorized under the laws of any state, territory, or possession that has standards and procedures approved by the United States secretary of agriculture to ensure the identity and purity of seed.

(2) All contracts for purchasing of seed by an agency must include the agency's expectations for the germination or viability of the seed as an essential element of the supplier's performance under the terms of the contract.

(3) For the purposes of this section, the following types of seed are excluded:

(a) Tree seed;

(b) Seed of woody species; and

(c) Seed of wildflowers that are native to Washington and that are harvested from naturally occurring stock.

(4) An agency may not structure what would naturally be one contract for the purchase of seed into multiple contracts for the purchase of seed for the purpose of avoiding the forty pound lot threshold in subsection (1) of this section."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Dunshee; Hurst; Orcutt; Pettigrew; Schmick; Stanford and Van De Wege.

Passed to Committee on Rules for second reading.

April 1, 2015

SSB 6019 Prime Sponsor, Committee on Law & Justice: Addressing adjudicative proceedings by state agencies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 5.** RCW 34.05.455 and 1988 c 288 s 416 are each amended to read as follows:

(1) A presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding other than communications necessary to procedural aspects of maintaining an orderly process, with any person employed by the agency without notice and opportunity for all parties to participate, except as provided in this subsection:

(a) Where the ultimate legal authority of an agency is vested in a multimember body, and where that body presides at an adjudication, members of the body may communicate with one another regarding the proceeding;

(b) Any presiding officer may receive aid from legal counsel, or from staff assistants who are subject to the presiding officer's supervision; and

(c) Presiding officers may communicate with other employees or consultants of the agency who have not participated in the proceeding in any manner, and who are not engaged in any investigative or prosecutorial functions in the same or a factually related case; provided that no other employee or consultant of the agency may attempt to coerce or improperly influence the action of the presiding officer in reaching his or her decision in a proceeding. An agency head's expectation that a presiding officer will consider written agency policies during his or her decision making is not coercion or improper influence.

(d) This subsection does not apply to communications required for the disposition of ex parte matters specifically authorized by statute.

(2) Unless required for the disposition of ex parte matters specifically authorized by statute or unless necessary to procedural aspects of maintaining an orderly process, a presiding officer may not communicate, directly or indirectly, regarding any issue in the proceeding, with any person not employed by the agency who has a direct or indirect interest in the outcome of the proceeding, without notice and opportunity for all parties to participate.

(3) Unless necessary to procedural aspects of maintaining an orderly process, persons to whom a presiding officer may not communicate under subsections (1) and (2) of this section may not communicate with presiding officers without notice and opportunity for all parties to participate.

(4) If, before serving as presiding officer in an adjudicative proceeding, a person receives an ex parte communication of a type that could not properly be received while serving, the person, promptly after starting to serve, shall disclose the communication in the manner prescribed in subsection (5) of this section.

(5) A presiding officer who receives an ex parte communication in violation of this section shall place on the record of the pending matter all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the presiding officer received an ex parte communication. The presiding officer shall advise all parties that these matters have been placed on the record. Upon request made within ten days after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a written rebuttal statement on the record. Portions of the record pertaining to ex parte communications or rebuttal statements do not constitute evidence of any fact at issue in the matter unless a party moves the admission of any portion of the record for purposes of establishing a fact at issue and that portion is admitted pursuant to RCW 34.05.452.

(6) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a presiding officer who receives the communication may be disqualified, and the portions of the record pertaining to the communication may be sealed by protective order.

(7) The agency shall, and any party may, report any violation of this section to appropriate authorities for any disciplinary proceedings provided by law. In addition, each agency by rule may provide for appropriate sanctions, including default, for any violations of this section."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Stokesbary and Walkinshaw.

Passed to Committee on Rules for second reading.

March 31, 2015

ESB 6044 Prime Sponsor, Senator Ericksen: Requiring the consideration of public access when designing a transportation facility adjacent to or across a waterway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 6.** The legislature recognizes that the department of transportation considers public access, including recreational trails and paths, when planning and designing new highway facilities consistent with chapters 47.30 and 90.58 RCW and RCW 79A.35.120. The legislature directs the department of transportation to explore the feasibility of providing access for water-related recreation.

NEW SECTION. **Sec. 7.** A new section is added to chapter 47.01 RCW to read as follows:

(1) The department must report on the feasibility of providing means of public access to a navigable waterway for public recreational purposes when conducting an environmental review of a major improvement project. The report must document whether the proposed project is in an area identified by state or local plans to be a priority for recreational access to waterways. If the proposed project is in an area identified by state or local plans to be a priority for recreational access to waterways, the department must coordinate with other relevant state agencies or local agencies to ensure consistency with the identified recreational plan.

(2) Any additional cost to a state highway project, including a major improvement project, due to providing public access to a waterway, including maintenance costs and any costs for parking infrastructure, must be paid for using nontransportation funding. The department may seek grants from the Washington wildlife and recreation coalition or any other agencies or entities that could provide funding for public access to a waterway. For purposes of this section, "nontransportation funding" means funding that has not been collected by the state for a transportation purpose.

(3) To the greatest extent practicable, when constructing a state highway project, including a major improvement project, the department must not adversely impact preexisting public access to a waterway.

(4) For the purposes of this section, a major improvement project is a state highway improvement project that requires an environmental impact statement or environmental assessment under the national environmental policy act (42 U.S.C. Sec. 4321 et seq.), excluding improvements to state ferry terminals and fully controlled limited access highways.

(5) A consideration of feasibility must include a description of the suitability for public use and implications associated with potential access. A consideration of feasibility must not alter the purpose and need for the proposed transportation project or create any legal obligation to modify existing recreational access from state highway facilities. If public access to waterways is deemed feasible, any subsequent development must be conclusively deemed for recreational purposes notwithstanding such facilities' relationship to transportation facilities. Findings that improvements are not feasible do not require the alteration of any existing or historic access.

(6) This section must not be interpreted to: Delay decision making or approvals on proposed state transportation improvement projects, or limit the department's entitlement to recreational immunity consistent with chapter 4.24 RCW."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

There being no objection, the bills, memorials and resolutions listed on the day’s committee reports and supplemental committee reports, under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 1106, HOUSE BILL NO. 1115 and HOUSE BILL NO. 1166 which were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Appropriations was relieved of SUBSTITUTE SENATE BILL NO. 5175, and the bill was referred to the Committee on Rules.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 2, 2015, the 81st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

HOUSE JOURNAL

OF THE

Sixty-Fourth Legislature

OF THE

STATE OF WASHINGTON

AT

Olympia, the State Capitol

2015 Regular Session
Convened January 12, 2015
Adjourned Sine Die April 24, 2015
2015 First Special Session
Convened April 29, 2015
Adjourned Sine Die May 28, 2015
2015 Second Special Session
Convened May 29, 2015
Adjourned Sine Die June 27, 2015
2015 Third Special Session
Convened June 28, 2015
Adjourned Sine Die July 10, 2015

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Jim Moeller, *Speaker Pro Tempore* Tina Orwall, *Deputy Speaker Pro Tempore*
Barbara Baker, *Chief Clerk* Bernard Dean, *Deputy Chief Clerk*
Patty Moore, *Minute Clerk* Sean Kochaniewicz, *Journal Clerk*

COMPILED, EDITED AND INDEXED BY

SEAN T. KOCHANIEWICZ

CHAMBER OPERATIONS COORDINATOR

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EIGHTY FIRST DAY

House Chamber, Olympia, Thursday, April 2, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mitchell Woodbury and Esmeralda Villalpando-Ramos. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Greg Asimakoupoulos, Chaplain at Covenant Shores Retirement Community and Faith and Values Columnist at the Mercer Island Reporter, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4615, by Representative Pettigrew

WHEREAS, The House of Representatives recently lost a dear friend and colleague, Representative Roger Freeman, to colorectal cancer, and wish to honor him; and

WHEREAS, Colorectal cancer is the second leading cause of cancer death in the United States, despite being highly treatable with early detection; and

WHEREAS, It is estimated that this year more than 132,000 individuals will be diagnosed with colorectal cancer and more than 49,000 individuals will die from the disease; and

WHEREAS, 1 in 3 adults between the ages of 50 and 75 are not up-to-date with recommended colorectal cancer screening, which can detect colorectal cancer early when treatment is most effective; and

WHEREAS, All men and women are at risk of colorectal cancer, especially those with a personal or family history of colorectal cancer or precancerous polyps, who should talk to their health care provider about starting screening earlier than age 50; and

WHEREAS, The Washington CARES About Cancer Partnership has initiated a year-round campaign for colorectal cancer awareness to help Washington reach the goal of 80 percent of age-eligible Washingtonians being regularly screened by 2018; and

WHEREAS, Designating March as Colorectal Cancer Awareness Month has the goal of increasing awareness and understanding of the importance and effectiveness of screening by all Washingtonians, regardless of age, income, and insurance status; and

WHEREAS, Governor Inslee proclaimed March 2015 as Colorectal Cancer Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives observe March 2015 as Colorectal Cancer Awareness Month; and encourage the people of Washington to take advantage of life-saving screening for colorectal cancer.

Representative Pettigrew moved adoption of HOUSE RESOLUTION NO. 4615.

Representatives Pettigrew, Harris and Walsh spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4615 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4631, by Representative Chandler

WHEREAS, The State of Washington has recognized the proud history of Filipino-Americans since 2010; and

WHEREAS, The earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California; and

WHEREAS, The Filipino-American National Historical Society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo Parrish, Louisiana; and

WHEREAS, Washington State contributed to this history with the recognition of the 1888 documents of Port Blakely on Bainbridge Island, Washington, at the time the largest lumber mill in the world, as listing a "Manilla," the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, These events set in motion a focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino-Americans have made in countless ways toward the development of the United States; and

WHEREAS, Efforts must continue to promote the study of Filipino-American history and culture, as mandated in the mission statement of the Filipino-American National Historical Society; and

WHEREAS, It is imperative for Filipino-American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

WHEREAS, Washingtonians who have made a national contribution to American culture and society include Filipino-Americans Carlos Bulosan, Roy Baldoz, Jose Calugas, Fred and Dorothy Cordova, Pio DeCano Sr., Trinadad Rojo, Bob Santos, Delores Sibonga, Silvestre Tangalan, Bernie Reyes Whitebear, Velma Veloria, Harry Bucset, and others; and

WHEREAS, Filipinos are one of the largest Asian/Pacific Islander communities in Washington State; and

WHEREAS, Washington State is the location of historic Filipino-American communities, including Wapato, Seattle, Bainbridge Island, Tacoma, Auburn, Bremerton, Pateros, and others; and

WHEREAS, Filipinos have served with special distinction in all of the United States military branches; and

WHEREAS, The United States and the Republic of the Philippines continue to hold a special bond; and

WHEREAS, The national office of the Filipino-American National Historical Society is located in the city of Seattle, Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize October 2015 as the 428th anniversary of the presence of Filipinos in the United States and as a significant time to study the advancement of Filipino-Americans in the history of the State of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Rey Pascua, President of the Filipino-American Community of the Yakima Valley, for further distribution to the Filipino-American National Historical Society, to Asian and Pacific Islander organizations, to other historical societies and government entities, and to the Superintendent of Public Instruction.

Representative Chandler moved adoption of HOUSE RESOLUTION NO. 4631.

Representatives Chandler and Ryu spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4631 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Rey Pascua, President of the Filipino American Community of the Yakima Valley, Inc., and other visiting members of the Filipino American community to the Chamber and asked the members to acknowledge them.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1106, by Representatives Hunter, Ormsby, Sullivan, Gregerson and Reykdal

Making 2015-2017 operating appropriations. Revised for 1st Substitute: Making 2015 fiscal year and 2015-2017 fiscal biennium operating appropriations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1106 was substituted for House Bill No. 1106 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1106 was read the second time.

With the consent of the house, amendments (323), (286), (297), (298), (324), (321), (302), (299), (292), (325), (289), and (322) were withdrawn.

Representative Walkinshaw moved the adoption of amendment (309):

On page 16, line 19, increase the general fund-state appropriation for fiscal year 2016 by $137,000

On page 17, line 13, correct the total.

On page 18, line 22, after "(3)" insert the following:

"$137,000 of the general fund--state appropriation for fiscal year 2016 is provided solely for the office of homeless youth programs created in Second Substitute House Bill No. 1436 (youth homelessness) to conduct an analysis to identify characteristics of the homeless youth population from birth to age twenty one. The office shall consult with applicable government and nongovernment organizations to identify homeless youth and the services that they receive, including, but not limited to, data from the homeless client management information system, automated client eligibility system, and any other applicable state and local government sources. The office shall work with organizations that provide services to homeless youth and their families to identify barriers to accessing services, whether the services available meet the needs of this population, and whether there are additional services needed by this population. Additionally, the office shall conduct a survey of best practices in other states and make recommendations to the legislature regarding the most cost-effective ways to support this population. To the extent possible, the office shall identify the number of homeless youth in Washington from birth to twenty one years of age, the average length of homelessness for this population, their location, and basic family demographics. The office shall submit an initial report to the appropriate committees of the legislature by December 31, 2015, and a final report by June 30, 2016.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Walkinshaw spoke in favor of the adoption of the amendment.

Representative Young spoke against the adoption of the amendment.

Amendment (309) was adopted.

Representative Taylor moved the adoption of amendment (320):

On page 16, line 19, increase the general fund--state appropriation for fiscal year 2016 by $2,500,000

On page 16, line 20, increase the general fund--state appropriation for fiscal year 2017 by $2,500,000

On page 17, line 13, correct the total.

On page 22, after line 28, insert the following:

"(29) $2,500,000 of the general fund--state appropriation for fiscal year 2016 and $2,500,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for the office of crime victims advocacy to increase grants to community sexual assault prevention programs."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 60, line 7, increase the general fund--state appropriation for fiscal year 2016 by $2,500,000

On page 60, line 8, increase the general fund--state appropriation for fiscal year 2017 by $2,500,000

On page 60, line 14, correct the total.

On page 67, after line 2, insert the following:

"(17) $2,500,000 of the general fund--state appropriation for fiscal year 2016 and $2,500,000 of the general fund--state appropriation in fiscal year 2017 are provided solely for an expansion of the family caregiver support program."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 75, line 16, decrease the general fund--state appropriation for fiscal year 2016 by $7,557,000

On page 75, line 17, decrease the general fund--state appropriation for fiscal year 2017 by $7,557,000

On page 75, line 18, decrease the general fund--federal appropriation by $25,672,000

On page 75, line 32, correct the total.

On page 82, after line 30, insert the following:

"(kk) None of the amounts provided in this section may be used to provide grants to or reimburse, through managed care or fee-for-service, for services provided by planned parenthood.

(ll) None of the amounts provided in this section may be used to pay for abortions unless they are deemed medically necessary by the patient's primary care physician."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 88, line 30, increase the general fund--state appropriation for fiscal year 2016 by $6,753,000

On page 88, line 31, increase the general fund--state appropriation for fiscal year 2017 by $6,753,000

On page 88, line 36, correct the total.

On page 89, after line 21, insert the following:

"(c) $4,000,000 of the general fund--state appropriation for fiscal year 2016 and $4,000,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for service dogs for veterans.

(d) $2,753,000 of the general fund--state appropriation for fiscal year 2016 and $2,753,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for an expansion of programs that serve veterans with disabilities."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 89, line 29, decrease the general fund--state appropriation for fiscal year 2016 by $6,696,000

On page 89, line 30, decrease the general fund--state appropriation for fiscal year 2017 by $6,696,000

On page 89, line 31, decrease the general fund--federal appropriation by $4,474,000

On page 90, line 26, correct the total.

On page 93, after line 18, insert the following:

"(12) None of the amounts provided in this section may be used to provide grants to or reimburse for services provided by planned parenthood.

(13) None of the amounts provided in this section may be used to pay for abortions unless they are deemed medically necessary by the patient's primary care physician."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 203, after line 35, insert the following:

"NEW SECTION. **Sec. 733. FOR THE OFFICE OF FINANCIAL MANGEMENT--INTERNET CRIMES AGAINST CHILDREN**

General Fund--State Appropriation (FY 2016) $2,500,000
General Fund--State Appropriation (FY 2017) $2,500,000
TOTAL APPROPRATION $5,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the internet crimes against children account for implementation of Second Substitute House Bill No. 1281. If the bill is not enacted by June 30, 2015, the amount in this section is appropriated to the criminal justice training commission solely for the Washington internet crimes against children task force."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Taylor, G. Hunt and Shea spoke in favor of the adoption of the amendment.

Representatives Robinson and Magendanz spoke against the adoption of the amendment.

Amendment (320) was not adopted.

Representative Wylie moved the adoption of amendment (306):

On page 46, line 20, increase the general fund-state appropriation for fiscal year 2016 by $70,000

On page 46, line 21, increase the general fund-state appropriation for fiscal year 2017 by $212,000

On page 46, line 26, correct the total

On page 51, after line 29, insert the following:

"(u) $70,000 of the general fund--state appropriation for fiscal year 2016 and $212,000 of the general fund--state appropriation for fiscal year 2017 are provided solely to match funds for the establishment of up to three pilot projects to offer respite services to primary caregivers of people with severe mental illness. The pilot projects must be selected from within regional services areas which are early adopters of fully integrated purchasing of medical and behavioral health services under RCW 71.24.380(5). The contracts with the pilot sites must require that fifty percent of the funds come from within base regional support network funding. The respite services must be provided by individuals qualified to meet the needs of the person receiving care, as determined by the department. The respite services may be provided on either a planned or emergent basis and may be provided in the home of the primary caregiver, the home of the person receiving care, or in the facility of a licensed service provider. The department must submit a report on the results of the pilot projects to the governor and the appropriate committees of the legislature by November 15, 2017. The report must summarize findings and any recommendations related to i) the benefits of respite services to primary caregivers and to persons receiving care; ii) the most appropriate use and cost-effectiveness of different care settings; iii) a summary of the cost of the pilot programs and estimated savings; and iv) an estimate of the costs and savings associated with making a caregiver respite program available statewide."

Representative Wylie spoke in favor of the adoption of the amendment.

Representative Chandler spoke against the adoption of the amendment.

Amendment (306) was adopted.

Representative Hunter moved the adoption of amendment (310):

On page 64, line 19, strike "and"

On page 64, after line 19, insert "(v) A member from disability rights washington and a member from the long-term care ombuds; and"

On page 64, line 20, strike "(v)" and insert "(vi)"

On page 64, line 21, strike "purpose of the committee is to" and insert "committee must"

On page 65, after line 13, insert "(e) At least one committee meeting must be devoted to a discussion of strategies to improve the quality of care, client safety and well-being, and staff safety within all community and institutional settings. During the meeting, committee members must receive a comprehensive review of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, in community settings, nursing homes, and each of the residential habilitation centers, with an emphasis on medical errors, inconsistencies between service plans and services provided, the use of restraints, and existence of hazardous environmental conditions."

On page 65, line 14, strike "(e)" and insert "(f)"

On page 65, line 17, after "2016." insert "The addendum report to the legislature must include the following:

(i) A description of the oversight role for residential care services, the long-term care ombuds, the centers for medicare and medicaid services, and disability rights washington;

(ii) From the provider perspective, and the perspective a state agency, an overview of the process for reviewing and responding to findings by residential care services and the centers for medicare and medicaid services;

(iii) A description of the process for notifying the office of the governor and the legislature when problems with quality of care, client safety and well-being, or staff safety arise within community or institutional settings;

(iv) A compilation of findings since fiscal year 2010 by the centers for medicare and medicaid services, and residential care services, at the residential habilitation centers, nursing facilities, supported living, assisted living, group homes, companion homes, adult family homes, and all other community based providers;

(v) An annotated and detailed list of all responses to findings by the centers for medicare and medicaid services, and residential care services, specific to audits of the nursing facility at lakeland village since fiscal year 2010; and

(vi) A description of the method in place to ascertain the outcome of responses to findings."

Representatives Hunter and Walsh spoke in favor of the adoption of the amendment.

Amendment (310) was adopted.

Representative Taylor moved the adoption of amendment (311):

On page 85, beginning on line 10, strike all of subsection 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 86, after line 34, insert the following:

"(11) $2,450,000 of the general fund-state appropriation for fiscal year 2016 and $2,450,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase support for the officer replacement program.

(12) $2,450,000 of the general fund-state appropriation for fiscal year 2016 and $2,450,000 of the general fund-state appropriation for fiscal year 2017 are provided solely to increase support for the major crimes task force."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Amendment (311) was not adopted.

Representative Stanford moved the adoption of amendment (301):

On page 88, line 30, increase the general fund--state appropriation for fiscal year 2016 by $40,000

On page 88, line 31, increase the general fund--state appropriation for fiscal year 2017 by $60,000

On page 88, line 36, correct the total.

On page 89, after line 21, insert the following

"(c) $40,000 of the general fund--state appropriation for fiscal year 2016 and $60,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for grants to community or technical colleges, or regional universities, to provide student veterans with academic advising services, peer support services, or other services consistent with the partners for veteran supportive campuses program. Any of the community or technical colleges or regional universities that submit an application for the partners for veteran supportive campuses certificate are eligible for a grant of up to twenty thousand dollars per applicant, per biennium. The department of veterans affairs may establish additional criteria to ensure that funding is distributed to the campuses that would benefit most from grants. All grants must be awarded prior to June 30, 2017."

Representatives Stanford and Chandler spoke in favor of the adoption of the amendment.

Amendment (301) was adopted.

Representative Schmick moved the adoption of amendment (294):

On page 93, after line 18, insert the following:

"(12)(a) Within existing resources, the department of health shall compile a report on ambulatory surgical facilities to be submitted to the appropriate committees of the legislature by January 1, 2016. The report shall include:

(i) The number of ambulatory surgical facilities currently functioning in Washington state;

(ii) The number of patients treated by ambulatory surgical facilities annually;

(ii) The number of ambulatory surgical facilities that are not medicare-certified and;

(iv) The number of ambulatory surgical facilities that are accredited by one of the organizations identified in WAC 246-330-025(1)(b).

(b) The department shall not increase current fees on initial or renewed licenses for ambulatory surgical facilities during the 2015-17 biennium."

On page 257, after line 6, insert the following:

"**Sec. 974.** RCW 43.70.250 and 2013 c 77 s 2 are each amended to read as follows:

It shall be the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business. The secretary shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses administered by the department. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program and the cost of regulating licensed volunteer medical workers in accordance with RCW 18.130.360, except as provided in RCW 18.79.202. All such fees shall be fixed by rule adopted by the secretary in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW. In the 2015-17 biennium, the department shall not increase fees on initial licenses and renewals for ambulatory surgical facilities regulated under RCW 70.230."

Representatives Schmick and Orcutt spoke in favor of the adoption of the amendment.

Representative Cody spoke against the adoption of the amendment.

Amendment (294) was not adopted.

Representative Pike moved the adoption of amendment (290):

On page 104, line 9, reduce the general fund--state appropriation for fiscal year 2016 by $100,000

On page 104, line 10, reduce the general fund--state appropriation for fiscal year 2017 by $100,000

On page 104, line 11, correct the total.

On page 104, after line 11, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: $100,000 of the general fund--state appropriation for fiscal year 2016 and $100,000 of the general fund--state appropriation for fiscal year 2017 for the growth management hearings board are reduced to reflect the assumptions contained in House Bill No. 1158 (growth mgmt/sup court review)."

Representatives Pike, Shea, Taylor and Young spoke in favor of the adoption of the amendment.

Representative Springer spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (290) to Substitute House Bill No. 1106.

ROLL CALL

The Clerk called the roll on the adoption of amendment (290) to Substitute House Bill No. 1106, and the amendment was not adopted by the following vote: Yeas, 47; Nays, 51; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (290) was not adopted.

Representative Pike moved the adoption of amendment (288):

On page 107, after line 38, insert the following:

"(11) The department must, when making fisheries management determinations and setting fishing seasons, maximize recreational fishing opportunity within available harvests before determining commercial fishing opportunity. The fish and wildlife commission, when utilizing hatcheries to enhance fishing opportunities, shall, consistent with all tribal treaty obligations, prioritize production at hatcheries based on their contribution to recreational fisheries."

Representatives Pike and Orcutt spoke in favor of the adoption of the amendment.

Representatives Hunter and Takko spoke against the adoption of the amendment.

Amendment (288) was not adopted.

Representative Dent moved the adoption of amendment (319):

On page 110, line 30, increase the general fund state--appropriation for fiscal year 2016 by $843,000

On page 110, line 31, increase the general fund state--appropriation for fiscal year 2017 by $843,000

On page 110, line 37, correct the total.

On page 230, beginning on line 14, strike all of section 946

Correct the title.

Representatives Dent, DeBolt and Walsh spoke in favor of the adoption of the amendment.

Representative Hunter spoke against the adoption of the amendment.

Amendment (319) was not adopted.

Representative Taylor moved the adoption of amendment (312):

On page 112, line 4, decrease the general fund-state appropriation for fiscal year 2016 by $92,000

On page 112, line 5, decrease the general fund-state appropriation for fiscal year 2017 by $92,000

On page 112, line 21, correct the total.

Representatives Taylor and Shea spoke in favor of the adoption of the amendment.

Representative Hunter spoke against the adoption of the amendment.

Amendment (312) was not adopted.

Representative Orwall moved the adoption of amendment (304):

On page 122, line 9, after "program" insert ", dropout prevention programs that provide student mentoring,"

Representative Orwall spoke in favor of the adoption of the amendment.

Amendment (304) was adopted.

Representative MacEwen moved the adoption of amendment (293):

On page 128, line 15, increase the general fund--state appropriation for fiscal year 2016 by $584,000

On page 128, line 16, increase the general fund--state appropriation for fiscal year 2017 by $858,000

On page 128, line 18, correct the total.

On page 134, line 4, after "allocations of" strike "$1,272.99" and insert "$1,346.49"

On page 134, line 5, after "and" strike "$1,294.63" and insert "$1,372.43"

On page 134, line 8, after "of" strike "$1,431.65" and insert "$1,507.65"

On page 134, line 8, after "year and" strike "$1,455.99" and insert "$1,533.28"

On page 143, line 3, decrease the general fund--state appropriation for fiscal year 2016 by $99,000

On page 143, line 4, decrease the general fund--state appropriation for fiscal year 2017 by $241,000

On page 146, line 32, decrease the general fund--state appropriation for fiscal year 2016 by $486,000

On page 146, line 33, decrease the general fund--state appropriation for fiscal year 2017 by $613,000

Representative MacEwen spoke in favor of the adoption of the amendment.

Representative Sullivan spoke against the adoption of the amendment.

Amendment (293) was not adopted.

Representative Wilcox moved the adoption of amendment (296):

On page 152, line 21, increase the general fund-state appropriation for fiscal year 2016 by $500,000

On page 152, line 22, increase the general fund-state appropriation for fiscal year 2017 by $500,000

On page 152, line 26, correct the total.

On page 158, after line 26, insert the following:

"(25) $500,000 of the general fund-state appropriation for fiscal year 2016 and $500,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for a contract with a non-profit organization to integrate science standards with outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors."

Representatives Wilcox and Santos spoke in favor of the adoption of the amendment.

Amendment (296) was adopted.

Representative Wilcox moved the adoption of amendment (326):

On page 165, beginning on line 17, strike all of subsection (1) and insert the following:

"(1) For the purposes of RCW 28B.15.067(6) as amended by Engrossed Senate Bill No. 5954 (college affordability program), the 2015-16 academic year tuition operating fee for the state universities as defined in RCW 28B.15.005 shall be eighteen percent of the state average wage as defined in RCW 50.04.355.

(2) For the purposes of RCW 28B.15.067(6) as amended by Engrossed Substitute Senate Bill No. 5954 (college affordability program), the 2015-16 academic year tuition operating fee for the regional universities as defined in RCW 28B.15.005 and the Evergreen State College shall be fourteen percent of the state average wage as defined in RCW 50.04.355."

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 166, beginning on line 26, strike all of subsection (1) and insert the following:

"(1) For the purposes of RCW 28B.15.067(3) as amended by Engrossed Substitute Senate Bill No. 5954 (college affordability program), the 2015-16 academic year tuition operating fee shall be the same as the tuition operating fee in the 2014-15 academic year."

On page 167, line 32, reduce the general fund-state appropriation for fiscal year 2016 by $9,965,000

On page 167, line 33 increase the general fund-state appropriation for fiscal year 2017 by $10,235,000

On page 167, line 37, reduce the education legacy trust account-state appropriation by $19,879,000

On page 167, line 38, correct the total.

On page 170, after line 16, insert the following:

"(12) $10,236,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 170, line 18, increase the general fund-state appropriation for fiscal year 2016 by $14,326,000

On page 170, line 19, increase the general fund-state appropriation for fiscal year 2017 by $68,532,000

On page 170, line 20, reduce the education legacy trust account-state appropriation by $23,749,000

On page 170, line 31, correct the total.

On page 172, after line 28, insert the following:

"(13) $27,266,000 of the general fund-state appropriation for fiscal year 2016 and $68,532,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 172, line 30, increase the general fund-state appropriation for fiscal year 2016 by $6,836,000

On page 172, line 31, increase the general fund-state appropriation for fiscal year 2017 by $41,557,000

On page 172, line 32, reduce the education legacy trust account-state appropriation by $11,939,000

On page 172, line 35, correct the total.

On page 174, after line 27, insert the following:

"(12) $12,906,000 of the general fund-state appropriation for fiscal year 2016 and $41,557,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 174, line 29, reduce the general fund-state appropriation for fiscal year 2016 by $904,000

On page 174, line 30, increase the general fund-state appropriation for fiscal year 2017 by $7,818,000

On page 174, line 32, reduce the education legacy trust account-state appropriation by $3,804,000

On page 174, line 33, correct the total.

On page 175, after line 20, insert the following:

"(5) $1,254,000 of the general fund-state appropriation for fiscal year 2016 and $7,818,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 175, line 22, increase the general fund-state for fiscal year 2016 by $3,407,000

On page 175, line 23, increase the general fund-state for fiscal year 2017 by $12,701,000

On page 175, line 24, reduce the education legacy trust account-state appropriation by $3,561,000

On page 175, line 25, correct the total.

On page 176, after line 11, insert the following:

"(5) $5,210,000 of the general fund-state appropriation for fiscal year 2016 and $12,701,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the

implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 176, line 13, increase the general fund-state appropriation for fiscal year 2016 by $790,000

On page 176, line 14, increase the general fund-state appropriation for fiscal year 2017 by $3,997,000

On page 176, line 15, reduce the education legacy trust account state by $1,688,000

On page 176, line 16, correct the total.

On page 177, after line 21, insert the following:

"(9) $1,662,000 of the general fund-state appropriation for fiscal year 2016 and $3,997,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 177, line 23, increase the general fund-state appropriation for fiscal year 2016 by $6,077,000

On page 177, line 24, increase the general fund-state appropriation for fiscal year 2017 by $18,399,000

On page 177, line 26, reduce the education legacy trust account-state appropriation by $5,050,000

On page 177, line 27, correct the total.

On page 178, after line 17, insert the following:

"(5) $9,088,000 of the general fund-state appropriation for fiscal year 2016 and $18,399,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). If the bill is not enacted by June 30, 2015, the amounts provided in this subsection shall lapse."

On page 178, line 32, reduce the general fund-state appropriation for fiscal year 2016 by $14,561,000

On page 178, line 33, reduce the general fund-state appropriation for fiscal year 2017 by $48,044,000

On page 178, line 36, reduce the education legacy trust account-state appropriation by $51,532,000

On page 179, line 2, correct the total.

On page 179, line 5, after "(1)" strike "$242,454,000" and insert "$227,893,000"

On page 179, line 6, after "2016," strike "$242,455,000" and insert "$194,411,000"

On page 179, line 7, after "2017," strike "$66,850,000" and insert $39,915,000"

On page 179, line 11, after "grant" strike all material through "year." on page 179, line 21, and insert "program and the implementation of Engrossed Substitute Senate Bill No. 5954 (college affordability program). Prior to distributing annual state need grant amounts to institutions of higher education, the council shall retain an amount sufficient to provide maximum state need grant award for participates in the college bound scholarship program as forecasted by the caseload forecast council in February preceding the academic year awards will be distributed. The student achievement council shall disburse state need grant awards to college bound students in the same manner as college bound awards."

On page 180, line 11, beginning with "The" strike all material through "students." On page 180, line 19

On page 180, line 26, after "(6)" strike "$65,035,000" and insert "$40,438,000"

Representatives Wilcox, Manweller, Haler, Zeiger and Orcutt spoke in favor of the adoption of the amendment.

Representatives Hansen, Reykdal and Pollet spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (326) to Substitute House Bill No. 1106.

ROLL CALL

The Clerk called the roll on the adoption of amendment (326) to Substitute House Bill No. 1106, and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (326) was not adopted.

Representative Manweller moved the adoption of amendment (303):

On page 167, line 32, reduce the general fund-state appropriation for fiscal year 2016 by $500,000

On page 167, line 33, reduce the general fund-state appropriation for fiscal year 2017 by $500,000

On page 167, line 38, correct the total.

On page 168, beginning on line 23, strike all of subsection 4

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Manweller and Parker spoke in favor of the adoption of the amendment.

Representative Ormsby spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (303) to Substitute House Bill No. 1106.

ROLL CALL

The Clerk called the roll on the adoption of amendment (303) to Substitute House Bill No. 1106, and the amendment was not adopted by the following vote: Yeas, 47; Nays, 51; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (303) was not adopted.

Representative Tarleton moved the adoption of amendment (307):

On page 170, line 18, increase the general fund-state appropriation for fiscal year 2016 by $200,000

On page 170, line 19, increase the general fund-state appropriation for fiscal year 2017 by $200,000

On page 170, line 31, correct the total.

On page 172, after line 28, insert the following:

"(13) $200,000 of the general fund-state appropriation for fiscal year 2016 and $200,000 of the general fund-state appropriation for fiscal year 2017 are provided solely for the climate impacts group in the college of the environment."

Representative Tarleton spoke in favor of the adoption of the amendment.

Representative Griffey spoke against the adoption of the amendment.

Amendment (307) was adopted.

Representative Bergquist moved the adoption of amendment (308):

On page 179, line 7, after "2017," strike "$66,850,000" and insert "$65,200,000"

On page 180, line 29, after "(7)" insert the following:

"$1,650,000 of the education legacy trust account-appropriation is provided solely for scholarship award amounts for college bound scholarship students with state median family incomes between 66 and 125 percent at the time of enrollment in post an institution of postsecondary education. The amounts provided in this subsection are one time and must be expended in fiscal year 2016. Students with median family incomes between 66 and 70 percent shall receive the maximum state need grant amount for which they are eligible from existing state need grant funds provided in subsection (1) of this section. If that amount is less than 100 percent of a community and technical college state need grant award, the student shall be provided with an award from the amounts provided in this subsection equal to the difference between the maximum state need grant award for which they are eligible and 100 percent of a community and technical college state need grant award. Students with median family incomes between 71 and 125 percent shall receive an award from amounts provided in this subsection equal to 100 percent of a community and technical college state need grant award.

(8)"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Bergquist and Riccelli spoke in favor of the adoption of the amendment.

Representative Hargrove spoke against the adoption of the amendment.

Amendment (308) was adopted.

Representative Wilcox moved the adoption of amendment (291):

On page 197, line, 23, after "limitations:" insert "(1)"

On page 197, after line 26, insert the following:

"(2) Expenditures for the state universal communications services program may not exceed $5,000,000 per fiscal year. However, during the 2015-2017 biennium, if less than $5,000,000 is expended in any fiscal year, the unexpended portion must be carried over to subsequent fiscal years and, unless fully expended, must be available for program expenditures in such subsequent fiscal years in addition to the $5,000,000 allotted for each of those subsequent fiscal years."

Representatives Wilcox, DeBolt and Orcutt spoke in favor of the adoption of the amendment.

Representative Morris spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (291) to Substitute House Bill No. 1106.

ROLL CALL

The Clerk called the roll on the adoption of amendment (291) to Substitute House Bill No. 1106, and the amendment was not adopted by the following vote: Yeas, 47; Nays, 51; Absent, 0; Excused, 0.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (291) was not adopted.

Representative Dent moved the adoption of amendment (318):

On page 203, after line 35, insert the following:

"NEW SECTION. **Sec. 733. FOR THE OFFICE OF FINANCIAL MANAGEMENT—AERONAUTICS ACCOUNT**

General Fund—State Appropriation (FY 2016). . .$318,000

General Fund—State Appropriation (FY 2017). . .$320,000

TOTAL APPROPRIATION. $638,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section represent the general fund portion of aircraft excise tax revenue and are provided solely for expenditure into the aeronautics account. It

is the intent of the legislature to continue this appropriation in future biennia. Funds provided to the aeronautics account in this section may only be used to fund the operation and administrative expenses of the Washington state department of transportation aviation airport aid grant program described in RCW 47.68.090."

Representatives Dent and Carlyle spoke in favor of the adoption of the amendment.

Amendment (318) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Jinkins, Carlyle, Kagi, Santos, Walkinshaw and Sullivan spoke in favor of the passage of the bill.

Representatives Chandler, Zeiger, Manweller, Stambaugh, Nealey, Stokesbary, Magendanz and Parker spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1106.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1106, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1166, by Representatives Dunshee, Gregerson and DeBolt

Concerning state general obligation bonds and related accounts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1166 was substituted for House Bill No. 1166 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1166 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dunshee and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1166.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1166, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

SUBSTITUTE HOUSE BILL NO. 1166, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1115, by Representatives Dunshee, DeBolt, Gregerson, Morris and Reykdal

Concerning the capital budget.

The bill was read the second time.

With the consent of the house, amendment (295) to the striking amendment was withdrawn.

Representative Dunshee moved the adoption of amendment (300):

Format changed to accommodate text

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 8.** (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2017, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2016" or "FY 2016" means the period beginning July 1, 2015, and ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the period beginning July 1, 2016, and ending June 30, 2017.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2017-2019 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2015, from the 2013-2015 biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. **Sec. 1001. FOR THE SECRETARY OF STATE**

Library - Archives Building (30000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for a predesign to determine: (a) Necessary program space for the state library currently located in Tumwater, and additional archive space; and (b) capital budget requirements, including the use of fees collected by the secretary of state that will support a certificate of participation for the financing of the construction of the facility, and future operating costs.

(2) The study must consider the use of the general administration building site as a possible location; and any benefits or consequences may be identified at this site or other sites considered.

(3) The office of financial management shall determine the maximum use of the site and consider the consolidation of other state agencies, including separately elected officials.

(4) The building must be a high performance building as described in section 7008 of this act and the construction must be procured using a performance based method including design-build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $55,428,000
TOTAL $55,678,000

NEW SECTION. **Sec. 1002. FOR THE SECRETARY OF STATE**

Minor Works (91000007)

Appropriation:

State Building Construction Account—State $1,007,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,007,000

NEW SECTION. **Sec. 1003. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account—State $434,000
Prior Biennia (Expenditures) $45,458,000
Future Biennia (Projected Costs) $0
TOTAL $45,892,000

NEW SECTION. **Sec. 1004. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20064010)

Reappropriation:

Rural Washington Loan Account—State $2,383,000
Prior Biennia (Expenditures) $1,744,000
Future Biennia (Projected Costs) $0
TOTAL $4,127,000

NEW SECTION. **Sec. 1005. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—State $1,822,000
Prior Biennia (Expenditures) $205,000
Future Biennia (Projected Costs) $0
TOTAL $2,027,000

NEW SECTION. **Sec. 1006. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:

State Taxable Building Construction Account—State $1,405,000
Washington Housing Trust Account—State $86,000
Subtotal Reappropriation $1,491,000
Prior Biennia (Expenditures) $198,509,000
Future Biennia (Projected Costs) $0
TOTAL $200,000,000

NEW SECTION. **Sec. 1007. FOR THE DEPARTMENT OF COMMERCE**

Job Development Fund Grants (20074010)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007 and section 1005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $3,987,000
Prior Biennia (Expenditures) $44,943,000
Future Biennia (Projected Costs) $0
TOTAL $48,930,000

NEW SECTION. **Sec. 1008. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20084001)

The reappropriation in this section is subject to the following conditions and limitations: Except as directed otherwise prior to the effective date of this section, the department shall not expend the reappropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the reappropriation is released for design costs only.

Reappropriation:

State Building Construction Account—State $113,000
Prior Biennia (Expenditures) $127,577,000
Future Biennia (Projected Costs) $0
TOTAL $127,690,000

NEW SECTION. **Sec. 1009. FOR THE DEPARTMENT OF COMMERCE**

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account—State $1,213,000
Prior Biennia (Expenditures) $19,703,000
Future Biennia (Projected Costs) $0
TOTAL $20,916,000

NEW SECTION. **Sec. 1010. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts (30000006)

Reappropriation:

State Building Construction Account—State $1,594,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $10,075,000

NEW SECTION. **Sec. 1011. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

Washington Housing Trust Account—State $276,000
Prior Biennia (Expenditures) $129,724,000
Future Biennia (Projected Costs) $0
TOTAL $130,000,000

NEW SECTION. **Sec. 1012. FOR THE DEPARTMENT OF COMMERCE**

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account—State $1,991,000
Prior Biennia (Expenditures) $11,431,000
Future Biennia (Projected Costs) $0
TOTAL $13,422,000

NEW SECTION. **Sec. 1013. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000095)
Reappropriation:
Drinking Water Assistance Account—State $6,451,000
Drinking Water Assistance Repayment Account—State $90,368,000
Subtotal Reappropriation $96,819,000
Prior Biennia (Expenditures) $10,863,000
Future Biennia (Projected Costs) $0
TOTAL $107,682,000

NEW SECTION. **Sec. 1014. FOR THE DEPARTMENT OF COMMERCE**
Community Economic Revitalization Board (30000097)
Reappropriation:
Public Facility Construction Loan Revolving Account—State $2,104,000
Prior Biennia (Expenditures) $2,896,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1015. FOR THE DEPARTMENT OF COMMERCE**
Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.
Reappropriation:
State Taxable Building Construction Account—State $5,506,000
Prior Biennia (Expenditures) $44,494,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 1016. FOR THE DEPARTMENT OF COMMERCE**
Public Works Assistance Account Program (30000103)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.
Reappropriation:
Public Works Assistance Account—State $90,734,000
Prior Biennia (Expenditures) $233,851,000
Future Biennia (Projected Costs) $0
TOTAL $324,585,000

NEW SECTION. **Sec. 1017. FOR THE DEPARTMENT OF COMMERCE**
Building Communities Fund Grants (30000102)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation is subject to the provisions of section 1027, chapter 49, Laws of 2011, 1st sp. sess.
(2) The reappropriation is provided solely for the University District food bank project.
Reappropriation:
State Building Construction Account—State $573,000
Prior Biennia (Expenditures) $12,830,000
Future Biennia (Projected Costs) $0
TOTAL $13,403,000

NEW SECTION. **Sec. 1018. FOR THE DEPARTMENT OF COMMERCE**
Local and Community Projects (30000166)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $1,887,000
Prior Biennia (Expenditures) $14,930,000
Future Biennia (Projected Costs) $0
TOTAL $16,817,000

NEW SECTION. **Sec. 1019. FOR THE DEPARTMENT OF COMMERCE**
Weatherization (91000247)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2012 2nd sp. sess.
Reappropriation:
State Taxable Building Construction Account—State $5,313,000
Prior Biennia (Expenditures) $19,687,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1020. FOR THE DEPARTMENT OF COMMERCE**
Clean Energy Partnership (30000175)
The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is provided solely for implementation of the recommendations of the clean energy leadership council by providing state matching funds for projects that:

(a) Integrate energy efficiency and renewable energy in buildings;

(b) Integrate renewable energy into the regional electrical grid;

(c) Advance bioenergy in the state.

(2) State funding must not exceed fifty percent of the total program or project funds.

(3) Eligible projects must:

(a) Involve a majority of companies that are located in Washington state;

(b) Represent a substantially new solution that is not widely available today; and

(c) Be designed to generate solutions that are applicable both inside and outside of the state.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $4,828,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL $5,500,000

NEW SECTION. **Sec. 1021. FOR THE DEPARTMENT OF COMMERCE**

Financing Energy/Water Efficiency (30000180)

Reappropriation:

Public Works Assistance Account—State $4,886,000
Prior Biennia (Expenditures) $114,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1022. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2013 Loan List (30000184)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1016, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

Public Works Assistance Account—State $82,786,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $82,786,000

NEW SECTION. **Sec. 1023. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Grants (30000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1062, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,568,000
Prior Biennia (Expenditures) $1,563,000
Future Biennia (Projected Costs) $0
TOTAL $4,131,000

NEW SECTION. **Sec. 1024. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Grants (30000186)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1063, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,301,000
Prior Biennia (Expenditures) $6,903,000
Future Biennia (Projected Costs) $0
TOTAL $10,204,000

NEW SECTION. **Sec. 1025. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Grants (30000188)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $2,692,000
Prior Biennia (Expenditures) $2,587,000
Future Biennia (Projected Costs) $0
TOTAL $5,279,000

NEW SECTION. **Sec. 1026. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000189)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Reappropriation:

Drinking Water Assistance Account—State $4,400,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Reappropriation $204,400,000
Prior Biennia (Expenditures) $8,800,000
Future Biennia (Projected Costs) $0
TOTAL $213,200,000

NEW SECTION. **Sec. 1027. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $5,052,000
Prior Biennia (Expenditures) $3,948,000
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1028. FOR THE DEPARTMENT OF COMMERCE**

Weatherization (30000192)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1076, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $4,291,000
Prior Biennia (Expenditures) $15,709,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1029. FOR THE DEPARTMENT OF COMMERCE**

2013-2015 Energy Efficiency Grants (30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $21,714,000
Prior Biennia (Expenditures) $3,286,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1030. FOR THE DEPARTMENT OF COMMERCE**

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 1031. FOR THE DEPARTMENT OF COMMERCE**

ARRA SEP Revolving Loans (30000725)

Appropriation:

Energy Recovery Act Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,500,000

NEW SECTION. **Sec. 1032. FOR THE DEPARTMENT OF COMMERCE**

Behavioral Health: Evaluation and Treatment Centers Grant Program (91000644)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the department of social and health services, to issue at least three grants, one of which will be to the Woodmont recovery center, to hospitals or other entities to establish new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities with sixteen or fewer beds for the purpose of providing short-term detention services through the publicly funded mental health system. Funds may be used for construction and equipment costs associated with establishment of the community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities. These funds may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of grants and priority must be given to those proposals to establish new community hospital inpatient psychiatric beds or free-standing evaluation and treatment facilities. The criteria must include:

(a) Evidence that the application was developed in collaboration with one or more regional support networks, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical access to short-term detention services under chapter 71.05 RCW in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act at chapter 71.05 RCW;

(d) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(e) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(f) A detailed estimate of the costs associated with opening the beds; and

(g) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(2) To accommodate the emergent need for inpatient psychiatric services, the department of health and the department of commerce, in collaboration with the department of social and health services shall establish a concurrent and expedited process for the purpose of grant applicants meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities.

(3) $3,000,000 is provided for the Swedish Ballard psychiatric unit.

Appropriation:

State Building Construction Account—State..... $9,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1033. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2)(a) $10,000,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(f) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(3) $6,600,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(4)(a) $13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(5)(a) $10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(6) $400,000 of the state building construction account—state is provided solely for capital funding of wood energy conversion projects at public facilities.

(7) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

Appropriation:

State Taxable Building Construction Account—State $17,000,000
State Building Construction Account—State $23,400,000
Subtotal Appropriation $40,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $240,000,000
TOTAL $280,400,000

NEW SECTION. **Sec. 1034. FOR THE DEPARTMENT OF COMMERCE**

Substance Abuse and Mental Health Facilities (91000646)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1035. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2016 Loan List (30000727)

The appropriation in this section is subject to the following conditions and limitations: $69,733,000 is provided solely for the ranked list of projects in LEAP capital document number 2015-1, developed March 27, 2015.

Appropriation:

Public Works Assistance Account—State $69,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $349,733,000

NEW SECTION. **Sec. 1036. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Program (30000731)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Spokane children's theatre $18,000
KEXP's new home at Seattle center $1,866,000
Admiral theatre renovation 2.0 ..... $100,000
Kirkland arts center - capital improvements project $48,000
Uniontown creativity center addition and site improvements $123,000
San Juan islands museum of art $650,000
KidsQuest children's museum - good to grow capital campaign $2,000,000
Cornish playhouse $232,000
ACT theatre eagles auditorium restoration and renovation $303,000
Music works northwest park 118 building renovation $64,000
New hands on children's museum $393,000
TOTAL $5,797,000

Appropriation:

State Building Construction Account—State $5,797,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $21,600,000
TOTAL $27,397,000

NEW SECTION. **Sec. 1037. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Program (30000792)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Youth activity wing at the Tom Taylor family YMCA $515,000
BGCB main club project $1,200,000

BGCB hidden valley fieldhouse project $1,200,000
Sultan boys & girls club $340,000
Stanwood-Camano family YMCA $1,200,000
YMCA camp Terry environmental recreation center $500,000
Mukilteo boys & girls club $1,200,000
Lummi youth wellness center renovation project $1,200,000
TOTAL $7,355,000
Appropriation:
State Building Construction Account—State $7,355,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $39,355,000

NEW SECTION. **Sec. 1038. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Program (30000803)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Rainier Beach urban farm and wetlands $307,000
Whatcom county emergency food hub $575,000
Hopelink Redmond integrated services center $2,400,000
Riverside drive building purchase $138,000
Centerforce $98,000
Eritrean association community kitchen $58,000
Tonasket food bank building acquisition $22,000
Building for the future $300,000
Entiat Valley community services resource center $100,000
Pike market neighborhood center $500,000
Opportunity council renovation project $170,000
FareStart facility expansion to the Pacific tower $438,000
Walla Walla community teen center $475,000
El Centro de la Raza community access & parking improvements $600,000
Good ground capital campaign $300,000
Renewed hope capital campaign $66,000
International community health services (ICHS) $3,500,000
Casa latina: A home for opportunity $150,000
Centerstone building renovation $1,500,000
PSRS office building conversion $212,000
Prairie oaks $200,000
Leschi center renovation $1,000,000
Everett family YMCA $2,000,000
Behavioral healthcare center for children, youth and families $2,000,000
Phoenix rising $250,000
Gordon family YMCA (Sumner, WA) $2,000,000
Community grief support and recovery center $1,000,000
Auburn youth resources campus expansion $500,000
TOTAL $20,859,000
Appropriation:
State Building Construction Account—State $20,859,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $140,859,000

NEW SECTION. **Sec. 1039. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Appropriation (30000833)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to award loans and grants on a competitive basis to affordable housing projects statewide that will produce, at a minimum, a total of 1,900 homes and 500 seasonal beds, in the following categories and amounts:

(a) For people with chronic mental illness, 281 homes;

(b) For homeless families with children, 529 homes;

(c) For people with disabilities, developmental disabilities, veterans, and others, 500 homes; of that number, a minimum of 100 must be for veterans;

(d) For homeless youth, 200 homes;

(e) For farmworkers, 190 homes and 500 seasonal beds;

(f) For seniors, 200 homes.

(2) If upon review of completed applications, the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Taxable Building Construction Account—State $80,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $220,000,000
TOTAL $300,000,000

NEW SECTION. **Sec. 1040. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Community Economic Revitalization Board Program (30000834)

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1856 or other legislation that provides an exception for counties with the state's highest unemployment rates to the community economic revitalization board program's median hourly wage requirement is not enacted by June 30, 2015, the appropriation from the state taxable building construction account—state in this section shall lapse.

Appropriation:

State Taxable Building Construction Account—State $2,000,000
Public Facility Construction Loan Revolving Account—
State $8,100,000
Subtotal Appropriation $10,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $28,000,000
TOTAL $38,100,000

NEW SECTION. **Sec. 1041. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency and Solar Grants (30000835)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $5,630,000 for fiscal year 2016 and $5,630,000 for fiscal year 2017 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least ten percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(2) $3,750,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for Washington-manufactured products.

(3) $1,650,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) $225,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

Appropriation:

State Building Construction Account—State $30,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $150,000,000

NEW SECTION. **Sec. 1042. FOR THE DEPARTMENT OF COMMERCE**

Ultra-Efficient Affordable Housing Demonstration (30000836)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for loans or grants to low-income housing developers to design and construct ultra-high energy efficient housing projects including single and multifamily units;

(2) By December 1, 2015, in consultation with professional building, energy efficiency and housing finance organizations, the office of financial management and appropriate legislative staff, the department shall develop a process that is designed to solicit, evaluate and fund ultra-high energy efficient housing projects as part of the housing trust fund competitive program.

(3) To receive funding, a project must demonstrate energy-saving and renewable energy systems designed to reach net-zero energy use after housing is fully occupied and must provide a life-cycle cost analysis report to the department; and

(4) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(a) Whether the proposed design has demonstrated that the project will achieve net-zero energy use when fully occupied;

(b) The life cycle cost of the project;

(c) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(d) The extent to which the project leverages nonstate funds;

(e) The extent to which the project is ready to proceed to construction;

(f) Whether the project promotes sustainable use of resources and environmental quality;

(g) Whether the project is being well-managed to fund maintenance and capital depreciation;

(h) Reduction of housing and utilities carbon footprint; and

(i) Other criteria that the department considers necessary to achieve the purpose of this program.

Appropriation:

State Taxable Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1043. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Portfolio Preservation Program (30000837)

Appropriation:

Washington Housing Trust Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 1044. FOR THE DEPARTMENT OF COMMERCE**

Weatherization Matchmaker Program (30000838)

Appropriation:

State Building Construction Account—State $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $60,000,000
TOTAL $80,000,000

NEW SECTION. **Sec. 1045. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Drinking Water State Revolving Fund Loan Program (30000840)

The appropriations in this section are subject to the following conditions and limitations:

(1) $4,400,000 of the drinking water assistance account for fiscal year 2016 and $4,400,000 of the drinking water assistance account for fiscal year 2017 is provided as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(3) The agency must encourage local government use of federally-funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State $120,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $480,000,000
TOTAL $600,000,000

NEW SECTION. **Sec. 1046. FOR THE DEPARTMENT OF COMMERCE**

Community Energy Efficiency Program (30000845)

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 1047. FOR THE DEPARTMENT OF COMMERCE**

2016 Local and Community Projects (30000846)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section is provided solely for the Fairchild air force base protection and community empowerment project. Of that amount, $200,000 is provided for the purchase of twenty acres of land for development of affordable housing. The remaining $1,300,000 is provided for the county's purchase of mobile home parks in order to reduce the use of the accident potential zone for residential purposes. If the county subsequently rezones, develops, and leases the mobile home park property for commercial or industrial uses, the county must repay to the state the $1,300,000 appropriation in its entirety within ten years.

(8) The appropriation is provided solely for the following list of projects:

AHCC reclaimed water project $709,000
Appleway trail $1,000,000
Basin 3 sewer rehabilitation center $1,000,000
Bellevue downtown park inspiration playground and sensory garden $500,000
Bender fields parking lot and restrooms $1,000,000
Blackhills community soccer complex safety projects $750,000
Bremerton children's dental clinic $396,000
Brewster reservoir replacement project $1,000,000
Brookville gardens community park improvements $1,200,000
Camas-Washougal Babe Ruth youth baseball improve Louis Bloch park $10,000
Cancer immunotherapy facility-Seattle children's research institute $5,000,000
Caribou trail apartments $100,000
Carnegie improvements for the rapid recidivism reduction program $1,000,000
Cascade mental health care evaluation and treatment unit $2,992,000
Cavalero park - Region park facility/skateboard park $500,000
CDM caregiving services: Clark county aging care resource center $900,000
Centerville school heating upgrades $46,000
Chambers creek regional park pier extension and moorage $2,500,000
City of Lynden-riverview road construction $850,000
City of Lynden-safe routes to school and Kaemingk trail gap elimination $300,000
City of Mt. Vernon downtown flood protect project & riverfront trail $1,500,000
City of Pateros water system $1,500,000
City of Stanwood police station/city hall relocation $300,000
Confluence area parks upgrade and restoration $1,000,000
Covington community park $2,000,000
Critical roof repair - Edmonds center for the arts (ECA) gym $250,000
Cross park, Pierce county $500,000
Dawson place child advocacy center building completion project $161,000
DeKalb street pier $500,000
DNR/City of Castle Rock exchange $80,000
Drug abuse prevention center $96,000
DuPont historical museum renovation $46,000
East Tacoma Community Center $1,000,000
Emergency generator for kidney resource center $226,000
Enumclaw expo center $350,000
Fairchild air force base protection & community empowerment project $1,500,000
Federal Way performing arts and conference center $2,000,000
Franklin Pierce early learning center $2,000,000
Gateway center project $900,000
Gratzer park ball fields $200,000
Grays Harbor navigation improvement project $2,000,000
Green river gorge open space buffer, Kummer connection $750,000
Guy Cole center revitalization $450,000
Historic renovation of stucco and roofs $300,000
Hopelink at ronald commons $750,000

Irvine slough stormwater separation $500,000
Kahlotus highway sewer force main $2,750,000
Key Pen civics center $50,000
KiBe high school parking $125,000
Kitsap humane society - shelter renovation $90,000
Lacey boys & girls club $29,000
Life support $1,250,000
Main street revitalization project $1,000,000
Martin Luther King Jr. family outreach center expansion project $85,000
Mercer arena energy savings & sustainability funding $450,000
Meridian center for health $2,250,000
Minor road water reservoir replacement $1,500,000
Mt. Spokane guest services building & preservation/maintenance of existing facilities $520,000
North Kitsap fishline food bank $750,000
Onalaska community tennis and sports courts $80,000
Opera house ADA access $356,000
PCAF's building for the future $350,000
Pe Ell second street $197,000
Pike place market front project $800,000
Police station security/hardening $38,000
Port of Centralia-Centralia station $500,000
PROVAIL TBI residential facility $450,000
Renovate senior center $400,000
Rochester boys & girls club $38,000
Rockford treatment facility improvements project $600,000
Roslyn renaissance-NW improve company building renovation project $500,000
S 228th street interurban trail connector $500,000
Sammamish rowing association boathouse $500,000
SE 240th St. watermain system improvement project $700,000
Seattle theatre group $131,000
Sentinel way restoration $450,000
Snohomish veterans memorial rebuild $10,000
South sound shoreline and heritage protection $900,000
Splash pad/foundation: Centralia outdoor pool restoration project $200,000
Springbrook park neighborhood connection project $300,000
SR 532 flood berm and bike/pedestrian path $85,000
St. Vincent food bank & community services construction project $400,000
Sunset neighborhood park $2,000,000
The gathering house job training café $14,000
The salvation army Clark county: Corps community center $1,200,000
Tulalip water pipeline $3,000,000
Twin bridges historical museum facility rehabilitation $62,000
Twisp civic building $500,000
Veterans center $600,000
Washington green schools $105,000
Washougal senior/community center roof/HVAC replace & kitchen improvements $300,000
Water meter and system improvement program $500,000
White river restoration project $850,000
Willapa behavioral health safety improvement project $75,000
Yakima children's museum center $50,000
Yelm community center $500,000
Yelm senior center $80,000
TOTAL $71,782,000
Appropriation:
State Building Construction Account—State $71,782,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $71,782,000

NEW SECTION. **Sec. 1048. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Local Governments (91000241)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 301, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,732,000
Prior Biennia (Expenditures) $16,268,000
Future Biennia (Projected Costs) $0
TOTAL $18,000,000

NEW SECTION. **Sec. 1049. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Higher Education (91000242)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 307, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $5,077,000
Prior Biennia (Expenditures) $14,923,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1050. FOR THE DEPARTMENT OF COMMERCE**

Public Works Pre-Construction Loan Program (91000319)

Reappropriation:

Public Works Assistance Account—State $767,000
Prior Biennia (Expenditures) $2,233,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1051. FOR THE DEPARTMENT OF COMMERCE**

Housing for Families with Children (91000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 310, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $2,472,000
Prior Biennia (Expenditures) $5,778,000
Future Biennia (Projected Costs) $0
TOTAL $8,250,000

NEW SECTION. **Sec. 1052. FOR THE DEPARTMENT OF COMMERCE**

Housing for Seniors and People with Physical Disabilities (91000411)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 311, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $4,350,000
Prior Biennia (Expenditures) $5,316,000
Future Biennia (Projected Costs) $0
TOTAL $9,666,000

NEW SECTION. **Sec. 1053. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000412)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $190,000
Prior Biennia (Expenditures) $935,000
Future Biennia (Projected Costs) $0
TOTAL $1,125,000

NEW SECTION. **Sec. 1054. FOR THE DEPARTMENT OF COMMERCE**

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,996,000
Prior Biennia (Expenditures) $22,948,000
Future Biennia (Projected Costs) $0
TOTAL $28,944,000

NEW SECTION. **Sec. 1055. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000414)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $1,055,000

Future Biennia (Projected Costs) $0
TOTAL $6,215,000

NEW SECTION. **Sec. 1056. FOR THE DEPARTMENT OF COMMERCE**

Housing for People At Risk of Homelessness (91000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 312, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $959,000
Prior Biennia (Expenditures) $1,541,000
Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 1057. FOR THE DEPARTMENT OF COMMERCE**

Housing for Low-Income Households (91000416)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $2,689,000
Prior Biennia (Expenditures) $293,000
Future Biennia (Projected Costs) $0
TOTAL $2,982,000

NEW SECTION. **Sec. 1058. FOR THE DEPARTMENT OF COMMERCE**

2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,889,000
Prior Biennia (Expenditures) $7,734,000
Future Biennia (Projected Costs) $0
TOTAL $9,623,000

NEW SECTION. **Sec. 1059. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects 2012 (91000437)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $1,035,000
Future Biennia (Projected Costs) $0
TOTAL $2,835,000

NEW SECTION. **Sec. 1060. FOR THE DEPARTMENT OF COMMERCE**

Pacific Medical Center (91000445)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for window repair, replacement, and weatherization, or for tenant improvements at Pacific tower made or provided on behalf of Seattle College district.

Reappropriation:
State Taxable Building Construction Account—State $2,405,000
State Building Construction Account—State $9,818,000
Subtotal Reappropriation $12,223,000

Appropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $7,777,000
Future Biennia (Projected Costs) $0
TOTAL $26,000,000

NEW SECTION. **Sec. 1061. FOR THE DEPARTMENT OF COMMERCE**

Sand Point Building 9 (91000446)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1068, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $9,802,000
Prior Biennia (Expenditures) $4,198,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 1062. FOR THE DEPARTMENT OF COMMERCE**

Mental Health Beds (91000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1071, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,644,000
Prior Biennia (Expenditures) $1,356,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1063. FOR THE DEPARTMENT OF COMMERCE**

Housing for Homeless Veterans (91000455)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $9,001,000
Prior Biennia (Expenditures) $366,000
Future Biennia (Projected Costs) $0
TOTAL $9,367,000

NEW SECTION. **Sec. 1064. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $19,723,000
Prior Biennia (Expenditures) $7,327,000
Future Biennia (Projected Costs) $0
TOTAL $27,050,000

NEW SECTION. **Sec. 1065. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Developmental Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $6,392,000
Prior Biennia (Expenditures) $2,627,000
Future Biennia (Projected Costs) $0
TOTAL $9,019,000

NEW SECTION. **Sec. 1066. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000459)

Reappropriation:
State Taxable Building Construction Account—State $5,735,000
Prior Biennia (Expenditures) $329,000
Future Biennia (Projected Costs) $0
TOTAL $6,064,000

NEW SECTION. **Sec. 1067. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Project Backfill (91000581)

Reappropriation:
State Building Construction Account—State $3,263,000
Prior Biennia (Expenditures) $154,737,000
Future Biennia (Projected Costs) $0
TOTAL $158,000,000

NEW SECTION. **Sec. 1068. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (91000582)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Energy Recovery Act Account—State $4,000,000
State Taxable Building Construction Account—State $8,924,000
State Building Construction Account—State $19,069,000
Subtotal Reappropriation $31,993,000
Prior Biennia (Expenditures) $8,007,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 1069. FOR THE DEPARTMENT OF COMMERCE**

Innovation Partnership Zones - Facilities and Infrastructure (92000089)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 309, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $3,725,000
Prior Biennia (Expenditures) $9,795,000
Future Biennia (Projected Costs) $0
TOTAL $13,520,000

NEW SECTION. **Sec. 1070. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board Administered Economic Development, Innovation, and Export Grants (92000096)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $4,267,000
Public Works Assistance Account—State $14,595,000
Subtotal Reappropriation $18,862,000
Prior Biennia (Expenditures) $13,736,000
Future Biennia (Projected Costs) $0
TOTAL $32,598,000

NEW SECTION. **Sec. 1071. FOR THE DEPARTMENT OF COMMERCE**

Main Street Improvement Grants (92000098)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 305, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

Public Works Assistance Account—State $355,000
State Building Construction Account—State $3,115,000
Subtotal Reappropriation $3,470,000
Prior Biennia (Expenditures) $11,380,000
Future Biennia (Projected Costs) $0
TOTAL $14,850,000

NEW SECTION. **Sec. 1072. FOR THE DEPARTMENT OF COMMERCE**

Brownfield Redevelopment Grants (92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for redevelopment of the Bellingham waterfront.

Reappropriation:

Local Toxics Control Account—State $1,194,000
Prior Biennia (Expenditures) $306,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1073. FOR THE DEPARTMENT OF COMMERCE**

Port and Export Related Infrastructure (92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $13,603,000
Prior Biennia (Expenditures) $19,547,000
Future Biennia (Projected Costs) $0
TOTAL $33,150,000

NEW SECTION. **Sec. 1074. FOR THE DEPARTMENT OF COMMERCE**

Projects for Jobs and Economic Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1077, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—State $7,100,000
State Building Construction Account—State $22,256,000
Subtotal Reappropriation $29,356,000
Prior Biennia (Expenditures) $7,753,000
Future Biennia (Projected Costs) $0
TOTAL $37,109,000

NEW SECTION. **Sec. 1075. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth and Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $12,695,000
Prior Biennia (Expenditures) $6,982,000
Future Biennia (Projected Costs) $0
TOTAL $19,677,000

NEW SECTION. **Sec. 1076. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities and Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1078, chapter 19, Laws of 2013 2nd sp.s. and section 6006 of this act.

Reappropriation:

Environmental Legacy Stewardship Account—State $395,000
State Building Construction Account—State $22,372,000
Subtotal Reappropriation $22,767,000
Prior Biennia (Expenditures) $9,361,000
Future Biennia (Projected Costs) $0
TOTAL $32,128,000

NEW SECTION. **Sec. 1077. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Cowlitz River Dredging (20082856)

Reappropriation:
State Building Construction Account—State $246,000
Prior Biennia (Expenditures) $1,254,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1078. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Catastrophic Flood Relief (20084850)

The appropriation in this section is subject to the following conditions and limitations:

(1) Up to $26,800,000 of the appropriation is for advancing the long-term strategy for the Chehalis Basin projects to reduce flood damage and restore aquatic species including a programmatic environmental impact statement, data collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, and other parties.

(2) Up to $23,200,000 of the appropriation is for construction of local priority flood protection and habitat restoration projects.

(3) Up to one percent of the appropriation provided in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Reappropriation:
State Building Construction Account—State $12,484,000

Appropriation:
State Building Construction Account—State $50,000,000
Prior Biennia (Expenditures) $25,203,000
Future Biennia (Projected Costs) $120,000,000
TOTAL $207,687,000

NEW SECTION. **Sec. 1079. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Office of Financial Management Capital Budget Staff (30000045)

Appropriation:
State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 1080. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Oversight of State Facilities (30000046)

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall conduct space studies and make recommendations to the legislature on the state's space standards including alternative workplace strategies. State agencies shall provide space use data in a format prescribed by the office of financial management to support this effort. The office of financial management shall report the results and recommendations to the legislative fiscal committees by July 1, 2016.

(2) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall update the lease space requirements to reflect high performance building standards and any other components that may improve the conditions of leased space.

Appropriation:
State Building Construction Account—State $1,040,000
Thurston County Capital Facilities Account—State $1,120,000
Subtotal Appropriation $2,160,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,160,000

NEW SECTION. **Sec. 1081. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (90000300)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the department of corrections, the department of social and health services, the department of enterprise services, the criminal justice training commission, the department of veterans affairs, the parks and recreation commission, and the department of fish and wildlife. Eligible construction projects are only projects that had cost reductions as kept on file with the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1082. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repairs (90000301)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1083. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repair Pool for K-12 Public Schools (90000302)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility. To be eligible for funds from the emergency repair pool, an emergency declaration must be signed by the school district board of directors and the superintendent of public instruction, and submitted to the office of financial management for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:
Common School Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1084. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Chehalis River Basin Flood Relief Projects (91000398)

Reappropriation:
State Building Construction Account—State $206,000
Prior Biennia (Expenditures) $4,794,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1085. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Preservation Information (91000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6007 of this act.

Reappropriation:
University of Washington Building Account—State $116,000
Washington State University Building
Account—State $85,000
Eastern Washington University Capital Projects
Account—State $21,000
Central Washington University Capital Projects
Account—State $17,000
The Evergreen State College Capital Projects
Account—State $12,000
Western Washington University Capital Projects
Account—State $19,000
Subtotal Reappropriation $270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $270,000

NEW SECTION. **Sec. 1086. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (91000428)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1091, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,875,000

NEW SECTION. **Sec. 1087. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Culverts in Three State Agencies (92000004)

Reappropriation:

State Building Construction Account—State $4,516,000
Prior Biennia (Expenditures) $2,484,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 1088. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

East Plaza - Water Infiltration and Elevator Repairs (30000548)

Reappropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $2,603,000
Future Biennia (Projected Costs) $0
TOTAL $3,103,000

NEW SECTION. **Sec. 1089. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

NRB Garage Fire Suppression System Repairs (30000578)

Reappropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,738,000
Future Biennia (Projected Costs) $0
TOTAL $2,238,000

NEW SECTION. **Sec. 1090. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000635)

Reappropriation:

State Building Construction Account—State $1,477,000
Thurston County Capital Facilities Account—State $501,000
Subtotal Reappropriation $1,978,000
Prior Biennia (Expenditures) $2,050,000
Future Biennia (Projected Costs) $0
TOTAL $4,028,000

NEW SECTION. **Sec. 1091. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000722)

The appropriations in this section are subject to the following conditions and limitations: No minor works funds may be allotted until a parking strategy is completed. Up to $300,000 of the appropriation in this section is provided for the department to develop a capitol campus parking strategy. The strategy must include: (1) During the legislative sessions a reduction of agency reserve stalls from twenty-six percent to fifteen percent as recommended by the 2014 state of Washington parking and transportation study; (2) incorporating parking attendants or parking arms to accept payment for campus parking during the legislative sessions; (3) install at least two electronic boards that show the available parking capacity in the east plaza garage. The department shall report to all fiscal committees on its progress by November 1, 2015.

Appropriation:

Thurston County Capital Facilities Account—State $850,000
State Building Construction Account—State $9,002,000
State Vehicle Parking Account—State $300,000
Subtotal Appropriation $10,152,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $19,000,000
TOTAL $29,152,000

NEW SECTION. **Sec. 1092. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Old Capitol - Exterior and Interior Repairs (30000724)

Appropriation:

Thurston County Capital Facilities Account—State $1,500,000
State Building Construction Account—State $1,500,000
Subtotal Appropriation $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1093. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

West Campus Historic Buildings Exterior Preservation (30000727)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1094. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

East Plaza - Structure and Elevator Repairs (30000717)

Appropriation:
State Building Construction Account—State $8,239,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $27,442,000
TOTAL $35,681,000

NEW SECTION. **Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Utility Repairs - Sunken Garden to General Administration (30000731)

Appropriation:
State Building Construction Account—State $5,569,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,661,000
TOTAL $24,230,000

NEW SECTION. **Sec. 1096. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Heating Systems Repairs - Phase 1 (30000730)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to competitively contract an energy audit on the capitol campus steam system. The audit must consider converting to centralized hot water boilers and using a heat recovery power system.

Appropriation:
Thurston County Capital Facilities Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1097. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Critical Network Standardization and Connectivity (30000732)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for installing any remaining building meters as needed on the capitol campus, and providing building performance data electronically. Dashboard displays must be installed in the three legislative buildings.

Appropriation:
Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1098. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Physical Security & Safety Improvements (30000728)

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 1099. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Court Major Exterior and Building Systems Renewal (30000738)

The appropriation in this section is provided solely for development of a plan that identifies the existing building deficiencies and recommended project specific improvements with cost estimates to be completed as funding becomes available. Urgent repairs to this building will be prioritized against the other projects in the department of enterprise services' minor works project list.

Appropriation:
Enterprise Services Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,220,000
TOTAL $1,370,000

NEW SECTION. **Sec. 1100. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Lake Long-term Management Planning (30000740)

Appropriation:
Enterprise Services Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 1101. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Engineering and Architectural Services: Staffing (30000762)

(1) The appropriation in this section is provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450. The service charge is increased from 2.15 percent to 2.27 percent of total project costs to

reduce the number of projects assigned to each manager. The intended results of the increased fee are improved accountability, reduced project delays, and reduced the number and cost of change orders. At the end of each fiscal year, the department must report to the office of financial management and the fiscal committees of the legislature on performance improvements resulting from the increased management fee, including the following:

(a) The number of projects managed by each manager compared to previous biennia;

(b) Projects that were not completed on schedule and the reasons for delays; and

(c) The number and cost of the change orders and the reason for each change order.

(2) The department shall convene a group of private sector architects and contractors with state agency facilities personnel, at a minimum of twice per year, to share at a minimum, information on high performance methods, ideas, operating and maintenance issues, and cost. The facility personnel must be from the community and technical colleges, the four-year institutions of higher education, and any other state agencies that have recently completed a new building or are currently in the construction phase.

(3) The department, with assistance from the capital projects authority review board, shall provide recommendations to the governor, house capital budget committee, and senate ways and means committee, on ways to improve the project delivery methods. It must include, at a minimum, methods to incorporate more architectural and engineering firms and contractors to be eligible for design build projects, and methods for including high performance criteria with incentives for the architectural and engineering firm and contractor to meet the performance measures in design-bid-build project delivery methods.

Appropriation:

State Building Construction Account—State $9,800,000
Thurston County Capital Facilities Account—State $3,000,000
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Subtotal Appropriation $14,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,800,000

NEW SECTION. **Sec. 1102. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

NRB Garage Fire Suppression System & Critical Repairs (30000719)

Appropriation:

State Building Construction Account—State $8,077,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,516,000
TOTAL $9,593,000

NEW SECTION. **Sec. 1103. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Building and Grounds Facilities Replacements (30000759)

Appropriation:

State Building Construction Account—State $2,477,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,477,000

NEW SECTION. **Sec. 1104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Steam System and Chiller Upgrades (91000014)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1106, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Thurston County Capital Facilities Account—State $1,074,000
State Building Construction Account—State $1,802,000
Subtotal Reappropriation $2,876,000
Prior Biennia (Expenditures) $1,121,000
Future Biennia (Projected Costs) $0
TOTAL $3,997,000

NEW SECTION. **Sec. 1105. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Exterior Lighting Upgrades (30000736)

The appropriation in this section is subject to the following conditions and limitations: The department shall pursue energy services contracts as much as is feasible to provide funding.

Appropriation:

Thurston County Capital Facilities Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Archives Building and Capitol Court HVAC Upgrades (91000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1107, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $70,000
Prior Biennia (Expenditures) $930,000

Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1107. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

State Capitol Master Plan (30000760)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to identify potential development sites, and any infrastructure that may be needed for further development.

(2) The department shall provide a list to all fiscal committees of designated parking areas with: (a) Permanent capitol campus FTEs; (b) temporary capitol campus FTEs; (c) state agency reserve spaces; (d) state agency vehicles; (e) state agency motor pool vehicles; and (f) nonstate agency vehicles. The department shall also provide a prioritized list of parking spaces that ranks campus FTEs as the highest priority. Other parking locations in Thurston county may also be considered.

Appropriation:

Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Utilities & Transportation Commission Building (91000432)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life-cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act. The project will be alternatively financed as authorized in section 7002 of this act.

Appropriation:

Public Service Revolving Account—State $2,000,000
Enterprise Services Account—State $3,000,000
Subtotal Appropriation $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1109. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

1063 Block Replacement (91000016)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1109, chapter 19, Laws of 2013 2nd sp. sess., except that the building will be alternatively financed as authorized by and subject to the conditions of section 7002 of this act.

Reappropriation:

State Building Construction Account—State $9,138,000
Prior Biennia (Expenditures) $3,862,000
Future Biennia (Projected Costs) $0
TOTAL $13,000,000

NEW SECTION. **Sec. 1110. FOR THE MILITARY DEPARTMENT**

Pierce County Readiness Center (30000593)

Reappropriation:

Military Department Capital Account—State $2,758,000
State Building Construction Account—State $3,269,000
General Fund—Federal $24,876,000
Subtotal Reappropriation $30,903,000
Prior Biennia (Expenditures) $2,698,000
Future Biennia (Projected Costs) $0
TOTAL $33,601,000

NEW SECTION. **Sec. 1111. FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)

The reappropriation and appropriations in this section are subject to the following conditions and limitations: The military department shall transfer title of the Olympia armory to the Thurston county boys and girls club when the Thurston county readiness center is completed.

Reappropriation:

State Building Construction Account—State $2,750,000

Appropriation:

State Building Construction Account—State $7,883,000
General Fund—Federal $34,207,000
Subtotal Appropriation $42,090,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $44,890,000

NEW SECTION. **Sec. 1112. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2013-2015 Biennium (30000602)
Reappropriation:
State Building Construction Account—State $307,000
General Fund—Federal $1,082,000
Subtotal Reappropriation $1,389,000
Prior Biennia (Expenditures) $3,837,000
Future Biennia (Projected Costs) $2,500,000
TOTAL $7,726,000

NEW SECTION. **Sec. 1113. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2013-2015 Biennium (30000605)
Reappropriation:
General Fund—Federal $8,893,000
Prior Biennia (Expenditures) $4,032,000
Future Biennia (Projected Costs) $0
TOTAL $12,925,000

NEW SECTION. **Sec. 1114. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2015-2017 Biennium (30000702)
Appropriation:
State Building Construction Account—State $7,267,000
General Fund—Federal $10,195,000
Subtotal Appropriation $17,462,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $17,462,000

NEW SECTION. **Sec. 1115. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2015-2017 Biennium (30000744)
Appropriation:
State Building Construction Account—State $5,163,000
General Fund—Federal $15,953,000
Subtotal Appropriation $21,116,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $21,116,000

NEW SECTION. **Sec. 1116. FOR THE MILITARY DEPARTMENT**
Montesano Readiness Center Roof Replacement and Tenant Improvements (30000805)
Appropriation:
General Fund—Federal $1,500,000
State Building Construction Account—State $3,750,000
Subtotal Appropriation $5,250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 1117. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic County Courthouse Grants Program (30000010)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,400,000
TOTAL $11,900,000

NEW SECTION. **Sec. 1118. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic Courthouse Preservation Grants (92000001)
Reappropriation:
State Building Construction Account—State $1,696,000
Prior Biennia (Expenditures) $304,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1119. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Heritage Barn Preservation Program (92000002)
Reappropriation:
State Building Construction Account—State $256,000
Prior Biennia (Expenditures) $244,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

PART 2
HUMAN SERVICES

NEW SECTION. **Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Naselle Youth Camp - Three Cottages: Renovation (20081222)
Reappropriation:
State Building Construction Account—State $1,703,000
Prior Biennia (Expenditures) $197,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital New Kitchen and Commissary Building (20081319)
Appropriation:
State Building Construction Account—State $27,600,000
Prior Biennia (Expenditures) $828,000
Future Biennia (Projected Costs) $0
TOTAL $28,428,000

NEW SECTION. **Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Medical Lake Campus - Laundry Building: New Construction (20082371)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,100,000
TOTAL $10,250,000

NEW SECTION. **Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (91000037)
Appropriation:
State Building Construction Account—State $14,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,100,000

NEW SECTION. **Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Fircrest School Electrical Service Rehabilitation (30000415)
The appropriation in this section is provided solely for electrical service rehabilitation and improvements on campus. The department of social and health services will also coordinate with the department of health to install a new and separate electrical service for the public health laboratory.
Appropriation:
State Building Construction Account—State $5,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,200,000

NEW SECTION. **Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Program Projects: Statewide (30001859)
Appropriation:
State Building Construction Account—State $755,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $20,755,000

NEW SECTION. **Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (30002235)
Reappropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $10,155,000
Future Biennia (Projected Costs) $0
TOTAL $14,155,000

NEW SECTION. **Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Child Study and Treatment Center - Orcas: Acute Treatment Addition (30002733)
Appropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Building Systems Replacement (30002735)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $4,450,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0

TOTAL $4,450,000

NEW SECTION. **Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Echo Glen - Housing Unit: Acute Mental Health Unit (30002736)

Appropriation:

State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Eastern State Hospital - Westlake: Nurse Call System (30002739)

Appropriation:

State Building Construction Account—State $1,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,200,000

NEW SECTION. **Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Yakima Valley School - Main Building: Roofing Replacement (30002742)

Appropriation:

State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Green Hill School: New Acute Mental Health Unit (30002745)

Appropriation:

State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital - Forensic Services: Two Wards Addition (30002765)

Appropriation:

State Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,700,000
TOTAL $22,500,000

NEW SECTION. **Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital - East Campus: Psychiatric Intensive Care Unit and Competency Restoration (30002773)

Appropriation:

State Building Construction Account—State $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Eastern State Hospital - Water System: Improvements (30003215)

Appropriation:

State Building Construction Account—State $2,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,115,000

NEW SECTION. **Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital - South Hall: Wards Preservation and Renewal (30003240)

Appropriation:

State Building Construction Account—State $1,350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,350,000

NEW SECTION. **Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Special Commitment Center: Kitchen and Dining Room Upgrades (20081506)

Appropriation:

State Building Construction Account—State $3,760,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,760,000

NEW SECTION. **Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Western State Hospital - East Campus: Wards Preservation and Renewal (30003241)

Appropriation:
State Building Construction Account—State $1,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Building Systems Replacement (30003244)
Appropriation:
State Building Construction Account—State $3,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,600,000

NEW SECTION. **Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital and Western State Hospital - All Wards: Patient Safety Improvements (91000019)
Reappropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,569,000
Prior Biennia (Expenditures) $2,800,000
Future Biennia (Projected Costs) $3,180,000
TOTAL $10,549,000

NEW SECTION. **Sec. 2022. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Wing Addition (30000301)
Appropriation:
State Building Construction Account—State $3,049,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,049,000

NEW SECTION. **Sec. 2023. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Lab Conversion (30000302)
Appropriation:
State Building Construction Account—State $1,141,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,141,000

NEW SECTION. **Sec. 2024. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Program (30000315)
Appropriation:
State Building Construction Account—State $322,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $322,000

NEW SECTION. **Sec. 2025. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Assistance Program (30000323)
Reappropriation:
Drinking Water Assistance Account—Federal $23,225,000
Prior Biennia (Expenditures) $5,575,000
Future Biennia (Projected Costs) $0
TOTAL $28,800,000

NEW SECTION. **Sec. 2026. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Facility Preservation (30000328)
Appropriation:
State Building Construction Account—State $277,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $277,000

NEW SECTION. **Sec. 2027. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Preconstruction Loans (30000334)
Appropriation:
Drinking Water Assistance Repayment Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,000,000
TOTAL $30,000,000

NEW SECTION. **Sec. 2028. FOR THE DEPARTMENT OF HEALTH**

Drinking Water Assistance Program (30000336)
Appropriation:
Drinking Water Assistance Account—Federal $32,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $128,000,000
TOTAL $160,000,000

NEW SECTION. **Sec. 2029. FOR THE DEPARTMENT OF HEALTH**
Safe Reliable Drinking Water Grants (92000002)
Reappropriation:
State Building Construction Account—State $1,428,000
Prior Biennia (Expenditures) $10,210,000
Future Biennia (Projected Costs) $0
TOTAL $11,638,000

NEW SECTION. **Sec. 2030. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Walla Walla Nursing Facility (20082008)
Reappropriation:
State Building Construction Account—State $14,357,000
General Fund—Federal $24,000,000
Subtotal Reappropriation $38,357,000
Prior Biennia (Expenditures) $2,568,000
Future Biennia (Projected Costs) $0
TOTAL $40,925,000

NEW SECTION. **Sec. 2031. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Minor Works Facilities Preservation (30000094)
Reappropriation:
State Building Construction Account—State $675,000
Prior Biennia (Expenditures) $638,000
Future Biennia (Projected Costs) $0
TOTAL $1,313,000

NEW SECTION. **Sec. 2032. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Feasibility Study/Predesign for Washington Soldiers Home Skilled Nursing Replacement (30000090)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $125,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $125,000

NEW SECTION. **Sec. 2033. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Minor Works Facilities Preservation (30000174)
Appropriation:
State Building Construction Account—State $3,095,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,690,000
TOTAL $12,785,000

NEW SECTION. **Sec. 2034. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
South Central Washington State Veterans Cemetery Feasibility (30000151)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 2035. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Eastern Washington Cemetery Upgrade (30000152)
Appropriation:
State Building Construction Account—State $270,000
General Fund—Federal $2,422,000
Subtotal Appropriation $2,692,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,692,000

NEW SECTION. **Sec. 2036. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: Close Sewer Lagoon (20082022)
Reappropriation:
State Building Construction Account—State $214,000
Appropriation:

State Building Construction Account—State..... $8,801,000
Prior Biennia (Expenditures)..... $1,177,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $10,192,000

NEW SECTION. **Sec. 2037. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Transformers and Switches (30000143)
Appropriation:
State Building Construction Account—State..... $150,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $12,699,000
TOTAL..... $12,849,000

NEW SECTION. **Sec. 2038. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Roof and Equipment Replacement (30000195)
Appropriation:
State Building Construction Account—State..... $5,658,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,658,000

NEW SECTION. **Sec. 2039. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: MSC and Rec Building Roofs (30000548)
Appropriation:
State Building Construction Account—State..... $1,808,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,808,000

NEW SECTION. **Sec. 2040. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: CI Food Factory Remodel (30000567)
Appropriation:
State Building Construction Account—State..... $2,163,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $2,163,000

NEW SECTION. **Sec. 2041. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Replace Fire Alarm System (30000724)
Reappropriation:
State Building Construction Account—State..... $2,001,000
Prior Biennia (Expenditures)..... $615,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $2,616,000

NEW SECTION. **Sec. 2042. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Replace Fire Alarm System (30000725)
Reappropriation:
State Building Construction Account—State..... $1,950,000
Prior Biennia (Expenditures)..... $1,449,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $3,399,000

NEW SECTION. **Sec. 2043. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Security Electronics Renovations (30000726)
Reappropriation:
State Building Construction Account—State..... $3,830,000
Prior Biennia (Expenditures)..... $1,217,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $5,047,000

NEW SECTION. **Sec. 2044. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Replace Fire Alarm System (30000727)
Reappropriation:
State Building Construction Account—State..... $950,000
Prior Biennia (Expenditures)..... $1,699,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $2,649,000

NEW SECTION. **Sec. 2045. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Support Building Repair Fire Detection System (30000733)
Reappropriation:
State Building Construction Account—State..... $250,000
Prior Biennia (Expenditures)..... $808,000
Future Biennia (Projected Costs)..... $0

TOTAL $1,058,000

NEW SECTION. **Sec. 2046. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: TRU Security Video System (30000801)

Reappropriation:

State Building Construction Account—State $2,908,000
Prior Biennia (Expenditures) $968,000
Future Biennia (Projected Costs) $0
TOTAL $3,876,000

NEW SECTION. **Sec. 2047. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Security Video System (30000791)

Reappropriation:

State Building Construction Account—State $4,363,000
Prior Biennia (Expenditures) $2,609,000
Future Biennia (Projected Costs) $0
TOTAL $6,972,000

NEW SECTION. **Sec. 2048. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: WSR Security Video System (30000795)

Reappropriation:

State Building Construction Account—State $3,843,000
Prior Biennia (Expenditures) $1,390,000
Future Biennia (Projected Costs) $0
TOTAL $5,233,000

NEW SECTION. **Sec. 2049. FOR THE DEPARTMENT OF CORRECTIONS**

Minor Works Preservation (30000734)

Reappropriation:

State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $8,600,000
Future Biennia (Projected Costs) $0
TOTAL $10,100,000

NEW SECTION. **Sec. 2050. FOR THE DEPARTMENT OF CORRECTIONS**

Clallam Bay Corrections Center: Security Video System (30000800)

Appropriation:

State Building Construction Account—State $6,038,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,038,000

NEW SECTION. **Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center for Women: Security Video System (30000802)

Reappropriation:

State Building Construction Account—State $2,150,000
Prior Biennia (Expenditures) $1,271,000
Future Biennia (Projected Costs) $0
TOTAL $3,421,000

NEW SECTION. **Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: SOU IMU Security Video (30000803)

Reappropriation:

State Building Construction Account—State $1,806,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $2,640,000

NEW SECTION. **Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Education Building Roof (30000820)

Appropriation:

State Building Construction Account—State $1,525,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,525,000

NEW SECTION. **Sec. 2054. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: MSU Bathroom Renovation (30000975)

Appropriation:

State Building Construction Account—State $1,720,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,720,000

NEW SECTION. **Sec. 2055. FOR THE DEPARTMENT OF CORRECTIONS**

Statewide: Minor Works - Preservation Projects (30001013)

Appropriation:
State Building Construction Account—State $25,181,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $65,095,000
TOTAL $90,276,000

NEW SECTION. **Sec. 2056. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Access Road Culvert Replacement and Road Resurfacing (30001078)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2057. FOR THE DEPARTMENT OF CORRECTIONS**
Washington State Penitentiary: Program and Support Building (30001101)
Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $15,014,000
TOTAL $16,914,000

NEW SECTION. **Sec. 2058. FOR THE DEPARTMENT OF CORRECTIONS**
Prison Capacity Expansion (30001105)

The appropriation in this section is subject to the following conditions and limitations: The department shall research best practices for treatment of mental illness for offenders, and design and construct the facility to provide this treatment. The department shall also include costs for continuing mental health supervision with community supervision in the predesign. The department may assign minimum security offenders for maintenance or other activities as needed.

Appropriation:
State Building Construction Account—State $5,300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $184,000,000
TOTAL $189,300,000

NEW SECTION. **Sec. 2059. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**
Omnibus Minor Works (30000017)
Appropriation:
State Building Construction Account—State $456,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $456,000

PART 3
NATURAL RESOURCES

NEW SECTION. **Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY**
Water Supply Facilities (19742006)
Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $345,000
Prior Biennia (Expenditures) $20,205,000
Future Biennia (Projected Costs) $0
TOTAL $20,550,000

NEW SECTION. **Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY**
Low-Level Nuclear Waste Disposal Trench Closure (19972012)
Reappropriation:
Site Closure Account—State $10,917,000
Appropriation:
Site Closure Account—State $3,675,000
Prior Biennia (Expenditures) $4,516,000
Future Biennia (Projected Costs) $0
TOTAL $19,108,000

NEW SECTION. **Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY**
Twin Lake Aquifer Recharge Project (20042951)
Reappropriation:
State Building Construction Account—State $156,000
Prior Biennia (Expenditures) $594,000
Future Biennia (Projected Costs) $0
TOTAL $750,000

NEW SECTION. **Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY**
Water Supply Facilities (20044006)
Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)—State $50,000
Prior Biennia (Expenditures) $13,468,000
Future Biennia (Projected Costs) $0
TOTAL $13,518,000

NEW SECTION. **Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY**

Quad Cities Water Right Mitigation (20052852)

Reappropriation:
State Building Construction Account—State $421,000
Prior Biennia (Expenditures) $1,179,000
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 136, chapter 371, Laws of 2006.

Reappropriation:
State Building Construction Account—State $317,000
Prior Biennia (Expenditures) $12,483,000
Future Biennia (Projected Costs) $0
TOTAL $12,800,000

NEW SECTION. **Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Basin Water Supply Development Program (20062950)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:
Columbia River Basin Taxable Bond Water Supply Development Account—State $1,770,000
Columbia River Basin Water Supply Development Account—State $6,075,000
Subtotal Reappropriation $7,845,000
Prior Biennia (Expenditures) $83,655,000
Future Biennia (Projected Costs) $0
TOTAL $91,500,000

NEW SECTION. **Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY**

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $289,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (20084008)

Reappropriation:
State Building Construction Account—State $11,754,000
Prior Biennia (Expenditures) $81,121,000
Future Biennia (Projected Costs) $0
TOTAL $92,875,000

NEW SECTION. **Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (20084010)

Reappropriation:
State Building Construction Account—State $221,000
Water Quality Capital Account—State $43,000
State Toxics Control Account—State $570,000
Subtotal Reappropriation $834,000
Prior Biennia (Expenditures) $66,036,000
Future Biennia (Projected Costs) $0
TOTAL $66,870,000

NEW SECTION. **Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Loan Program (20084011)

Reappropriation:
Water Pollution Control Revolving Account—State $14,581,000
Prior Biennia (Expenditures) $125,419,000
Future Biennia (Projected Costs) $0
TOTAL $140,000,000

NEW SECTION. **Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Storage Feasibility Study (20084026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3035, chapter 497, Laws of 2009.

Reappropriation:

State Building Construction Account—State $82,000
Prior Biennia (Expenditures) $5,168,000
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3054, chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account—State $1,456,000
Prior Biennia (Expenditures) $12,544,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000007)

Reappropriation:

Water Pollution Control Revolving Account—Federal ARRA $766,000
Water Pollution Control Revolving Account—State $3,970,000
Subtotal Reappropriation $4,736,000
Prior Biennia (Expenditures) $173,964,000
Future Biennia (Projected Costs) $0
TOTAL $178,700,000

NEW SECTION. **Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000008)

Reappropriation:

State Building Construction Account—State $3,838,000
Prior Biennia (Expenditures) $26,162,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:

State Building Construction Account—State $715,000
Prior Biennia (Expenditures) $5,285,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY**

Kittitas Groundwater Study (30000029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3001, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)—State $76,000
Prior Biennia (Expenditures) $624,000
Future Biennia (Projected Costs) $0
TOTAL $700,000

NEW SECTION. **Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $1,327,000
Local Toxics Control Account—State $9,165,000
Subtotal Reappropriation $10,492,000
Prior Biennia (Expenditures) $65,419,000
Future Biennia (Projected Costs) $0
TOTAL $75,911,000

NEW SECTION. **Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000142)

Reappropriation:

Water Pollution Control Revolving Account—Federal $1,792,000

Water Pollution Control Revolving Account—State $21,050,000
Subtotal Reappropriation $22,842,000
Prior Biennia (Expenditures) $14,158,000
Future Biennia (Projected Costs) $0
TOTAL $37,000,000

NEW SECTION. **Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Cleanup Settlement Account—State $1,959,000
State Toxics Control Account—State $3,666,000
Subtotal Reappropriation $5,625,000
Prior Biennia (Expenditures) $35,573,000
Future Biennia (Projected Costs) $0
TOTAL $41,198,000

NEW SECTION. **Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY**

Settlement Funding to Clean Up Toxic Sites (30000145)

Reappropriation:

Cleanup Settlement Account—State $185,000
Prior Biennia (Expenditures) $8,315,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

State Toxics Control Account—State $12,341,000
Prior Biennia (Expenditures) $21,759,000
Future Biennia (Projected Costs) $0
TOTAL $34,100,000

NEW SECTION. **Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000209)

Reappropriation:

Water Pollution Control Revolving Account—Federal $51,095,000
Water Pollution Control Revolving Account—State $85,631,000
Subtotal Reappropriation $136,726,000
Prior Biennia (Expenditures) $55,418,000
Future Biennia (Projected Costs) $0
TOTAL $192,144,000

NEW SECTION. **Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account—State $2,254,000
Prior Biennia (Expenditures) $5,746,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000216)

Reappropriation:

Local Toxics Control Account—State $32,216,000
Prior Biennia (Expenditures) $31,618,000
Future Biennia (Projected Costs) $0
TOTAL $63,834,000

NEW SECTION. **Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000217)

Reappropriation:

State Toxics Control Account—State $2,117,000
Prior Biennia (Expenditures) $3,883,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY**

Safe Soils Remediation Program - Central Washington (30000263)

Reappropriation:
State Toxics Control Account—State $682,000
Prior Biennia (Expenditures) $3,029,000
Future Biennia (Projected Costs) $0
TOTAL $3,711,000

NEW SECTION. **Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (30000265)
Reappropriation:
State Toxics Control Account—State $1,896,000
Prior Biennia (Expenditures) $14,504,000
Future Biennia (Projected Costs) $0
TOTAL $16,400,000

NEW SECTION. **Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY**
Yakima Basin Integrated Water Management Plan Implementation (30000278)
Reappropriation:
State Building Construction Account—State $208,000
Prior Biennia (Expenditures) $1,792,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY**
ASARCO - Tacoma Smelter Plume and Mines (30000280)
Reappropriation:
Cleanup Settlement Account—State $6,841,000
Prior Biennia (Expenditures) $13,806,000
Future Biennia (Projected Costs) $0
TOTAL $20,647,000

NEW SECTION. **Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY**
Padilla Bay Federal Capital Projects (30000282)
Reappropriation:
General Fund—Federal $791,000
Prior Biennia (Expenditures) $9,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY**
Coastal Wetlands Federal Funds Administration (30000283)
Reappropriation:
General Fund—Federal $10,695,000
Prior Biennia (Expenditures) $12,505,000
Future Biennia (Projected Costs) $0
TOTAL $23,200,000

NEW SECTION. **Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY**
Statewide Storm Water Projects (30000294)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3041, chapter 4, Laws of 2011 1st sp. sess.
Reappropriation:
Local Toxics Control Account—State $14,411,000
Prior Biennia (Expenditures) $15,589,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY**
Waste Tire Pile Cleanup and Prevention (30000322)
Reappropriation:
Waste Tire Removal Account—State $388,000
Prior Biennia (Expenditures) $612,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY**
Mercury Switch Removal (30000323)
Reappropriation:
State Toxics Control Account—State $365,000
Prior Biennia (Expenditures) $135,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Diesel Emissions (30000324)
Reappropriation:

State Toxics Control Account—State $2,380,000
Prior Biennia (Expenditures) $2,120,000
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Wood Stove Emissions (30000325)

Reappropriation:
State Toxics Control Account—State $2,180,000
Prior Biennia (Expenditures) $1,820,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000326)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Environmental Legacy Stewardship Account—State $36,634,000
Prior Biennia (Expenditures) $13,366,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000327)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $184,110,000
Subtotal Reappropriation $234,110,000
Prior Biennia (Expenditures) $15,890,000
Future Biennia (Projected Costs) $0
TOTAL $250,000,000

NEW SECTION. **Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000328)

Reappropriation:
General Fund—Federal $9,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,800,000

NEW SECTION. **Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:
State Building Construction Account—State $8,695,000
Prior Biennia (Expenditures) $1,305,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000332)

Reappropriation:
State Building Construction Account—State $3,048,000
Prior Biennia (Expenditures) $7,000
Future Biennia (Projected Costs) $0
TOTAL $3,055,000

NEW SECTION. **Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY**

Dungeness Water Supply and Mitigation (30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $2,003,000
Prior Biennia (Expenditures) $47,000
Future Biennia (Projected Costs) $0
TOTAL $2,050,000

NEW SECTION. **Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The reappropriations in this section are subject to the following conditions and limitations: Up to $400,000 of the reappropriation in this section is provided solely for the department to contract, after a competitive bidding process, for the clean up and remediation of the former Ruston Way tunnel.

Reappropriation:
State Building Construction Account—State $717,000
Cleanup Settlement Account—State $26,672,000
Subtotal Reappropriation $27,389,000
Prior Biennia (Expenditures) $7,271,000
Future Biennia (Projected Costs) $0
TOTAL $34,660,000

NEW SECTION. **Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY**
Padilla Bay Federal Capital Projects - Programmatic (30000335)
Reappropriation:
General Fund—Federal $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (30000337)
Reappropriation:
Environmental Legacy Stewardship Account—State $19,100,000
Prior Biennia (Expenditures) $12,400,000
Future Biennia (Projected Costs) $0
TOTAL $31,500,000

NEW SECTION. **Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY**
Eastern Washington Clean Sites Initiative (30000351)
Reappropriation:
Environmental Legacy Stewardship Account—State $6,735,000
Prior Biennia (Expenditures) $3,565,000
Future Biennia (Projected Costs) $0
TOTAL $10,300,000

NEW SECTION. **Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY**
Columbia River Water Supply Development Program (30000372)
Reappropriation:
Columbia River Basin Water Supply Development Account—State $16,052,000
Columbia River Basin Taxable Bond Water Supply Development Account—State $28,113,000
Subtotal Reappropriation $44,165,000
Prior Biennia (Expenditures) $30,335,000
Future Biennia (Projected Costs) $0
TOTAL $74,500,000

NEW SECTION. **Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY**
Local Toxics Grants for Cleanup and Prevention (20064008)
Reappropriation:
State Building Construction Account—State $8,296,000
Prior Biennia (Expenditures) $90,604,000
Future Biennia (Projected Costs) $0
TOTAL $98,900,000

NEW SECTION. **Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY**
Yakima River Basin Water Supply (30000373)
Reappropriation:
State Building Construction Account—State $12,162,000
Prior Biennia (Expenditures) $19,938,000
Future Biennia (Projected Costs) $0
TOTAL $32,100,000

NEW SECTION. **Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grants (30000374)
Reappropriation:
Local Toxics Control Account—State $45,779,000
Prior Biennia (Expenditures) $16,758,000
Future Biennia (Projected Costs) $0
TOTAL $62,537,000

NEW SECTION. **Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY**
Water Irrigation Efficiencies Program (30000389)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $3,804,000

Prior Biennia (Expenditures) $196,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY**
Coordinated Prevention Grants (CPG) (30000426)
Appropriation:
State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY**
Centennial Clean Water Program (30000427)
The appropriations in this section are subject to the following conditions and limitations:
(1) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial clean water program grant.
(2) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States Department of Agriculture - Rural Development.
Appropriation:
State Building Construction Account—State $10,000,000
Local Toxics Control Account—State $10,000,000
Subtotal Appropriation $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $180,000,000

NEW SECTION. **Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Diesel Emissions (30000428)
Appropriation:
State Toxics Control Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Woodstove Emissions (30000429)
Appropriation:
State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY**
Swift Creek Natural Asbestos Flood Control and Cleanup (30000430)
Appropriation:
State Building Construction Account—State $3,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,200,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY**
Waste Tire Pile Cleanup and Prevention (30000431)
Appropriation:
Waste Tire Removal Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY**
Eastern Washington Clean Sites Initiative (30000432)
Appropriation:
State Toxics Control Account—State $11,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,772,000
TOTAL $24,772,000

NEW SECTION. **Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grants (30000458)
Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $280,000,000
TOTAL $285,000,000

NEW SECTION. **Sec. 3061. FOR THE DEPARTMENT OF ECOLOGY**

Leaking Tank Model Remedies (30000490)

Appropriation:
State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3062. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000534)

The appropriations in this section are subject to the following conditions and limitations:

(1) $6,000,000 of the water pollution control revolving account—state for fiscal year 2016 and $6,000,000 of the water pollution control revolving account—state for fiscal year 2017 is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control program loan.

(3) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:
Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $141,000,000
Subtotal Appropriation $191,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $800,000,000
TOTAL $991,000,000

NEW SECTION. **Sec. 3063. FOR THE DEPARTMENT OF ECOLOGY**

Stormwater Financial Assistance Program (30000535)

Appropriation:
Local Toxics Control Account—State $3,000,000
State Building Construction Account—State $60,000,000
Subtotal Appropriation $63,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $343,000,000

NEW SECTION. **Sec. 3064. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000536)

Appropriation:
General Fund—Federal $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3065. FOR THE DEPARTMENT OF ECOLOGY**

Floodplains by Design (30000537)

Appropriation:
State Building Construction Account—State $43,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $92,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3066. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000538)

Appropriation:
Cleanup Settlement Account—State $12,146,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $67,900,000
TOTAL $80,046,000

NEW SECTION. **Sec. 3067. FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxics Sites – Puget Sound (30000542)

Appropriation:
State Toxics Control Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $72,763,000
TOTAL $87,763,000

NEW SECTION. **Sec. 3068. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000587)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department of ecology and the state conservation commission shall give preference in order of priority to projects located in the 16 fish critical basins, other water short basins, and basins with significant water resource and instream flow problems. Projects that are not within basins as described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be placed as a purchase or a lease in the trust water rights program to enhance instream flows. The proportion of saved water placed in the trust water rights program must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency. The percentage of the public investment may not exceed eighty-five percent of the total cost of the conservation measure or irrigation efficiency.

(3) Up to $300,000 of the appropriation in this section may be allocated for the purchase and installation of flow meters that are implemented in cooperation with the Washington State Department of Fish and Wildlife fish screening program authorized under RCW 77.57.070.

Appropriation:

State Building Construction Account—State..... $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3069. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000588)

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,000,000 of the Columbia River basin water supply development account—state is provided solely for the Sullivan Lake water supply project to replace funds that were diverted to fund repairs to the Moses Lake irrigation and reclamation district dam.

(2) $2,000,000 of the Columbia River basin water supply development account—state is provided solely for water conservation projects identified in the coordinated water conservation plan prepared jointly by irrigation districts and the office of Columbia River.

(3) $1,000,000 of the Columbia River basin water supply development account—state is provided solely for Walla Walla integrated planning.

(4) $1,000,000 of the Columbia River basin water supply development account—state is provided solely for the Methow Valley irrigation district instream flow improvement project.

(5) $800,000 of the Columbia River basin water supply development account—state is provided solely for department costs for project management, oversight, technical assistance, financial management and administration related to implementing capital projects.

(6) $1,000,000 of the Columbia River basin water supply revenue recovery account—state is provided solely for water leased from the port of Walla Walla that will be provided by the office of Columbia River on a temporary permit basis to end users.

(7) $1,200,000 of the Columbia River basin water supply revenue recovery account—state is provided solely for a water service contract with the United States bureau of reclamation to provide water from Lake Roosevelt to end users.

Appropriation:

Columbia River Basin Water Supply Revenue Recovery
Account—State..... $2,200,000
Columbia River Basin Water Supply Development Account—
State $6,800,000
Subtotal Appropriation..... $9,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $19,761,000
TOTAL $28,761,000

NEW SECTION. **Sec. 3070. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000589)

Appropriation:

State Building Construction Account—State..... $3,055,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $15,600,000
TOTAL $18,655,000

NEW SECTION. **Sec. 3071. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Supply (30000590)

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,200,000 of the state building construction account—state is provided solely for a fish habitat enhancement program to address mainstem and tributary habitat restoration priorities.

(2) $4,900,000 of the state taxable building construction account—bonds is provided solely for a downstream/upstream fish passage facility at the Cle Elum reservoir.

(3) $2,000,000 of the state taxable building construction account—bonds is provided solely for the Keechelus to Kachess pipeline.

(4) $2,900,000 of the state taxable building construction account—bonds is provided solely for the Kachess inactive storage project.

(5) $300,000 of the state taxable building construction account—bonds is provided solely for the Kittitas county aquifer storage and recovery project.

(6) $2,200,000 of the state building construction account—state is provided solely for agricultural conservation projects.

(7) $500,000 of the state building construction account—state is provided solely for water bank/exchange programs.

Appropriation:

State Building Construction Account—State..... $4,900,000

State Taxable Building Construction
Account—State $10,100,000
Subtotal Appropriation $15,000,000
Prior Biennia (Expenditures) $32,100,000
Future Biennia (Projected Costs) $120,000,000
TOTAL $167,100,000

NEW SECTION. **Sec. 3072. FOR THE DEPARTMENT OF ECOLOGY**
Watershed Plan Implementation and Flow Achievement (30000591)
Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $28,000,000

NEW SECTION. **Sec. 3073. FOR THE DEPARTMENT OF ECOLOGY**
Habitat Mitigation (91000007)
Reappropriation:
State Building Construction Account—State $3,051,000
Prior Biennia (Expenditures) $1,349,000
Future Biennia (Projected Costs) $0
TOTAL $4,400,000

NEW SECTION. **Sec. 3074. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (91000032)
Reappropriation:
State Toxics Control Account—State $6,637,000
Prior Biennia (Expenditures) $2,633,000
Future Biennia (Projected Costs) $0
TOTAL $9,270,000

NEW SECTION. **Sec. 3075. FOR THE DEPARTMENT OF ECOLOGY**
FY 2012 Statewide Stormwater Grant Program (91000053)
Reappropriation:
Local Toxics Control Account—State $14,789,000
Prior Biennia (Expenditures) $9,284,000
Future Biennia (Projected Costs) $0
TOTAL $24,073,000

NEW SECTION. **Sec. 3076. FOR THE DEPARTMENT OF ECOLOGY**
Stormwater Retrofit and LID Competitive Grants (91000054)
Reappropriation:
Local Toxics Control Account—State $6,952,000
Prior Biennia (Expenditures) $7,511,000
Future Biennia (Projected Costs) $0
TOTAL $14,463,000

NEW SECTION. **Sec. 3077. FOR THE DEPARTMENT OF ECOLOGY**
Skagit Mitigation (91000181)
Reappropriation:
State Building Construction Account—State $1,423,000
Prior Biennia (Expenditures) $802,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

NEW SECTION. **Sec. 3078. FOR THE DEPARTMENT OF ECOLOGY**
Protect Communities from Flood and Drought (92000002)
Reappropriation:
State Building Construction Account—State $228,000
Prior Biennia (Expenditures) $14,747,000
Future Biennia (Projected Costs) $0
TOTAL $14,975,000

NEW SECTION. **Sec. 3079. FOR THE DEPARTMENT OF ECOLOGY**
Wastewater Treatment and Water Reclamation (92000041)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $151,000
Prior Biennia (Expenditures) $3,279,000
Future Biennia (Projected Costs) $0
TOTAL $3,430,000

NEW SECTION. **Sec. 3080. FOR THE DEPARTMENT OF ECOLOGY**
Flood Levee Improvements (92000057)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 503, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $301,000
Local Toxics Control Account—State $2,510,000
Subtotal Reappropriation $2,811,000
Prior Biennia (Expenditures) $5,689,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3081. FOR THE DEPARTMENT OF ECOLOGY**

Ground Water Management Yakima Basin (92000061)

Reappropriation:

Columbia River Basin Water Supply Development Account—State $189,000
Prior Biennia (Expenditures) $261,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3082. FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Improvements (92000076)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3081, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Environmental Legacy Stewardship Account—State $91,456,000
Prior Biennia (Expenditures) $8,544,000
Future Biennia (Projected Costs) $0
TOTAL $100,000,000

NEW SECTION. **Sec. 3083. FOR THE DEPARTMENT OF ECOLOGY**

Floodplain Management and Control Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $40,389,000
Prior Biennia (Expenditures) $9,611,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3084. FOR THE DEPARTMENT OF ECOLOGY**

Lower Yakima GWMA Program Development (92000085)

Reappropriation:

State Building Construction Account—State $1,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,614,000

NEW SECTION. **Sec. 3085. FOR THE POLLUTION LIABILITY INSURANCE AGENCY**

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section must be used for projects that provide a benefit to the public through removal, replacement or upgrade of underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and cleanup of contamination caused by legacy petroleum releases. All projects must develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the agency.

(2)(a) $1,800,000 of the appropriation is provided solely to design a capital financial assistance program to provide underground storage tank owners and operators with financial resources to remove, replace or upgrade underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and to clean up contamination caused by legacy petroleum releases.

(b) The design must:

(i) Assess options for program structure and administration, and develop a recommended program design, financial management plan and staffing model;

(ii) Include data and legal analysis of statewide need, availability of existing fund sources for grants and loans, assessment of owner and operator willingness to participate and potential environmental and economic impacts of the loan program.

(iii) As part of the program design, the agency must conduct a pilot demonstration of a capital grant program that includes three study sites with aging tanks, demonstrated impact to either soil or groundwater, or both, and serious financial hardship, as defined in chapter 374-60 WAC. Each study site may not cost more than $600,000.

(3) The agency shall conduct the study in consultation with the office of financial management, and internal and external agency stakeholders.

(4) The agency must provide a final report of the program design, as well as any associated legislative and budget recommendations, to the governor and legislature by October 1, 2015.

Appropriation:

Pollution Liability Insurance Program Trust

Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3086. FOR THE STATE PARKS AND RECREATION COMMISSION**
Dosewallips Wastewater Treatment System (30000523)
Reappropriation:
State Building Construction Account—State $27,000
Prior Biennia (Expenditures) $4,505,000
Future Biennia (Projected Costs) $0
TOTAL $4,532,000

NEW SECTION. **Sec. 3087. FOR THE STATE PARKS AND RECREATION COMMISSION**
Lewis & Clark Replace Wastewater System (30000544)
Reappropriation:
State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $382,000
Future Biennia (Projected Costs) $0
TOTAL $1,077,000

NEW SECTION. **Sec. 3088. FOR THE STATE PARKS AND RECREATION COMMISSION**
Deception Pass - Kukutali Access and Interpretation (30000774)
Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $64,000
Future Biennia (Projected Costs) $0
TOTAL $225,000

NEW SECTION. **Sec. 3089. FOR THE STATE PARKS AND RECREATION COMMISSION**
Flaming Geyser State Park Infrastructure (30000810)
Reappropriation:
State Building Construction Account—State $848,000
Prior Biennia (Expenditures) $477,000
Future Biennia (Projected Costs) $0
TOTAL $1,325,000

NEW SECTION. **Sec. 3090. FOR THE STATE PARKS AND RECREATION COMMISSION**
Millersylvania Replace Environmental Learning Center Cabins (30000821)
Reappropriation:
State Building Construction Account—State $481,000
Prior Biennia (Expenditures) $608,000
Future Biennia (Projected Costs) $0
TOTAL $1,089,000

NEW SECTION. **Sec. 3091. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facility and Infrastructure Preservation (30000845)
Reappropriation:
State Building Construction Account—State $1,797,000
Prior Biennia (Expenditures) $8,203,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3092. FOR THE STATE PARKS AND RECREATION COMMISSION**
Wallace Falls Footbridge (91000047)
Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $336,000
Future Biennia (Projected Costs) $0
TOTAL $486,000

NEW SECTION. **Sec. 3093. FOR THE STATE PARKS AND RECREATION COMMISSION**
Spencer Spit Water System Replacement (30000140)
Reappropriation:
State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $288,000
Future Biennia (Projected Costs) $0
TOTAL $983,000

NEW SECTION. **Sec. 3094. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Worden - Housing Areas Exterior Improvements (30000287)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,858,000

TOTAL $3,358,000

NEW SECTION. **Sec. 3095. FOR THE STATE PARKS AND RECREATION COMMISSION**

Mount Spokane Road Improvements, Stage 2D (30000693)

Appropriation:

State Building Construction Account—State $2,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,400,000

NEW SECTION. **Sec. 3096. FOR THE STATE PARKS AND RECREATION COMMISSION**

Camano Island Day Use Access and Facility Renovation (30000782)

Reappropriation:

State Building Construction Account—State $107,000

Appropriation:

State Building Construction Account—State $1,212,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $1,513,000

NEW SECTION. **Sec. 3097. FOR THE STATE PARKS AND RECREATION COMMISSION**

Belfair Replace Failing Electrical Supply to Main Camp Loop (30000813)

Appropriation:

State Building Construction Account—State $1,180,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,180,000

NEW SECTION. **Sec. 3098. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler - Replace Failing Electrical Power Historic District (30000815)

Appropriation:

State Building Construction Account—State $1,173,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,173,000

NEW SECTION. **Sec. 3099. FOR THE STATE PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development (30000820)

Reappropriation:

State Building Construction Account—State $10,000

Appropriation:

State Building Construction Account—State $1,341,000
Prior Biennia (Expenditures) $309,000
Future Biennia (Projected Costs) $0
TOTAL $1,660,000

NEW SECTION. **Sec. 3100. FOR THE STATE PARKS AND RECREATION COMMISSION**

Flaming Geyser Day Use Renovation (30000832)

Reappropriation:

State Building Construction Account—State $642,000
Prior Biennia (Expenditures) $360,000
Future Biennia (Projected Costs) $0
TOTAL $1,002,000

NEW SECTION. **Sec. 3101. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety (30000839)

Appropriation:

State Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,160,000

NEW SECTION. **Sec. 3102. FOR THE STATE PARKS AND RECREATION COMMISSION**

Twanoh State Park Stormwater Improvements (30000851)

Reappropriation:

State Building Construction Account—State $160,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $354,000

NEW SECTION. **Sec. 3103. FOR THE STATE PARKS AND RECREATION COMMISSION**

Rocky Reach - Trail Development (30000853)

Reappropriation:

State Building Construction Account—State $535,000
Prior Biennia (Expenditures) $3,220,000

Future Biennia (Projected Costs) $0
TOTAL $3,755,000

NEW SECTION. **Sec. 3104. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (30000854)
Reappropriation:
State Building Construction Account—State $767,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $0
TOTAL $1,048,000

NEW SECTION. **Sec. 3105. FOR THE STATE PARKS AND RECREATION COMMISSION**
Clean Vessel Boating Pump-Out Grants (30000856)
Appropriation:
General Fund—Federal $2,600,000
Prior Biennia (Expenditures) $2,600,000
Future Biennia (Projected Costs) $10,400,000
TOTAL $15,600,000

NEW SECTION. **Sec. 3106. FOR THE STATE PARKS AND RECREATION COMMISSION**
Local Grant Authority (30000857)
Appropriation:
Parks Renewal and Stewardship Account—Private/Local $1,000,000
Prior Biennia (Expenditures) $1,200,000
Future Biennia (Projected Costs) $4,000,000
TOTAL $6,200,000

NEW SECTION. **Sec. 3107. FOR THE STATE PARKS AND RECREATION COMMISSION**
Federal Grant Authority (30000858)
Appropriation:
General Fund—Federal $750,000
Prior Biennia (Expenditures) $1,750,000
Future Biennia (Projected Costs) $3,000,000
TOTAL $5,500,000

NEW SECTION. **Sec. 3108. FOR THE STATE PARKS AND RECREATION COMMISSION**
Sequim Bay Address Failing Retaining Wall (30000861)
Appropriation:
State Building Construction Account—State $1,122,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,122,000

NEW SECTION. **Sec. 3109. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Nordic Area Improvements and Horse Camp Development (30000877)
Appropriation:
State Building Construction Account—State $6,042,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,042,000

NEW SECTION. **Sec. 3110. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Cabins, Yurts, and Associated Park Improvement (30000883)
Appropriation:
State Building Construction Account—State $1,153,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,153,000

NEW SECTION. **Sec. 3111. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (Lawsuit) (30000944)
Appropriation:
State Building Construction Account—State $2,034,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,034,000

NEW SECTION. **Sec. 3112. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Facility and Infrastructure Backlog Reduction (30000946)
Appropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,000,000
TOTAL $24,000,000

NEW SECTION. **Sec. 3113. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler - WWI Historic Facilities Preservation (30000100)
Appropriation:
State Building Construction Account—State $5,970,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,970,000

NEW SECTION. **Sec. 3114. FOR THE STATE PARKS AND RECREATION COMMISSION**
Riverside Fisk Property Lake Spokane (Long Lake) Initial Park Access (30000971)
Appropriation:
State Building Construction Account—State $1,072,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,072,000

NEW SECTION. **Sec. 3115. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facilities and Infrastructures (30000947)
Appropriation:
State Building Construction Account—State $11,117,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $250,000
TOTAL $11,367,000

NEW SECTION. **Sec. 3116. FOR THE STATE PARKS AND RECREATION COMMISSION**
Steamboat Rock - Replace Failing Sewage Lift Stations (30000948)
Appropriation:
State Building Construction Account—State $1,229,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,229,000

NEW SECTION. **Sec. 3117. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)
Appropriation:
State Building Construction Account—State $2,557,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,557,000

NEW SECTION. **Sec. 3118. FOR THE STATE PARKS AND RECREATION COMMISSION**
Parkland Acquisition (30000976)
The appropriation in this section is subject to the following conditions and limitations: $225,000 or thereabouts must be used for the purchase of Young Island.
Appropriation:
Parkland Acquisition Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3119. FOR THE STATE PARKS AND RECREATION COMMISSION**
Backlog Repairs and Enhanced Amenities (92000007)
Reappropriation:
State Building Construction Account—State $794,000
Prior Biennia (Expenditures) $8,610,000
Future Biennia (Projected Costs) $0
TOTAL $9,404,000

NEW SECTION. **Sec. 3120. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (20084011)
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3146, chapter 520, Laws of 2007.
Reappropriation:
Outdoor Recreation Account—State $291,000
Habitat Conservation Account—State $2,523,000
Subtotal Reappropriation $2,814,000
Prior Biennia (Expenditures) $95,678,000
Future Biennia (Projected Costs) $0
TOTAL $98,492,000

NEW SECTION. **Sec. 3121. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Salmon Recovery Funding Board Programs (20084851)
Reappropriation:
State Building Construction Account—State $639,000
Prior Biennia (Expenditures) $59,361,000

Future Biennia (Projected Costs) $0
TOTAL $60,000,000

NEW SECTION. **Sec. 3122. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (30000002)
Reappropriation:
Farmlands Preservation Account—State $257,000
Outdoor Recreation Account—State $307,000
Riparian Protection Account—State $911,000
Habitat Conservation Account—State $3,672,000
Subtotal Reappropriation $5,147,000
Prior Biennia (Expenditures) $64,298,000
Future Biennia (Projected Costs) $0
TOTAL $69,445,000

NEW SECTION. **Sec. 3123. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Puget Sound Acquisition and Restoration (30000080)
Reappropriation:
State Building Construction Account—State $366,000
Prior Biennia (Expenditures) $32,634,000
Future Biennia (Projected Costs) $0
TOTAL $33,000,000

NEW SECTION. **Sec. 3124. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Boating Facilities Program (30000138)
Reappropriation:
Recreation Resources Account—State $1,589,000
Prior Biennia (Expenditures) $6,411,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3125. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (30000139)
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.
Reappropriation:
Farmlands Preservation Account—State $195,000
Outdoor Recreation Account—State $3,694,000
Habitat Conservation Account—State $3,985,000
Subtotal Reappropriation $7,874,000
Prior Biennia (Expenditures) $34,126,000
Future Biennia (Projected Costs) $0
TOTAL $42,000,000

NEW SECTION. **Sec. 3126. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Salmon Recovery Funding Board Programs (30000140)
Reappropriation:
State Building Construction Account—State $3,497,000
General Fund—Federal $23,169,000
Subtotal Reappropriation $26,666,000
Prior Biennia (Expenditures) $43,396,000
Future Biennia (Projected Costs) $0
TOTAL $70,062,000

NEW SECTION. **Sec. 3127. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Land and Water Conservation Fund (30000142)
Reappropriation:
General Fund—Federal $1,313,000
Prior Biennia (Expenditures) $2,687,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3128. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Aquatic Lands Enhancement Account (30000143)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3B, revised April 10, 2013.
Reappropriation:
Aquatic Lands Enhancement Account—State $845,000
Prior Biennia (Expenditures) $5,616,000
Future Biennia (Projected Costs) $0
TOTAL $6,461,000

NEW SECTION. **Sec. 3129. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Recreational Trails Program (30000146)

Reappropriation:
General Fund—Federal..... $1,328,000
Prior Biennia (Expenditures) $3,672,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3130. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:
State Building Construction Account—State..... $2,975,000
Prior Biennia (Expenditures) $12,025,000
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3131. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:
State Building Construction Account—State..... $560,000
Prior Biennia (Expenditures) $4,440,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3132. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Farmlands Preservation Account—State $3,218,000
Riparian Protection Account—State..... $4,973,000
Habitat Conservation Account—State $14,918,000
Outdoor Recreation Account—State..... $14,918,000
Subtotal Reappropriation $38,027,000
Prior Biennia (Expenditures) $26,973,000
Future Biennia (Projected Costs) $0
TOTAL $65,000,000

NEW SECTION. **Sec. 3133. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State..... $7,886,000
General Fund—Federal..... $37,278,000
Subtotal Reappropriation $45,164,000
Prior Biennia (Expenditures) $29,836,000
Future Biennia (Projected Costs) $0
TOTAL $75,000,000

NEW SECTION. **Sec. 3134. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000207)

Reappropriation:
Recreation Resources Account—State $3,309,000
Prior Biennia (Expenditures) $3,054,000
Future Biennia (Projected Costs) $0
TOTAL $6,363,000

NEW SECTION. **Sec. 3135. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000208)

Reappropriation:
NOVA Program Account—State..... $5,100,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3136. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State $3,900,000
Prior Biennia (Expenditures) $2,100,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3137. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:
State Building Construction Account—State $44,058,000
Prior Biennia (Expenditures) $25,942,000
Future Biennia (Projected Costs) $0
TOTAL $70,000,000

NEW SECTION. **Sec. 3138. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:
State Building Construction Account—State $5,500,000
Prior Biennia (Expenditures) $4,500,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3139. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
Firearms Range Account—State $315,000
Prior Biennia (Expenditures) $485,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3140. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000214)

Reappropriation:
General Fund—Federal $1,500,000
Prior Biennia (Expenditures) $3,500,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3141. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000215)

Reappropriation:
General Fund—Federal $880,000
Prior Biennia (Expenditures) $1,320,000
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 3142. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000216)

Reappropriation:
General Fund—Federal $3,400,000
Prior Biennia (Expenditures) $600,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3143. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000218)

Reappropriation:
State Building Construction Account—State $990,000
Prior Biennia (Expenditures) $1,010,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3144. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000220)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-2, developed March 27, 2015.

Appropriation:
Farmlands Preservation Account—State $6,500,000
Riparian Protection Account—State $12,500,000
Habitat Conservation Account—State $28,000,000
Outdoor Recreation Account—State $28,000,000
Subtotal Appropriation $75,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $300,000,000
TOTAL $375,000,000

NEW SECTION. **Sec. 3145. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000221)

The appropriation in this section is subject to the following conditions and limitations: $500,000 of the state building construction account—state is provided solely for the city of Bothell to preserve the Wayne golf course land, situated along the Sammamish river and Burke-Gilman trail, for fish habitat.

Appropriation:
State Building Construction Account—State $40,000,000
General Fund—Federal $60,000,000
Subtotal Appropriation $100,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $400,000,000
TOTAL $500,000,000

NEW SECTION. **Sec. 3146. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000222)

Appropriation:
Recreation Resources Account—State $9,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $37,800,000
TOTAL $47,160,000

NEW SECTION. **Sec. 3147. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000223)

Appropriation:
NOVA Program Account—State $8,670,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,770,000
TOTAL $43,440,000

NEW SECTION. **Sec. 3148. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Athletic Facilities (30000224)

Appropriation:
State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,000,000
TOTAL $15,000,000

NEW SECTION. **Sec. 3149. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000225)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-3, developed March 27, 2015.

Appropriation:
Aquatic Lands Enhancement Account—State $5,000,000
State Building Construction Account—State $4,500,000
Subtotal Appropriation $9,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $26,400,000
TOTAL $35,900,000

NEW SECTION. **Sec. 3150. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000226)

Appropriation:
State Building Construction Account—State $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $200,000,000

NEW SECTION. **Sec. 3151. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000227)

Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3152. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000228)

Appropriation:
Firearms Range Account—State $580,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,320,000

TOTAL $2,900,000

NEW SECTION. **Sec. 3153. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000229)

Appropriation:

General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3154. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000230)

Appropriation:

General Fund—Federal $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,800,000
TOTAL $11,000,000

NEW SECTION. **Sec. 3155. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000231)

Appropriation:

General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3156. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000233)

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3157. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (91000097)

Reappropriation:

State Toxics Control Account—State $1,118,000
Prior Biennia (Expenditures) $8,882,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3158. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Coastal Restoration Grants (91000448)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Black river watershed conservation and restoration	$650,000
Cathlamet selective fisheries	$300,000
Coal creek culvert to bridge	$162,000
Darlin creek conservation and restoration	$1,300,000
Ellsworth creek watershed restoration	$950,000
Greenhead slough barrier removal	$75,000
Improved gears for the lower Columbia fishery	$200,000
Lower Forks creek restoration	$2,150,000
Makah tribe salmon restoration	$174,000
Middle fork Hoquiam culvert correction	$76,000
Middle fork Satsop culvert correction	$97,000
Pulling together: Jobs in restoration	$550,000
Quinault nearshore habitat restoration	$343,000
Restoration of Elochoman and Grays river basins	$535,000
Restoration of prairies and wetlands	$200,000
Satsop river watershed restoration	$150,000
Scammon creek barrier removal	$188,000
West fork Satsop culvert correction	$96,000
Total	**$8,196,000**

Appropriation:

State Building Construction Account—State $8,196,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $8,196,000

NEW SECTION. **Sec. 3159. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Recreation Grants (92000055)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3173, chapter 19, Laws of 2013, 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,942,000
Prior Biennia (Expenditures) $1,688,000
Future Biennia (Projected Costs) $0
TOTAL $3,630,000

NEW SECTION. **Sec. 3160. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Cost Share - State Match (30000009)

Reappropriation:

State Building Construction Account—State $800,000

Appropriation:

State Building Construction Account—State $2,600,000
Prior Biennia (Expenditures) $1,790,000
Future Biennia (Projected Costs) $11,400,000
TOTAL $16,590,000

NEW SECTION. **Sec. 3161. FOR THE STATE CONSERVATION COMMISSION**

Natural Resources Investment for the Economy and Environment (30000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in nonshellfish growing areas.

Reappropriation:

General Fund—Federal $1,000,000
State Building Construction Account—State $1,250,000
Subtotal Reappropriation $2,250,000

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $7,750,000
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3162. FOR THE STATE CONSERVATION COMMISSION**

CREP PIP Loan Program (30000011)

Reappropriation:

Conservation Assistance Revolving Account—State $150,000
Prior Biennia (Expenditures) $30,000
Future Biennia (Projected Costs) $400,000
TOTAL $580,000

NEW SECTION. **Sec. 3163. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Contract Funding (30000012)

Reappropriation:

State Building Construction Account—State $500,000

Appropriation:

State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $1,731,000
Future Biennia (Projected Costs) $8,924,000
TOTAL $12,155,000

NEW SECTION. **Sec. 3164. FOR THE STATE CONSERVATION COMMISSION**

Match for Federal RCPP Program (30000017)

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—federal appropriation is provided solely for implementation of the five conservation projects in Washington state approved for grant awards as part of the United States department of agriculture regional conservation partnership program authorized under the 2014 farm bill:

(a) Palouse river watershed implementation partnership;

(b) Precision conservation for salmon and water quality in the Puget Sound;

(c) Upper Columbia irrigation enhancement project;

(d) Yakama nation on-reservation lower Yakima basin restoration project; and

(e) Confederated tribes of the Colville reservation water quality and habitat improvement project.

(2) The state building construction account—state is provided solely for state match to the United States department of agriculture regional conservation partnership program.

Appropriation:

State Building Construction Account—State $5,000,000
General Fund—Federal $23,000,000
Subtotal Appropriation $28,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $28,000,000

NEW SECTION. **Sec. 3165. FOR THE STATE CONSERVATION COMMISSION**

Improve Shellfish Growing Areas (30000018)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in shellfish growing areas.

Appropriation:

State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3166. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $7,004,000

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $3,491,000
Future Biennia (Projected Costs) $21,454,000
TOTAL $41,949,000

NEW SECTION. **Sec. 3167. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Voights Creek Hatchery (20081003)

Reappropriation:

State Building Construction Account—State $3,398,000
Prior Biennia (Expenditures) $11,899,000
Future Biennia (Projected Costs) $0
TOTAL $15,297,000

NEW SECTION. **Sec. 3168. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

Appropriation:

State Wildlife Account—State $600,000
Prior Biennia (Expenditures) $1,080,000
Future Biennia (Projected Costs) $2,400,000
TOTAL $4,080,000

NEW SECTION. **Sec. 3169. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitigation Projects and Dedicated Funding (20082048)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3191, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Wildlife Account—State $500,000
Special Wildlife Account—Private/Local $1,077,000
General Fund—Private/Local $1,866,000
General Fund—Federal $27,008,000
Subtotal Reappropriation $30,451,000

Appropriation:

State Wildlife Account—State $500,000
General Fund—Private/Local $1,000,000
Special Wildlife Account—Federal $1,000,000
Special Wildlife Account—Private/Local $1,000,000
General Fund—Federal $9,000,000
Subtotal Appropriation $12,500,000
Prior Biennia (Expenditures) $104,524,000
Future Biennia (Projected Costs) $54,000,000
TOTAL $201,475,000

NEW SECTION. **Sec. 3170. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Lake Rufus Woods Fishing Access (91000151)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,000,000
TOTAL $3,000,000

NEW SECTION. **Sec. 3171. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000727)

Appropriation:

State Building Construction Account—State $9,780,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $80,000,000
TOTAL $89,780,000

NEW SECTION. **Sec. 3172. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)

Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,300,000

NEW SECTION. **Sec. 3173. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Wooten Wildlife Area Improve Flood Plain (30000481)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3207, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $106,000
General Fund—Federal $1,000,000
Subtotal Reappropriation $1,106,000

Appropriation:
General Fund—Federal $2,600,000
State Building Construction Account—State $2,000,000
Subtotal Appropriation $4,600,000
Prior Biennia (Expenditures) $1,994,000
Future Biennia (Projected Costs) $12,722,000
TOTAL $20,422,000

NEW SECTION. **Sec. 3174. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puyallup Hatchery Rebuild (30000589)

Appropriation:
State Building Construction Account—State $571,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,177,000
TOTAL $9,748,000

NEW SECTION. **Sec. 3175. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Spring Hatchery Renovation (30000214)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,722,000
TOTAL $12,222,000

NEW SECTION. **Sec. 3176. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Samish Hatchery Intakes (30000276)

Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,221,000
TOTAL $4,921,000

NEW SECTION. **Sec. 3177. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minter Hatchery Intakes (30000277)

Appropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $7,948,000
TOTAL $8,198,000

NEW SECTION. **Sec. 3178. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hoodsport Hatchery Adult Pond Renovation (30000686)

Appropriation:
State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,346,000
TOTAL $4,046,000

NEW SECTION. **Sec. 3179. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Nasselle Hatchery Renovation (30000671)

Appropriation:
State Building Construction Account—State $275,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,556,000
TOTAL $13,831,000

NEW SECTION. **Sec. 3180. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Replace Fire Damaged Fencing (30000655)
Reappropriation:
State Building Construction Account—State $1,225,000
Prior Biennia (Expenditures) $387,000
Future Biennia (Projected Costs) $0
TOTAL $1,612,000

NEW SECTION. **Sec. 3181. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Soos Creek Hatchery Renovation (30000661)
Appropriation:
State Building Construction Account—State $17,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,103,000
TOTAL $26,103,000

NEW SECTION. **Sec. 3182. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Edmonds Pier Renovation (30000664)
Appropriation:
State Building Construction Account—State $800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3183. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Marblemount Hatchery - Renovating Jordan Creek Intake (30000666)
Appropriation:
State Building Construction Account—State $2,293,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,293,000

NEW SECTION. **Sec. 3184. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Lake Whatcom Hatchery - Replace Intake and Pipeline (30000667)
Appropriation:
State Building Construction Account—State $1,354,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,354,000

NEW SECTION. **Sec. 3185. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Fir Island Farm Estuary Restoration Project (30000673)
Appropriation:
State Building Construction Account—State $500,000
General Fund—Federal $15,500,000
Subtotal Appropriation $16,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $16,000,000

NEW SECTION. **Sec. 3186. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works - Programmatic (30000682)
Appropriation:
General Fund—Federal $375,000
State Building Construction Account—State $725,000
Subtotal Appropriation $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 3187. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Eells Springs Production Shift (30000723)
Appropriation:
State Building Construction Account—State $4,620,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,620,000

NEW SECTION. **Sec. 3188. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Mitchell Act Federal Grant (91000021)
Reappropriation:
General Fund—Federal $1,014,000
Prior Biennia (Expenditures) $1,986,000
Future Biennia (Projected Costs) $0

TOTAL $3,000,000

NEW SECTION. **Sec. 3189. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Fishway Improvements/Diversions (91000033)

Reappropriation:

State Building Construction Account—State $7,003,000
Prior Biennia (Expenditures) $997,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3190. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account—State $16,109,000
Prior Biennia (Expenditures) $18,666,000
Future Biennia (Projected Costs) $0
TOTAL $34,775,000

NEW SECTION. **Sec. 3191. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Access Sites (91000044)

Reappropriation:

State Building Construction Account—State $2,518,000
Prior Biennia (Expenditures) $4,888,000
Future Biennia (Projected Costs) $0
TOTAL $7,406,000

NEW SECTION. **Sec. 3192. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Fish Passage Barriers (Culverts) (91000045)

Reappropriation:

State Building Construction Account—State $515,000
Prior Biennia (Expenditures) $980,000
Future Biennia (Projected Costs) $0
TOTAL $1,495,000

NEW SECTION. **Sec. 3193. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account—State $390,000
Prior Biennia (Expenditures) $290,000
Future Biennia (Projected Costs) $0
TOTAL $680,000

NEW SECTION. **Sec. 3194. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs Development (92000026)

Reappropriation:

State Building Construction Account—State $640,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $1,891,000

NEW SECTION. **Sec. 3195. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beebe Springs (92000034)

Reappropriation:

State Building Construction Account—State $497,000
Prior Biennia (Expenditures) $3,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3196. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000479)

Reappropriation:

State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $7,475,000
Future Biennia (Projected Costs) $0
TOTAL $9,975,000

NEW SECTION. **Sec. 3197. FOR THE PUGET SOUND PARTNERSHIP**

Community Partnership Restoration Grants (30000007)

Reappropriation:

General Fund—Federal $1,575,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $1,625,000

NEW SECTION. **Sec. 3198. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Land Acquisition Grants (20052021)

Reappropriation:
General Fund—Federal..... $2,360,000
Appropriation:
General Fund—Federal..... $5,000,000
Prior Biennia (Expenditures)..... $82,158,000
Future Biennia (Projected Costs)..... $20,000,000
TOTAL..... $109,518,000

NEW SECTION. **Sec. 3199. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Legacy (30000060)

Reappropriation:
General Fund—Federal..... $4,020,000
Appropriation:
General Fund—Federal..... $14,000,000
Prior Biennia (Expenditures)..... $16,980,000
Future Biennia (Projected Costs)..... $56,000,000
TOTAL..... $91,000,000

NEW SECTION. **Sec. 3200. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Riparian Easement Program (30000198)

Appropriation:
State Building Construction Account—State..... $3,500,000
Prior Biennia (Expenditures)..... $2,999,000
Future Biennia (Projected Costs)..... $14,000,000
TOTAL..... $20,499,000

NEW SECTION. **Sec. 3201. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer (30000200)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely to the department to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, DNR community forest open space, or recreation purposes. The approved list of properties for lease or transfer is identified in the LEAP capital document No. 2015-4, developed March 27, 2015.

(2) Property transferred under this section must be appraised and transferred at fair market value. By September 30, 2015, the department must deposit in the common school construction account the portion of the appropriation in this section that represents the estimated value of the timber on the transferred properties. This transfer must be made in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The portion of the appropriation in this section that represents the value of the land transferred must be deposited in the natural resources real property replacement account.

(3) Property subject to lease agreements under this section must be appraised at fair market value. Lease terms must be fifty years with options to renew for an additional fifty years. Lease payments must be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and must be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. No later than September 30, 2015, the department must transfer to the common school construction account the portion of the appropriation in this section that is attributable to receipts from lease payments.

(4) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs and may not exceed one and nine-tenths percent of the appropriation.

(5) Intergrant exchanges between common school and other trust lands of equal value may occur if the exchange is in the interest of each trust, as determined by the board of natural resources.

(6) Prior to or concurrent with conveyance of these properties, the department, with full cooperation of the receiving agencies, shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Lease agreements for properties identified in subsection (1) of this section must include terms that restrict use of the property to the intended purpose for the term of the lease. Transfer and lease agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(7) The department and receiving agencies shall work in good faith to carry out the intent of this section. However, the department or receiving agencies may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the common school trust or the receiving agency.

(8) $26,422,000 of the appropriation must be deposited in the common school construction account by September 30, 2015. The department shall execute trust land transfers so that after the deduction of reasonable costs as provided in subsection (4) of this section on an aggregate basis eighty percent or more of the total appropriation value is timber value or lease payments and is deposited in the common school construction account. To achieve the eighty percent requirement, the department may choose to lease properties originally intended as transfers or transfer properties originally intended as leases.

(9) By June 30, 2017, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:
State Building Construction Account—State..... $37,746,000

Prior Biennia (Expenditures) $115,735,000
Future Biennia (Projected Costs) $240,000,000
TOTAL $393,481,000

NEW SECTION. **Sec. 3202. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Sustainable Recreation (30000207)
Appropriation:
State Building Construction Account—State $4,600,000
Prior Biennia (Expenditures) $2,500,000
Future Biennia (Projected Costs) $18,400,000
TOTAL $25,500,000

NEW SECTION. **Sec. 3203. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Road Maintenance and Abandonment Plans (RMAP) (30000211)
Reappropriation:
State Building Construction Account—State $138,000
Prior Biennia (Expenditures) $1,862,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3204. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Community Forest Trust (30000217)
Appropriation:
State Building Construction Account—State $3,442,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,442,000

NEW SECTION. **Sec. 3205. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Rivers and Habitat Open Space Program (30000221)
Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $500,000
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,500,000

NEW SECTION. **Sec. 3206. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Trust Land Replacement (30000222)
Appropriation:
Nat Res Real Property Replacement—State $15,000,000
Resources Management Cost Account—State $15,000,000
Subtotal Appropriation $30,000,000
Prior Biennia (Expenditures) $50,500,000
Future Biennia (Projected Costs) $242,000,000
TOTAL $322,500,000

NEW SECTION. **Sec. 3207. FOR THE DEPARTMENT OF NATURAL RESOURCES**
State Forest Land Replacement (30000223)
The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in counties with a population of twenty-five thousand or less which are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The total appropriation is to be used equally for the transfer of qualifying state forest lands in the qualifying counties.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forest land, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. The department shall identify eligible properties for transfer, consistent with subsection (1) of this section, in consultation with the applicable counties, and may not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $1,500,000
Future Biennia (Projected Costs) $6,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3208. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Forest Hazard Reduction (30000224)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for forest health restoration treatments on state lands. The appropriation may be used for project planning, site preparation, permitting, mechanical treatments, thinning treatments, or prescribed burning.

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $4,000,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $29,000,000

NEW SECTION. **Sec. 3209. FOR THE DEPARTMENT OF NATURAL RESOURCES**

DNR Olympic Region Shop Fire Recovery (30000225)

Appropriation:
State Building Construction Account—State $544,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $544,000

NEW SECTION. **Sec. 3210. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Blanchard Working Forest (30000231)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $5,500,000
TOTAL $7,500,000

NEW SECTION. **Sec. 3211. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Programmatic (30000237)

Appropriation:
State Building Construction Account—State $540,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $540,000

NEW SECTION. **Sec. 3212. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Preservation (30000238)

Appropriation:
State Building Construction Account—State $4,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3213. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Contaminated Sites Cleanup and Settlement (30000240)

The appropriation in this section is subject to the following conditions and limitations:

(1) $261,000 is provided solely for the state's share of liability under the model toxics control act for the cleanup of lead contamination at a rock pit now owned by plum creek timber company.

(2) $95,000 is provided solely for the contaminated soils cleanup at the Cedar creek correction center.

(3) $125,000 is provided solely for the webster nursery pesticides and groundwater cleanup.

(4) $375,000 is provided solely for the underground storage tank cleanup of contaminated soils of an old fueling station at the department of natural resources, SE region headquarters' parking lot that is within the city of Ellensburg new drinking water supply wellhead protection area.

Appropriation:
Environmental Legacy Stewardship Account—State $856,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $856,000

NEW SECTION. **Sec. 3214. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Natural Areas Facilities Preservation and Access (30000241)

Appropriation:
State Building Construction Account—State $3,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $11,100,000

NEW SECTION. **Sec. 3215. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Road Maintenance and Abandonment Plan (RMAP) (91000040)

Reappropriation:
State Building Construction Account—State $240,000

Appropriation:
State Building Construction Account—State $7,900,000
Prior Biennia (Expenditures) $6,594,000
Future Biennia (Projected Costs) $2,524,000

NEW SECTION. **Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2009-11 School Construction Asst. Grant Program (30000031)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Common School Construction Account—State $7,968,000
Prior Biennia (Expenditures) $389,161,000
Future Biennia (Projected Costs) $0
TOTAL $397,129,000

NEW SECTION. **Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2011-13 School Construction Assistance Program (30000071)

Reappropriation:

Common School Construction Account—State $59,299,000
Prior Biennia (Expenditures) $497,839,000
Future Biennia (Projected Costs) $0
TOTAL $557,138,000

NEW SECTION. **Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State $2,060,000
Prior Biennia (Expenditures) $21,503,000
Future Biennia (Projected Costs) $0
TOTAL $23,563,000

NEW SECTION. **Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account—State $338,000
Prior Biennia (Expenditures) $11,181,000
Future Biennia (Projected Costs) $0
TOTAL $11,519,000

NEW SECTION. **Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account—State $1,183,000
Prior Biennia (Expenditures) $18,225,000
Future Biennia (Projected Costs) $0
TOTAL $19,408,000

NEW SECTION. **Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $6,801,000
Future Biennia (Projected Costs) $0
TOTAL $7,901,000

NEW SECTION. **Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2013-15 School Construction Assistance Program - Maintenance (30000145)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $154,741,000
Common School Construction Account—State $100,456,000
Subtotal Reappropriation $255,197,000
Prior Biennia (Expenditures) $132,250,000
Future Biennia (Projected Costs) $0
TOTAL $387,447,000

NEW SECTION. **Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center East Growth (30000159)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $1,702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,702,000

NEW SECTION. **Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Clark County Building 100 Modernization (30000160)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Clark county skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $300,000

NEW SECTION. **Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center Core Growth (30000161)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $325,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $325,000

NEW SECTION. **Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Capital Program Administration (30000165)

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent of public instruction will publish to its web site and report to the office of financial management, the appropriate committees of the legislature, and the legislative evaluation and accountability program a list of local school district projects submitted for school construction assistance within seven business days of the grant program deadline. The report must be updated within seven days following the superintendent of public instruction's final grant award decisions. The report must include, but not be limited to:

(a) School district;

(b) Project name;

(c) Estimated square footage by proposed project type;

(d) Estimated total of all project costs and estimated total construction contract cost;

(e) Funding sources and election dates, if applicable; and

(f) Intent to front-fund the project.

(2) The superintendent of public instruction will provide to the office of financial management and the legislative evaluation and accountability program committee in electronic database form the following:

(a) Study and survey information beginning with grants awarded July 1, 2015; and

(b) All available inventory and condition of schools data.

Appropriation:

Common School Construction Account—State $2,924,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,244,000
TOTAL $15,168,000

NEW SECTION. **Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 Energy Grants (30000167)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) Grants shall be awarded for projects that use the energy savings performance contracting method under chapter 39.35C RCW or an equivalent method of evaluating and delivering energy operational costs savings improvements.

(b) Projects that do not use energy savings performance contracting must: (i) Verify energy and operational cost savings for ten years or until the energy and operational costs savings pay for the project, whichever is shorter; (ii) follow the department of enterprise service's energy savings performance contracting method guidelines; and (iii) employ a licensed engineer for the energy audit, design, and construction.

(c) The office of the superintendent of public instruction may require third-party verification of savings if a project is not implemented by an energy savings performance contracting method as outlined in chapter 39.35C RCW. If required, third-party verification must be conducted either by an energy savings performance contractor qualified by the department of enterprise services, or a licensed engineer that is a certified energy manager.

(2) Projects must be weighted and prioritized based on the following criteria and in the following order: (a) Healthiest next generation initiative: Priority consideration shall be given to applicants that demonstrate improved health and safety through (i) reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington state university extension energy program; (b) prior grant award: Priority consideration must be given to applicants that did not receive grant awards from appropriations provided in section 5023, chapter 19, Laws of 2013 2nd sp. sess.; (c) leverage ratio: The higher the leverage ratio of guaranteed energy savings and utility or other incentives to state grant, the higher the project ranking; (d) energy savings: The higher the simple payback for energy savings, not to exceed the useful life of the energy conservation measure, the higher the project ranking; and (e) persistence: The more extensively a project ensures the persistence of energy operational cost savings through ongoing measurement, verification, and reporting over the life of a project, the higher the project ranking.

(3) In order to be eligible for energy cost savings grants under this section, school districts must complete an investment grade audit prior to application or have completed an audit in the 2015-2017 biennium.

(4)(a) The superintendent of public instruction must pay one-half of the preliminary audit, up to five cents per square foot, if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the other one-half of the cost of the preliminary audit if the project does not meet their predetermined cost-effectiveness criteria.

(b) The energy savings performance contractor may not charge for an investment grade audit if the project does not meet the school district's predetermined cost-effectiveness criteria. Public school districts must pay the full price of an investment grade audit if they do not proceed with a project that meets the school district's predetermined cost-effectiveness criteria.

(5) Applicants must submit documentation that demonstrates energy and operational cost savings resulting from the installation of the energy equipment and improvements. The energy savings analysis must be performed by a licensed engineer and the documentation must include, but is not limited to, the following:

(a) A description of the energy equipment and improvements; and

(b) A description of the energy and operational cost savings.

(6) Each school district is limited to one grant award and no more than $1,000,000.

(7) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(8) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $48,000,000

NEW SECTION. **Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) $771,000 of the common school construction account—state is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(2) $990,000 of the common school construction account—state is provided solely for the Spokane valley technical skills center to construct five science classrooms.

(3) The office of the superintendent of public instruction, in consultation with the technical advisory committee, must develop a formula-based method of allocating energy incentives that would be administered through the school construction assistance program to increase energy efficiency and the use of renewable resources. The recommended formula-based method must be submitted to the office of financial management and the appropriate committees of the legislature by December 31, 2015.

(4) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to reduce kindergarten through third grade class sizes in remaining schools.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. For purposes of determining state funding assistance, eligible area must be calculated as follows: (a) Eligible area for STEM pilot projects is one thousand, four hundred, forty square feet per science lab and/or classroom combination; and one thousand, forty square feet per science classroom. Total eligible area per STEM pilot project must not exceed fourteen thousand, four hundred square feet; (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget. Eligible area for the Spokane Valley Technical Skills Center must not exceed five thousand, four hundred square feet, and; (c) eligible area for replacement of the cafeteria at Marysville-Pilchuck high school is ten thousand, five hundred square feet.

Appropriation:

State Building Construction Account—State $387,667,000
Common School Construction Account—State $235,162,000
Common School Construction Account—Federal $4,650,000
Subtotal Appropriation $627,479,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,637,893,000
TOTAL $4,265,372,000

NEW SECTION. **Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Full Day Kindergarten Capacity Grants (30000174)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for providing space to support full-day kindergarten enrollment to those school districts with a demonstrated need. Grants may be applied for new construction, portable classrooms, or retrofits to existing facilities to accommodate kindergarten enrollment.

(2) The office of the superintendent of public instruction shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following: (a) Prioritizing districts eligible to receive the grant to those that have a lower ending fund balance; (b) considering a district's ability to raise funds through levies or bonds in the prior ten year period; (c) prioritizing projects that will provide full-day kindergarten at high poverty schools; and (d) requiring any district receiving funding provided in this section to demonstrate an inability to provide space for full-day kindergarten enrollment within existing school facilities.

(3) Portable classrooms funded through this grant program do not count against a district's eligibility for the school construction assistance program.

(4) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the portables being financed.

Appropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids - Healthy Schools Grants (91000406)

The appropriation in this section is subject to the following conditions and limitations:

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following: (a) Districts or schools may apply for grants but no single district may receive more than $200,000 of the appropriation; (b) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facilities' needs; (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to support Washington's healthiest next generation efforts; and (d) prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(2) A maximum of $2,000,000 of the appropriation is for competitive equipment assistance grants consistent with chapter . . ., Laws of 2015 (House Bill No. 1164).

(3) A maximum of $1,000,000 of the appropriation is for the purchase and installation of water bottle filling stations.

(4) The remainder of the appropriation may be used to purchase equipment or make repairs and renovations related to improving children's health and may include, but are not limited to, the following: (a) Fitness playground equipment, covered play, physical education equipment or related structures or renovation; (b) garden related structures and greenhouses to provide students access to fresh produce; and (c) kitchen equipment or upgrades.

(5) If grant applications for purposes of subsections (2) and (3) of this section are insufficient to exhaust the maximum amounts specified in those subsections, the remaining amounts may be expended for purposes of subsection (4) of this section.

(6) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:

State Building Construction Account—State..... $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000017)

Reappropriation:

State Building Construction Account—State..... $415,000
Prior Biennia (Expenditures) $39,585,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000024)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000025)

Reappropriation:

State Building Construction Account—State..... $4,186,000
Prior Biennia (Expenditures) $2,814,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

San Juan Island School District STEM Vocational Bldg Renovation (91000027)

Reappropriation:

State Building Construction Account—State..... $166,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 5021. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Wenatchee Valley Skills Center (92000004)

Reappropriation:

State Building Construction Account—State $2,167,000
Prior Biennia (Expenditures) $7,333,000
Future Biennia (Projected Costs) $0
TOTAL $9,500,000

NEW SECTION. **Sec. 5022. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEWTECH (Spokane Area Professional-Technical Skills Center) (92000005)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to NEWTECH (Spokane area professional-technical skills center) in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Reappropriation:

State Building Construction Account—State $7,786,000

Appropriation:

School Construction and Skill Centers Building Account $500,000
Prior Biennia (Expenditures) $5,901,000
Future Biennia (Projected Costs) $0
TOTAL $14,187,000

NEW SECTION. **Sec. 5023. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Puget Sound Skills Center (92000007)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely as a grant to constitute local funding available to the Puget Sound skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:

State Building Construction Account—State $3,600,000
Prior Biennia (Expenditures) $1,500,000
Future Biennia (Projected Costs) $0
TOTAL $5,100,000

NEW SECTION. **Sec. 5024. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (92000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 602, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $510,000
Prior Biennia (Expenditures) $26,890,000
Future Biennia (Projected Costs) $0
TOTAL $27,400,000

NEW SECTION. **Sec. 5025. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center Sunnyside Satellite (92000013)

Reappropriation:

State Building Construction Account—State $343,000
Prior Biennia (Expenditures) $5,882,000
Future Biennia (Projected Costs) $0
TOTAL $6,225,000

NEW SECTION. **Sec. 5026. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

School Security Improvement Grants (92000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $5,756,000
Prior Biennia (Expenditures) $900,000
Future Biennia (Projected Costs) $0
TOTAL $6,656,000

NEW SECTION. **Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Delta High School (92000017)

Reappropriation:

State Building Construction Account—State $3,227,000
Prior Biennia (Expenditures) $2,173,000
Future Biennia (Projected Costs) $0
TOTAL $5,400,000

NEW SECTION. **Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

STEM Pilot Program (91000402)

The appropriation in this section is subject to the following conditions and limitations:

(1) The amounts in this section are provided solely for the superintendent of public instruction to provide STEM pilot project grants to school districts. These grants constitute the districts' local funding for purposes of eligibility for the school construction assistance program under RCW 28A.525.166. Subject to the terms in this section, school districts are eligible to receive grants if they have a special housing burden due to lack of sufficient space for science classrooms and labs to enable students to meet statutory graduation requirements.

(2) The superintendent shall award grants to eligible school districts under the following conditions:

(a) A district must demonstrate a lack of sufficient space of science classrooms and labs to facilitate meeting statutory graduation requirements;

(b) The district has secured private donations of cash, like-kind, or equipment in a value of no less than two-hundred fifty thousand dollars. Before the superintendent may provide funding assistance through the school construction assistance program, the district must provide verification of the donation to the superintendent;

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the Cascade mountains.

(3) The superintendent, in consultation with the Washington STEM education innovation alliance, shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that secure private donations of cash, like-kind, or equipment in value no less than two-hundred fifty thousand dollars weighted by the ratio of school district enrollments to value of donation;

(b) A district's ability to raise funds through levies or bonds in the prior ten-year period; and

(c) Priority for applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(4) For purposes of grant applications made in the 2015-2017 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction for (a) five years following acceptance of the project by the school district board of directors, or (b) the date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors; whichever date is earliest.

(5) Each school district is limited to one grant award of no more than $3,000,000.

(6) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(7) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

Appropriation:

State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $15,000,000

NEW SECTION. **Sec. 5029. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000404)

The appropriation in this section is subject to the following conditions and limitations:

(1) $10,000,000 of the appropriation in this section is provided solely for renovations of Magnolia elementary school and E.C. Hughes elementary school.

(2) $5,000,000 of the appropriation is provided solely for the replacement of the Marysville Pilchuck high school cafeteria.

Appropriation:

State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $15,000,000

NEW SECTION. **Sec. 5030. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000033)

Reappropriation:

State Building Construction Account—State..... $100,000
Prior Biennia (Expenditures)..... $400,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $500,000

NEW SECTION. **Sec. 5031. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000088)

Appropriation:

State Building Construction Account—State..... $820,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $1,920,000
TOTAL..... $2,740,000

NEW SECTION. **Sec. 5032. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Public Works (30000023)

Reappropriation:

State Building Construction Account—State..... $972,000
Prior Biennia (Expenditures)..... $28,000

Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 5033. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Works - Preservation (30000025)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,000,000
TOTAL $2,500,000

NEW SECTION. **Sec. 5034. FOR THE UNIVERSITY OF WASHINGTON**

Denny Hall Renovation (20081002)

Reappropriation:
State Building Construction Account—State $27,300,000
Prior Biennia (Expenditures) $5,590,000
Future Biennia (Projected Costs) $0
TOTAL $32,890,000

NEW SECTION. **Sec. 5035. FOR THE UNIVERSITY OF WASHINGTON**

Lewis Hall Renovation (20081003)

Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $3,915,000
Future Biennia (Projected Costs) $0
TOTAL $4,065,000

NEW SECTION. **Sec. 5036. FOR THE UNIVERSITY OF WASHINGTON**

Burke Museum (20082850)

Reappropriation:
State Building Construction Account—State $650,000

Appropriation:
State Building Construction Account—State $26,000,000
Prior Biennia (Expenditures) $3,150,000
Future Biennia (Projected Costs) $0
TOTAL $29,800,000

NEW SECTION. **Sec. 5037. FOR THE UNIVERSITY OF WASHINGTON**

Health Sciences Education Phase I - T-Wing Renovation/Addition (30000486)

Appropriation:
State Building Construction Account—State $623,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $93,377,000
TOTAL $94,000,000

NEW SECTION. **Sec. 5038. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Bothell (30000378)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $57,600,000
TOTAL $58,100,000

NEW SECTION. **Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Minor Capital Repairs - Preservation (30000494)

Reappropriation:
University of Washington Building Account—State $4,200,000
Prior Biennia (Expenditures) $42,554,000
TOTAL $46,754,000

NEW SECTION. **Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON**

School of Nursing Simulation Learning Lab (30000600)

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON**

Health Sciences Interprofessional Education Classroom Phase I (30000602)

Appropriation:

State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0

NEW SECTION. **Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON**

Washington State University Building
Account—State $1,720,000
Subtotal Reappropriation $2,370,000
Prior Biennia (Expenditures) $26,194,000
Future Biennia (Projected Costs) $0
TOTAL $28,564,000

NEW SECTION. **Sec. 5050. FOR THE WASHINGTON STATE UNIVERSITY**

2015-17 Minor Works - Preservation (30001188)

Appropriation:
Washington State University Building Account—
State $41,885,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $134,340,000
TOTAL $176,225,000

NEW SECTION. **Sec. 5051. FOR THE WASHINGTON STATE UNIVERSITY**

Washington State University Tri-Cities - Academic Building (30001190)

Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $68,600,000
TOTAL $69,000,000

NEW SECTION. **Sec. 5052. FOR THE WASHINGTON STATE UNIVERSITY**

Global Animal Health Building (30001322)

Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $59,400,000
TOTAL $61,300,000

NEW SECTION. **Sec. 5053. FOR THE WASHINGTON STATE UNIVERSITY**

Preventive Facility Maintenance and Building System Repairs (30001324)

Appropriation:
Washington State University Building Account—
State $10,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,115,000

NEW SECTION. **Sec. 5054. FOR THE WASHINGTON STATE UNIVERSITY**

Everett University Center (91000026)

Reappropriation:
State Building Construction Account—State $4,000,000

Appropriation:
State Building Construction Account—State $54,563,000
Prior Biennia (Expenditures) $6,000,000
Future Biennia (Projected Costs) $0
TOTAL $64,563,000

NEW SECTION. **Sec. 5055. FOR THE WASHINGTON STATE UNIVERSITY**

Joint Center for Deployment and Research in Earth Abundant Materials (91000029)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding is provided solely for capital improvements, infrastructure, and equipment, to support: (a) A transformative program in earth-abundant materials to accelerate the development of next generation clean energy and transportation technologies in Washington; (b) a coordinated framework and resources that can facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the use of earth-abundant materials for manufactured clean technologies or recycling of advanced materials used in clean technologies; and (c) environmentally responsible processes in the areas of manufacturing and recycling of advanced materials used in clean technologies.

(2) Administration of the appropriation is under the joint authority of the Washington State University and the University of Washington. Washington State University and the University of Washington, in consultation with the regional universities, the Pacific Northwest national laboratory, and industry experts, shall develop criteria for providing funding for specific projects at public four-year institutions of higher education to stay within the appropriation level provided in this section. Funding for administrative offices may be provided for administrative offices west of the crest of the Cascade mountains only.

(3) The office of the state treasurer must manage the issuance of bonds associated with approved equipment funding so as to incur the lowest possible debt service costs by aligning their final maturities with the short useful life of the equipment being financed.

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 5056. FOR THE WASHINGTON STATE UNIVERSITY**

Inventory and Condition of Schools Data Collection (91000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for the Washington State University extension energy office to complete collection, input, and verification of data of public school facilities in the inventory and condition of schools system administered and maintained by the superintendent of public instruction.

(2) The legislature intends to complete the data collection, input, and verification of the inventory and condition of public school facilities in order to make informed decisions about K-12 school facility and capacity needs to fulfill current educational graduation requirements and class-size ratios. These decisions are best made when based on accurate data collected in a thorough and consistent manner by professionals experienced in making such inventory and condition assessments for public institutions.

(3) The Washington State University extension energy office shall conduct on-site visits to assess inventory and condition of all facilities for school districts that have no current study and survey as defined in RCW 28A.525.050 on file with the superintendent of public instruction as of July 1, 2015, or no pending study and survey to be filed with the superintendent through an outstanding study and survey grant award. The data collected through on-site visits must be input into the inventory and condition of schools system.

(4) The Washington State University extension energy office shall input into the inventory and condition of schools system applicable data of inventory and condition of school facilities from all current studies and surveys on file with the superintendent of public instruction as of July 1, 2015. The data must be input into the system in a manner that captures older information and data first. As studies and surveys from outstanding grant awards are filed with the superintendent, the Washington State University extension energy office shall input data into the system once current study and survey data has been input. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section.

(5) The Washington State University extension energy office shall conduct on-site verification of data for school districts whose current studies and surveys on file with the superintendent will expire by June 30, 2017. Data verification must be conducted to evaluate the study and survey process as a tool to collect accurate inventory and condition of schools data upon which policymakers can make informed decisions regarding school facility and capacity needs. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section and once sufficient data has been input into the system per subsection (4) of this section to conduct on-site visits to verification.

(6) As a general condition of appropriations provided to the superintendent of public instruction in this act, the superintendent of public instruction and each state school district shall provide requested facilities information and access to facilities in a timely manner to enable the Washington State University extension energy office to complete the tasks, oversight, and reporting requirements assigned in this section.

(7) The Washington State University extension energy office shall report progress of data collection, input, and verification to the appropriate committees of the legislature no later than December 1, 2015. The Washington State University extension energy office must complete all work in this section and make a final report to the appropriate committees of the legislature no later than December 1, 2016.

Appropriation:

Common School Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5057. FOR THE EASTERN WASHINGTON UNIVERSITY**

University Science Center - Science I (30000001)

Appropriation:

State Building Construction Account—State $4,791,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $55,444,000
TOTAL $60,635,000

NEW SECTION. **Sec. 5058. FOR THE EASTERN WASHINGTON UNIVERSITY**

Upgrade/Repair Campus Water System (30000422)

Reappropriation:

State Building Construction Account—State $3,533,000
Eastern Washington University Capital Projects Account—State $1,770,000
Subtotal Reappropriation $5,303,000
Prior Biennia (Expenditures) $1,975,000
Future Biennia (Projected Costs) $0
TOTAL $7,278,000

NEW SECTION. **Sec. 5059. FOR THE EASTERN WASHINGTON UNIVERSITY**

University Science Center - Science II (30000466)

Appropriation:

State Building Construction Account—State $5,575,000
Prior Biennia (Expenditures) $350,000
Future Biennia (Projected Costs) $67,290,000
TOTAL $73,215,000

NEW SECTION. **Sec. 5060. FOR THE EASTERN WASHINGTON UNIVERSITY**

Eastern Washington University Minor Works Preservation (30000468)

Reappropriation:

Eastern Washington University Capital Projects Account—State $2,293,000

Prior Biennia (Expenditures) $6,207,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 5061. FOR THE EASTERN WASHINGTON UNIVERSITY**
Infrastructure Renewal I (30000506)
Appropriation:
State Building Construction Account—State $9,949,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,949,000

NEW SECTION. **Sec. 5062. FOR THE EASTERN WASHINGTON UNIVERSITY**
Renovate Science (30000507)
Appropriation:
State Building Construction Account—State $350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $52,000,000
TOTAL $52,350,000

NEW SECTION. **Sec. 5063. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Facility Preservation (30000513)
Appropriation:
State Building Construction Account—State $8,167,000
Eastern Washington University Capital Projects Account—
State $3,500,000
Subtotal Appropriation $11,667,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $56,000,000
TOTAL $67,667,000

NEW SECTION. **Sec. 5064. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Program (30000516)
Appropriation:
Eastern Washington University Capital Projects Account—
State $3,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $19,500,000

NEW SECTION. **Sec. 5065. FOR THE EASTERN WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000547)
Appropriation:
Eastern Washington University Capital Projects Account—
State $2,217,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,868,000
TOTAL $11,085,000

NEW SECTION. **Sec. 5066. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Science Building (30000045)
Reappropriation:
State Building Construction Account—State $42,000,000
Prior Biennia (Expenditures) $21,771,000
Future Biennia (Projected Costs) $0
TOTAL $63,771,000

NEW SECTION. **Sec. 5067. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Samuelson Communication and Technology Center (SCTC) (30000451)
Reappropriation:
State Building Construction Account—State $1,600,000
Appropriation:
State Building Construction Account—State $58,677,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $63,677,000

NEW SECTION. **Sec. 5068. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000448)
Reappropriation:
State Building Construction Account—State $430,000
Prior Biennia (Expenditures) $9,780,000
Future Biennia (Projected Costs) $0
TOTAL $10,210,000

NEW SECTION. **Sec. 5069. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Nutrition Science (30000456)
Appropriation:
State Building Construction Account—State $4,300,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $44,400,000
TOTAL $48,981,000

NEW SECTION. **Sec. 5070. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Brooks Library Learning Commons (30000530)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5071. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000615)
Reappropriation:
Central Washington University Capital Projects Account—State $1,500,000
Prior Biennia (Expenditures) $5,500,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5072. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000684)
Appropriation:
State Building Construction Account—State $6,659,000
Central Washington University Capital Projects Account—State $787,000
Subtotal Appropriation $7,446,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,640,000
TOTAL $28,086,000

NEW SECTION. **Sec. 5073. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Bouillon Hall Renovation (30000711)
Appropriation:
State Building Construction Account—State $4,977,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,977,000

NEW SECTION. **Sec. 5074. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Program (30000723)
Appropriation:
Central Washington University Capital Projects Account—State $3,777,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,768,000
TOTAL $8,545,000

NEW SECTION. **Sec. 5075. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Lind Hall Renovation (30000738)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5076. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000740)
Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5077. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Old Heat - Plant Annex (30000767)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5078. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000770)
Appropriation:
Central Washington University Capital Projects Account—
State $2,422,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,422,000

NEW SECTION. **Sec. 5079. FOR THE EVERGREEN STATE COLLEGE**
Facility Preservation (30000084)
Reappropriation:
The Evergreen State College Capital Projects
Account—State $100,000
Prior Biennia (Expenditures) $6,600,000
Future Biennia (Projected Costs) $0
TOTAL $6,700,000

NEW SECTION. **Sec. 5080. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab II, 2nd Floor Renovation (30000117)
Reappropriation:
State Building Construction Account—State $575,000
Prior Biennia (Expenditures) $4,119,000
Future Biennia (Projected Costs) $0
TOTAL $4,694,000

NEW SECTION. **Sec. 5081. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab I Basement Renovation (30000118)
Reappropriation:
State Building Construction Account—State $1,525,000
Appropriation:
State Building Construction Account—State $3,240,000
Prior Biennia (Expenditures) $280,000
Future Biennia (Projected Costs) $0
TOTAL $5,045,000

NEW SECTION. **Sec. 5082. FOR THE EVERGREEN STATE COLLEGE**
Seminar I Renovation (30000125)
Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,318,000
TOTAL $23,718,000

NEW SECTION. **Sec. 5083. FOR THE EVERGREEN STATE COLLEGE**
Facilities Preservation (30000457)
Appropriation:
State Building Construction Account—State $4,720,000
The Evergreen State College Capital Projects Account—
State $5,628,000
Subtotal Appropriation $10,348,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,180,000
TOTAL $50,528,000

NEW SECTION. **Sec. 5084. FOR THE EVERGREEN STATE COLLEGE**
Minor Works Program (30000487)
Appropriation:
The Evergreen State College Capital Projects
Account—State $1,164,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,140,000
TOTAL $10,304,000

NEW SECTION. **Sec. 5085. FOR THE EVERGREEN STATE COLLEGE**
Lecture Hall Remodel (30000493)
Reappropriation:
State Building Construction Account—State $300,000
Appropriation:
State Building Construction Account—State $16,310,000
Prior Biennia (Expenditures) $1,251,000

Future Biennia (Projected Costs) $0
TOTAL $17,861,000

NEW SECTION. **Sec. 5086. FOR THE EVERGREEN STATE COLLEGE**
Preventive Facility Maintenance and Building System Repairs (30000612)
Appropriation:
The Evergreen State College Capital Projects Account—
State $783,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,132,000
TOTAL $3,915,000

NEW SECTION. **Sec. 5087. FOR THE WESTERN WASHINGTON UNIVERSITY**
Carver Academic Renovation (20081060)
Reappropriation:
State Building Construction Account—State $323,000
Appropriation:
State Building Construction Account—State $48,903,000
Prior Biennia (Expenditures) $7,051,000
Future Biennia (Projected Costs) $0
TOTAL $56,277,000

NEW SECTION. **Sec. 5088. FOR THE WESTERN WASHINGTON UNIVERSITY**
North Campus Utility Upgrade (30000426)
Reappropriation:
State Building Construction Account—State $600,000
Prior Biennia (Expenditures) $2,982,000
Future Biennia (Projected Costs) $0
TOTAL $3,582,000

NEW SECTION. **Sec. 5089. FOR THE WESTERN WASHINGTON UNIVERSITY**
Performing Arts Exterior Renewal (30000428)
Reappropriation:
State Building Construction Account—State $387,000
Prior Biennia (Expenditures) $2,560,000
Future Biennia (Projected Costs) $0
TOTAL $2,947,000

NEW SECTION. **Sec. 5090. FOR THE WESTERN WASHINGTON UNIVERSITY**
Classroom and Lab Upgrades Phase 2 (30000518)
Reappropriation:
State Building Construction Account—State $1,800,000
Western Washington University Capital Projects Account—
State $400,000
Subtotal Reappropriation $2,200,000
Prior Biennia (Expenditures) $2,546,000
Future Biennia (Projected Costs) $0
TOTAL $4,746,000

NEW SECTION. **Sec. 5091. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000524)
Reappropriation:
Western Washington University Capital Projects
Account—State $750,000
Prior Biennia (Expenditures) $6,750,000
Future Biennia (Projected Costs) $0
TOTAL $7,500,000

NEW SECTION. **Sec. 5092. FOR THE WESTERN WASHINGTON UNIVERSITY**
Science Building Renovation and Addition (30000598)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $97,215,000
TOTAL $97,715,000

NEW SECTION. **Sec. 5093. FOR THE WESTERN WASHINGTON UNIVERSITY**
2015-17 Classroom and Lab Upgrades (30000600)
Appropriation:
Western Washington University Capital Projects Account—
State $4,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,400,000

NEW SECTION. **Sec. 5094. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000615)
Appropriation:
State Building Construction Account—State $7,035,000
Western Washington University Capital Projects Account—State $4,886,000
Subtotal Appropriation $11,921,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $64,422,000
TOTAL $76,343,000

NEW SECTION. **Sec. 5095. FOR THE WESTERN WASHINGTON UNIVERSITY**
Preventive Facility Maintenance and Building System Repairs (30000757)
Appropriation:
Western Washington University Capital Projects Account—State $3,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $14,456,000
TOTAL $18,070,000

NEW SECTION. **Sec. 5096. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (20074004)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5137, chapter 520, Laws of 2007.
(3) The reappropriation in this section is subject to the provisions of section 5044, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $340,000
Prior Biennia (Expenditures) $9,565,000
Future Biennia (Projected Costs) $0
TOTAL $9,905,000

NEW SECTION. **Sec. 5097. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Project Capital Grants (30000011)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 5120, chapter 497, Laws of 2009.
(2) The reappropriation in this section is subject to the provisions of section 5045, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $9,225,000
Future Biennia (Projected Costs) $0
TOTAL $9,425,000

NEW SECTION. **Sec. 5098. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (30000117)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the provisions of section 622, chapter 1, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $6,782,000
Future Biennia (Projected Costs) $0
TOTAL $7,082,000

NEW SECTION. **Sec. 5099. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation - Minor Works Projects (30000164)
Reappropriation:
State Building Construction Account—State $830,000
Prior Biennia (Expenditures) $1,653,000
Future Biennia (Projected Costs) $0
TOTAL $2,483,000

NEW SECTION. **Sec. 5100. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Heritage Capital Grants Projects (30000170)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5093, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $4,700,000
Prior Biennia (Expenditures) $5,131,000
Future Biennia (Projected Costs) $0
TOTAL $9,831,000

NEW SECTION. **Sec. 5101. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

History Museum Membrane System Replacement (30000220)

Appropriation:

State Building Construction Account—State $1,805,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,805,000

NEW SECTION. **Sec. 5102. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Facilities Preservation – Minor Works Projects (30000222)

Appropriation:

State Building Construction Account—State $2,515,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,515,000

NEW SECTION. **Sec. 5103. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (30000237)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Pantages centennial: Façade restoration	$685,000
Chong Wa parapet preservation	$66,000
Rehabilitation of historic structures	$750,000
Renovation heating of interior space of Balfour dock	$1,000,000
Town hall historic restoration: Phase one of construction	$1,000,000
Washington hall restoration	$452,000
Rehabilitation of Ritzville library for ADA compliance	$138,000
Quartermaster and dental surgery renovation project	$309,000
Skagit city school restoration	$91,000
Yamasaki courtyard restoration project	$129,000
Prairie line trail historic interpretation project	$400,000
Ancich netshed restoration	$662,000
Chimney, gutter, and kitchen restoration	$11,000
Federal building rehabilitation - phases II and III	$920,000
Preservation of the Colville Indian agency cabin in Chewelah	$33,000
Arthur Foss preservation and restoration phase II	$166,000
Seaport landing development - renovation of building #8	$1,000,000
Si view community center rehabilitation project phase II	$130,000
Revitalization to historic wells house for community use	$26,000
Chiyo's garden phase II	$108,000
Historic community center, library, and city hall restoration	$185,000
Sea mar latino history and cultural center	$654,000
Olympia waldorf school - the next 100 years	$20,000
Chinook school restoration - final phase	$79,000
Phase III of Worthington park - Quilcene	$244,000
El centro de la raza community access and security project	$100,000
Steam locomotives changed everything	$199,000
The artifact/exhibit environmental conservation project	$8,000
F/V Shenandoah restoration project - phase three	$41,000
Henderson house and Tumwater historic district interpretive	$50,000
Carnegie library renovation phase II	$344,000
Total	**$10,000,000**

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5104. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation (30000038)

Appropriation:

State Building Construction Account—State $702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $702,000

NEW SECTION. **Sec. 5105. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College: Campus Classrooms (20062696)

Reappropriation:
State Building Construction Account—State $417,000
Prior Biennia (Expenditures) $19,199,000
Future Biennia (Projected Costs) $0
TOTAL $19,616,000

NEW SECTION. **Sec. 5106. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Puget Sound Community College: Learning Resource Center (20062698)
Reappropriation:
State Building Construction Account—State $953,000
Prior Biennia (Expenditures) $32,708,000
Future Biennia (Projected Costs) $0
TOTAL $33,661,000

NEW SECTION. **Sec. 5107. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clover Park Technical College: Allied Health Care Facility (20062699)
Reappropriation:
State Building Construction Account—State $944,000
Prior Biennia (Expenditures) $21,389,000
Future Biennia (Projected Costs) $0
TOTAL $22,333,000

NEW SECTION. **Sec. 5108. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane Community College: Technical Education Building (20081220)
Reappropriation:
State Building Construction Account—State $3,294,000
Prior Biennia (Expenditures) $23,136,000
Future Biennia (Projected Costs) $0
TOTAL $26,430,000

NEW SECTION. **Sec. 5109. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Everett Community College: Index Hall Replacement (20081221)
Reappropriation:
State Building Construction Account—State $1,194,000
Prior Biennia (Expenditures) $35,120,000
Future Biennia (Projected Costs) $0
TOTAL $36,314,000

NEW SECTION. **Sec. 5110. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Green River Community College: Trades and Industry Building (20081222)
Reappropriation:
State Building Construction Account—State $11,606,000
Prior Biennia (Expenditures) $17,013,000
Future Biennia (Projected Costs) $0
TOTAL $28,619,000

NEW SECTION. **Sec. 5111. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Grays Harbor College: Science and Math Building (20081226)
Reappropriation:
State Building Construction Account—State $14,700,000
Prior Biennia (Expenditures) $29,444,000
Future Biennia (Projected Costs) $0
TOTAL $44,144,000

NEW SECTION. **Sec. 5112. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Tacoma Community College: Health Careers Center (20082701)
Reappropriation:
State Building Construction Account—State $7,639,000
Prior Biennia (Expenditures) $33,534,000
Future Biennia (Projected Costs) $0
TOTAL $41,173,000

NEW SECTION. **Sec. 5113. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Bellevue Community College: Health Science Building (20082702)
Reappropriation:
State Building Construction Account—State $9,636,000
Prior Biennia (Expenditures) $22,090,000
Future Biennia (Projected Costs) $0
TOTAL $31,726,000

NEW SECTION. **Sec. 5114. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Bates Technical College: Mohler Communications Technology Center (20082703)
Reappropriation:
State Building Construction Account—State $15,428,000
Prior Biennia (Expenditures) $11,019,000

Future Biennia (Projected Costs) $0
TOTAL $26,447,000

NEW SECTION. **Sec. 5115. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Columbia Basin College: Social Science Center (20082704)
Reappropriation:
State Building Construction Account—State $595,000
Appropriation:
State Building Construction Account—State $14,505,000
Prior Biennia (Expenditures) $481,000
Future Biennia (Projected Costs) $0
TOTAL $15,581,000

NEW SECTION. **Sec. 5116. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $29,979,000
Prior Biennia (Expenditures) $7,073,000
Future Biennia (Projected Costs) $0
TOTAL $37,052,000

NEW SECTION. **Sec. 5117. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Fort Worden Building 202 (30000114)
Reappropriation:
State Building Construction Account—State $3,876,000
Prior Biennia (Expenditures) $501,000
Future Biennia (Projected Costs) $0
TOTAL $4,377,000

NEW SECTION. **Sec. 5118. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Seattle Central Community College: Seattle Maritime Academy (30000120)
Reappropriation:
State Building Construction Account—State $14,590,000
Prior Biennia (Expenditures) $2,238,000
Future Biennia (Projected Costs) $0
TOTAL $16,828,000

NEW SECTION. **Sec. 5119. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Yakima Valley Community College: Palmer Martin Building (30000121)
Reappropriation:
State Building Construction Account—State $5,947,000
Prior Biennia (Expenditures) $14,293,000
Future Biennia (Projected Costs) $0
TOTAL $20,240,000

NEW SECTION. **Sec. 5120. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Olympic College: College Instruction Center (30000122)
Reappropriation:
State Building Construction Account—State $1,152,000
Appropriation:
State Building Construction Account—State $48,516,000
Prior Biennia (Expenditures) $2,472,000
Future Biennia (Projected Costs) $0
TOTAL $52,140,000

NEW SECTION. **Sec. 5121. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Centralia Community College: Student Services (30000123)
Reappropriation:
State Building Construction Account—State $631,000
Appropriation:
State Building Construction Account—State $31,385,000
Prior Biennia (Expenditures) $1,886,000
Future Biennia (Projected Costs) $0
TOTAL $33,902,000

NEW SECTION. **Sec. 5122. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Allied Health and Early Childhood Development Center (30000126)
Reappropriation:
State Building Construction Account—State $903,000
Appropriation:
State Building Construction Account—State $23,790,000
Prior Biennia (Expenditures) $907,000
Future Biennia (Projected Costs) $0
TOTAL $25,600,000

NEW SECTION. **Sec. 5123. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Seattle Community College: Cascade Court (30000128)
Reappropriation:
State Building Construction Account—State $983,000
Appropriation:
State Building Construction Account—State $28,231,000
Prior Biennia (Expenditures) $1,104,000
Future Biennia (Projected Costs) $0
TOTAL $30,318,000

NEW SECTION. **Sec. 5124. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
North Seattle Community College: Technology Building Renewal (30000129)
Reappropriation:
State Building Construction Account—State $1,922,000
Prior Biennia (Expenditures) $23,497,000
Future Biennia (Projected Costs) $0
TOTAL $25,419,000

NEW SECTION. **Sec. 5125. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Renton Technical College: Automotive Complex Renovation (30000134)
Reappropriation:
State Building Construction Account—State $449,000
Appropriation:
State Building Construction Account—State $15,250,000
Prior Biennia (Expenditures) $1,134,000
Future Biennia (Projected Costs) $0
TOTAL $16,833,000

NEW SECTION. **Sec. 5126. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Science, Engineering, Technology Building (30000137)
Reappropriation:
State Building Construction Account—State $6,581,000
Prior Biennia (Expenditures) $1,239,000
Future Biennia (Projected Costs) $0
TOTAL $7,820,000

NEW SECTION. **Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Whatcom Community College: Learning Commons (30000138)
Reappropriation:
State Building Construction Account—State $1,029,000
Prior Biennia (Expenditures) $793,000
Future Biennia (Projected Costs) $0
TOTAL $1,822,000

NEW SECTION. **Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30000723)
Reappropriation:
Community/Technical College Capital Projects
Account—State $1,765,000
Community and Technical College Forest Reserve
Account—State $60,000
Gardner-Evans Higher Education Construction
Account—State $115,000
Subtotal Reappropriation $1,940,000
Prior Biennia (Expenditures) $16,852,000
Future Biennia (Projected Costs) $0
TOTAL $18,792,000

NEW SECTION. **Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Preservation (30000779)
Reappropriation:
Community/Technical College Capital Projects
Account—State $965,000
Prior Biennia (Expenditures) $16,635,000
Future Biennia (Projected Costs) $0
TOTAL $17,600,000

NEW SECTION. **Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Roof Repairs (30000844)
Reappropriation:
Community/Technical College Capital Projects
Account—State $554,000
Prior Biennia (Expenditures) $7,231,000

Future Biennia (Projected Costs) $0
TOTAL $7,785,000

NEW SECTION. **Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Facility Repairs (30000897)

Reappropriation:
State Building Construction Account—State $2,905,000
Prior Biennia (Expenditures) $19,229,000
Future Biennia (Projected Costs) $0
TOTAL $22,134,000

NEW SECTION. **Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Site Repairs (30000941)

Reappropriation:
Community/Technical College Capital Projects Account—State $71,000
Prior Biennia (Expenditures) $2,503,000
Future Biennia (Projected Costs) $0
TOTAL $2,574,000

NEW SECTION. **Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Edmonds Community College: Washington Aerospace Training and Research Center (30000979)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 4, chapter 1, Laws of 2013, 3rd sp. sess.

Reappropriation:
State Building Construction Account—State $840,000
Prior Biennia (Expenditures) $660,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Big Bend: Professional-Technical Education Center (30000981)

Appropriation:
State Building Construction Account—State $2,040,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,490,000
TOTAL $36,530,000

NEW SECTION. **Sec. 5135. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane: Main Building South Wing Renovation (30000982)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building must be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $2,823,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,742,000
TOTAL $27,565,000

NEW SECTION. **Sec. 5136. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Highline: Health and Life Sciences (30000983)

Appropriation:
State Building Construction Account—State $2,932,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,850,000
TOTAL $26,782,000

NEW SECTION. **Sec. 5137. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Program (30001038)

Appropriation:
State Building Construction Account—State $22,456,000
Community/Technical College Capital Projects Account—State $1,744,000
Subtotal Appropriation $24,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $24,200,000

NEW SECTION. **Sec. 5138. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

State $200,000,000
Subtotal Appropriation ..... (($~~$208,800,000~~)) $204,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $680,000,000
TOTAL ..... (($~~$888,800,000~~)) $884,400,000

Sec. 6003. 2013 3rd sp.s. c 1 s 3 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Renton Aerospace Training Center Construction (((~~92000151~~))) (30000724)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction of the Renton aerospace training center.

Appropriation:

State Building Construction Account—State ..... (($~~$5,000,000~~)) $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... (($~~$5,000,000~~)) $10,000,000

Sec. 6004. 2013 2nd sp.s. c 19 s 1074 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The appropriations in this section are subject to the following conditions and limitations:

(1) All expenditures from the state taxable building construction account—state appropriation in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2) For any project funded from the state taxable building construction account—state appropriation in this section, state funds must not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(3)(a) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely to create a revolving loan fund to support the widespread use of proven building energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) To create the loan fund, the department shall provide grant funds to a competitively selected nonprofit lender that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines for the lender related to applicant eligibility, the screening process, and evaluation and selection criteria. The criteria must include requiring evidence of support for the proposed project from the impacted community and consistency with economic growth strategies and plans of the affected local governments. Applications for loans from the revolving fund must disclose all sources of public funding to be provided for a project. The nonprofit lender must use the revolving loan fund to make affordable loans for projects including, but not limited to: Residential and commercial energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(d) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(e) Projects seeking financing of solar installations under this section must agree in contract to not participate in the cost-recovery program under RCW 82.16.120.

(4) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to advance renewable energy technologies by public and private electrical utilities that serve retail customers in the state. The department shall work with utilities to offer matching grants for projects that demonstrate new smart grid technologies. The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. Applications for grants must disclose all sources of public funding to be provided for a project. The grant funds must be used to fund projects that demonstrate how to: Integrate intermittent renewables through energy storage and information technology, dispatch energy storage resources from utility control rooms, use the thermal properties and electric load of commercial buildings and district energy systems to store energy, or otherwise improve the reliability and reduce the costs of intermittent or distributed renewable energy.

(5) $6,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to match federal funds used to develop and demonstrate clean energy technologies. The department shall work with the University of Washington, Washington State University, and the Pacific Northwest National Laboratory to offer matching funds for projects including, but not limited to: Advancing energy storage and solar technologies, and federal manufacturing innovation centers related to use of light-weight carbon fiber components to advance energy efficiency in the aeronautical, automotive, and marine sectors.

(6) The department must report on number and results of projects funded through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2014.

(7) The energy recovery act account—federal appropriation in this section is provided solely for loans, loan guarantees, and grants that encourage the establishment of innovative and sustainable industries for renewable energy and energy efficiency technology, consistent with provisions of RCW 43.325.040 (energy freedom account).

Appropriation:

State Taxable Building Construction Account—
State $36,000,000
Energy Recovery Act Account—((~~Federal~~)) State $4,000,000
Subtotal Appropriation $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

Sec. 6005. 2013 2nd sp.s. c 19 s 1077 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	**Authorized Amount**
City of Bremerton Puget Sound Naval Safety Project	$1,300,000
Fairchild Airforce Base	$2,700,000
City of Lynnwood Main Street Improvements	$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	$1,500,000
Kittitas County Infrastructure and Facilities	$5,000,000
City of Kennewick Industrial Land	$1,000,000
Perry Tech Institute Building	$1,000,000
City of Buckley Drinking Water Improvements	$350,000
((~~Coronado~~)) Carbonado Reservoir Replacement	$525,000
Hopelink Cleveland Street Project	$1,000,000
Redmond Connector	$1,300,000
Washougal ((~~Storm Water Decant Facility~~)) Wastewater Treatment Plant	$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	$500,000
Everett/Tulalip Water Pipeline Construction	$1,000,000
((~~Renton Aerospace Training Center Construction~~	~~$5,000,000~~))
Renton Riverview Bridge Replacement	$1,100,000
Omak City Sewer, Collection System, and Treatment Plant	$2,000,000
Harper Pier Replacement	$800,000
University Place Main Street Redevelopment	$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	$185,000
Quincy Industrial Water Reclamation & Reuse	$700,000
NW Medical School	$136,000
Ione - 8th St Lift Station Replacement	$165,000
Stevens PUD Projects	$532,000
Port Orchard Bay St. Pedestrian Path - Phase 2	$336,000
Dekalb Pier - Phase 2	$255,000
Kenmore Village	$300,000
South Kirkland TOD/Cross Kirkland Corridor	$1,300,000
Washington Agriculture Discovery Center	$100,000
Mountlake Terrace Mainstreet Grant	$2,000,000
Issaquah - North Roadway Network Improvement	$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	$500,000
City of Shelton Wastewater	$1,500,000
Port of Moses Lake Firefighting System	$300,000

Seattle Chinatown/ID Development	$500,000
TOTAL	((~~$42,109,000~~)) $37,109,000
Appropriation:	
State Building Construction Account—State	((~~$35,009,000~~)) $30,009,000
Public Facility Construction Loan Revolving Account—State	$7,100,000
Subtotal Appropriation	((~~$42,109,000~~)) $37,109,000
Prior Biennia (Expenditures)	$0
Future Biennia (Projected Costs)	$0
TOTAL	((~~$42,109,000~~)) $37,109,000

Sec. 6006. 2013 2nd sp.s. c 19 s 1078 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects That Strengthen Communities and Quality of Life (92000230)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section from the state building construction account—state is provided solely for design development to align ongoing planning for the replacement of the Seattle multimodal terminal at Colman dock with the creation of a public park. The scope of work must provide a design plan that includes an elevated park and corresponding amenities above the terminal. Design development shall be delivered through the city of Seattle. The scope of this project does not preclude any current plans for Colman dock to replace or seismically upgrade the facility, nor does it reduce the amount of general and commercial traffic, high occupancy vehicles, transit, bicyclist and pedestrian movement.

(8) $500,000 of the appropriation from the environmental legacy stewardship account—state is provided solely for an investigation of possible contaminated soils around the Colman dock.

(9) The appropriation is provided solely for the following list of projects:

Projects that Strengthen Communities & Quality of Life	**Authorized Amount**
Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	$1,000,000
LaConner Boardwalk	$1,600,000
Kent Interurban Trail Connector	$750,000
Town of Concrete Public Safety Building	$785,000
Complete Development of Ashford Park Facilities	$1,000,000
Jackson Park Renovation	$1,000,000
South Whatcom Library Construction	$90,000
Guemes Channel Trail Project	$700,000
Seabrook Trail	$437,000
Vashon Island Allied Arts	$2,000,000
Federal Way Performing Arts	$2,000,000
Japanese Gulch Land Acquisition	$1,000,000
Milton - Triangle Park ADA Upgrades	$225,000
Langston Hughes Performing Arts Center - Storage	$150,000
Wood Pellet Heat in Schools Pilot	$500,000
((~~Snohomish County Sheriff's Office South Precinct~~)) Young Island	$1,000,000
Ravensdale Park	$650,000
Worthington Park	$210,000
Eastside Tacoma Community Center	

Account—State ..... ((~~$21,000~~))
$19,000
Subtotal Appropriation ..... ((~~$300,000~~))
$270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$300,000~~
$270,000

Sec. 6008. 2013 2nd sp.s. c 19 s 1091 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool (91000428)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency and management reserves included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the state parks and recreation commission, the department of corrections, the department of enterprise services, and the department of health. Eligible construction projects are only projects that had project cost reductions. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

Appropriation:
State Building Construction Account—State ..... ((~~$4,000,000~~))
$1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,000,000~~
$1,875,000

Sec. 6009. 2013 2nd sp. s. c 19 s 1093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Roof Replacement/Exterior Foam Insulation Repairs (30000546)

Reappropriation:
State Building Construction Account—State ..... ((~~$510,000~~))
$33,000
Prior Biennia (Expenditures) ..... ((~~$3,972,000~~))
$4,409,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,482,000~~
$4,442,000

Sec. 6010. 2013 2nd sp.s. c 19 s 1099 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:
State Building Construction Account—State ..... ((~~$1,075,000~~))
$1,013,000

Appropriation:
State Building Construction Account—State ..... ((~~$851,000~~))
$410,000
Prior Biennia (Expenditures) ..... ((~~$104,000~~))
$166,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,030,000~~
$1,589,000

Sec. 6011. 2013 2nd sp.s. c 19 s 1108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior Repairs (30000604)

Appropriation:
State Building Construction Account—State ..... ((~~$1,000,000~~))
$1,075,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,000,000~~
$1,075,000

Sec. 6012. 2013 2nd sp.s. c 19 s 1104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Underground Utility Repairs (30000687)

Appropriation:
State Building Construction Account—State ..... ((~~$1,983,000~~))

$2,613,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,827,000
TOTAL ..... ~~$10,810,000~~
$11,440,000

Sec. 6013. 2013 2nd sp.s. c 19 s 1105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Repairs Phase 1 (91000009)

The appropriations in this section are subject to the following conditions and limitations: The natural resource building repairs phase 1 project must include at a minimum the multipurpose room water infiltration project and the roof project. After this work is completed, the department may include work that was in the department's 2013-2015 capital budget request for other repairs to the building.

Appropriation:
State Building Construction Account—State ..... ((~~$4,161,000~~))
$4,041,000
Thurston County Capital Facilities Construction
Account—State $940,000
Subtotal Appropriation ..... ((~~$5,101,000~~))
$4,981,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$5,101,000~~
$4,981,000

Sec. 6014. 2013 2nd sp.s. c 19 s 2024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: WSR Living Units Roofs (30000542)

Appropriation:
State Building Construction Account—State ..... ((~~$1,785,000~~))
$1,868,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,785,000~~
$1,868,000

Sec. 6015. 2013 2nd sp.s. c 19 s 2028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)

Appropriation:
State Building Construction Account—State ..... ((~~$2,569,000~~))
$2,649,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,569,000~~
$2,649,000

Sec. 6016. 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$7,750,000 for fiscal year 2014 and $7,750,000~~)) $15,500,000 for fiscal year 2015 of the ((~~state building construction~~)) water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control loan program ((~~loan~~)).

Appropriation:
((~~State Building Construction Account—State~~ ..... ~~$15,500,000~~))
Water Pollution Control Revolving Account—
State ..... ((~~$184,500,000~~))
$200,000,000
Water Pollution Control Revolving
Account—Federal $50,000,000
Subtotal Appropriation $250,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $510,000,000
TOTAL $760,000,000

Sec. 6017. 2013 2nd sp.s. c 19 s 3058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to develop mitigation options and alternative water sources or tools to make water available for stream flows and for rural domestic permit-exempt uses within the ((~~Carpenter/Fisher, East Nookachamps, and Upper Nookachamps subbasins~~)) Skagit River watershed. Up to $500,000 of the amount specified shall be used to develop a rural domestic demonstration project to determine if surface or groundwater infiltration can mitigate for ground water use during low flow periods to meet the mitigation requirements of chapter 173-503 WAC.

Reappropriation:
State Building Construction Account—State $2,156,000
Prior Biennia (Expenditures) $69,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

Sec. 6018. 2013 2nd sp.s. c 19 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips: Wastewater Treatment System (30000523)

Appropriation:
State Building Construction Account—State ..... ((~~$4,079,000~~)) $4,532,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,079,000~~ $4,532,000

Sec. 6019. 2013 2nd sp.s. c 19 s 3190 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:
General Fund—Federal $2,328,000

Appropriation:
General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$3,000,000~~ $7,000,000

Sec. 6020. 2013 2nd sp.s. c 19 s 3212 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

Community Partnership Restoration Grants (30000007)

Reappropriation:
General Fund—Federal ..... ((~~$1,155,000~~)) $1,575,000
Prior Biennia (Expenditures) ..... ((~~$445,000~~)) $50,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,600,000~~ $1,625,000

Sec. 6021. 2013 2nd sp.s. c 19 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

Reappropriation:
State Building Construction Account—State ..... ((~~$12,962,000~~)) $11,082,000
Prior Biennia (Expenditures) $12,481,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,443,000~~ $23,563,000

Sec. 6022. 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-2015 School Construction Assistance Program - Maintenance (30000145)

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,340,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) $933,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(3) The office of the superintendent of public instruction must improve web-based access by taxpayers to school capacity and actual enrollment in order to understand possible opportunities to increase efficiency through consolidation. The office of the superintendent of public instruction must post this capacity and enrollment information on its web site.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Criminal justice training commission: Enter into a financing contract for up to $6,672,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the dormitory.

(4) Department of enterprise services: Enter into a financing contract for up to $63,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new building for the utility and transportation commission, and other agencies as identified by the office of financial management, at the pro arts site on the capitol campus.

(5) Department of enterprise services: Enter into a financing contract for up to $20,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the Seattle community justice center.

(6) Department of enterprise services: Enter into a financing contract for up to $69,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new office building at 1063 Capitol Way South, Olympia.

(7) Department of ecology: Enter into a financing contract for up to $180,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for programmatic improvements to the headquarters building and the eastern regional office.

(8) Department of ecology: Enter into a financing contract for up to $760,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for preservation improvements to the headquarters building.

(9) Central Washington University: Enter into a financing contract for up to $8,414,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a welcome center.

(10) The Evergreen State College: Enter into a financing contract for up to $12,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase a permanent location for the Tacoma program.

(11) Western Washington University: Enter into a financing contract for up to $16,310,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the carver building renovation.

(12) Eastern Washington University: Enter into a financing contract for up to $10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Washington street facility project.

(13) Community and technical colleges:

(a) Enter into a financing contract on behalf of Centralia Community College for up to $5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the student services building.

(b) Enter into a financing contract on behalf of Centralia Community College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase or construct student housing.

(c) Enter into a financing contract on behalf of Clark College for up to $8,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the culinary arts facility.

(d) Enter into a financing contract on behalf of Clark College for up to $35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a student recreation center.

(e) Enter into a financing contract on behalf of Columbia Basin College for up to $7,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a health science center.

(f) Enter into a financing contract on behalf of Green River College for up to $15,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an aviation program center.

(g) Enter into a financing contract on behalf of Highline College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the maintenance and grounds building.

(h) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(i) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate and expand the Myklebust gymnasium.

(j) Enter into a financing contract on behalf of Tacoma Community College for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to expand a health and wellness center.

(k) Enter into a financing contract on behalf of Walla Walla Community College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a workforce and business development center.

(14) Department of fish and wildlife: Enter into a financing contract for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct or purchase a new office and warehouse building near Vancouver.

NEW SECTION. **Sec. 7003.** (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over $10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. **Sec. 7004.** To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of $10,000,000 may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, including life-cycle cost, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. **Sec. 7005.** (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. **Sec. 7006.** (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under $250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. **Sec. 7007.** (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. **Sec. 7008.** (1) Any building project that receives funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorpr ration rof these goals throughr ut

(f) Benchmarking: Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. **Sec. 7009.** State agencies, including institutions of higher education, shall allot and report full-time equivalent staff

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

$$\text{Computed State Ratio} = \frac{\text{District adjusted 3-valuation per pupil} \div \text{Total state adjusted valuation per pupil}}{\text{District adjusted 3+valuation per pupil} \div \text{Total state adjusted valuation per pupil}} = -\,\% \text{ State Funding Assistance}$$

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience courses under RCW 28A.232.010 shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience students subtracted by the headcount of in-district alternative learning experience students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

(6) For the 2015-2017 biennium, schools determined to have a lack of sufficient space to provide all-day kindergarten, reduce class sizes, or provide science classrooms or labs to meet the requirements of law, have a special housing burden condition similar to those defined under subsection (5)(b) of this section, creating a like emergency. For the 2015-2017 biennium, school districts are entitled to additional percentage points for school construction projects that have a special housing burden condition only. The additional percentage points are determined by (a) student enrollments in the free and reduced price meals program, and (b) donations of cash, like-kind, or equipment from private sources. The additional percentage points under (a) of this subsection are twenty percent of the percent of student enrollments eligible and enrolled in the free and reduced price meals program. The additional percentage points under (b) of this subsection are determined by enrollments of the school district and the value of the private donation as follows:

District Enrollments	$250K-$499K	Value of Donation $500K-$1M	>$1M
Less than 2,000	10	15	20
2,000-4,000	5	10	15
More than 4,000	0	5	10

Sec. 7019. RCW 28A.525.172 and 2006 c 263 s 314 are each amended to read as follows:

All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules adopted by the superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel. Studies and surveys shall be conducted by the superintendent for the purpose of securing information relating to (((~~(a) [(1)]~~))) (1) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (((~~(b) [(2)]~~))) (2) the ability of such districts to provide capital funds by local effort, (((~~(c) [(3)]~~))) (3) the need for improvement

of school administrative units and school attendance areas among or within such districts, and (((~~(d) [(4)]~~))) (4) any other pertinent matters. For the 2015-2017 biennium, the superintendent may not conduct studies and surveys for the purpose of this section.

NEW SECTION. **Sec. 7020.** NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . ., Laws of 2015 (Substitute House Bill No. 1166, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. **Sec. 7021.** COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

NEW SECTION. **Sec. 7022.** The office of financial management, in consultation with the fiscal committees of the legislature, may select capital projects that have completed predesign to undergo a budget evaluation study. The budget evaluation study team approach using value engineering techniques and life cycle cost analysis must be utilized by the office of financial management in conducting the studies.

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of building fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ((~~During the 2011-2013 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs. However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7030. RCW 43.34.080 and 2013 2nd sp.s. c 19 s 7015 are each amended to read as follows:

(1) The capitol campus design advisory committee is established as an advisory group to the capitol committee and the director of enterprise services to review programs, planning, design, and landscaping of state capitol facilities and grounds and to make recommendations that will contribute to the attainment of architectural, aesthetic, functional, and environmental excellence in design and maintenance of capitol facilities on campus and located in neighboring communities.

(2) The advisory committee shall consist of the following persons who shall be appointed by and serve at the pleasure of the director of enterprise services:

(a) Two architects;

(b) A landscape architect; and

(c) An urban planner.

The director of enterprise services shall appoint the chair and vice chair and shall provide the staff and resources necessary for implementing this section. The advisory committee shall meet at least once every ninety days and at the call of the chair.

The members of the committee shall be reimbursed as provided in RCW 43.03.220 and 44.04.120.

(3) The advisory committee shall also consist of the secretary of state and two members of the house of representatives, one from each caucus, who shall be appointed by the speaker of the house of representatives, and two members of the senate, one from each caucus, who shall be appointed by the president of the senate.

(4) The advisory committee shall review plans and designs affecting state capitol facilities as they are developed. The advisory committee's review shall include:

(a) The process of solicitation and selection of appropriate professional design services including design-build proposals;

(b) Compliance with the capitol campus master plan and design concepts as adopted by the capitol committee;

(c) The design, siting, and grouping of state capitol facilities relative to the service needs of state government and the impact upon the local community's economy, environment, traffic patterns, and other factors;

(d) The relationship of overall state capitol facility planning to the respective comprehensive plans for long-range urban development of the cities of Olympia, Lacey, and Tumwater, and Thurston county; and

(e) Landscaping plans and designs, including planting proposals, street furniture, sculpture, monuments, and access to the capitol campus and buildings.

(5) For development of the property known as the 1063 block, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

(6) During the 2015-2017 fiscal biennium, for development of the property known as the pro arts site, the committee may review the proposal selected by the department of enterprise services but must not propose changes that will affect the scope, budget, or schedule of the project.

Sec. 7031. RCW 43.19.501 and 2011 1st sp.s. c 50 s 943 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. For the 2007-2009 biennium, moneys in the account may be used for predesign identified in section 1037, chapter 328, Laws of 2008. For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.

During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the Thurston county capital facilities account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 7032. RCW 43.155.050 and 2013 2nd sp.s. c 4 s 983 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the

board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the ((~~2011-2013 and 2013-2015~~)) 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to ((~~the general fund,~~)) the water pollution control revolving account((~~,~~)) and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ((~~During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board.~~)) During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.

Sec. 7033. RCW 43.155.070 and 2013 2nd sp.s. c 19 s 7032 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services, public transit, and transportation;

(G) Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and

(H) Reduction of the overall cost of public infrastructure; and

(xi) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before November 1, ((~~2014~~)) 2016, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature. The maximum amount of funding that the board may recommend for any jurisdiction is ten million dollars per biennium. For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

(6) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(7) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(8) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.

(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.

(11) To qualify for loans or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(12) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(13) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium, for projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan.

(14)(a) ((~~For public works assistance account application rounds conducted during the 2013-2015 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federally funded drinking water and clean water state revolving funds operated by the state departments of health and ecology. The board, department of ecology, and department of health must jointly develop evaluation criteria and application procedures that will increase access of eligible drinking water and wastewater projects to the public works assistance account for short-term preconstruction financing and to the federally funded state revolving funds for construction financing. The procedures must also strengthen coordinated funding of preconstruction and construction projects.~~)) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federal funds to finance local infrastructure including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology.

(b) For all construction loan projects proposed to the legislature for funding during the ((~~2013-2015~~)) 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship.

(((~~(c) By December 1, 2013, the board must recommend to the appropriate committees of the legislature statutory language to make permanent these new criteria, procedures, and financing policies.~~)))

Sec. 7034. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter~~

~~36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used to continue and enhance the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

Sec. 7035. RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish; ((~~and~~))

(v) During the 2013-2015 fiscal biennium, actions at the University of Washington for reducing ocean acidification;

(w) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section ((~~3159~~)) 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account; and

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under ((~~(c)[(e)]~~)) (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (((~~(c)~~[(~~(e)~~])) (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. effects [affects] the ability of a potentially liable person to receive public funding.

(10) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program ((~~and for storm water grants~~)) and for the storm water financial assistance program administered by the department of ecology.

NEW SECTION. **Sec. 7036.** (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between $25,000 and $1,000,000 each, with the exception of higher education minor works projects that may be valued up to $2,000,000. All projects must meet the criteria included in this subsection (2)(a). These projects should be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed $1,000,000, or $2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

NEW SECTION. **Sec. 7037. FOR THE STATE TREASURER—TRANSFERS**

Public works assistance account—state: For transfer to the water pollution control revolving account, $6,000,000 for fiscal year 2016 and $6,000,000 for fiscal year 2017 ..... $12,000,000

Public works assistance account—state: For transfer to the drinking water assistance account, $4,400,000 for fiscal year 2016 and $4,400,000 for fiscal year 2017 ..... $8,800,000

NEW SECTION. **Sec. 7038.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7039.** The office of financial management, in accordance with RCW 28B.77.070 and 43.88D.010, shall include the following in the scoring process:

(1) The office of financial management shall develop a single prioritized list that includes all projects requesting funding, with the exception of minor works and predesign requests. Predesigns must be on a separate prioritized list.

(2) The office of financial management shall weight the reasonableness of cost criteria based on the following criteria in the following order: (a) Expected maximum allowable construction costs per square foot; and (b) life-cycle cost analysis using the office of financial management's life-cycle cost tool.

(3) Prior legislative commitment to the project funding of predesign or design must be included in the scoring criteria.

(4) Projects must be scored only once unless the office of financial management, or the requesting school, find that the project scope or budget has significantly changed.

Sec. 7040. RCW 43.131.413 and 2010 c 245 s 12 are each amended to read as follows:

The alternative process for awarding contracts established in RCW 28B.20.744 terminates June 30, ((~~2015~~)) 2017, as provided in RCW 43.131.414.

Sec. 7041. RCW 43.131.414 and 2010 c 245 s 13 are each amended to read as follows:

RCW 28B.20.744, as now existing or hereafter amended, is repealed, effective June 30, ((~~2016~~)) 2018.

NEW SECTION. **Sec. 7042.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Taylor moved the adoption of amendment (314) to the striking amendment (300):

On page 113, line 15 of the amendment, after "2015." insert "State agencies receiving land acquisition grants in this appropriation shall ensure no net loss of taxable acreage within the county in which the acquisition is occurring."

FISCAL IMPACT: No net change to appropriated levels.

Representative Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Dunshee and DeBolt spoke against the adoption of the amendment to the striking amendment.

Amendment (314) to the striking amendment was not adopted.

Representative Taylor moved the adoption of amendment (317) to the striking amendment (300):

On page 113, line 15 of the amendment, after "2015." insert "State agencies receiving land acquisition grants in this appropriation shall coordinate with the county within which the acquisition is occurring prior to any land acquisition, pursuant to RCW 36.70A.103."

FISCAL IMPACT: No net change to appropriated levels.

Representative Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Dunshee and DeBolt spoke against the adoption of the amendment to the striking amendment.

Amendment (317) to the striking amendment was not adopted.

With the consent of the house, amendments (315) and (316) to the striking amendment were withdrawn.

Representative Taylor moved the adoption of amendment (313) to the striking amendment (300):

On page 226, beginning on line 15 of the amendment, strike all of section 7023 and insert the following:

"NEW SECTION. **Sec. 7023.** JOINT SELECT COMMITTEE ON TRANSFER OF PUBLIC LANDS. (1)(a) The joint select committee on the transfer of public lands is established, with members as provided as follows:

(i) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(b) The committee shall choose its chair or cochairs from among its membership.

(2) The committee shall, with guidance from other interested parties and stakeholders, prepare proposed legislation:

(a) Creating a public lands commission assigned with:

(i) Administering the transfer of title of public lands to the state from the United States; and

(ii) Addressing the management of public lands and the management of multiple uses of public lands, including addressing managing open space, access to public lands, local planning, and the sustainable yield of natural resources on public lands;

(b) Making a determination of, or creating a process for determining, interests, rights, or uses related to:

(i) Easements;

(ii) Geothermal resources;

(iii) Grazing;

(iv) Mining;

(v) Natural gas;

(vi) Oil and other fossil fuels;

(vii) Recreation;

(viii) Rights of entry;

(ix) Special uses;

(x) Timber;

(xi) Water; or

(xii) Other natural resources or other resources; and

(e) Determining what constitutes "expenses incident to the sale of public lands" from "net proceeds." For purposes of this section, "net proceeds" means the proceeds from the sale of public lands, after subtracting expenses incident to the sale of the public lands.

(3) The joint select committee on the transfer of public lands shall also study and determine whether to prepare proposed legislation related to:

(a) An administrative process for:

(i) The United States to extinguish title to public lands; or

(ii) The state to receive title to public lands from the United States;

(b) Establishing a prioritized list of management actions for the state and the political subdivisions of the state to perform on public lands to preserve and promote the state's interest in:

(i) Protecting public health and safety;

(ii) Preventing catastrophic wild fire and forest insect infestation;

(iii) Preserving watersheds;

(iv) Preserving and enhancing energy and the production of minerals;

(v) Preserving and improving range conditions; and

(vi) Increasing plant diversity and reducing invasive weeds on range and woodland portions of the public lands;

(c) Establishing procedures and requirements for subjecting public lands to property taxation; and

(d) Establishing other requirements related to national forests, national recreation areas, or other public lands administered by the United States.

(4) The joint select committee on the transfer of public lands also may study any other issue related to public lands as determined by the commissioner and the attorney general.

(5) The joint select committee on the transfer of public lands shall:

(a) Make preliminary reports on the study and preparation of proposed legislation required under this section to the legislature, consistent with RCW 43.01.036:

(i) By June 30, 2016; and

(ii) By October 31, 2016; and

(b) Deliver a final report containing findings, recommendations, and proposed legislation to the legislature, consistent with RCW 43.01.036, by January 1, 2017.

(6) Staff support for the joint select committee on the transfer of public lands must be provided by the house of representatives office of program research and senate committee services.

(7) Legislative members of the joint select committee on the transfer of public lands must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(8) The expenses of the joint select committee on the transfer of public lands must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(9) This section expires June 30, 2017."

Correct the title.

FISCAL IMPACT: No net change to appropriated levels.

Representatives Taylor and Shea spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Dunshee and DeBolt spoke against the adoption of the amendment to the striking amendment.

Amendment (313) to the striking amendment was not adopted.

Representatives Dunshee and DeBolt spoke in favor of the adoption of the striking amendment.

Amendment (300) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Smith and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1115.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1115, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

ENGROSSED HOUSE BILL NO. 1115, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 3, 2015, the 82nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SECOND DAY

House Chamber, Olympia, Friday, April 3, 2015

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Appropriations was relieved of SUBSTITUTE SENATE BILL NO. 5113, and the bill was referred to the Committee on Rules.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 6, 2015, the 85th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY FIFTH DAY

House Chamber, Olympia, Monday, April 6, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previC 9 -0 day wasspensed with

Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

April 2, 2015

ESSB 5884 Prime Sponsor, Committee on Law & Justice: Concerning the trafficking of persons. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 2, 2015

SSB 5933 Prime Sponsor, Committee on Law & Justice: Establishing a statewide training program on human trafficking laws for criminal justice personnel. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 7, 2015, the 86th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SIXTH DAY

House Chamber, Olympia, Tuesday, April 7, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 6, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5077
and the same is herewith transmitted.
Hunter G. Goodman, Secretary

April 6, 2015

MR. SPEAKER:

The Senate has passed:
SUBSTITUTE SENATE BILL NO. 6088
and the same is herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

2SSB 5105 by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Frockt, O'Ban, Fain, Fraser, Pearson, Roach and Darneille)

AN ACT Relating to making a fourth driving under the influence offense a felony; amending RCW 46.61.502, 46.61.504, 46.61.5055, and 46.61.5054; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

2SSB 5315 by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Liias, McCoy, Pearson and Benton)

AN ACT Relating to aligning functions of the consolidated technology services agency, office of the chief information officer, office of financial management, and department of enterprise services; amending RCW 43.41A.003, 43.105.020, 43.105.047, 43.105.052, 43.105.111, 43.105.178, 43.105.825, 41.07.020, 43.41A.025, 43.41A.010, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.130, 43.41A.140, 43.41A.150, 43.41A.152, 4.92.006, 4.92.100, 4.92.280, 41.04.720, 41.04.770, 41.06.395, 41.06.400, 41.06.510, 41.06.530, 41.80.005, 43.01.135, 43.06.013, 43.19.766, 43.19.778, 43.41.110, 43.41A.085, 43.41A.095, 43.41A.105, 48.64.010, 43.88.160, 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 19.34.100, 36.28A.070, 41.06.094, 42.17A.705, 43.15.020, 43.19.794, 43.70.054, 43.88.090, 43.88.092, 44.68.065, 70.58.005, and 41.06.280; reenacting and amending RCW 48.62.021; adding new sections to chapter 43.105 RCW; adding new sections to chapter 43.41 RCW; adding a new section to chapter 43.19 RCW; creating new sections; recodifying RCW 43.41A.003, 43.41A.010, 43.41A.025, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.110, 43.41A.115, 43.41A.130, 43.41A.135, 43.41A.140, 43.41A.150, 43.41A.152, 43.41A.900, 43.105.047, 43.41A.085, 43.41A.090, 43.41A.095, 43.41A.100, 43.41A.105, 43.19.760, 43.19.763, 43.19.766, 43.19.769, 43.19.772, 43.19.775, 43.19.778, 43.19.781, and 43.19.784; decodifying RCW 43.41A.125; repealing RCW 43.41A.006, 43.41A.015, 43.41A.020, 43.41A.120, 43.105.041, 43.105.330, 43.105.340, and 43.19.791; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5681 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Angel)

AN ACT Relating to state lottery accounts; and amending RCW 67.70.190, 67.70.240, and 67.70.260.

Referred to Committee on Appropriations.

SSB 6045 by Senate Committee on Ways & Means (originally sponsored by Senators Becker and Frockt)

AN ACT Relating to continuation of the hospital safety net assessment for two additional biennia; amending RCW 74.60.005, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, and 74.60.901; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 6062 by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

AN ACT Relating to marijuana regulations; amending RCW 69.50.535, 69.50.325, 69.50.339, and 66.08.012; adding new sections to chapter 69.50 RCW; repealing RCW 69.50.530, 69.50.540, 69.50.545, and 69.50.550; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

ESB 6089 by Senator Hill

Committee on General Government & Information Technology

AN ACT Relating to health benefit exchange sustainability; amending RCW 43.71.010, 43.71.030, 43.71.060, 43.71.080, 48.14.0201, and 48.14.020; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 3, 2015

HB 1458 Prime Sponsor, Representative Orwall: Concerning the age of individuals at which sale or distribution of tobacco and vapor products may be made. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Manweller; Stokesbary; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 1, 2015

HB 2087 Prime Sponsor, Representative Fey: Concerning vehicles powered by clean alternative fuel. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Riccelli; Rodne; Sells; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Shea; Takko and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Wilson.

Referred to Committee on Appropriations.

April 2, 2015

SB 5070 Prime Sponsor, Senator Pearson: Requiring the department of corrections to supervise domestic violence offenders who have a conviction and were sentenced for a domestic violence felony offense that was plead and proven. Reported by

MAJORITY recommendation: Do pass as amended by Committee on General Government & Information Technology and without amendment by Committee on Public Safety.

Strike everything after the enacting clause and insert the following:

"**Sec. 7024.** RCW 9.94A.501 and 2013 2nd sp.s. c 35 s 15 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) Offenders convicted of:

(i) Sexual misconduct with a minor second degree;

(ii) Custodial sexual misconduct second degree;

(iii) Communication with a minor for immoral purposes; and

(iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been plead and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been plead and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been plead and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence ((~~has been~~)) was plead and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to the effective date of this section;

(ii) Has a conviction for a domestic violence felony offense where domestic violence was plead and proven and that was committed after the effective date of this section. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or 9.94A.670;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW

46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(6) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011.

NEW SECTION. **Sec. 7025.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 3, 2015

SSB 5275 Prime Sponsor, Committee on Ways & Means: Concerning tax code improvements that do not affect state revenue collections. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

April 3, 2015

SSB 5276 Prime Sponsor, Committee on Ways & Means: Concerning refunds of property taxes paid as a result of manifest errors in descriptions of property. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Vick; Wilcox and Wylie.

Passed to Committee on Rules for second reading.

April 3, 2015

SSB 5322 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning conservation districts' rates and charges. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Manweller; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

April 2, 2015

SB 5499 Prime Sponsor, Senator Roach: Allingt(e)11(f)20illing274( )]TJ

If the board receives no evidence or objection that the sale of strong beer or fortified wine would be against the public interest, it must issue or renew the license without restriction, as applicable. The burden of establishing that the sale of strong beer or fortified wine by the licensee would be against the public interest is on those persons objecting.

(((~~(7)~~))) (8) Licensees holding a grocery store license must maintain a minimum three thousand dollar inventory of food products for human consumption, not including pop, beer, strong beer, or wine.

(((~~(8)~~))) (9) A grocery store licensee with a wine retailer reseller endorsement may accept delivery of wine at its licensed premises or at one or more warehouse facilities registered with the board, which facilities may also warehouse and distribute nonliquor items, and from which it may deliver to its own licensed premises and, pursuant to sales permitted by this title, to other licensed premises, to other registered facilities, or to lawful purchasers outside the state. Facilities may be registered and utilized by associations, cooperatives, or comparable groups of grocery store licensees.

(((~~(9)~~))) (10) Upon approval by the board, the grocery store licensee may also receive an endorsement to permit the international export of beer, strong beer, and wine.

(a) Any beer, strong beer, or wine sold under this endorsement must have been purchased from a licensed beer or wine distributor licensed to do business within the state of Washington.

(b) Any beer, strong beer, and wine sold under this endorsement must be intended for consumption outside the state of Washington and the United States and appropriate records must be maintained by the licensee.

(c) Any beer, strong beer, or wine sold under this endorsement must be sold at a price no less than the acquisition price paid by the holder of the license.

(d) The annual cost of this endorsement is five hundred dollars and is in addition to the license fees paid by the licensee for a grocery store license.

(((~~(10)~~))) (11) A grocery store licensee holding a snack bar license under RCW 66.24.350 may receive an endorsement to allow the sale of confections containing more than one percent but not more than ten percent alcohol by weight to persons twenty-one years of age or older.

(12) The board may adopt rules to implement this section.

(13) Nothing in this section limits the authority of the board to regulate the sale of beer or cider or container sizes under rules adopted pursuant to RCW 66.08.030."

Correct the title.

Signed by Representatives Hudgins, Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe and Morris.

MINORITY recommendation: Do not pass. Signed by Representative Takko.

MINORITY recommendation: Without recommendation. Signed by Representative Senn, Vice Chair.

Passed to Committee on Rules for second reading.

April 2, 2015

ESSB 5347 Prime Sponsor, Committee on Ways & Means: Creating demonstration projects for preserving agricultural land and public infrastructure in flood plains. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended by Committee on General Government & Information Technology and without amendment by Committee on Agriculture & Natural Resources.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7027.** (1) The legislature intends for the state conservation commission and the departments of ecology, agriculture, fish and wildlife, and natural resources to work together cooperatively, efficiently, and productively to facilitate the intent of this act.

(2) The legislature further intends that the collaborative process created by the stakeholder group required in section 3 of this act, including the participation of local stakeholders, will be used as a model for river management throughout the state.

(3) The legislature finds that floodplain management must address multiple benefits including:

(a) Reducing flood hazard to public infrastructure and other land uses caused by sediment accumulation or for other causes;

(b) Improving fish and wildlife habitat;

(c) Sustaining agriculture; and

(d) Maintaining and enhancing public access.

NEW SECTION. **Sec. 7028.** (1) The state conservation commission and the departments of agriculture, natural resources, fish and wildlife, and ecology must jointly identify and assess three demonstration projects. One demonstration project must be located primarily in Whatcom county, one must be located primarily in Snohomish county, and one must be located primarily in Grays Harbor county.

(2) The demonstration projects must be designed to test the effectiveness and costs of river management by using various management strategies and techniques, as applied, to accomplish the following goals:

(a) Protection of agricultural lands;

(b) Restoration or enhancement of fish runs; and

(c) Protection of public infrastructure and recreational access.

(3) In developing the demonstration projects, the state conservation commission and the departments must, in consultation with the stakeholder group required by section 3 of this act:

(a) Examine studies and reports related to sediment management conducted in the Fraser river, British Columbia, Canada, to assess whether and how the Fraser river experience applies to the goals of this section, and include any potentially applicable practices in the development of the demonstration projects; and

(b) Set benchmarks and a timetable for progress toward achievement of the goals of this act.

(4) The development and assessment of the demonstration projects must also consider the disposition of any state-owned gravel resources removed as a result of the demonstration projects. The presumed disposition must be consistent with chapter 79.140 RCW. However, the process for developing and assessing the pilot project may consider:

(a) Using the gravel resources, at the discretion of the departments, in projects related to fish enhancement programs in the local area of the project or by property owners adjacent to the project;

(b) Making gravel resources available to local tribes for their use; or

(c) Selling the gravel resources and using the proceeds to fund the demonstration projects.

(5) At a minimum, the demonstration projects must be designed to collectively examine the following management strategies and techniques:

(a) Providing deeper, cooler holes for fish life;

(b) Removing excess sediment and gravel that causes diversion of water and erosion of river banks and farmland;

(c) Providing off-channels for habitat as refuge during high flows;

(d) Ensuring that any management activities leave sufficient gravel and sediment for fish spawning and rearing;

(e) Providing stable river banks that will allow for long-term growth of riparian enhancement efforts, such as planting shade trees and hedgerows;

(f) Protecting existing mature treed riparian zones that cool the waters;

(g) Restoring previously existing bank contours that protect the land from erosion caused by more intense and more frequent flooding;

(h) Developing management practices that reduce the amount of gravel, sediment, and woody debris deposited into farm fields; and

(i) Setting back levees and other measures in segments of rivers upstream from the delta to accommodate high flow.

NEW SECTION. **Sec. 7029.** (1) The state conservation commission must convene a stakeholder group to assist in the development and assessment of the demonstration projects required under section 2 of this act.

(2) The stakeholder group must consist of representatives from:

(a) The departments of agriculture, natural resources, fish and wildlife, and ecology;

(b) Local and statewide agricultural organizations;

(c) Land conservation organizations; and

(d) Local governments with interest and experience in floodplain management techniques.

(3) In addition to the participants on the stakeholder group, the state conservation commission and the departments responsible for implementing section 2 of this act must also consult with, and obtain the views of, any federally recognized tribe that may be affected by each demonstration project.

(4) The stakeholder group required by this section must be staffed by the state conservation commission with assistance, as requested, from the departments responsible for implementing section 2 of this act.

(5) Each member of the stakeholder group not employed by the state of Washington shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(6) Any costs for the implementation of this section, including the participation costs for nonagency participants, must be shared among the agencies responsible for implementing this act. The state conservation commission shall coordinate and manage these costs through interagency agreements with all of the affected agencies.

NEW SECTION. **Sec. 7030.** (1) The state conservation commission and the departments responsible for implementing section 2 of this act must submit a report to the legislature, consistent with RCW 43.01.036, by October 31, 2016.

(2) The report must include:

(a) An examination and findings of the applicability of the Fraser river experience to the goals of this act;

(b) Information regarding the benchmarks and timetables required under section 2 of this act;

(c) Any decisions made in developing and assessing the projects required in this section;

(d) Any recommendations for extending or changing the process required in section 2 of this act or moving into the demonstration project implementation phase; and

(e) Any recommendations for funding the implementation of demonstration projects from federal grants, federal loans, state grants and loans, and private donations, or if other funding sources are not available or complete, the submission of the three demonstration projects for consideration in the biennial capital budget request to the governor and the legislature.

NEW SECTION. **Sec. 7031.** If funding is identified for the implementation of the demonstration projects developed under section 2 of this act from sources other than specific state appropriations, and the implementation of the demonstration projects can occur within the existing authority of all affected parties, the legislature intends for the state conservation commission and the departments responsible for implementing section 2 of this act to coordinate with the stakeholder group required in section 3 of this act to cooperatively, efficiently, and productively initiate the implementation of the demonstration projects, including the joint and contemporaneous expediting of any necessary permits related to the demonstration projects.

NEW SECTION. **Sec. 7032.** All requirements in this act are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 7033.** This act expires July 1, 2017.

NEW SECTION. **Sec. 7034.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 6, 2015

SSB 5705 Prime Sponsor, Committee on Natural Resources & Parks: Establishing a mineral prospecting and mining advisory committee. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7035.** A new section is added to chapter 77.55 RCW to read as follows:

(1) The commission must establish and maintain an advisory committee to represent the interests of small scale mineral prospectors and miners to the commission and the department on matters including, but not limited to, issues relating to:

(a) Individual hydraulic project approval permit processing under this chapter;

(b) Relevant rules and proposed rule changes under this chapter; and

(c) The gold and fish pamphlet established under RCW 77.55.091.

(2) The advisory committee must serve as a collaborative forum for regular communication of both ongoing and emergent issues relating to mineral prospecting and mining.

(3) The advisory committee must consist of between five and nine members, as determined by the commission. In determining the size and membership of the advisory committee, the commission must consult with and consider nominations from appropriate small scale mineral prospecting and mining groups.

(4) Each member of the advisory committee shall serve without compensation and is not entitled to be reimbursed for travel expenses.

(5) The advisory committee may not meet more than four times in each calendar year.

(6) For the purposes of this act, small scale mineral prospectors and miners means individuals who engage in small scale prospecting and mining as defined in RCW 77.55.011.

(7) This section expires July 1, 2020. Prior to July 1, 2020, the department must provide a report to the legislature, consistent with RCW 43.01.036, detailing the effectiveness of the advisory committee including, but not limited to, the participation levels, general interest, quality of advice, and recommendations as to the advisory committee's continuance or modification.

NEW SECTION. **Sec. 7036.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 6, 2015

SB 5723 Prime Sponsor, Senator Honeyford: Concerning the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended.

On page 7, line 8, after "(1)" insert "RCW 28B.50.401 (Transfer of moneys in community college bond retirement fund to state general fund—Purpose);

(2) RCW 28B.50.402 (Transfer of moneys in community and technical college bond retirement fund to state general fund—Exception);

(3)"

Renumber the remaining subsections consecutively, correct any internal references accordingly, and correct the title.

On page 38, beginning on line 3, strike all of section 27

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

April 6, 2015

E2SSB 5737 Prime Sponsor, Committee on Ways & Means: Concerning government performance and accountability. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7037.** The legislature recognizes that Washington state and its public servants are committed to the continuous improvement of services, outcomes, and performance of state government to realize a safe, beautiful and healthy place to live and work. Therefore, the legislature intends to achieve these aims through an innovative, data-driven, performance management office that will drive the operations of state government through lean thinking.

NEW SECTION. **Sec. 7038.** (1) There is created in the office of the governor the office of performance management. The office's goal is to develop and implement a documented world-class lean performance management system.

(2) The executive head of the office of performance management is a director appointed by the governor, who serves at the pleasure of the governor.

(3) The director may employ personnel necessary for the administration of the office of performance management.

NEW SECTION. **Sec. 7039.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means each state agency, department, office, board, commission, or other unit of state government, but does not include an office or agency headed by a statewide elected official, institutions of higher education as defined in RCW 28B.10.016, agricultural commodity commissions, or agencies of the legislative or judicial branches of state government.

(2) "Agency ethics plan" means a plan to promote ethical practices and to eliminate fraudulent practices in agency operations.

(3) "Agency strategic plan" means a plan described in section 6 of this act.

(4) "Lean performance management system" means a system that:

(a) Promotes activities to increase efficiency and eliminate waste and inefficiency in agency operations, including delivery of services and goods to the public, based upon continuous assessment and improvement; and

(b) Is equivalent in scope and detail to similar systems used in large private sector organizations.

(5) "Measurable improvements" includes but is not limited to cost savings, cost avoidance, improved safety, increased quality, accuracy and efficiency, improved customer satisfaction, and enhanced employee engagement and satisfaction.

(6) "State performance management implementation plan" means a detailed plan to implement a statewide lean performance management system.

NEW SECTION. **Sec. 7040.** The office of performance management must:

(1) Beginning July 1, 2015, conduct an inventory of agency strategic plans and ethics plans and an evaluation of an agency's lean maturity. By May 1, 2016, the office must submit, in compliance with RCW 43.01.036, a report to the legislature and the governor with the results of the inventory and evaluation.

(2) Adopt, by January 1, 2016, and implement a state strategic plan and a state performance management implementation plan.

(3) Collaborate with the department of enterprise services and the office of financial management's state human resources division to develop a workforce learning and training program and a workforce performance management system necessary for employees, middle managers, supervisors, and senior agency leaders to implement a fully developed lean performance management system; and

(4) Adopt rules necessary to administer this chapter.

NEW SECTION. **Sec. 7041.** Each agency must:

(1) Adopt an agency strategic plan pursuant to section 6 of this act, an agency ethics plan, and a workforce learning and training development plan;

(2) Provide annual reports to the office of performance management regarding implementation and results of its lean improvement projects that identify measurable improvements.

NEW SECTION. **Sec. 7042.** Each agency must adopt an agency strategic plan that:

(1) Defines its mission and sets measurable goals for achieving desirable results for those receiving its services and taxpayers paying for its services. This section does not require an agency to develop a new mission or goals in place of identifiable missions or goals that meet the intent of this section. The mission and goals of each agency must conform to statutory direction and limitations;

(2) Develops clear strategies and timelines to achieve its goals;

(3) To assess activity performance, sets quality and productivity objectives for each major activity in its budget. These objectives must:

(a) Be consistent with the mission and goals defined under subsection (1) of this section;

(b) Be expressed to the extent practicable in outcome-based, objective, and measurable form; and

(c) Specifically address the statutory purpose or intent of the program or activity and focus on data that measures whether the agency is achieving or making progress toward the purpose of the activity and toward statewide priorities.

Sec. 7043. RCW 43.09.470 and 2006 c 1 s 2 are each amended to read as follows:

In addition to audits authorized under RCW 43.88.160, the state auditor shall conduct independent, comprehensive performance audits of state government and each of its agencies, accounts, and programs; local governments and each of their agencies, accounts, and programs; state and local education governmental entities and each of their agencies, accounts, and programs; state and local transportation governmental entities and each of their agencies, accounts, and programs; and other governmental entities, agencies, accounts, and programs. The term "government" means an agency, department, office, officer, board, commission, bureau, division, institution, or institution of higher education. This includes individual agencies and programs, as well as those programs and activities that cross agency lines. "Government" includes all elective and nonelective offices in the executive branch and includes the judicial and legislative branches. The state auditor shall review and analyze the economy, efficiency, and effectiveness of the policies, management, fiscal affairs, and operations of state and local governments, agencies, programs, and accounts. These performance audits shall be conducted in accordance with the United States general accounting office government auditing standards. The state auditor must consult with the office of performance management and the joint legislative audit and review committee to develop audit criteria and standards to audit the state performance management implementation plan. The scope for each performance audit shall not be limited and shall include nine specific elements: (1) Identification of cost savings; (2) identification of services that can be reduced or eliminated; (3) identification of programs or services that can be transferred to the private sector; (4) analysis of gaps or overlaps in programs or services and recommendations to correct gaps or overlaps; (5) feasibility of pooling information technology systems within the department; (6) analysis of the roles and functions of the department, and recommendations to change or eliminate departmental roles or functions; (7) recommendations for statutory or regulatory changes that may be necessary for the department to properly carry out its functions; (8) analysis of departmental performance data, performance measures, and self-assessment systems; and (9) identification of best practices. The state auditor may contract out any performance audits. For counties and cities, the audit may be conducted as part of audits otherwise required by state law. Each audit report shall be submitted to the corresponding legislative body or legislative bodies and made available to the public on or before thirty days after the completion of each audit or each follow-up audit. On or before thirty days after the performance audit is made public, the corresponding legislative body or legislative bodies shall hold at least one public hearing to consider the findings of the audit and shall receive comments from the public. The state auditor is authorized to issue subpoenas to governmental entities for required documents, memos, and budgets to conduct the performance audits. The state auditor may, at any time, conduct a performance audit to determine not only the efficiency, but also the effectiveness, of any government agency, account, or program. No legislative body, officeholder, or employee may impede or restrict the authority or the actions of the state auditor to conduct independent, comprehensive performance audits. To the greatest extent possible, the state auditor shall instruct and advise the appropriate governmental body on a step-by-step remedy to whatever ineffectiveness and inefficiency is discovered in the audited entity. For performance audits of state government and its agencies, programs, and accounts, the legislature must consider the state auditor reports in connection with the legislative appropriations process. An annual report will be submitted by the joint legislative audit and review committee by July 1st of each year detailing the status of the legislative implementation of the state auditor's recommendations. Justification must be provided for recommendations not implemented. Details of other corrective action must be provided as well. For performance audits of local governments and their agencies, programs, and accounts, the corresponding legislative body must consider the state auditor reports in connection with its spending practices. An annual report will be submitted by the legislative body by July 1st of each year detailing the status of the legislative implementation of the state auditor's recommendations. Justification must be provided for recommendations not implemented. Details of other corrective action must be provided as well. The people encourage the state auditor to aggressively pursue the largest, costliest governmental entities first but to pursue all governmental entities in due course. Follow-up performance audits on any state and local government, agency, account, and program may be conducted when determined necessary by the state auditor. Revenues from the performance audits of government account, created in RCW 43.09.475, shall be used for the cost of the audits.

NEW SECTION. **Sec. 7044.** This act may be known and cited as the performance management act.

NEW SECTION. **Sec. 7045.** Sections 1 through 6 and 8 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. **Sec. 7046.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 6, 2015

ESSB 5843 Prime Sponsor, Committee on Ways & Means: Concerning outdoor recreation. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 7047.** RCW 79A.05.351 and 2007 c 176 s 2 are each amended to read as follows:

(1) The outdoor education and recreation grant program is hereby created, subject to the availability of funds in the outdoor education and recreation account. The commission shall establish and implement the program by rule to provide opportunities for public agencies, private nonprofit organizations, formal school programs, nonformal after-school programs, and community-based programs to receive grants from the account. Programs that provide outdoor education opportunities to schools shall be fully aligned with the state's essential academic learning requirements.

(2) The program shall be phased in beginning with the schools and students with the greatest needs in suburban, rural, and urban areas of the state. The program shall focus on students who qualify for free and reduced-price lunch, who are most likely to fail academically, or who have the greatest potential to drop out of school.

(3) The director shall set priorities and develop criteria for the awarding of grants to outdoor environmental, ecological, agricultural, or other natural resource-based education and recreation programs considering at least the following:

(a) Programs that contribute to the reduction of academic failure and dropout rates;

(b) Programs that make use of research-based, effective environmental, ecological, agricultural, or other natural resource-based education curriculum;

(c) Programs that contribute to healthy life styles through outdoor recreation and sound nutrition;

(d) Various Washington state parks as venues and use of the commission's personnel as a resource;

(e) Programs that maximize the number of participants that can be served;

(f) Programs that will commit matching and in-kind resources;

(g) Programs that create partnerships with public and private entities;

(h) Programs that provide students with opportunities to directly experience and understand nature and the natural world; ((~~and~~))

(i) Programs that include ongoing program evaluation, assessment, and reporting of their effectiveness; and

(j) Programs that utilize veterans for at least fifty percent of program implementation or administration.

(4) The director shall create an advisory committee to assist and advise the commission in the development and administration of the outdoor education and recreation program. The director should solicit representation on the committee from the office of the superintendent of public instruction, the department of fish and wildlife, the business community, outdoor organizations with an interest in education, and any others the commission deems sufficient to ensure a cross section of stakeholders. When the director creates such an advisory committee, its members shall be reimbursed from the outdoor education and recreation program account for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) The outdoor education and recreation program account is created in the custody of the state treasurer. Funds deposited in the outdoor education and recreation program account shall be transferred only to the commission to be used solely for the commission's outdoor education and recreation program purposes identified in this section including the administration of the program. The director may accept gifts, grants, donations, or moneys from any source for deposit in the outdoor education and recreation program account. Any public agency in this state may develop and implement outdoor education and recreation programs. The director may make grants to public agencies and contract with any public or private agency or person to develop and implement outdoor education and recreation programs. The outdoor education and recreation program account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. **Sec. 7048.** A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the director must maintain a position in the department to serve as a state lead on economic development issues relating to the outdoor recreation sector of the state's economy. The position must focus on promoting, increasing participation in, and increasing opportunities for outdoor recreation in Washington, with a particular focus on achieving economic development and job growth through outdoor recreation.

(2) The success of the department's outdoor recreation lead must be based on measurable results relating to economic development strategies that more deliberately grow employment and outdoor recreation businesses, including:

(a) Strategies for increasing the number of new jobs directly or indirectly related to outdoor recreation, with a short-term goal of increasing employment in the sector by ten percent above the one hundred ninety-nine thousand jobs estimated to be connected to outdoor recreation as of 2015; and

(b) Strategies for increasing the twenty-one billion dollars of consumer spending in Washington, and the four and one-half billion dollars of spending from out-of-state visitors, estimated to be connected to outdoor recreation as of 2015."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

April 2, 2015

SSB 5965 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Evaluating mitigation options for impacts to base flows and minimum instream flows. Reported by Committee on General Government & Information Technology

MAJORITY recommendation: Do pass as amended by Committee on General Government & Information Technology and without amendment by Committee on Agriculture & Natural Resources.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7049.** The legislature finds that rural economic development requires access to uninterruptible water supplies. However, water supplies are not unlimited due to senior water rights and regulations that establish base flows and minimum instream flows. When senior water rights and flow regulations limit additional out-of-stream uses, mitigation options may provide a viable option if they are readily available and well-understood. The legislature recognizes the importance of providing clarity regarding the range of available mitigation options to help provide economic opportunities in rural areas.

NEW SECTION. **Sec. 7050.** (1) The department of ecology must produce a report evaluating options for mitigating the effects of permit-exempt groundwater withdrawals on existing water rights, including base flows and minimum instream flows. For the

purposes of the report required in this section, the mitigation techniques that the department of ecology must evaluate include, but are not limited to:

(a) Demand management strategies, such as household conservation and associated water use metering;

(b) Supply side strategies, such as use of rainwater collection, greywater, cisterns, bulk or hauled water, and the extension of water supply pipelines.

(2) When preparing the report required under this section, the department of ecology must:

(a) Consult with the office of the attorney general;

(b) Coordinate with the existing water resources advisory committee formed by the department of ecology to provide feedback on the development of the report and any final recommendations; and

(c) Make available a draft of the report on its web site for at least thirty days for public review prior to the completion of the report to allow sufficient opportunity to consider input that may be received.

(3) The report required in this section must include:

(a) An examination of scientific methods for establishing instream flows, including a discussion of methods regularly used by the department of ecology and the department of fish and wildlife for each element of the instream flows required to be protected under RCW 90.54.020(3);

(b)(i) An analysis of the impacts, including cumulative impacts, of permit-exempt groundwater withdrawals on instream flows in several representative basins, including the impacts from existing and future withdrawals based on full build out scenarios.

(ii) The analysis required under this subsection should include a specific focus on impacts to tributaries that serve as habitat for salmonid spawning and rearing and should include empirical data concerning household water use for each category of use identified in RCW 90.44.050;

(c) A description of mitigation techniques, including out-of-kind mitigation, the department of ecology has employed or approved pursuant to RCW 90.03.255 in the previous ten years, or which may be available, to address the impacts of permit-exempt groundwater withdrawals on instream flows, including the location, cost, and legal authority for each type of mitigation technique;

(d) A survey of in-kind streamflow enhancement strategies, other than regulation of permit-exempt groundwater withdrawals, that would improve streamflow levels in a cost-effective manner;

(e)(i) An assessment of the effectiveness of each type of mitigation technique identified in (c) of this subsection, that may be available to the department of ecology to mitigate the impacts of permit-exempt groundwater withdrawals on instream flows.

(ii) The analyses required under this section must include:

(A) A scientific analysis of how the technique fully mitigates for harm; and

(B) An evaluation of how the mitigation techniques are funded, monitored, enforced, evaluated to determine effectiveness, and modified if mitigation fails;

(f) An evaluation of all mitigation options that may be available for permit-exempt groundwater withdrawals in the areas covered under the instream resources protection program for the lower and upper Skagit river basin, water resource inventory areas 3 and 4, and a discussion of the advantages and disadvantages of employing each type of mitigation technique in those areas;

(g) An evaluation of how mitigation sequencing approaches may be utilized to encourage avoidance of impacts; and

(h) Any recommendations regarding mitigation options that will be available to landowners who are required to mitigate the impacts of permit-exempt groundwater withdrawals on instream flows.

(4) By December 1, 2015, the department of ecology must submit the final report to the legislature consistent with RCW 43.01.036.

NEW SECTION. **Sec. 7051.** This act expires June 30, 2016.

NEW SECTION. **Sec. 7052.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 7053.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe; Morris and Takko.

Passed to Committee on Rules for second reading.

SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 7, 2015

HB 1645 Prime Sponsor, Representative Pollet: Concerning youth substance use prevention associated with tobacco and drug delivery e-cigarettes and vapor products. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Commerce & Gaming. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Fagan; Haler; Hunt, G.; MacEwen; Magendanz; Stokesbary; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

HB 2195 Prime Sponsor, Representative Lytton: Modifying certain auditor's fees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G.; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

HB 2221 Prime Sponsor, Representative Hunter: Concerning responses to high priority violations at long-term care facilities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Fagan; Haler; Hunt, G.; MacEwen; Magendanz; Stokesbary; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5020 Prime Sponsor, Senator Bailey: Concerning state agencies continuity of operations planning requirements. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5028 Prime Sponsor, Committee on Health Care: Raising licensure limits to allow assisted living facilities to serve a higher acuity resident population. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5057 Prime Sponsor, Committee on Ways & Means: Concerning the safe transport of hazardous materials. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Environment.

Strike everything after the enacting clause and insert the following:

"**Sec. 7054.** RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ((~~and~~))

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 7055. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 7056. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 7057. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(((~~(4)~~))) (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(((~~(5)~~))) (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(((~~(6)~~))) (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(7)~~))) (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of

the plan nor constitute a defense to liability imposed under this chapter or other state law.

(((~~(8)~~))) (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 7058. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ((~~office~~)) department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk. Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans until state rules are adopted.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(((~~(4)~~))) (5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(((~~(5)~~))) (6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(((~~(6)~~))) (7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(((~~(7)~~))) (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(((~~(8)~~))) (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(((~~(9)~~))) (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(10)~~))) (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 7059. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) The account shall be used exclusively to pay for:

(a) The costs associated with the response to spills or threats of spills of crude oil or petroleum products into the ((~~navigable~~)) waters of the state; and

(b) The costs associated with the department's use of ((~~the~~)) an emergency response towing vessel ((~~as described in RCW 88.46.135~~)).

(3) Payment of response costs under subsection (2)(a) of this section shall be limited to spills which the director has determined are likely to exceed ((~~fifty~~)) one thousand dollars.

(4) Before expending moneys from the account, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 7060. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

(a) Routine responses not covered under RCW 90.56.500;

(b) Management and staff development activities;

(c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the tax provided for in chapter 82.23B RCW; and

(g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. **Sec. 7061.** A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, and type of crude oil received. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(b) Twice per year, pipelines must report to the department the following information about the crude oil transported by the pipeline through the state: The volume of crude oil, the type of crude oil, and the types of diluting agents used in the crude oil. This report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. With respect to the information reported under subsection (1)(a) of this section, the information published by the department must be aggregated on a statewide basis by route through the state, by week, and by type of crude oil. The report may also include other

information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

(4)(a) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(b) Twice per year, a facility must submit a report to the department that corrects inaccuracies in the advanced notices submitted under subsection (1) of this section. The facility is not required to correct in the report any insubstantial discrepancies between actual and scheduled train arrival times. The report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that is not aggregated and that contains proprietary, commercial, or financial information. The requirement for aggregating information does not apply when information is shared by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

NEW SECTION. **Sec. 7062.** A new section is added to chapter 90.56 RCW to read as follows:

The department shall periodically evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

Sec. 7063. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(21) "Certificate of financial responsibility" means an official written acknowledgment issued by the director or the director's designee that an owner or operator of a covered vessel or facility, or the owner of the oil, has demonstrated to the satisfaction of the director or the director's designee that the relevant entity has the financial ability to pay for costs and damages caused by an oil spill.

Sec. 7064. RCW 88.40.020 and 2003 c 91 s 3 and 2003 c 56 s 3 are each reenacted and amended to read as follows:

(1) Any barge that transports hazardous substances in bulk as cargo, using any port or place in the state of Washington or the navigable waters of the state shall establish evidence of financial responsibility in the amount of the greater of five million dollars, or three hundred dollars per gross ton of such vessel.

(2)(a) Except as provided in (b) or (c) of this subsection, a tank vessel that carries oil as cargo in bulk shall demonstrate financial responsibility to pay at least five hundred million dollars. The amount of financial responsibility required under this subsection is one billion dollars after January 1, 2004.

(b) The director by rule may establish a lesser standard of financial responsibility for tank vessels of three hundred gross tons or less. The standard shall set the level of financial responsibility based on the quantity of cargo the tank vessel is capable of carrying. The director shall not set the standard for tank vessels of three hundred gross tons or less below that required under federal law.

(c) The owner or operator of a tank vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a tank vessel to prove membership in such an organization.

(3)(a) A cargo vessel or passenger vessel that carries oil as fuel shall demonstrate financial responsibility to pay at least three hundred million dollars. However, a passenger vessel that transports passengers and vehicles between Washington state and a foreign country shall demonstrate financial responsibility to pay the greater of at least six hundred dollars per gross ton or five hundred thousand dollars.

(b) The owner or operator of a cargo vessel or passenger vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a cargo vessel or passenger vessel to prove membership in such an organization.

(4) A fishing vessel while on the navigable waters of the state must demonstrate financial responsibility in the following amounts: (a) For a fishing vessel carrying predominantly nonpersistent product, one hundred thirty-three dollars and forty cents per incident, for each barrel of total oil storage capacity, persistent and nonpersistent product, on the vessel or one million three hundred thirty-four thousand dollars, whichever is greater; or (b) for a fishing vessel carrying predominantly persistent product, four hundred dollars and twenty cents per incident, for each barrel of total oil storage capacity, persistent product and nonpersistent product, on the vessel or six million six hundred seventy thousand dollars, whichever is greater.

(5) The ((~~documentation of financial responsibility shall demonstrate the ability of the document holder to meet state and federal financial liability requirements for the actual costs for removal of oil spills, for natural resource damages, and for necessary expenses~~)) certificate of financial responsibility is conclusive evidence that the person or entity holding the certificate is the party responsible for the specified vessel, facility, or oil for purposes of determining liability pursuant to this chapter.

(6) This section shall not apply to a covered vessel owned or operated by the federal government or by a state or local government.

Sec. 7065. RCW 88.40.025 and 1991 c 200 s 704 are each amended to read as follows:

An onshore or offshore facility shall demonstrate financial responsibility in an amount determined by the department as necessary to compensate the state and affected counties and cities for damages that might occur during a reasonable worst case spill of oil from that facility into the navigable waters of the state. The department shall ((~~consider such matters as the amount of oil that could be spilled into the navigable waters from the facility, the cost of cleaning up the spilled oil, the frequency of operations at the facility, the damages that could result from the spill and the commercial availability and affordability of financial responsibility~~)) adopt by rule an amount that will be calculated by multiplying the reasonable per barrel cleanup and damage cost of spilled oil, times the reasonable worst case spill volume, as measured in barrels. This section shall not apply to an onshore or offshore facility owned or operated by the federal government or by the state or local government.

Sec. 7066. RCW 88.40.030 and 2000 c 69 s 32 are each amended to read as follows:

(1) Financial responsibility required by this chapter may be established by any one of, or a combination of, the following methods acceptable to the department of ecology: ((~~(1)~~)) (a) Evidence of insurance; ((~~(2)~~)) (b) surety bonds; ((~~(3)~~)) (c) qualification as a self-insurer; ((~~or (4)~~)) (d) guaranty; (e) letter of credit; (f) certificate of deposits; (g) protection and indemnity club membership; or (h) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States. Documentation of such financial responsibility shall be kept on any covered vessel and filed with the department at least twenty-four hours before entry of the vessel into the navigable waters of the state. A covered vessel is not required to file documentation of financial responsibility twenty-four hours before entry of the vessel into the navigable waters of the state, if the vessel has filed documentation of financial responsibility with the federal government, and the level of financial responsibility required by the federal government is the same as or exceeds state requirements. The owner or operator of the vessel may file with the department a certificate evidencing compliance with the requirements of another state's or federal financial responsibility requirements if the state or federal government requires a level of financial responsibility the same as or greater than that required under this chapter.

(2) A certificate of financial responsibility may not have a term greater than one year.

Sec. 7067. RCW 88.40.040 and 2003 c 56 s 4 are each amended to read as follows:

(1) ((~~It is unlawful for any vessel required to have financial responsibility under this chapter to enter or operate on Washington waters without meeting the requirements of this chapter or rules adopted under this chapter, except~~)) A vessel or facility need not demonstrate financial responsibility under this chapter prior to using any port or place in the state of Washington or the navigable waters of the state when necessary to avoid injury to the vessel's or facility's crew or passengers. Any vessel owner or operator that does not meet the financial responsibility requirements of this chapter and any

rules prescribed thereunder or the federal oil pollution act of 1990 shall be reported by the department to the United States coast guard.

(2) ((~~The department shall enforce section 1016 of the federal oil pollution act of 1990 as authorized by section 1019 of the federal act.~~)) Upon notification of an oil spill or discharge or other action or potential liability, the director shall reevaluate the validity of the certificate of financial responsibility. If the director determines that, because of a spill outside of the state or some other action or potential liability, the holder of a certificate may not have the financial resources to pay damages for the oil spill or discharge or other action or potential liability and have resources remaining available to meet the requirements of this chapter, the director may suspend or revoke the certificate.

(3) An owner or operator of more than one covered vessel, more than one facility, or one or more vessels and facilities, is only required to obtain a single certificate of financial responsibility that applies to all of the owner or operator's vessels and facilities.

(4) If a person holds a certificate for more than one covered vessel or facility and a spill or spills occurs from one or more of those vessels or facilities for which the owner or operator may be liable for damages in an amount exceeding five percent of the financial resources reflected by the certificate, as determined by the director, the certificate is immediately considered inapplicable to any vessel or facility not associated with the spill. In that event, the owner or operator shall demonstrate to the satisfaction of the director the amount of financial ability required pursuant to this chapter, as well as the financial ability to pay all damages that arise or have arisen from the spill or spills that have occurred.

Sec. 7068. RCW 88.16.170 and 1991 c 200 s 601 are each amended to read as follows:

Because of the danger of spills, the legislature finds that the transportation of crude oil and refined petroleum products by tankers on the Columbia river, Grays Harbor, and on Puget Sound and adjacent waters creates a great potential hazard to important natural resources of the state and to jobs and incomes dependent on these resources.

The legislature recognizes that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill. The legislature also recognizes Grays Harbor and Puget Sound and adjacent waters are ((~~a~~)) relatively confined salt water environments with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill.

The legislature further recognizes that certain areas of the Columbia river, Grays Harbor, and Puget Sound and adjacent waters have limited space for maneuvering a large oil tanker and that these waters contain many natural navigational obstacles as well as a high density of commercial and pleasure boat traffic.

For these reasons, it is important that large oil tankers be piloted by highly skilled persons who are familiar with local waters and that such ((~~tankers~~)) vessels have sufficient capability for rapid maneuvering responses.

It is therefore the intent and purpose of RCW 88.16.180 and 88.16.190 to decrease the likelihood of oil spills on the Columbia river, Grays Harbor, and on Puget Sound and its shorelines by ((~~requiring all oil tankers above a certain size to employ licensed pilots and to be escorted by a tug or tugs while navigating on certain areas of Puget Sound and adjacent waters~~)) establishing safety requirements that comprehensively address spill risks, which may include the establishment of tug escorts and other measures to mitigate safety risks in certain state waters.

Sec. 7069. RCW 88.16.190 and 1994 c 52 s 1 are each amended to read as follows:

(1) ((~~Any oil tanker, whether enrolled or registered, of greater than one hundred and twenty-five thousand deadweight tons shall be prohibited from proceeding beyond a point east of a line extending from Discovery Island light south to New Dungeness light.~~

~~(2) An oil tanker, whether enrolled or registered, of forty to one hundred and twenty-five thousand deadweight tons may proceed beyond the points enumerated in subsection (1) if such tanker possesses all of the following standard safety features:~~

~~(a) Shaft horsepower in the ratio of one horsepower to each two and one-half deadweight tons; and~~

~~(b) Twin screws; and~~

~~(c) Double bottoms, underneath all oil and liquid cargo compartments; and~~

~~(d) Two radars in working order and operating, one of which must be collision avoidance radar; and~~

~~(e) Such other navigational position location systems as may be prescribed from time to time by the board of pilotage commissioners:~~

~~PROVIDED, That, if such forty to one hundred and twenty-five thousand deadweight ton tanker is in ballast or is under escort of a tug or tugs with an aggregate shaft horsepower equivalent to five percent of the deadweight tons of that tanker, subsection (2) of this section shall not apply: PROVIDED FURTHER, That additional tug shaft horsepower equivalencies may be required under certain conditions as established by rule and regulation of the Washington utilities and transportation commission pursuant to chapter 34.05 RCW: PROVIDED FURTHER, That~~)) Except as provided in subsection (3) of this section, an oil tanker of greater than forty thousand deadweight tons may operate in the waters described in (a) of this subsection, to the extent that these waters are within the territorial boundaries of Washington, only if the oil tanker is under the escort of a tug or tugs in compliance with the requirements of subsection (5) of this section.

(a) Those waters east of a line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area.

(b) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, may write rules to implement this subsection (1)(b), but only after an event described in subsection (2) of this section takes place and only for the waters directly affected by the facility event. These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges that may apply in the following areas consistent with subsections (3)(a) and (5) of this section:

(i) Within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050;

(ii) Any inland portion of the Columbia river or within three miles of Cape Disappointment at the mouth of the Columbia river; or

(iii) The waters identified in (a) of this subsection.

(c) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, shall adopt rules by June 30, 2017, to implement this subsection (1)(c). These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges and apply in the following areas consistent with subsections (3)(a) and (5) of this section: The waters described in (a) of this subsection, including all narrow channels of the San Juan Islands archipelago, Rosario Strait, Haro Strait, Boundary Pass, and connected waterways.

(2) The state board of pilotage commissioners may adopt rules under subsection (1)(b) of this section only after:

(a) The governor approves, after January 1, 2015, a recommendation of the energy facility site evaluation council

pursuant to RCW 80.50.100 to certify a facility meeting the criteria listed in RCW 80.50.020(12) (d) or (f);

(b) A state agency or a local jurisdiction makes a final determination or issues a final permit after January 1, 2015, to site a new facility required to have a contingency plan pursuant to chapter 90.56 RCW or to provide authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility required to have a contingency plan pursuant to chapter 90.56 RCW, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility; or

(c) The state of Oregon or any local jurisdiction in Oregon makes a final determination or issues a final permit to site a new facility in the watershed of the Columbia river that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, or to provide authority for the first time to process or receive crude oil, as defined in chapter 90.56 RCW, to an existing facility that would be required to have a contingency plan pursuant to chapter 90.56 RCW if an identical facility were located in Washington, other than a facility that is:

(i) A transmission pipeline; or

(ii) A railroad facility.

(3)(a) If an oil tanker, articulated tug barge, or other towed waterborne vessel or barge is in ballast, the tug requirements of subsection (1) of this section do not apply.

(b) If an oil tanker is a single-hulled oil tanker of greater than five thousand gross tons, the requirements of subsection (1)(a) of this section do not apply and the oil tanker must instead comply with 33 C.F.R. Part 168, as of the effective date of this section.

(4)(a) Prior to proceeding with rule making as authorized under subsection (1)(b) and (c) of this section, the state board of pilotage commissioners must collaborate with the United States coast guard, the Oregon board of maritime pilots, the Puget Sound, Grays Harbor, and Columbia river harbor safety committees, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities. In adopting rules, the state board of pilotage commissioners must take into account any tug escort or other maritime safety measures for a water body that were or are required as mitigation or as a condition of a facility siting decision by a state agency or local jurisdiction.

(b) The department may not adopt any rules under this subsection or under subsection (1)(b) and (c) of this section until a vessel traffic risk assessment has been completed for the waters subject to the rule making. In order to adopt a rule under this section or subsection (1)(b) and (c) of this section, the board of pilotage commissioners must determine that the results of a vessel traffic risk assessment provides evidence that the rules are necessary in order to achieve best achievable protection as defined in RCW 88.46.010. In order for the state board of pilotage commissioners to rely on a vessel traffic risk assessment that is conducted after January 1, 2015, the vessel traffic risk assessment must involve a simulation analysis of vessel traffic. A simulation analysis is not required of a vessel traffic risk assessment relied upon by the state board of pilotage commissioners that was conducted before January 1, 2015.

(5) Oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges must ensure that any escort tugs they use have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge. The state board of pilotage commissioners may adopt rules to ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort. Rules adopted on this subject must be designed to achieve best achievable protection as defined under RCW 88.46.010.

(6) A tanker assigned a deadweight of equal to or less than forty thousand deadweight tons at the time of construction or reconstruction as reported in Lloyd's Register of Ships is not subject to the provisions of RCW 88.16.170 through 88.16.190.

(7) The provisions of this section do not apply to pilotage for enrolled tankers.

(8) For the purposes of this section:

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 7070. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ((~~travelling~~)) traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car or pipeline.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 7071. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; or (c) crude oil or petroleum products at a bulk oil terminal within this state from a

pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; and (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of ((~~four~~)) eight cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ((~~shall~~)) must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ((~~imposition of the~~)) taxes imposed, or having collected the taxes, fails to pay them to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ((~~shall~~)), nevertheless, ((~~be~~)) is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ((~~shall~~)) relieves the owner from further liability for the taxes.

(4) Taxes collected under this chapter ((~~shall~~)) must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ((~~shall be~~)) is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ((~~shall~~)) must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ((~~shall be~~)) are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ((~~shall~~)) constitutes a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter, ((~~shall be~~)) is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department. The department ((~~shall~~)) must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ((~~shall~~)) must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ((~~shall~~)) relieves the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ((~~shall~~)) must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ((~~shall~~)) must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ((~~shall~~)) may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ((~~shall~~)) must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 7072. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ((~~shall~~)) only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 7073. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ((~~shall~~)) must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

Sec. 7074. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than seventeen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, and private industry. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials

planning and response activities. ((~~The council or a subcommittee thereof shall periodically convene in special session and serve during those sessions as the state emergency response commission required by P.L. 99-499, the emergency planning and community right-to-know act. When sitting in session as the state emergency response commission, the council shall confine its deliberations to those items specified in federal statutes and state administrative rules governing the coordination of hazardous materials policy.~~)) The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 7075. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee equal to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue. In the event that the sum total of intrastate gross operating revenues for the railroad companies operating in Washington declines while the sum total of interstate gross operating revenues increases, the commission may assess a reasonable surcharge on railroad companies to enable collection of moneys up to the sum total of revenues collected in fiscal year 2017 from railroad companies operating in Washington. The commission must adopt a rule to implement the surcharge. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. **Sec. 7076.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 7077. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint

stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 7078. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. **Sec. 7079.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage;

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section; and

(c) Requirements governing the responsibilities of railroad companies to oversee the payment and completion of private crossing improvements.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 7080. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

(((~~(3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.~~))

Sec. 7081. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean

Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23)(a) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 8(1)(a) of this act, and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8 of this act; and

(b) Information submitted to the department of ecology by pipelines pursuant to section 8(1)(b) of this act that is related to diluting agents contained in transported oil and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the information pursuant to section 8 of this act.

NEW SECTION. **Sec. 7082.** A new section is added to chapter 81.40 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission created in chapter 80.01 RCW.

(2) "Hazardous material" means spent nuclear fuel, high level nuclear waste, or class 3 flammable liquids, as defined in the hazardous materials regulations of the United States department of transportation in 49 C.F.R. Part 173 as of the effective date of this section.

(3) "Hazardous material train" means any train:

(a) Carrying twenty or more car loads of a class 3 flammable liquid as defined by the United States department of transportation in 49 C.F.R. Part 173 as of the effective date of this section; or

(b) Containing one or more car loads of spent nuclear fuel or high level nuclear waste.

(4) "Qualified crew member" means a railroad operating craft employee who has been trained and meets the requirements and qualifications as determined by the federal railroad administration for a railroad operating service employee.

(5) "Railroad carrier" means a carrier of persons or property upon vehicles, other than streetcars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns. "Railroad carrier" includes the officers and agents of the railroad carrier.

NEW SECTION. **Sec. 7083.** A new section is added to chapter 81.40 RCW to read as follows:

Except as provided in section 31 of this act, the following minimum crew requirements apply:

(1) Any person, corporation, company, or officer of the court operating any railroad, railway, or any part of any railroad or railway, in the state of Washington, and engaged, as a common carrier, in the transportation of freight or passengers, shall operate all trains and switching assignments over its road with crews consisting of no less than two qualified crew members.

(2)(a) Railroad carriers shall operate all hazardous material trains over its road with crews consisting of no less than three qualified crew members. One qualified train crew member shall be assigned to a position located on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

(b) Railroad carriers shall operate any hazardous material trains consisting of fifty-one or more car loads of any combination of hazardous materials over its road with crews consisting of no less than four qualified crew members. Two qualified crew members shall be assigned to a position on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

NEW SECTION. **Sec. 7084.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Trains transporting hazardous material shipments a distance of five miles or less may operate the train with the required crew members positioned on the lead locomotive.

(2)(a) Class II and class III carriers transporting fewer than twenty loaded hazardous material cars on trains operating on their road while at a speed of twenty-five miles per hour or less are exempt from the additional train crew requirements specified in section 30(2) of this act.

(b) The commission may grant exemptions to the minimum crew size requirements to class III railroad carriers that are not transporting hazardous materials on their road.

(3)(a) The commission may order class I or II railroad carriers to exceed the minimum crew size and operate specific trains, routes, or switching assignments on their road with additional numbers of qualified crew members if it is determined that such an increase in crew size is necessary to protect the safety, health, and welfare of the public and railroad employees, to prevent harm to the environment, and to address local safety and security hazards.

(b) In issuing such an order the commission may consider relevant factors including but not limited to the volatility of the commodities being transported, vulnerabilities, risk exposure to localities along the train route, security risks including sabotage or terrorism threat levels, a railroad carriers prior history of accidents, compliance violations, and track and equipment maintenance issues.

NEW SECTION. **Sec. 7085.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Each train or engine run in violation of section 30 of this act constitutes a separate offense. However, section 30 of this act does not apply in the case of disability of one or more members of any train crew while out on the road between division terminals, or assigned to wrecking trains.

(2) Any person, corporation, company, or officer of the court operating any railroad, or part of any railroad or railway within the state of Washington, and engaged as a common carrier, in the transportation of freight or passengers, who violates any of the provisions of section 30 of this act shall be fined not less than one thousand dollars and not more than one hundred thousand dollars for each offense.

(3) It is the duty of the commission to enforce this section.

NEW SECTION. **Sec. 7086.** The following acts or parts of acts are each repealed:

(1)RCW 81.40.010 (Full train crews—Passenger—Safety review—Penalty—Enforcement) and 2003 c 53 s 386, 1992 c 102 s 1, & 1961 c 14 s 81.40.010; and

(2)RCW 81.40.035 (Freight train crews) and 1967 c 2 s 2.

NEW SECTION. **Sec. 7087.** A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must provide to the relevant policy and fiscal committees of the senate and house of representatives:

(a) A review of all state geographic response plans and any federal requirements as needed in contingency plans required under RCW 90.56.210 and 88.46.060 by December 31, 2015; and

(b) Annual updates, beginning December 31, 2016, and ending December 31, 2021, as required under RCW 43.01.036, as to the progress made in completing state and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) The department must contract, if practicable, with eligible independent third parties to ensure completion by December 1, 2017, of at least fifty percent of the geographic response plans as needed in contingency plans required under RCW 90.56.210 and 88.46.060 for the state.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 7088.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

NEW SECTION. **Sec. 7089.** Subject to the availability of amounts appropriated for this specific purpose, the department of ecology and the utilities and transportation commission shall jointly hold a symposium on oil spill prevention and response activities for international transport of liquid bulk crude oil. The department of ecology and the utilities and transportation commission must invite representatives from affected tribes, public interest organizations, local governments, the United States government, Canadian provinces, Canada, and other appropriate stakeholders. The symposium must at a minimum address:

(1) Cooperative prevention and emergency response activities between the shared international and state borders;

(2) Expected risks posed by transport of Canadian crude oil or liquid bulk crude oil throughout the Pacific Northwest region; and

(3) An update of the marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 7090.** Sections 17 through 20 of this act take effect January 1, 2016.

NEW SECTION. **Sec. 7091.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 7092.** Except for sections 17 through 20 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Fagan; Haler; Hunt, G.; MacEwen; Magendanz; Stokesbary; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5107 Prime Sponsor, Senator Padden: Encouraging the establishment of therapeutic courts. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7093.** (1) The legislature finds that judges in the trial courts throughout the state effectively utilize what are known as therapeutic courts to remove a defendant's or respondent's case from the criminal and civil court traditional trial track and allow those defendants or respondents the opportunity to obtain treatment services to address particular issues that may have contributed to the conduct that led to their arrest or other issues before the court. Trial courts have proved adept at creative approaches in fashioning a wide variety of therapeutic courts addressing the spectrum of social issues that can contribute to criminal activity and engagement with the child welfare system.

(2) The legislature further finds that by focusing on the specific individual's needs, providing treatment for the issues presented, and ensuring rapid and appropriate accountability for program violations, therapeutic courts may decrease recidivism, improve the safety of the community, and improve the life of the program participant and the lives of the participant's family members by decreasing the severity and frequency of the specific behavior addressed by the therapeutic court.

(3) The legislature recognizes the inherent authority of the judiciary under Article IV, section 1 of the state Constitution to establish therapeutic courts, and the outstanding contribution to the state and local communities made by the establishment of therapeutic courts and desires to provide a general provision in statute acknowledging and encouraging the judiciary to provide for therapeutic court programs to address the particular needs within a given judicial jurisdiction.

(4) Therapeutic court programs may include, but are not limited to:

(a) Adult drug court;

(b) Juvenile drug court;

(c) Family dependency treatment court or family drug court;

(d) Mental health court, which may include participants with developmental disabilities;

(e) DUI court;

(f) Veterans treatment court;

(g) Truancy court;

(h) Domestic violence court;

(i) Gambling court;

(j) Community court;

(k) Homeless court;

(l) Treatment, responsibility, and accountability on campus (Back on TRAC) court.

NEW SECTION. **Sec. 7094.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well-established theory of change, shows potential for meeting the evidence- based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in this section.

(2) "Evidence-based" means a program or practice that: (a) Has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome; or (b) may be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(3) "Government authority" means prosecutor or other representative initiating action leading to a proceeding in therapeutic court.

(4) "Participant" means an accused person, offender, or respondent in the judicial proceeding.

(5) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in this subsection but does not meet the full criteria for evidence-based.

(6) "Specialty court" and "therapeutic court" both mean a court utilizing a program or programs structured to achieve both a reduction in recidivism and an increase in the likelihood of

rehabilitation, or to reduce child abuse and neglect, out-of-home placements of children, termination of parental rights, and substance abuse and mental health symptoms among parents or guardians and their children through continuous and intense judicially supervised treatment and the appropriate use of services, sanctions, and incentives.

(7) "Therapeutic court personnel" means the staff of a therapeutic court including, but not limited to: Court and clerk personnel with therapeutic court duties, prosecuting attorneys, the attorney general or his or her representatives, defense counsel, monitoring personnel, and others acting within the scope of therapeutic court duties.

(8) "Trial court" means a superior court authorized under Title 2 RCW or a district or municipal court authorized under Title 3 or 35 RCW.

NEW SECTION. **Sec. 7095.** (1) Every trial and juvenile court in the state of Washington is authorized and encouraged to establish and operate therapeutic courts. Therapeutic courts, in conjunction with the government authority and subject matter experts specific to the focus of the therapeutic court, develop and process cases in ways that depart from traditional judicial processes to allow defendants or respondents the opportunity to obtain treatment services to address particular issues that may have contributed to the conduct that led to their arrest or involvement in the child welfare system in exchange for resolution of the case or charges. In criminal cases, the consent of the prosecutor is required.

(2) While a therapeutic court judge retains the discretion to decline to accept a case into the therapeutic court, and while a therapeutic court retains discretion to establish processes and determine eligibility for admission to the therapeutic court process unique to their community and jurisdiction, the effectiveness and credibility of any therapeutic court will be enhanced when the court implements evidence-based practices, research-based practices, emerging best practices, or promising practices that have been identified and accepted at the state and national levels. Promising practices, emerging best practices, and/or research-based programs are authorized where determined by the court to be appropriate. As practices evolve, the trial court shall regularly assess the effectiveness of its program and the methods by which it implements and adopts new best practices.

(3) Except under special findings by the court, the following individuals are not eligible for participation in therapeutic courts:

(a) Individuals who are currently charged or who have been previously convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030;

(b) Individuals who are currently charged with an offense alleging intentional discharge, threat to discharge, or attempt to discharge a firearm in furtherance of the offense;

(c) Individuals who are currently charged with or who have been previously convicted of vehicular homicide or an equivalent out-of- state offense; or

(d) Individuals who are currently charged with or who have been previously convicted of: An offense alleging substantial bodily harm or great bodily harm as defined in RCW 9A.04.110, or death of another person.

(4) Any jurisdiction establishing a therapeutic court shall endeavor to incorporate the therapeutic court principles of best practices as recognized by state and national therapeutic court organizations in structuring a particular program, which may include:

(a) Determining the population;

(b) Performing a clinical assessment;

(c) Developing the treatment plan;

(d) Monitoring the participant, including any appropriate testing;

(e) Forging agency, organization, and community partnerships;

(f) Taking a judicial leadership role;

(g) Developing case management strategies;

(h) Addressing transportation, housing, and subsistence issues;

(i) Evaluating the program;

(j) Ensuring a sustainable program.

(5) Upon a showing of indigence under RCW 10.101.010, fees may be reduced or waived.

(6) The department of social and health services shall furnish services to therapeutic courts addressing dependency matters where substance abuse or mental health are an issue unless the court contracts with providers outside of the department.

(7) Any jurisdiction that has established more than one therapeutic court under this chapter may combine the functions of these courts into a single therapeutic court.

(8) Nothing in this section prohibits a district or municipal court from ordering treatment or other conditions of sentence or probation following a conviction, without the consent of either the prosecutor or defendant.

(9) No therapeutic or specialty court may be established specifically for the purpose of applying foreign law, including foreign criminal, civil, or religious law, that is otherwise not required by treaty.

(10) No therapeutic or specialty court established by court rule shall enforce a foreign law, if doing so would violate a right guaranteed by the Constitution of this state or of the United States.

NEW SECTION. **Sec. 7096.** Jurisdictions may seek federal funding available to support the operation of its therapeutic court and associated services and must match, on a dollar-for-dollar basis, state moneys allocated for therapeutic courts with local cash or in-kind resources. Moneys allocated by the state may be used to supplement, not supplant other federal, state, and local funds for therapeutic courts. However, until June 30, 2016, no match is required for state moneys expended for the administrative and overhead costs associated with the operation of a therapeutic court authorized under this chapter.

Sec. 7097. RCW 82.14.460 and 2012 c 180 s 1 are each amended to read as follows:

(1)(a) A county legislative authority may authorize, fix, and impose a sales and use tax in accordance with the terms of this chapter.

(b) If a county with a population over eight hundred thousand has not imposed the tax authorized under this subsection by January 1, 2011, any city with a population over thirty thousand located in that county may authorize, fix, and impose the sales and use tax in accordance with the terms of this chapter. The county must provide a credit against its tax for the full amount of tax imposed under this subsection (1)(b) by any city located in that county if the county imposes the tax after January 1, 2011.

(2) The tax authorized in this section is in addition to any other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county for a county's tax and within a city for a city's tax. The rate of tax equals one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

(3) Moneys collected under this section must be used solely for the purpose of providing for the operation or delivery of chemical dependency or mental health treatment programs and services and for the operation or delivery of therapeutic court programs and

services. For the purposes of this section, "programs and services" includes, but is not limited to, treatment services, case management, transportation, and housing that are a component of a coordinated chemical dependency or mental health treatment program or service. Every county that authorizes the tax provided in this section shall, and every other county may, establish and operate a therapeutic court component for dependency proceedings designed to be effective for the court's size, location, and resources.

(4) All moneys collected under this section must be used solely for the purpose of providing new or expanded programs and services as provided in this section, except as follows:

(a) For a county with a population larger than twenty-five thousand or a city with a population over thirty thousand, which initially imposed the tax authorized under this section prior to January 1, 2012, a portion of moneys collected under this section may be used to supplant existing funding for these purposes as follows: Up to fifty percent may be used to supplant existing funding in calendar years 2011-2012; up to forty percent may be used to supplant existing funding in calendar year 2013; up to thirty percent may be used to supplant existing funding in calendar year 2014; up to twenty percent may be used to supplant existing funding in calendar year 2015; and up to ten percent may be used to supplant existing funding in calendar year 2016;

(b) For a county with a population larger than twenty-five thousand or a city with a population over thirty thousand, which initially imposes the tax authorized under this section after December 31, 2011, a portion of moneys collected under this section may be used to supplant existing funding for these purposes as follows: Up to fifty percent may be used to supplant existing funding for up to the first three calendar years following adoption; and up to twenty-five percent may be used to supplant existing funding for the fourth and fifth years after adoption;

(c) For a county with a population of less than twenty-five thousand, a portion of moneys collected under this section may be used to supplant existing funding for these purposes as follows: Up to eighty percent may be used to supplant existing funding in calendar years 2011-2012; up to sixty percent may be used to supplant existing funding in calendar year 2013; up to forty percent may be used to supplant existing funding in calendar year 2014; up to twenty percent may be used to supplant existing funding in calendar year 2015; and up to ten percent may be used to supplant existing funding in calendar year 2016; and

(d) Notwithstanding (a) through (c) of this subsection, moneys collected under this section may be used to support the cost of the judicial officer and support staff of a therapeutic court.

(5) Nothing in this section may be interpreted to prohibit the use of moneys collected under this section for the replacement of lapsed federal funding previously provided for the operation or delivery of services and programs as provided in this section.

NEW SECTION. **Sec. 7098.** Individual trial courts are authorized and encouraged to establish multijurisdictional partnerships and/or interlocal agreements under RCW 39.34.180 to enhance and expand the coverage area of the therapeutic court. Specifically, district and municipal courts may work cooperatively with each other and with the superior courts to identify and implement nontraditional case processing methods which can eliminate traditional barriers that decrease judicial efficiency.

NEW SECTION. **Sec. 7099.** Any therapeutic court meeting the definition of therapeutic court in section 2 of this act and existing on the effective date of this section continues to be authorized.

Sec. 7100. RCW 9.94A.517 and 2013 2nd sp.s. c 14 s 1 are each amended to read as follows:

(1)

TABLE 3
DRUG OFFENSE SENTENCING GRID

Seriousness Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9 or more
III	51 to 68 months	68 + to 100 months	100 + to 120 months
II	12 + to 20 months	20 + to 60 months	60 + to 120 months
I	0 to 6 months	6 + to 12 months	12 + to 24 months

References to months represent the standard sentence ranges. 12 +equals one year and one day.

(2) The court may utilize any other sanctions or alternatives as authorized by law, including but not limited to the special drug offender sentencing alternative under RCW 9.94A.660 or drug court under ((~~RCW 2.28.170~~)) chapter 2.--- RCW (the new chapter created in section 12 of this act).

(3) Nothing in this section creates an entitlement for a criminal defendant to any specific sanction, alternative, sentence option, or substance abuse treatment.

Sec. 7101. RCW 9.94A.517 and 2002 c 290 s 8 are each amended to read as follows:

(1)

TABLE 3
DRUG OFFENSE SENTENCING GRID

Seriousness Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9 or more
III	51 to 68 months	68 + to 100 months	100 + to 120 months
II	12 + to 20 months	20 + to 60 months	60 + to 120 months
I	0 to 6 months	6 + to 18 months	12 + to 24 months

References to months represent the standard sentence ranges. 12 + equals one year and one day.

(2) The court may utilize any other sanctions or alternatives as authorized by law, including but not limited to the special drug offender sentencing alternative under RCW 9.94A.660 or drug court under ((~~RCW 2.28.170~~)) chapter 2.--- RCW (the new chapter created in section 12 of this act).

(3) Nothing in this section creates an entitlement for a criminal defendant to any specific sanction, alternative, sentence option, or substance abuse treatment.

Sec. 7102. RCW 70.96A.350 and 2013 2nd sp.s. c 4 s 990 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance abuse treatment and treatment support services for offenders with an addiction or a substance abuse problem that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program; (c) the administrative and overhead costs associated with the operation of a drug court; and (d) during the 2011-2013

biennium, the legislature may appropriate up to three million dollars from the account in order to offset reductions in the state general fund for treatment services provided by counties. This amount is not subject to the requirements of subsections (5) through (9) of this section. During the 2013-2015 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance abuse treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance abuse treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal biennium beginning July 1, 2003, the state treasurer shall transfer eight million nine hundred fifty thousand dollars from the general fund into the criminal justice treatment account, divided into eight equal quarterly payments. For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the division of alcohol and substance abuse for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the division of alcohol and substance abuse from the criminal justice treatment account shall be distributed as specified in this subsection. The department shall serve as the fiscal agent for purposes of distribution. Until July 1, 2004, the department may not use moneys appropriated from the criminal justice treatment account for administrative expenses and shall distribute all amounts appropriated under subsection (4)(b) of this section in accordance with this subsection. Beginning in July 1, 2004, the department may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the division from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance abuse treatment providers, and any other person deemed by the division to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the division from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The division shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance abuse treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090, treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in ((~~RCW 2.28.170(3)(b)~~)) section 3(3) of this act.

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, 2015.

NEW SECTION. **Sec. 7103.** The following acts or parts of acts are each repealed:

(1)RCW 2.28.170 (Drug courts) and 2013 2nd sp.s. c 4 s 952, 2013 2nd sp.s. c 4 s 951, 2013 c 257 s 5, 2009 c 445 s 2, 2006 c 339 s 106, 2005 c 504 s 504, 2002 c 290 s 13, & 1999 c 197 s 9;

(2)RCW 2.28.175 (DUI courts) and 2013 2nd sp.s. c 35 s 2, 2013 c 257 s 6, 2012 c 183 s 1, & 2011 c 293 s 10;

(3)RCW 2.28.180 (Mental health courts) and 2013 c 257 s 7, 2011 c 236 s 1, & 2005 c 504 s 501;

(4)RCW 2.28.190 (DUI court, drug court, and mental health court may be combined) and 2013 c 257 s 8, 2011 c 293 s 11, & 2005 c 504 s 502;

(5)RCW 13.40.700 (Juvenile gang courts—Minimum requirements— Admission—Individualized plan—Completion) and 2012 c 146 s 2;

(6)RCW 13.40.710 (Juvenile gang courts—Data—Reports) and 2012 c 146 s 3;

(7)RCW 26.12.250 (Therapeutic courts) and 2005 c 504 s 503;

(8)RCW 2.28.165 (Specialty and therapeutic courts—Establishment— Principles of best practices—Limitations) and 2013 c 257 s 2; and

(9) RCW 2.28.166 (Definition of "specialty court" and "therapeutic court") and 2013 c 257 s 4.

NEW SECTION. **Sec. 7104.** Sections 1 through 4, 6, and 7 of this act constitute a new chapter in Title 2 RCW.

NEW SECTION. **Sec. 7105.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 7106.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. **Sec. 7107.** Section 8 of this act expires July 1, 2018.

NEW SECTION. **Sec. 7108.** Section 9 of this act takes effect July 1, 2018."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Chandler, Ranking Minority Member.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5121 Prime Sponsor, Senator Kohl-Welles: Establishing a marijuana research license. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass without amendment by Committee on Commerce & Gaming. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5177 Prime Sponsor, Committee on Ways & Means: Improving timeliness of competency evaluation and restoration services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5179 Prime Sponsor, Committee on Ways & Means: Concerning paraeducators. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5269 Prime Sponsor, Committee on Ways & Means: Concerning court review of detention decisions under the involuntary treatment act. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Judiciary.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7109.** This act may be known and cited as Joel's Law.

NEW SECTION. **Sec. 7110.** A new section is added to chapter 71.05 RCW to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150

or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2)(a) The petition must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

(3) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information collected during the investigation.

(4) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(5) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(6) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(7) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency, which shall execute the order without delay. An order for initial detention under this section expires one hundred eighty days from issuance.

(8) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(9) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

NEW SECTION. **Sec. 7111.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The department and each regional support network or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under section 2 of this act.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under section 2 of this act. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under section 2 of this act.

Sec. 7112. RCW 71.05.130 and 1998 c 297 s 7 are each amended to read as follows:

In any judicial proceeding for involuntary commitment or detention except under section 2 of this act, or in any proceeding challenging ((~~such~~)) involuntary commitment or detention, the prosecuting attorney for the county in which the proceeding was initiated shall represent the individuals or agencies petitioning for commitment or detention and shall defend all challenges to such commitment or detention((~~: PROVIDED~~)), except that the attorney general shall represent and provide legal services and advice to state hospitals or institutions with regard to all provisions of and proceedings under this chapter ((~~except in~~)) other than proceedings initiated by such hospitals and institutions seeking fourteen day detention."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

2SSB 5311 Prime Sponsor, Committee on Ways & Means: Requiring crisis intervention training for peace officers. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

2SSB 5404 Prime Sponsor, Committee on Ways & Means: Concerning homeless youth prevention and protection. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Fagan; Haler; Hunt, G.; MacEwen; Magendanz; Stokesbary; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5452 Prime Sponsor, Committee on Ways & Means: Improving quality in the early care and education system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7113.** INTENT. (1) The legislature finds that quality early care and education builds the foundation for a child's success in school and in life. The legislature acknowledges that a quality framework is necessary for the early care and education system in Washington. The legislature recognizes that empirical evidence supports the conclusion that high quality programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children. The legislature acknowledges that critical developmental windows exist in early childhood, and low quality child care has damaging effects for children. The legislature further understands that the proper dosage, duration of programming, and stability of care are critical to enhancing program quality and improving child outcomes. The legislature acknowledges that the early care and education system should strive to address the needs of Washington's culturally and linguistically diverse populations. The legislature understands that parental choice and provider diversity are guiding principles for early learning programs.

(2) The legislature intends to prioritize the integration of child care and preschool in an effort to promote full day programming. The legislature further intends to reward quality and create incentives for providers to participate in a quality rating and improvement system that will also provide valuable information to parents regarding the quality of care available in their communities.

Sec. 7114. RCW 43.215.100 and 2013 c 323 s 6 are each amended to read as follows:

EARLY ACHIEVERS, QUALITY RATING, AND IMPROVEMENT SYSTEM.

(1) ((~~Subject to the availability of amounts appropriated for this specific purpose,~~)) The department, in collaboration with tribal governments and community and statewide partners, shall implement a ((~~voluntary~~)) quality rating and improvement system, called the early achievers program((~~, that~~)). The early achievers program provides a foundation of quality for the early care and education system. The early achievers program is applicable to licensed or certified child care centers and homes and early ((~~education~~)) learning programs such as working connections child care and early childhood education and assistance programs.

(2) The ((~~purpose~~)) objectives of the early achievers program ((~~is~~)) are to:

(a) ((~~To~~)) Improve short-term and long-term educational outcomes for children as measured by assessments including, but not limited to, the Washington kindergarten inventory of developing skills in RCW 28A.655.080;

(b) Give parents clear and easily accessible information about the quality of child care and early education programs((~~,~~));

(c) Support improvement in early learning and child care programs throughout the state((~~,~~));

(d) Increase the readiness of children for school((~~, and~~));

(e) Close the ((~~disparity~~)) disparities in access to quality care;

(f) Provide professional development and coaching opportunities to early child care and education providers; and ((~~(b) to~~))

(g) Establish a common set of expectations and standards that define, measure, and improve the quality of early learning and child care settings.

(3)(a) Licensed or certified child care centers and homes serving nonschool age children and receiving state subsidy payments must participate in the early achievers program by the required deadlines established in RCW 43.215.135.

(b) Approved early childhood education and assistance program providers receiving state-funded support must participate in the early achievers program by the required deadlines established in RCW 43.215.415.

(c) Participation in the early achievers program is voluntary for:

(i) Licensed or certified child care centers and homes not receiving state subsidy payments; and

(ii) Early learning programs not receiving state funds.

(d) School age child care providers are exempt from participating in the early achievers program. By July 1, 2017, the department and the office of the superintendent of public instruction shall jointly design a plan to incorporate school age child care providers into the early achievers program or other appropriate quality improvement system. To test implementation of the early achievers system for school age child care providers the department and the office of the superintendent of public instruction shall implement a pilot program.

(4) ((~~By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and maintain a minimum score level.~~

~~(5) Before final implementation of the early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature.~~)) There are five levels in the early achievers program. Participants are expected to actively engage and continually advance within the program.

(5) The department has the authority to determine the rating cycle for the early achievers program. The department shall streamline and eliminate duplication between early achievers standards and state child care rules in order to reduce costs associated with the early achievers rating cycle and child care licensing.

(a) Early achievers program participants may request to be rated at any time after the completion of all level 2 activities.

(b) The department shall provide an early achievers program participant an update on the participant's progress toward completing level 2 activities after the participant has been enrolled in the early achievers program for fifteen months.

(c) The first rating is free for early achievers program participants.

(d) Each subsequent rating within the established rating cycle is free for early achievers program participants.

(6)(a) Early achievers program participants may request to be rerated outside the established rating cycle.

(b) The department may charge a fee for optional rerating requests made by program participants that are outside the established rating cycle.

(c) Fees charged are based on, but may not exceed, the cost to the department for activities associated with the early achievers program.

(7)(a) The department must create a single source of information for parents and caregivers to access details on a provider's early achievers program rating level, licensing history, and other indicators of quality and safety that will help parents and caregivers make informed choices.

(b) The department shall publish to the department's web site, or offer a link on its web site to, the following information:

(i) By August 1, 2015, early achievers program rating levels 1 through 5 for all child care programs that receive state subsidy, early childhood education and assistance programs, and federal head start programs in Washington; and

(ii) New early achievers program ratings within thirty days after a program becomes licensed or certified, or receives a rating.

(c) The early achievers program rating levels shall be published in a manner that is easily accessible to parents and caregivers and takes into account the linguistic needs of parents and caregivers.

(d) The department must publish early achievers program rating levels for child care programs that do not receive state subsidy but have voluntarily joined the early achievers program.

(e) Early achievers program participants who have published rating levels on the department's web site or on a link on the department's web site may include a brief description of their program, contingent upon the review and approval by the department, as determined by established marketing standards.

(8)(a) The department shall create a professional development pathway for early achievers program participants to obtain a high school diploma or equivalency or higher education credential in early childhood education, early childhood studies, child development, or an academic field related to early care and education.

(b) The professional development pathway must include opportunities for scholarships and grants to assist early achievers program participants with the costs associated with obtaining an educational degree.

(c) The department shall address cultural and linguistic diversity when developing the professional development pathway.

(9) The early achievers quality improvement awards shall be reserved for participants offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy.

(10) In collaboration with tribal governments, community and statewide partners, and the early achievers review subcommittee created in RCW 43.215.090, the department shall develop a protocol for granting early achievers program participants an extension in meeting rating level requirement timelines outlined for the working connections child care program and the early childhood education and assistance program.

(a) The department may grant extensions only under exceptional circumstances, such as when early achievers program participants experience an unexpected life circumstance.

(b) Extensions shall not exceed six months, and early achievers program participants are only eligible for one extension in meeting rating level requirement timelines.

(c) Extensions may only be granted to early achievers program participants who have demonstrated engagement in the early achievers program.

(11)(a) The department shall accept national accreditation that meets the requirements of this subsection (11) as a qualification for the early achievers program ratings.

(b) Each national accreditation agency will be allowed to submit its most current standards of accreditation to establish potential credit earned in the early achievers program. The department shall grant credit to accreditation bodies that can demonstrate that their standards meet or exceed the current early achievers program standards.

(c) Licensed child care centers and child care home providers must meet national accreditation standards approved by the department for the early achievers program in order to be granted credit for the early achievers program standards. Eligibility for the early achievers program is not subject to bargaining, mediation, or interest arbitration under RCW 41.56.028, consistent with the legislative reservation of rights under RCW 41.56.028(4)(d).

(12) A child care or early learning program that is operated by a federally recognized tribe and receives state funds shall participate in the early achievers program. The tribe may choose to participate through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty. The interlocal agreement must provide that:

(a) Tribal child care facilities and early learning programs may volunteer, but are not required, to be licensed by the department;

(b) Tribal child care facilities and early learning programs are not required to have their early achievers program rating level published to the department's web site or through a link on the department's web site; and

(c) Tribal child care facilities and early learning programs must provide notification to parents or guardians who apply for or have been admitted into their program that early achievers program rating level information is available and provide the parents or guardians with the program's early achievers program rating level upon request.

(13) The department shall consult with the early achievers review subcommittee on all substantial policy changes to the early achievers program.

(14) Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs under RCW 41.56.028(4)(d).

NEW SECTION. **Sec. 7115.** A new section is added to chapter 43.215 RCW to read as follows:

SINGLE SET OF LICENSING STANDARDS.

(1)(a) No later than July 1, 2016, the department shall implement a single set of licensing standards for child care and the early childhood education and assistance program. The department shall produce the single set of licensing standards within the department's available appropriations. The new licensing standards must:

(i) Provide minimum health and safety standards for child care and preschool programs;

(ii) Rely on the standards established in the early achievers program to address quality issues in participating early childhood programs;

(iii) Take into account the separate needs of family care providers and child care centers; and

(iv) Promote the continued safety of child care settings.

(b) By July 1, 2016, private schools that operate early learning programs and do not receive state subsidy payments shall be subject only to the minimum health and safety standards in subsection (1)(a)(i) of this section and the requirements necessary to assure a sufficient early childhood education to meet usual requirements

needed for transition into elementary school. The state, and any agency thereof, shall not restrict or dictate any specific educational or other programs for early learning programs operated by private schools except for programs that receive state subsidy payments.

Sec. 7116. RCW 43.215.200 and 2011 c 359 s 2 and 2011 c 253 s 3 are each reenacted and amended to read as follows:

DIRECTOR'S LICENSING DUTIES.

It shall be the director's duty with regard to licensing:

(1) In consultation and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of child care facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages and other characteristics of the children served, variations in the purposes and services offered or size or structure of the agencies to be licensed, or because of any other factor relevant thereto;

(2) In consultation with the state fire marshal's office, the director shall use an interagency process to address health and safety requirements for child care programs that serve school-age children and are operated in buildings that contain public or private schools that safely serve children during times in which school is in session. For child care programs serving only school-age children and operating in the same facilities used by public or private schools, the director shall not impose additional health and safety licensing requirements related to the physical facility beyond the health and safety standards established by the state board of health for primary and secondary schools pursuant to its authority in RCW 43.20.050;

(3) In consultation and with the advice and assistance of parents or guardians, and persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed under this chapter;

(4) In consultation with law enforcement personnel, the director shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure, and other persons having unsupervised access to children in care;

(5) To satisfy the shared background check requirements provided for in RCW 43.215.215 and 43.20A.710, the department of early learning and the department of social and health services shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person;

(6) To issue, revoke, or deny licenses to agencies pursuant to this chapter. Licenses shall specify the category of care that an agency is authorized to render and the ages and number of children to be served;

(7) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter and to require regular reports from each licensee;

(8) To inspect agencies periodically to determine whether or not there is compliance with this chapter and the requirements adopted under this chapter;

(9) To review requirements adopted under this chapter at least every two years and to adopt appropriate changes after consultation with affected groups for child day care requirements; and

(10) To consult with public and private agencies in order to help them improve their methods and facilities for the care and early learning of children.

NEW SECTION. **Sec. 7117.** A new section is added to chapter 43.215 RCW to read as follows:

REDUCTION OF BARRIERS—LOW-INCOME PROVIDERS AND PROGRAMS—EARLY ACHIEVERS.

(1)(a) The department shall, in collaboration with tribal governments and community and statewide partners, implement a protocol to maximize and encourage participation in the early achievers program for culturally diverse and low-income center and family home child care providers. Amounts appropriated for the encouragement of culturally diverse and low-income center and family home child care provider participation shall be appropriated separately from the other funds appropriated for the department, are the only funds that may be used for the protocol, and may not be used for any other purposes. Funds appropriated for the protocol shall be considered an ongoing program for purposes of future departmental budget requests.

(b) During the first thirty months of implementation of the early achievers program the department shall prioritize the resources authorized in this section to assist providers rating at a level 2 in the early achievers program to help them reach a level 3 rating wherever access to subsidized care is at risk.

(2) The protocol should address barriers to early achievers program participation and include at a minimum the following:

(a) The creation of a substitute pool;

(b) The development of needs-based grants for providers at level 2 in the early achievers program to assist with purchasing curriculum development, instructional materials, supplies, and equipment to improve program quality. Priority for the needs-based grants shall be given to culturally diverse and low-income providers;

(c) The development of materials and assessments in a timely manner, and to the extent feasible, in the provider and family home languages; and

(d) The development of flexibility in technical assistance and coaching structures to provide differentiated types and amounts of support to providers based on individual need and cultural context.

Sec. 7118. RCW 43.215.135 and 2013 c 323 s 9 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote ((~~continuity of care for children~~)) stability, quality, and continuity of early care and education programming.

(2) ((~~Beginning in fiscal year 2013,~~)) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months ((~~unless a change in circumstances necessitates reauthorization sooner than twelve months. The twelve-month certification applies only if the enrollments in the child care subsidy or working connections child care program are capped.~~

~~(3) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, working connections child care providers shall receive a five percent increase in the subsidy rate for enrolling in level 2 in the early achievers programs. Providers must complete level 2 and advance to level 3 within thirty months in order to maintain this increase~~)) beginning January 1, 2016.

(3) Existing child care providers serving nonschool age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

Sec. 7119. RCW 43.215.1352 and 2012 c 251 s 2 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

When an applicant or recipient applies for or receives working connections child care benefits, ((~~he or she~~)) the applicant or recipient is required to((~~:~~

~~(1)~~)) notify the department of social and health services, within five days, of any change in providers((~~; and~~

~~(2) Notify the department of social and health services, within ten days, about any significant change related to the number of child care hours the applicant or recipient needs, cost sharing, or eligibility~~)).

Sec. 7120. RCW 43.215.425 and 1994 c 166 s 6 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) The department shall adopt rules under chapter 34.05 RCW for the administration of the early childhood education and assistance program. Approved early childhood education and assistance programs shall conduct needs assessments of their service area((~~,~~)) and identify any targeted groups of children, to include but not be limited to children of seasonal and migrant farmworkers and native American populations living either on or off reservation((~~, and~~)). Approved early childhood education and assistance programs shall provide to the department a service delivery plan, to the extent practicable, that addresses these targeted populations.

(2) The department, in developing rules for the early childhood education and assistance program, shall consult with the early learning advisory ((~~committee~~)) council, and shall consider such factors as coordination with existing head start and other early childhood programs, the preparation necessary for instructors, qualifications of instructors, adequate space and equipment, and special transportation needs. The rules shall specifically require the early childhood programs to provide for parental involvement in participation with their child's program, in local program policy decisions, in development and revision of service delivery systems, and in parent education and training.

(3)(a) The department shall adopt rules pertaining to the early childhood education and assistance program that outline allowable periods of child absences, required contact with parents or caregivers to discuss child absences and encourage regular attendance, and a de-enrollment procedure when allowable child absences are exceeded. The department shall adopt rules on child absences and attendance within the department's appropriations.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016. The department shall adopt rules on child absences and attendance within the department's appropriations.

(4) The department shall adopt rules requiring early childhood education and assistance program employees who have access to children to submit to a fingerprint background check. Fingerprint background check procedures for the early childhood education and assistance program shall be the same as the background check procedures in RCW 43.215.215.

Sec. 7121. RCW 43.215.415 and 1994 c 166 s 5 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Approved early childhood education and assistance programs shall receive state-funded support through the department. Public or private ((~~nonsectarian~~)) organizations((~~,~~)) including, but not limited to, school districts, educational service districts, community and technical colleges, local governments, or nonprofit organizations, are eligible to participate as providers of the state early childhood education and assistance program. ((~~Funds appropriated for the state program shall be used to continue to operate existing programs or to establish new or expanded early childhood programs, and shall not be used to supplant federally supported head start programs.~~))

(2) Funds obtained by providers through voluntary grants or contributions from individuals, agencies, corporations, or organizations may be used to expand or enhance preschool programs so long as program standards established by the department are maintained((~~, but shall not be used to supplant federally supported head start programs or state supported early childhood programs~~)).

(3) Persons applying to conduct the early childhood education and assistance program shall identify targeted groups and the number of children to be served, program components, the qualifications of instructional and special staff, the source and amount of grants or contributions from sources other than state funds, facilities and equipment support, and transportation and personal care arrangements.

(4) Existing early childhood education and assistance program providers must complete the following requirements to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program by August 1, 2015;

(b) Rate at a level 4 or 5 in the early achievers program by January 1, 2016. If an early childhood education and assistance program provider rates below a level 4 by January 1, 2016, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(5) Effective August 1, 2015, a new early childhood education and assistance program provider must complete the requirements in this subsection (5) to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program within thirty days of the start date of the early childhood education and assistance program contract;

(b)(i) Except as provided in (b)(ii) of this subsection, rate at a level 4 or 5 in the early achievers program within twelve months of enrollment. If an early childhood education and assistance program provider rates below a level 4 within twelve months of enrollment, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(ii) Licensed or certified child care centers and homes that administer an early childhood education and assistance program shall rate at a level 4 or 5 in the early achievers program within eighteen months of the start date of the early childhood education and assistance program contract. If an early childhood education and assistance program provider rates below a level 4 within eighteen months, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(6)(a) If an early childhood education and assistance program provider has successfully completed all of the required early achievers program activities and is waiting to be rated by the deadline provided in this section, the provider may continue to participate in the early achievers program as an approved early childhood education and assistance program provider and receive state subsidy pending the successful completion of a level 4 or 5 rating.

(b) To avoid disruption, the department may allow for early childhood education and assistance program providers who have rated below a level 4 after completion of the six-month remedial period to continue to provide services until the current school year is finished.

(7) The department shall collect data periodically to determine the demand for full-day programming for early childhood education and assistance program providers. The department shall analyze this demand by geographic region and shall include the findings in the annual report required under section 17(5) of this act.

(8) By December 1, 2015, the department shall develop a pathway for licensed or certified child care centers and homes to administer an early childhood education and assistance program. The pathway shall include an accommodation for these providers to rate at a level 4 or 5 in the early achievers program according to the timelines and standards established in subsection (5)(b)(ii) of this section.

Sec. 7122. RCW 43.215.430 and 2013 c 323 s 7 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

The department shall review applications from public or private ((~~nonsectarian~~)) organizations for state funding of early childhood education and assistance programs. The department shall consider local community needs, demonstrated capacity, and the need to support a mixed delivery system of early learning that includes alternative models for delivery including licensed centers and licensed family child care providers when reviewing applications.

Sec. 7123. RCW 43.215.455 and 2010 c 231 s 3 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Beginning September 1, 2011, an early learning program to provide voluntary preschool opportunities for children three and four years of age shall be implemented according to the funding and implementation plan in RCW ((~~43.215.142~~)) 43.215.456. The program must ((~~be~~)) offer a comprehensive program ((~~providing~~)) of early childhood education and family support, ((~~options for~~)) including parental involvement((~~,~~)) and health information, screening, and referral services, ((~~as~~)) based on family need ((~~is determined~~)). Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The ((~~first phase of the~~)) program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.215.400 through 43.215.450.

(3)(a) Beginning in the 2015-16 school year, the program implementation in this section shall prioritize early childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering an extended day program for early care and education;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The director shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.215.100:

(a) Minimum program standards((~~, including lead teacher, assistant teacher, and staff qualifications~~));

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

(((~~4~~))) (5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the director under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

NEW SECTION. **Sec. 7124.** A new section is added to chapter 43.215 RCW to read as follows:

PROGRAM DATA COLLECTION AND EVALUATION.

(1) The education data center established in RCW 43.41.400 must collect longitudinal, student-level data on all children attending an early childhood education and assistance program. Upon completion of an electronic time and attendance record system, the education data center must collect longitudinal, student-level data on all children attending a working connections child care program. Data collected should capture at a minimum the following characteristics:

(a) Daily program attendance;

(b) Identification of classroom and teacher;

(c) Early achievers program quality level rating;

(d) Program hours;

(e) Program duration;

(f) Developmental results from the Washington kindergarten inventory of developing skills in RCW 28A.655.080; and

(g) To the extent data is available, the distinct ethnic categories within racial subgroups of children and providers that align with categories recognized by the education data center.

(2) The department shall provide early learning providers student-level data collected pursuant to this section that are specific to the early learning provider's program. Upon completion of an electronic time and attendance record system identified in

subsection (1) of this section, the department shall provide child care providers student-level data that are specific to the child care provider's program.

(3)(a) The department shall review available research and best practices literature on cultural competency in early learning settings. The department shall review the K-12 components for cultural competency developed by the professional educator standards board and identify components appropriate for early learning professional development.

(b) By July 31, 2016, the department shall provide recommendations to the appropriate committees of the legislature and the early learning advisory council on research-based cultural competency standards for early learning professional training.

(4)(a) The Washington state institute for public policy shall conduct a longitudinal analysis examining relationships between the early achievers program quality ratings levels and outcomes for children participating in subsidized early care and education programs.

(b) The institute shall submit the first report to the appropriate committees of the legislature and the early learning advisory council by December 31, 2019. The institute shall submit subsequent reports annually to the appropriate committees of the legislature and the early learning advisory council by December 31st, with the final report due December 31, 2022. The final report shall include a cost-benefit analysis.

(5)(a) The department shall complete an annual early learning program implementation report on the early childhood education and assistance program and the working connections child care program.

(b) The early learning program implementation report must be posted annually on the department's web site and delivered to the appropriate committees of the legislature. The first report is due by December 31, 2015, and the final report is due by December 31, 2019.

(c) The early learning program implementation report must address the following:

(i) Progress on early childhood education and assistance program implementation as required pursuant to RCW 43.215.415, 43.215.425, and 43.215.455;

(ii) An examination of the regional distribution of new preschool programming by zip code;

(iii) An analysis of the impact of preschool expansion on low-income neighborhoods and communities;

(iv) Recommendations to address any identified barriers to access to quality preschool for children living in low-income neighborhoods;

(v) An analysis of any impact from quality strengthening efforts on the availability and quality of infant and toddler care;

(vi) An analysis of any impact of extended day early care and education opportunities directives;

(vii) An examination of any identified barriers for providers to offer extended day early care and education opportunities;

(viii) The number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding;

(ix) An analysis of the demand for full-day programming for early childhood education and assistance program providers required under RCW 43.215.415; and

(x) To the extent data is available, an analysis of the cultural diversity of early childhood education and assistance program providers and participants.

(6) The first annual report due under subsection (5) of this section also shall include a description of the early achievers program extension protocol required under RCW 43.215.100.

NEW SECTION. **Sec. 7125.** A new section is added to chapter 43.215 RCW to read as follows:

CONTRACTED CHILD CARE SLOTS AND VOUCHERS.

(1) The department may employ a combination of vouchers and contracted slots for the subsidized child care programs in RCW 43.215.135. Child care vouchers preserve parental choice. Child care contracted slots promote access to continuous quality care for children, provide parents and caregivers stable child care that supports employment, and allow providers to have predictable funding. Any contracted slots the department may create under this section must meet the requirements in subsections (2) through (7) of this section.

(2) Only child care providers who participate in the early achievers program and rate at a level 3, 4, or 5 are eligible to be awarded a contracted slot.

(3)(a) The department is required to use data to calculate a set number of targeted contracted slots. In calculating the number, the department must take into account a balance of family home and center child care programs and the overall geographic distribution of child care programs in the state and the distribution of slots between ages zero and five.

(b) The targeted contracted slots are reserved for programs meeting both of the following conditions:

(i) Programs in low-income neighborhoods; and

(ii) Programs that consist of at least fifty percent of children receiving subsidy pursuant to RCW 43.215.135.

(c) Until August 1, 2017, the department shall assure an even distribution of contracted slots for children birth to age five.

(4) The department shall award the remaining contracted slots via a competitive process and prioritize child care programs with at least one of the following characteristics:

(a) Programs located in a high-need geographic area;

(b) Programs partnering with elementary schools to offer transitional planning and support to children as they advance to kindergarten;

(c) Programs serving children involved in the child welfare system; or

(d) Programs serving children diagnosed with a special need.

(5)(a) The department shall adopt rules pertaining to the working connections child care program for both contracted slots and child care vouchers that outline the following:

(i) Allowable periods of child absences;

(ii) Required contact with parents or caregivers to discuss child absences and encourage regular program attendance; and

(iii) A de-enrollment procedure when allowable child absences are exceeded.

(b) Rules pertaining to child absences and de-enrollment procedures shall be adopted no later than July 31, 2016. The department shall adopt rules on child absences and attendance within the department's appropriations.

(6) The department shall pay a provider for each contracted slot, unless a contracted slot is not used for thirty days.

(7) The department shall include the number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding in the annual report to the legislature required under section 17 of this act.

NEW SECTION. **Sec. 7126.** A new section is added to chapter 43.215 RCW to read as follows:

INTEGRATION WITH LOCAL GOVERNMENT EFFORTS.

(1) The foundation of quality in the early care and education system in Washington is the quality rating and improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments.

(2) Local governments are encouraged to collaborate with the department when establishing early learning programs for residents.

(3) Local governments may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming; and

(b) Reductions in copayments charged to parents or caregivers.

(4) Funds contributed to the department by local governments must be deposited in the early start account established in section 16 of this act.

Sec. 7127. RCW 43.215.090 and 2012 c 229 s 589 are each amended to read as follows:

EARLY LEARNING ADVISORY COUNCIL.

(1) The early learning advisory council is established to advise the department on statewide early learning issues that would build a comprehensive system of quality early learning programs and services for Washington's children and families by assessing needs and the availability of services, aligning resources, developing plans for data collection and professional development of early childhood educators, and establishing key performance measures.

(2) The council shall work in conjunction with the department to develop a statewide early learning plan that guides the department in promoting alignment of private and public sector actions, objectives, and resources, and ensuring school readiness.

(3) The council shall include diverse, statewide representation from public, nonprofit, and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(4) Councilmembers shall serve two-year terms. However, to stagger the terms of the council, the initial appointments for twelve of the members shall be for one year. Once the initial one-year to two-year terms expire, all subsequent terms shall be for two years, with the terms expiring on June 30th of the applicable year. The terms shall be staggered in such a way that, where possible, the terms of members representing a specific group do not expire simultaneously.

(5) The council shall consist of not more than twenty-three members, as follows:

(a) The governor shall appoint at least one representative from each of the following: The department, the office of financial management, the department of social and health services, the department of health, the student achievement council, and the state board for community and technical colleges;

(b) One representative from the office of the superintendent of public instruction, to be appointed by the superintendent of public instruction;

(c) The governor shall appoint seven leaders in early childhood education, with at least one representative with experience or expertise in one or more of the areas such as the following: The K-12 system, family day care providers, and child care centers with four of the seven governor's appointees made as follows:

(i) The head start state collaboration office director or the director's designee;

(ii) A representative of a head start, early head start, migrant/seasonal head start, or tribal head start program;

(iii) A representative of a local education agency; and

(iv) A representative of the state agency responsible for programs under section 619 or part C of the federal individuals with disabilities education act;

(d) Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively;

(e) Two parents, one of whom serves on the department's parent advisory group, to be appointed by the governor;

(f) One representative of the private-public partnership created in RCW 43.215.070, to be appointed by the partnership board;

(g) One representative designated by sovereign tribal governments; and

(h) One representative from the Washington federation of independent schools.

(6) The council shall be cochaired by one representative of a state agency and one nongovernmental member, to be elected by the council for two-year terms.

(7) The council shall appoint two members and stakeholders with expertise in early learning to sit on the technical working group created in section 2, chapter 234, Laws of 2010.

(8) Each member of the board shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(9)(a) The council shall convene an early achievers review subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of the early achievers program. The review conducted by the subcommittee shall be a part of the annual progress report required in section 17 of this act. At a minimum the review shall address the following:

(i) Adequacy of data collection procedures;

(ii) Coaching and technical assistance standards;

(iii) Progress in reducing barriers to participation for low-income providers and providers from diverse cultural backgrounds, including a review of the early achievers program's rating tools, quality standard areas, and components, and how they are applied;

(iv) Strategies in response to data on the effectiveness of early achievers program standards in relation to providers and children from diverse cultural backgrounds;

(v) Status of the life circumstance exemption protocols; and

(vi) Analysis of early achievers program data trends.

(b) The subcommittee must include consideration of cultural linguistic responsiveness when analyzing the areas for review required by (a) of this subsection.

(c) The subcommittee shall include representatives from child care centers, family child care, the early childhood education and assistance program, contractors for early achievers program technical assistance and coaching, the organization responsible for conducting early achiever program ratings, and parents of children participating in early learning programs, including working connections child care and early childhood education and assistance programs. The subcommittee shall include representatives from diverse cultural and linguistic backgrounds.

(10) The department shall provide staff support to the council.

NEW SECTION. **Sec. 7128.** A new section is added to chapter 43.215 RCW to read as follows:

EARLY START ACCOUNT.

The early start account is created in the state treasury. Revenues in the account shall consist of appropriations by the legislature and all other sources deposited into the account. Moneys in the account may only be used after appropriation. Expenditures from the account may be used only to improve the quality of early care and education programming. The department oversees the account.

NEW SECTION. **Sec. 7129.** A new section is added to chapter 43.215 RCW to read as follows:

ANNUAL PROGRESS REPORT.

Beginning December 1, 2015, and each December 1st thereafter, the department, in collaboration with the early achievers review subcommittee of the early learning advisory council, shall submit, in compliance with RCW 43.01.036, a progress report to the governor and the legislature regarding providers' progress in the early achievers program. Each progress report must include the following elements:

(1) The number, and relative percentage, of providers by region who have enrolled in early achievers and who have:

(a) Completed the level 2 activities;

(b) Achieved the required rating level to remain eligible for state-funded support under the early childhood education and assistance program or a subsidy under the working connections child care program;

(c) Failed to achieve the required rating level and engaged in remedial activities before successfully achieving the required rating level;

(d) Failed to achieve the required rating level after completing remedial activities; or

(e) Received an extension from the department based on exceptional circumstances pursuant to RCW 43.215.100;

(2) A review of the services available to providers and children from diverse cultural backgrounds;

(3) An examination of the effectiveness of efforts to increase successful participation by providers serving children and families from diverse cultural and linguistic backgrounds and providers who serve children from low-income households;

(4) A description of the primary obstacles and challenges faced by providers who have not achieved the required rating level to remain eligible to receive:

(a) A subsidy under the working connections child care program; or

(b) State-funded support under the early childhood education and assistance program;

(5) A summary of the types of exceptional circumstances for which the department has granted an extension pursuant to RCW 43.215.100;

(6) To the extent data is available, an analysis of the distribution of early achievers program rated facilities in relation to child and provider demographics, including but not limited to race and ethnicity, home language, and geographical location;

(7) Recommendations for improving access for children from diverse cultural backgrounds to providers rated at a level 3 or higher in the early achievers program; and

(8) Recommendations for improving the early achievers program standards.

Sec. 7130. RCW 43.215.010 and 2013 c 323 s 3 and 2013 c 130 s 1 are each reenacted and amended to read as follows:

DEFINITIONS.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools that are engaged primarily in early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school((-))age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) Any entity that provides recreational or educational programming for school((-))age((d)) children only and the entity meets all of the following requirements:

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and

(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early childhood education and assistance program contractor" means an organization that provides early childhood education and assistance program services under a signed contract with the department.

(9) "Early childhood education and assistance program provider" means an organization that provides site level, direct, and high quality early childhood education and assistance program services under the direction of an early childhood education and assistance program contractor.

(10) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100;

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(((~~(9)~~))) (11) "Education data center" means the education data center established in RCW 43.41.400, commonly referred to as the education research and data center.

(12) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(((~~(10)~~))) (13) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

(((~~(11)~~))) (14) "Extended day program" means an early childhood education and assistance program that offers early learning education for at least ten hours per day, a minimum of two thousand hours per year, at least four days per week, and operates year round.

(15) "Full day program" means an early childhood education and assistance program that offers early learning education for a minimum of one thousand hours per year.

(16) "Low-income child care provider" means a person who administers a child care program that consists of at least eighty percent of children receiving working connections child care subsidy.

(17) "Low-income neighborhood" means a district or community where more than twenty percent of households are below the federal poverty level.

(18) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(((~~(12)~~))) (19) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(((~~(13)~~))) (20) "Nonschool age child" means a child who is age six years or younger and who is not enrolled in a public or private school.

(21) "Part day program" means an early childhood education and assistance program that offers early learning education for at least two and one-half hours per class session, at least three hundred twenty hours per year, for a minimum of thirty weeks per year.

(22) "Private school" means a private school approved by the state under chapter 28A.195 RCW.

(23) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(((~~(14)~~))) (24) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(((~~(15)~~))) (25) "School age child" means a child who is between the ages of five years and twelve years and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

(26) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. **Sec. 7131.** A new section is added to chapter 43.215 RCW to read as follows:

JOINT SELECT COMMITTEE ON THE EARLY ACHIEVERS PROGRAM.

(1)(a) A joint select committee on the early achievers program is established with members as provided in this subsection.

(i) Chair and ranking minority member of the house of representatives appropriations committee, or his or her designee;

(ii) Chair and ranking minority member of the senate ways and means committee, or his or her designee;

(iii) Chair and ranking minority member of the house of representatives early learning and human services committee, or his or her designee; and

(iv) Chair and ranking minority member of the senate early learning and K-12 education committee, or his or her designee.

(b) The committee shall choose its chair or cochairs from among its legislative membership. The chair of the house of representatives appropriations committee, or his or her designee, and the chair of the senate ways and means committee, or his or her designee, shall convene the initial meeting of the committee.

(2) Between July 1, 2017, and December 1, 2017, the early achievers joint select committee shall review the demand and availability of licensed or certified child care family homes and centers, approved early childhood education and assistance programs, head start programs, and family, friend, and neighbor caregivers by geographic region, including rural and low-income areas. This review shall specifically look at the following:

(a) The geographic distribution of these child care programs by type of program, programs that accept state subsidy, enrollment in the early achievers program, and early achievers rating levels; and

(b) The demand and availability of these child care programs for major ethnic populations.

(3) By December 1, 2017, the early achievers joint select committee shall make recommendations to the legislature on the following:

(a) The sufficiency of funding provided for the early achievers program;

(b) The need for targeted funding for specific geographic regions or major ethnic populations; and

(c) Whether to modify the deadlines established in RCW 43.215.135 for purposes of the early achievers program mandate established in RCW 43.215.100.

(4) Staff support for the committee must be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The committee shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2017.

(8) This section expires December 1, 2018.

NEW SECTION. **Sec. 7132.** REPEALER. 2013 2nd sp.s. c 16 s 2 (uncodified) is repealed.

NEW SECTION. **Sec. 7133.** A new section is added to chapter 43.215 RCW to read as follows:

SHORT TITLE.

Chapter . . ., Laws of 2015 (this act) may be known and cited as the early start act.

NEW SECTION. **Sec. 7134.** EFFECTIVE DATE. Section 7 of this act takes effect January 1, 2016. Section 4 of this act takes effect July 1, 2016.

NEW SECTION. **Sec. 7135.** NULL AND VOID. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G.; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Parker, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5481 Prime Sponsor, Committee on Transportation: Concerning tolling customer service reform. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 7136.** RCW 46.63.160 and 2013 c 226 s 1 are each amended to read as follows:

(1) This section applies only to civil penalties for nonpayment of tolls detected through use of photo toll systems.

(2) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(3) A notice of civil penalty may be issued by the department of transportation when a toll is assessed through use of a photo toll system and the toll is not paid by the toll payment due date, which is eighty days from the date the vehicle uses the toll facility and incurs the toll charge.

(4) Any registered owner or renter of a vehicle traveling upon a toll facility operated under chapter 47.56 or 47.46 RCW is subject to a civil penalty governed by the administrative procedures set forth in this section when the vehicle incurs a toll charge and the toll is not paid by the toll payment due date, which is eighty days from the date the vehicle uses the toll facility and incurs the toll charge.

(5)(a) The department shall develop rules to allow an individual who has been issued a notice of civil penalty to present evidence of mitigating circumstances as to why a toll bill was not timely paid. If an individual is able to present verifiable evidence to the department that a civil penalty was incurred due to hospitalization, military deployment, eviction, homelessness, death of the alleged violator or of an alleged violator's immediate family member, failure to receive the toll bill due to an incorrect address that has since been corrected, a prepaid electronic toll account error that has since been corrected, an error made by the department or an agent of the department, or other mitigating circumstances as determined by the department, the department may dismiss or reduce the civil penalty and associated fees.

(b)(i) Consistent with chapter 34.05 RCW, the department of transportation shall develop an administrative adjudication process to review appeals of civil penalties issued by the department of transportation for toll nonpayment detected through the use of a photo toll system under this section. The department of transportation shall submit to the transportation committees of the legislature an annual report on the number of times adjudicators reduce or dismiss the civil penalty as provided in (b)(ii) of this subsection and the total amount of the civil penalties dismissed. The report must be submitted by December 1st of each year.

(((~~(b)~~))) (ii) During the adjudication process, the alleged violator must have an opportunity to explain mitigating circumstances as to why the toll bill was not timely paid. Hospitalization, a divorce decree or legal separation agreement resulting in a transfer of the vehicle, an active duty member of the military or national guard covered by the federal service members civil relief act, 50 U.S.C. Sec. 501 et seq., or state service members' civil relief act, chapter 38.42 RCW, eviction, homelessness, the death of the alleged violator or of an immediate family member, ((~~or~~)), being switched to a different method of toll payment, if the alleged violator did not receive a toll charge bill or notice of civil penalty, or other mitigating circumstances as determined by the adjudicator are deemed valid mitigating circumstances. All of ((~~these~~)) the reasons that constitute mitigating circumstances must ((~~occur~~)) have occurred within a reasonable time of the alleged toll violation. In response to these circumstances, the adjudicator may reduce or dismiss the civil penalty and associated administrative fees.

(6) The use of a photo toll system is subject to the following requirements:

(a) Photo toll systems may take photographs, digital photographs, microphotographs, videotapes, or other recorded images of the vehicle and vehicle license plate only.

(b) A notice of civil penalty must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by a photo toll system, stating the facts supporting the notice of civil penalty. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding established under subsection (5) of this section. The photographs, digital photographs, microphotographs, videotape, or other recorded

images evidencing the toll nonpayment civil penalty must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the civil penalty.

(c)(i) By June 30, 2016, prior to issuing a notice of civil penalty to a registered owner of a vehicle listed on an active prepaid electronic toll account, the department of transportation must:

(A) Send an electronic mail notice to the email address provided in the prepaid electronic toll account of unpaid pay-by-mail toll bills at least ten days prior to a notice of civil penalty being issued for the associated pay-by-mail toll. The notice must be separate from any regular notice sent by the department; and

(B) Call the phone numbers provided in the account to provide notice of unpaid pay-by-mail toll bills at least ten days prior to a notice of civil penalty being issued for the associated pay-by-mail toll.

(ii) The department is relieved of its obligation to provide notice as required by this section if the customer has declined to receive communications from the department through such methods.

(d) Notwithstanding any other provision of law, all photographs, digital photographs, microphotographs, videotape, other recorded images, or other records identifying a specific instance of travel prepared under this section are for the exclusive use of the tolling agency for toll collection and enforcement purposes and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a civil penalty under this section. No photograph, digital photograph, microphotograph, videotape, other recorded image, or other record identifying a specific instance of travel may be used for any purpose other than toll collection or enforcement of civil penalties under this section. Records identifying a specific instance of travel by a specific person or vehicle must be retained only as required to ensure payment and enforcement of tolls and to comply with state records retention policies.

(((~~(d)~~))) (e) All locations where a photo toll system is used must be clearly marked by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where tolls are assessed and enforced by a photo toll system.

(((~~(e)~~))) (f) Within existing resources, the department of transportation shall conduct education and outreach efforts at least six months prior to activating an all-electronic photo toll system. Methods of outreach shall include a department presence at community meetings in the vicinity of a toll facility, signage, and information published in local media. Information provided shall include notice of when all electronic photo tolling shall begin and methods of payment. Additionally, the department shall provide quarterly reporting on education and outreach efforts and other data related to the issuance of civil penalties.

(((~~(f)~~))) (g) The envelope containing a toll charge bill or related notice issued pursuant to RCW 47.46.105 or 47.56.795, or a notice of civil penalty issued under this section, must prominently indicate that the contents are time sensitive and related to a toll violation.

(7) Civil penalties for toll nonpayment detected through the use of photo toll systems must be issued to the registered owner of the vehicle identified by the photo toll system, but are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

(8) The civil penalty for toll nonpayment detected through the use of a photo toll system is forty dollars plus the photo toll and associated fees.

(9) Except as provided otherwise in this subsection, all civil penalties, including the photo toll and associated fees, collected under this section must be deposited into the toll facility account of the facility on which the toll was assessed. However, through June 30, 2013, civil penalties deposited into the Tacoma Narrows toll bridge account created under RCW 47.56.165 that are in excess of amounts necessary to support the toll adjudication process applicable to toll collection on the Tacoma Narrows bridge must first be allocated toward repayment of operating loans and reserve payments provided to the account from the motor vehicle account under section 1005(15), chapter 518, Laws of 2007. Additionally, all civil penalties, resulting from nonpayment of tolls on the state route number 520 corridor, shall be deposited into the state route number 520 civil penalties account created under section 4, chapter 248, Laws of 2010 but only if chapter 248, Laws of 2010 is enacted by June 30, 2010.

(10) If the registered owner of the vehicle is a rental car business, the department of transportation shall, before a toll bill is issued, provide a written notice to the rental car business that a toll bill may be issued to the rental car business if the rental car business does not, within thirty days of the mailing of the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the toll was assessed; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the toll was assessed because the vehicle was stolen at the time the toll was assessed. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable toll and fee.

Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this section for the payment of the toll.

(11) It is the intent of the legislature that the department provide an educational opportunity when vehicle owners incur fees and penalties associated with late payment of tolls for the first time. As part of this educational opportunity, the department may waive penalties and fees if the issue that resulted in the toll not being timely paid has been resolved and the vehicle owner establishes an electronic toll account, if practicable. To aid in collecting tolls in a timely manner, the department may waive or reduce the outstanding amounts of fees and penalties assessed when tolls are not timely paid.

(12)(a) By June 30, 2016, the department of transportation must update its web site, and accommodate access to the web site from mobile platforms, to allow toll customers to efficiently manage all their tolling accounts, regardless of method of payment.

(b)(i) By June 30, 2016, the department of transportation must make available to the public a point of access that allows a third party to develop an application for mobile technologies that (A) securely accesses a user's toll account information and (B) allows the user to manage his or her toll account to the same extent possible through the department's web site.

(ii) If the department determines that it would be cost-effective and in the best interests of the citizens of Washington, it may also develop an application for mobile technologies that allows toll customers to manage all of their tolling accounts from a mobile platform.

(13) When acquiring a new photo toll system, the department of transportation must enable the new system to:

(a) Connect with the department of licensing's vehicle record system so that a prepaid electronic toll account can be updated automatically when a toll customer's vehicle record is updated, if the customer has consented to such updates; and

(b) Document when any toll is assessed for a vehicle listed in a prepaid electronic toll account in the monthly statement that is made available to the electronic toll account holder regardless of whether

the method of payment for the toll is via pay-by-mail or prepaid electronic toll account.

(14) Consistent with chapter 34.05 RCW, the department of transportation shall develop rules to implement this section.

(((~~(12)~~))) (15) For the purposes of this section((~~,~~)):

(a) "Photo toll system" means the system defined in RCW 47.56.010 and 47.46.020.

(b) "Prepaid electronic toll account" means a prepaid toll account linked to a pass or license plate number, including "Good to Go!".

(16) If a customer's toll charge or civil penalty is waived pursuant to this section due to an error made by the department, or an agent of the department, in reading the customer's license plate, the secretary of transportation must send a letter to the customer apologizing for the error.

Sec. 7137. RCW 47.56.795 and 2010 c 249 s 3 are each amended to read as follows:

(1) A toll collection system may include, but is not limited to, electronic toll collection and photo tolling.

(2)(a) A photo toll system may take photographs, digital photographs, microphotographs, videotapes, or other recorded images of the vehicle and vehicle license plate only.

(b) Notwithstanding any other provision of law, all photographs, digital photographs, microphotographs, videotape, other recorded images, or other records identifying a specific instance of travel prepared under this chapter are for the exclusive use of the tolling agency for toll collection and enforcement purposes and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a civil penalty under RCW 46.63.160. No photograph, digital photograph, microphotograph, videotape, other recorded image, or other record identifying a specific instance of travel may be used for any purpose other than toll collection or enforcement of civil penalties under RCW 46.63.160. Records identifying a specific instance of travel by a specific person or vehicle must be retained only as required to ensure payment and enforcement of tolls and to comply with state records retention policies. Aggregate records that do not identify an individual, vehicle, or account may be maintained.

(3) The department and its agents shall only use electronic toll collection system technology for toll collection purposes.

(4) Tolls may be collected and paid by the following methods:

(a) A customer may pay an electronic toll through an electronic toll collection account;

(b) A customer may pay a photo toll either through a customer-initiated payment or in response to a toll bill; or

(c) A customer may pay with cash on toll facilities that have a manual cash collection system.

(5) To the extent practicable, the department shall adopt electronic toll collection options, which allow for anonymous customer accounts and anonymous accounts that are not linked to a specific vehicle.

(6) The transportation commission shall adopt rules, in accordance with chapter 34.05 RCW, to assess administrative fees as appropriate for toll collection processes. Administrative fees must not exceed toll collection costs. All administrative fees collected under this section must be deposited into the toll facility account of the facility on which the toll was assessed.

(7) Failure to pay a photo toll by the toll payment due date is a violation for which a notice of civil penalty may be issued under RCW 46.63.160.

(8) For an electronic toll collection system that uses an in-vehicle device, such as a transponder, to identify a particular customer for the purposes of paying an electronic toll from that customer's toll collection account, the department must allow such in-vehicle devices to be offered for sale at vehicle dealers."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 7, 2015

2SSB 5486 Prime Sponsor, Committee on Ways & Means: Creating the parents for parents program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5488 Prime Sponsor, Committee on Health Care: Concerning applied behavior analysis. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5518 Prime Sponsor, Committee on Higher Education: Creating procedures to address campus sexual violence. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5534 Prime Sponsor, Committee on Higher Education: Creating the certified public accounting scholarship program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5631 Prime Sponsor, Committee on Human Services, Mental Health & Housing: Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5633 Prime Sponsor, Committee on Ways & Means: Creating a coordinator for the helmets to hardhats program in the department of veterans affairs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Without recommendation. Signed by Representative Buys.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5649 Prime Sponsor, Committee on Ways & Means: Concerning involuntary outpatient mental health treatment. (REVISED FOR ENGROSSED: Concerning the involuntary treatment act.) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary as further amended by Committee on Appropriations.

On page 32 of the amendment, after line 4, insert the following:

"NEW SECTION. **Sec. 17.** If specific funding for the purposes of section 15 of this act, referencing section 15 of this act by bill or chapter number and section number, is not provided by June 30, 2015, in the omnibus appropriations act, section 15 of this act is null and void."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

E2SSB 5688 Prime Sponsor, Committee on Ways & Means: Providing students with skills that promote mental health and well-being and increase academic performance. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 18.** The education of children is critically important. In order for children to be ready to learn and ready to ultimately enter the workforce prepared, they need to have academic, social, and emotional skills.

Responsible decision making, self management, healthy relationship skills, and self and social awareness are among the tools students need. These essential skills help improve school climate and reduce bullying, discipline issues, dropout rates, and the educational opportunity gap at the same time as they increase mental well-being, student engagement, and academic performance.

Schools teaching developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning see large increases in academic performance.

Students today experience unfathomable stresses. Over thirty thousand K-12 students are homeless. Thousands experience bullying, depression, abuse, or have witnessed domestic violence or

other violence in their communities. Many have lost a parent or suffered a traumatic experience.

Emotions and relationships directly affect how students learn and how they use that learning in other contexts. If a student is anxious, afraid, or worried about other stresses in his or her life, those emotions will interfere with attention, memory, and positive behaviors. By developing social and emotional skills, students will be equipped with tools to overcome barriers to their learning and even find solace in education and going to school.

The legislature is committed to investing in preventative strategies in schools to increase student mental health and well-being in order to support the education of our state's children.

NEW SECTION. **Sec. 19.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The department of student support services and the department of teaching and learning in the office of the superintendent of public instruction shall convene a work group to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning for grades kindergarten through high school that build upon what is being done in early learning. These benchmarks must include, at every grade level, competencies for at least the following:

(a) Self management. Regulating one's emotions to handle stress, control impulses, and persevere in overcoming obstacles; achieving personal and academic goals; and expressing emotions appropriately;

(b) Self awareness. Accurately assessing one's feelings, interests, and strengths; maintaining a well-grounded sense of self-confidence;

(c) Social awareness. Being able to empathize with others; appreciating individual and group similarities and differences; effectively using family, school, and community resources;

(d) Relationship skills. Interacting cooperatively with others; resisting inappropriate social pressure; dealing effectively with interpersonal conflict; seeking help when needed; and

(e) Responsible decision making. Making decisions based on factors such as ethical standards, safety concerns, social norms, respect for others, and likely consequences; applying decision-making skills to daily situations;

(2) The work group shall also develop:

(a) Guidance for schools, school districts, and educators in promoting developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning that:

(i) Is culturally competent;

(ii) Is linguistically appropriate;

(iii) Provides a positive learning environment for students;

(iv) Is inclusive of parental involvement;

(v) Promotes school safety and a positive school climate;

(vi) Includes best practices in assisting students through school transitions between elementary, middle, and high school; and

(vii) Incorporates best practices to address the mental health continuum of children, from mental well-being and mental health to mental illness, and acknowledges research around adverse childhood experiences;

(b) Technical advice on how developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning fits within existing teacher and principal evaluations particularly as it relates to school safety and school climate; and

(c) An implementation plan that provides a framework for incorporating developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning and is aligned with other Washington state education initiatives including college and career readiness, STEM education, twenty-first century skills, and the Washington state learning standards.

(3) To inform the work of the work group, the office of the superintendent of public instruction shall conduct a survey of schools to ascertain how many schools in the state are teaching interpersonal and decision-making knowledge and skills of social and emotional learning and to understand individual districts' capacity to implement these frameworks.

(4) The work group must include persons with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning; child development; job readiness; and mental health; and the following:

(a) One representative from the department of early learning;

(b) One representative each from the student support services and teaching and learning departments within the office of the superintendent of public instruction;

(c) One representative from the educational opportunity gap oversight and accountability committee;

(d) One representative from the office of the education ombuds;

(e) One higher education faculty member with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning;

(f) One currently employed K-12 educator and one currently employed K-12 administrator;

(g) One school counselor, one school psychologist, and one social worker;

(h) One mental health counselor; and

(i) One representative from a school parent organization.

(5) To the greatest extent possible, the members of the work group must reflect the cultural, racial, ethnic, gender, and geographic diversity of Washington state.

(6) The work group may also include one member from each of the two largest caucuses of the senate, appointed by the president of the senate and one member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives. Each of the two largest caucuses of the senate and the two largest caucuses of the house of representatives may determine whether or not a member from that caucus will be appointed.

(7) The work group shall consult with: School districts; educational service districts; school administrators; principals; teachers; paraeducators; school counselors; community organizations serving youth; a statewide organization with expertise in interpersonal and decision-making knowledge and skills of social and emotional learning; a statewide organization with expertise in multitiered systems of support; federally recognized tribes; the state's four ethnic commissions representing the following populations: African-Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans; and community organizations representing communities of color, immigrant and refugee communities, parents and students, and homeless children and youth.

(8) By October 1, 2016, the work group shall submit a report to the education committees of the legislature, the governor, and the superintendent of public instruction that includes its recommendations for benchmarks, guidance, technical advice, and an implementation plan. The office of the superintendent of public instruction shall make the report available to school districts by including it on the web site.

Sec. 20. RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in

students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2) Beginning no later than January 1, 2017, two educational service districts shall be selected by the office of the superintendent of public instruction to participate in a pilot project to develop and maintain the capacity to serve as a convener, trainer, and mentor for educators and other school district staff on developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning. Each pilot educational service district may work with school districts to create a training model that addresses the recommended guidelines developed under section 2 of this act. The pilot educational service districts shall demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training shall be offered at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Hunt, G.; Taylor and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5689 Prime Sponsor, Senator Becker: Concerning the scope and costs of the diabetes epidemic in Washington. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5717 Prime Sponsor, Senator Angel: Amending the insurer holding company act. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5740 Prime Sponsor, Committee on Ways & Means: Concerning extended foster care services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5746 Prime Sponsor, Senator Bailey: Including Everett Community College as an aerospace training or educational program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5763 Prime Sponsor, Committee on Ways & Means: Establishing a coalition of commissioned officers of the department of fish and wildlife for the purposes of collective bargaining. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Labor. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton;

MacEwen; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Hunt, G.; Magendanz and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SB 5779 Prime Sponsor, Senator Parlette: Reducing penalties applied to regional support networks and behavioral health organizations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

2SSB 5851 Prime Sponsor, Committee on Ways & Means: Concerning recommendations of the college bound scholarship program work group. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5877 Prime Sponsor, Committee on Health Care: Concerning due process for adult family home licensees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

2SSB 5888 Prime Sponsor, Committee on Ways & Means: Concerning near fatality incidents of children who have received services from the department of social and health services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services as further amended by Committee on Appropriations.

On page 4, line 7, after "a" strike "social worker" and insert "case worker"

On page 4, line 12, after "the" strike "social worker's and social worker's" and insert "case worker's and case worker's"

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger; Van Werven and Walkinshaw.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5897 Prime Sponsor, Committee on Ways & Means: Concerning funding for medical evaluations of suspected victims of child abuse. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger and Van Werven.

Passed to Committee on Rules for second reading.

April 7, 2015

ESB 5935 Prime Sponsor, Senator Parlette: Concerning biological products. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 21.** RCW 69.41.110 and 1979 c 110 s 1 are each amended to read as follows:

As used in RCW 69.41.100 through 69.41.180, the following words shall have the following meanings:

(1) "Brand name" means the proprietary or trade name selected by the manufacturer and placed upon a drug, its container, label, or wrapping at the time of packaging;

(2) "Generic name" means the official title of a drug or drug ingredients published in the latest edition of a nationally recognized pharmacopoeia or formulary;

(3) "Substitute" means to dispense, with the practitioner's authorization, a "therapeutically equivalent" drug product ((~~of the identical base or salt as the specific drug product prescribed: PROVIDED, That with the practitioner's prior consent, therapeutically equivalent drugs other than the identical base or salt may be dispensed~~)) or "interchangeable biological" drug product;

(4) "Therapeutically equivalent" means a drug product of the identical base or salt as the specific drug product prescribed with essentially the same efficacy and toxicity when administered to an individual in the same dosage regimen; ((~~and~~))

(5) "Practitioner" means a physician, osteopathic physician and surgeon, dentist, veterinarian, or any other person authorized to prescribe drugs under the laws of this state;

(6) "Biological product" means any of the following, when applied to the prevention, treatment, or cure of a disease or condition of human beings: (a) A virus; (b) a therapeutic serum; (c) a toxin; (d) an antitoxin; (e) a vaccine; (f) blood, blood component, or derivative; (g) an allergenic product; (h) a protein, other than a chemically synthesized polypeptide, or an analogous product; or (i) arsphenamine, a derivative of arsphenamine, or any trivalent organic arsenic compound; and

(7) "Interchangeable" means a biological product licensed by the federal food and drug administration and determined to meet the safety standards for interchangeability pursuant to 42 U.S.C. Sec. 262(k)(4) as set forth in the federal food and drug administration's lists of licensed biological products with reference product exclusivity and biosimilarity or interchangeability valuations, sometimes referred to as the purple book.

Sec. 22. RCW 69.41.120 and 2000 c 8 s 3 are each amended to read as follows:

(1) Every drug prescription shall contain an instruction on whether or not a therapeutically equivalent generic drug or interchangeable biological product may be substituted in its place, unless substitution is permitted under a prior-consent authorization.

If a written prescription is involved, the prescription must be legible and the form shall have two signature lines at opposite ends on the bottom of the form. Under the line at the right side shall be clearly printed the words "DISPENSE AS WRITTEN". Under the line at the left side shall be clearly printed the words "SUBSTITUTION PERMITTED". The practitioner shall communicate the instructions to the pharmacist by signing the appropriate line. No prescription shall be valid without the signature of the practitioner on one of these lines. In the case of a prescription issued by a practitioner in another state that uses a one-line prescription form or variation thereof, the pharmacist may substitute a therapeutically equivalent generic drug or interchangeable biological product unless otherwise instructed by the practitioner through the use of the words "dispense as written", words of similar meaning, or some other indication.

(2) If an oral prescription is involved, the practitioner or the practitioner's agent shall instruct the pharmacist as to whether or not a therapeutically equivalent generic drug or interchangeable biological product may be substituted in its place. The pharmacist shall note the instructions on the file copy of the prescription.

(3) The pharmacist shall note the manufacturer of the drug dispensed on the file copy of a written or oral prescription.

(4) The pharmacist shall retain the file copy of a written or oral prescription for the same period of time specified in RCW 18.64.245 for retention of prescription records.

NEW SECTION. **Sec. 23.** A new section is added to chapter 69.41 RCW to read as follows:

Unless the prescribed biological product is requested by the patient or the patient's representative, if "substitution permitted" is marked on the prescription as provided in RCW 69.41.120, the pharmacist must substitute an interchangeable biological product that he or she has in stock for the biological product prescribed if the wholesale price for the interchangeable biological product to the pharmacist is less than the wholesale price for the biological product prescribed.

NEW SECTION. **Sec. 24.** A new section is added to chapter 69.41 RCW to read as follows:

(1) Within five business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist's designee must make an entry of the specific product provided to the patient, including either the name of the product and the manufacturer or the federal food and drug administration's national drug code, into an interoperable electronic medical records system, through an electronic prescribing technology, through a pharmacy benefit management system, or through a pharmacy record that can be accessed electronically by practitioners. Entry into an electronic records system is presumed to provide notice to the prescriber. Otherwise, the pharmacist must communicate to the practitioner the specific product provided to the patient, including the name of the product and manufacturer, using facsimile, telephone, electronic transmission, or other prevailing means. No entry or communication pursuant to this section is required if:

(a) There is no interchangeable biological product for the product prescribed;

(b) A refill prescription is not changed from the product dispensed on the prior filling of the prescription; or

(c) The pharmacist or the pharmacist's designee and the practitioner communicated before dispensing and the communication included confirmation of the specific product to be provided to the patient, including the name of the product and the manufacturer.

(2) This section expires August 1, 2020.

NEW SECTION. **Sec. 25.** A new section is added to chapter 69.41 RCW to read as follows:

The pharmacy quality assurance commission must maintain a link on its web site to the current list of all biological products determined by the federal food and drug administration as interchangeable.

Sec. 26. RCW 69.41.150 and 2003 1st sp.s. c 29 s 6 are each amended to read as follows:

(1) A practitioner who authorizes a prescribed drug shall not be liable for any side effects or adverse reactions caused by the manner or method by which a substituted drug product is selected or dispensed.

(2) A pharmacist who substitutes ((~~an~~)) a therapeutically equivalent drug product pursuant to RCW 69.41.100 through 69.41.180 as now or hereafter amended assumes no greater liability for selecting the dispensed drug product than would be incurred in filling a prescription for a drug product prescribed by its established name.

(3) A pharmacist who substitutes a preferred drug for a nonpreferred drug pursuant to RCW 69.41.190 assumes no greater liability for substituting the preferred drug than would be incurred in filling a prescription for the preferred drug when prescribed by name.

(4) A pharmacist who selects an interchangeable biological product to be dispensed pursuant to RCW 69.41.100 through 69.41.180, and the pharmacy for which the pharmacist is providing service, assumes no greater liability for selecting the interchangeable biological product than would be incurred in filling a prescription for the interchangeable biological product when prescribed by name. The prescribing practitioner is not liable for a pharmacist's act or omission in selecting, preparing, or dispensing an interchangeable biological product under this section.

Sec. 27. RCW 69.41.160 and 1979 c 110 s 6 are each amended to read as follows:

Every pharmacy shall post a sign in a location at the prescription counter that is readily visible to patrons stating, "Under

Washington law, ((~~an equivalent but~~)) a less expensive interchangeable biological product or equivalent drug may in some cases be substituted for the drug prescribed by your doctor. Such substitution, however, may only be made with the consent of your doctor. Please consult your pharmacist or physician for more information.""

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dent; Dunshee; Fagan; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Haler; Hunt, G.; MacEwen; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta and Magendanz.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5957 Prime Sponsor, Committee on Transportation: Creating a pedestrian safety advisory council. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 28.** A new section is added to chapter 43.59 RCW to read as follows:

(1) Within amounts appropriated to the traffic safety commission, the commission must convene a pedestrian safety advisory council comprised of stakeholders who have a unique interest or expertise in pedestrian and road safety.

(2) The purpose of the council is to review and analyze data related to pedestrian fatalities and serious injuries to identify points at which the transportation system can be improved and to identify patterns in pedestrian fatalities and serious injuries.

(3)(a) The council may include, but is not limited to:

(i) A representative from the commission;

(ii) A coroner from the county in which the most pedestrian deaths have occurred;

(iii) A representative from the Washington association of sheriffs and police chiefs;

(iv) Multiple members of law enforcement who have investigated pedestrian fatalities;

(v) A representative from the department of transportation;

(vi) A representative of cities, and up to two stakeholders, chosen by the council, who represent municipalities in which at least one pedestrian fatality has occurred in the previous three years; and

(vii) A representative from a pedestrian advocacy group.

(b) The commission may invite other representatives of stakeholder groups to participate in the council as deemed appropriate by the commission. Additionally, the commission may invite a victim or family member of a victim to participate in the council.

(4) The council must meet at least quarterly. By December 31st of each year, the council must issue an annual report detailing any findings and recommendations to the governor and the transportation committees of the legislature. The commission must provide the annual report electronically to all municipal governments and state agencies that participated in the council during that calendar year. Additionally, the council must report any budgetary or fiscal recommendations to the office of financial management and the legislature by August 1st on a biennial basis.

(5) As part of the review of pedestrian fatalities and serious injuries that occur in Washington, the council may review any available information, including accident information maintained in existing databases; statutes, rules, policies, or ordinances governing pedestrians and traffic related to the incidents; and any other relevant information. The council may make recommendations regarding changes in statutes, ordinances, rules, and policies that could improve pedestrian safety. Additionally, the council may make recommendations on how to improve traffic fatality and serious injury data quality.

(6)(a) Documents prepared by or for the council are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a review by the council, or that is created independently of such review, does not become inadmissible merely because it is reviewed or used by the council. For confidential information, such as personally identifiable information and medical records, which are obtained by the council, neither the commission nor the council may publicly disclose such confidential information. No person who was in attendance at a meeting of the council or who participated in the creation, retention, collection, or maintenance of information or documents specifically for the commission or the council shall be permitted to testify in any civil action as to the content of such proceedings or of the documents and information prepared specifically as part of the activities of the council. However, recommendations from the council and the commission generally may be disclosed without personal identifiers.

(b) The council may review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary: Any law enforcement incident documentation, such as incident reports, dispatch records, and victim, witness, and suspect statements; any supplemental reports, probable cause statements, and 911 call taker's reports; and any other information determined to be relevant to the review. The commission and the council must maintain the confidentiality of such information to the extent required by any applicable law.

(7) If acting in good faith, without malice, and within the parameters of and protocols established under this chapter, representatives of the commission and the council are immune from civil liability for an activity related to reviews of particular fatalities and serious injuries.

(8) This section must not be construed to provide a private civil cause of action.

(9)(a) The council may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the council and spend the gifts, grants, or endowments from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 42.17A.560.

(b) Subject to the appropriation of funds for this specific purpose, the council may provide grants targeted at improving pedestrian safety in accordance with recommendations made by the council.

(10) By December 1, 2020, the council must report to the transportation committees of the legislature on the strategies that have been deployed to improve pedestrian safety by the council and make a recommendation as to whether the council should be continued and if there are any improvements the legislature can make to improve the council.

(11) For purposes of this section:

(a) "Council" means the pedestrian safety advisory council.

(b) "Pedestrian fatality" means any death of a pedestrian resulting from a collision with a vehicle, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(c) "Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred.

(12) This section expires June 30, 2021."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Kochmar; Pike; Rodne; Shea; Wilson and Young.

Passed to Committee on Rules for second reading.

April 7, 2015

ESSB 5992 Prime Sponsor, Committee on Transportation: Modifying certain requirements for ferry vessel construction. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 29.** RCW 47.60.005 and 2008 c 124 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adaptive management" means a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.

(2) "Capital plan" means the state ferry system plan developed by the department as described in RCW 47.06.050(2), reviewed by the commission, and reported to the transportation committees of the legislature by the ((~~commission~~)) department.

(3) "Capital project" has the same meaning as used in budget instructions developed by the office of financial management.

(4) "Commission" means the transportation commission created in RCW 47.01.051.

(5) "Improvement project" has the same meaning as in the budget instructions developed by the office of financial management. If the budget instructions do not define improvement project, then it has the same meaning as "program project" in the budget instructions. If a project meets both the improvement project and preservation project definitions in this section it must be defined as an improvement project. New vessel acquisitions must be defined as improvement projects.

(6) "Life-cycle cost model" means ((~~that portion of a capital asset inventory system which, among other things, is used to estimate future preservation needs~~)) the full cost over the life span of the vessel, including purchase price, installation costs, operating costs, maintenance and projected upgrade costs to meet safety standards, and decommissioning costs at the end of the vessel's service life. The analysis must include probabilistic analysis on known unknowns including, but not limited to, fuel costs, labor costs, and changing safety regulations.

(7) "Maintenance cost" has the same meaning as used in budget instructions developed by the office of financial management.

(8) "Preservation project" has the same meaning as used in budget instructions developed by the office of financial management.

(9) "Route" means all ferry sailings from one location to another, such as the Seattle to Bainbridge route or the Port Townsend to Keystone route.

(10) "Sailing" means an individual ferry sailing for a specific route, such as the 5:00 p.m. sailing from Seattle to Bremerton.

(11) "Travel shed" means one or more ferry routes with distinct characteristics as determined by the department.

(12) "Fixed price contract" means a contract that requires the contractor to deliver a specified project for a set price. Change orders on fixed price contracts are allowable but should be used on a very limited basis.

Sec. 30. RCW 47.60.010 and 2008 c 122 s 20 are each amended to read as follows:

The department is authorized to acquire by lease, charter, contract, purchase, condemnation, or construction, and partly by any or all of such means, and to thereafter operate, improve, and extend, a system of ferries on and crossing Puget Sound and any of its tributary waters and connections thereof, and connecting with the public streets and highways in the state. However, any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810. The system of ferries shall include such boats, vessels, wharves, docks, approaches, landings, franchises, licenses, and appurtenances as shall be determined by the department to be necessary or desirable for efficient operation of the ferry system and best serve the public. Subject to RCW 47.56.820, the department may in like manner acquire by purchase, condemnation, or construction and include in the ferry system such toll bridges, approaches, and connecting roadways as may be deemed by the department advantageous in channeling traffic to points served by the ferry system. In addition to the powers of acquisition granted by this section, the department is empowered to enter into any contracts, agreements, or leases with any person, firm, or corporation and to thereby provide, on such terms and conditions as it shall determine, for the operation of any ferry or ferries or system thereof, whether acquired by the department or not.

The authority of the department to sell and lease back any state ferry, for federal tax purposes only, as authorized by 26 U.S.C., Sec. 168(f)(8) is confirmed. Legal title and all incidents of legal title to any ferry sold and leased back (except for the federal tax benefits attributable to the ownership thereof) shall remain in the state of Washington.

Sec. 31. RCW 47.60.810 and 2001 c 226 s 4 are each amended to read as follows:

(1) The department ((~~may purchase new auto ferries through~~)) shall use ((~~of~~)) a modified request for proposals process when purchasing new auto ferries, except for new 144-auto ferries purchased through an option on a contract executed before the effective date of this section, whereby the prevailing shipbuilder and the department engage in a design and build partnership for the design and construction of the auto ferries. The process consists of the three phases described in subsection ((~~(2)~~)) (3) of this section.

(2) Throughout the three phases described in subsection (3) of this section, the department shall employ an independent owners representative to serve as a third-party intermediary between the department and the proposers, and subsequently the successful proposer. However, this representative shall serve only during the development and construction of the first vessel constructed as part of a new class of vessels developed after the effective date of this section. The independent owners representative shall:

(a) Serve as the department's primary advocate and communicator with the proposers and successful proposer;

(b) Perform project quality oversight;

(c) Manage any change order requests;

(d) Ensure that the contract is adhered to and the department's best interests are considered in all decisions; and

(e) Possess knowledge of and experience with inland waterways, Puget Sound vessel operations, the propulsion system of the new vessels, and Washington state ferries operations.

(3) The definitions in this subsection apply throughout RCW 47.60.812 through 47.60.822.

(a) "Phase one" means the evaluation and selection of proposers to participate in development of technical proposals in phase two.

(b) "Phase two" means the preparation of technical proposals by the selected proposers in consultation with the department.

(c) "Phase three" means the submittal and evaluation of bids, the award of the contract to the successful proposer, and the design and construction of the auto ferries.

Sec. 32. RCW 47.60.814 and 2001 c 226 s 6 are each amended to read as follows:

Subject to legislative appropriation for the procurement of vessels, the department shall issue a request for proposals to interested parties that must include, at least, the following:

(1) Solicitation of a proposal to participate in a design and build partnership with the department to design and construct the auto ferries;

(2) Instructions on the prequalification process and procedures;

(3) A description of the modified request for proposals process. Under this process, the department may modify any component of the request for proposals, including the outline specifications, by addendum at any time before the submittal of bids in phase three;

(4) A description of the design and build partnership process to be used for procurement of the vessels;

(5) Outline specifications that provide the requirements for the vessels including, but not limited to, items such as length, beam, displacement, speed, propulsion requirements, capacities for autos and passengers, passenger space characteristics, and crew size. The department will produce notional line drawings depicting hull geometry that will interface with Washington state ferries terminal facilities. Notional lines may be modified in phase two, subject to approval by the department;

(6) Instructions for the development of technical proposals in phase two, and information regarding confidentiality of technical proposals;

(7) The vessel delivery schedule, identification of the port on Puget Sound where delivery must take place, and the location where acceptance trials must be held;

(8) The estimated price range for the contract;

(9) Notification that the contract will be a fixed price contract;

(10) The form and amount of the required bid deposit and contract security;

(((~~(10)~~))) (11) A copy of the contract that will be signed by the successful proposer;

(((~~(11)~~))) (12) The date by which proposals in phase one must be received by the department in order to be considered;

(((~~(12)~~))) (13) A description of information to be submitted in the proposals in phase one concerning each proposer's qualifications, capabilities, and experience;

(((~~(13)~~))) (14) A statement of the maximum number of proposers that may be selected in phase one for development of technical proposals in phase two;

(((~~(14)~~))) (15) Criteria that will be used for the phase one selection of proposers to participate in the phase two development of technical proposals;

(((~~(15)~~))) (16) A description of the process that will be used for the phase three submittal and evaluation of bids, award of the contract, and postaward administrative activities;

(((~~(16)~~))) (17) A requirement that the contractor comply with all applicable laws, rules, and regulations including but not limited to those pertaining to the environment, worker health and safety, and prevailing wages;

(((~~(17)~~))) (18) A requirement that the vessels be constructed within the boundaries of the state of Washington except that equipment furnished by the state and components, products, and systems that are standard manufactured items are not subject to the in-state requirement under this subsection. For the purposes of this subsection, "constructed" means the fabrication, by the joining together by welding or fastening of all steel parts from which the total vessel is constructed, including, but not limited to, all shell frames, longitudinals, bulkheads, webs, piping runs, wire ways, and ducting. "Constructed" also means the installation of all components and systems, including, but not limited to, equipment and machinery, castings, electrical, electronics, deck covering, lining, paint, and joiner work required by the contract. "Constructed" also means the interconnection of all equipment, machinery, and services, such as piping, wiring, and ducting; ((~~and~~

(~~(18)~~)) (19) A requirement that all vessel design specifications and drawings must be complete and, when applicable, meet United States coast guard standards before vessel construction begins; and

(20) A requirement that all warranty work on the vessel must be performed within the boundaries of the state of Washington, insofar as practical.

NEW SECTION. **Sec. 33.** A new section is added to chapter 47.60 RCW to read as follows:

If all responses to the initial request for proposals under RCW 47.60.814 are greater than five percent above the department's engineer's estimate for the project, the department must reject all proposals and issue a subsequent request for proposal that is not subject to RCW 47.60.814(18).

Sec. 34. RCW 47.60.820 and 2001 c 226 s 9 are each amended to read as follows:

Phase three consists of the submittal and evaluation of bids and the award of the contract to the successful proposer for the final design and construction of the auto ferries, as follows:

(1) The department shall request bids for detailed design and construction of the vessels after completion of the review of technical proposals in phase two. The department will review detailed design drawings in phase three for conformity with the technical proposals submitted in phase two. In no case may the department's review replace the builder's responsibility to deliver a product meeting the phase two technical proposal. The department may only consider bids from selected proposers that have qualified to bid by submitting technical proposals that have been approved by the department.

(2) Each qualified proposer must submit its total bid price for all vessels, including certification that the bid is based upon its approved technical proposal and the request for proposals.

(3) Bids constitute an offer and remain open for ninety days from the date of the bid opening. A deposit in cash, certified check, cashier's check, or surety bond in an amount specified in the request for proposals must accompany each bid and no bid may be considered unless the deposit is enclosed.

(4) The department shall evaluate the submitted bids. Upon completing the bid evaluation, the department may select the responsive and responsible proposer that offers the lowest total fixed price bid ((~~price~~)) for all vessels.

(5) The department may waive informalities in the proposal and bid process, accept a bid from the lowest responsive and responsible proposer, reject any or all bids, republish, and revise or cancel the request for proposals to serve the best interests of the department.

(6) The department may:

(a) Award the contract to the proposer that has been selected as the responsive and responsible proposer that has submitted the lowest total fixed price bid ((~~price~~));

(b) If a contract cannot be signed with the apparent successful proposer, award the contract to the next lowest responsive and responsible proposer; or

(c) If necessary, repeat this procedure with each responsive and responsible proposer in order of rank until the list of those proposers has been exhausted.

(7) If the department awards a contract to a proposer under this section, and the proposer fails to enter into the contract and furnish satisfactory contract security as required by chapter 39.08 RCW within twenty days from the date of award, its deposit is forfeited to the state and will be deposited by the state treasurer to the credit of the Puget Sound capital construction account. Upon the execution of a ferry design and construction contract all proposal deposits will be returned.

(8) The department may provide an honorarium to reimburse each unsuccessful phase three proposer for a portion of its technical proposal preparation costs at a preset, fixed amount to be specified in the request for proposals. If the department rejects all bids, the department may provide the honoraria to all phase three proposers that submitted bids.

(9)(a) To accommodate change orders on a fixed price contract, the department shall request that the legislative appropriation for any auto ferry construction project include a contingency in the following amounts:

(i) For vessels designed to be powered by liquefied natural gas, the contingency may be no more than ten percent of the contract price;

(ii) For all other vessels, the contingency may be no more than five percent of the contract price.

(b) The contingency required by this subsection (9) must be identified in the funding request to the legislature and held in reserve until the department of transportation approves the expenditure.

Sec. 35. RCW 47.56.030 and 2008 c 122 s 8 are each amended to read as follows:

(1) Except as permitted under chapter 47.29 or 47.46 RCW:

(a) Unless otherwise delegated, and subject to RCW 47.56.820, the department of transportation shall have full charge of the planning, analysis, and construction of all toll bridges and other toll facilities including the Washington state ferries, and the operation and maintenance thereof.

(b) The transportation commission shall determine and establish the tolls and charges thereon.

(c) Unless otherwise delegated, and subject to RCW 47.56.820, the department shall have full charge of planning, analysis, and design of all toll facilities. The department may conduct the planning, analysis, and design of toll facilities as necessary to support the legislature's consideration of toll authorization.

(d) The department shall utilize and administer toll collection systems that are simple, unified, and interoperable. To the extent practicable, the department shall avoid the use of toll booths. The department shall set the statewide standards and protocols for all toll facilities within the state, including those authorized by local authorities.

(e) Except as provided in this section, the department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The department is authorized to negotiate contracts for any amount without bid under (e)(i) and (ii) of this subsection:

(i) Emergency contracts, in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities; and

(ii) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

(f) Any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810.

(2) The department shall proceed with the procurement of materials, supplies, services, and equipment needed for the support, maintenance, and use of a ferry, ferry terminal, or other facility operated by Washington state ferries, in accordance with chapter 43.19 RCW except as follows:

(a) When the secretary of the department of transportation determines in writing that the use of invitation for bid is either not practicable or not advantageous to the state and it may be necessary to make competitive evaluations, including technical or performance evaluations among acceptable proposals to complete the contract award, a contract may be entered into by use of a competitive sealed proposals method, and a formal request for proposals solicitation. Such formal request for proposals solicitation shall include a functional description of the needs and requirements of the state and the significant factors.

(b) When purchases are made through a formal request for proposals solicitation the contract shall be awarded to the responsible proposer whose competitive sealed proposal is determined in writing to be the most advantageous to the state taking into consideration price and other evaluation factors set forth in the request for proposals. No significant factors may be used in evaluating a proposal that are not specified in the request for proposals. Factors that may be considered in evaluating proposals include but are not limited to: Price; maintainability; reliability; commonality; performance levels; life cycle cost if applicable under this section; cost of transportation or delivery; delivery schedule offered; installation cost; cost of spare parts; availability of parts and service offered; and the following:

(i) The ability, capacity, and skill of the proposer to perform the contract or provide the service required;

(ii) The character, integrity, reputation, judgment, experience, and efficiency of the proposer;

(iii) Whether the proposer can perform the contract within the time specified;

(iv) The quality of performance of previous contracts or services;

(v) The previous and existing compliance by the proposer with laws relating to the contract or services;

(vi) Objective, measurable criteria defined in the request for proposal. These criteria may include but are not limited to items such as discounts, delivery costs, maintenance services costs, installation costs, and transportation costs; and

(vii) Such other information as may be secured having a bearing on the decision to award the contract.

(c) When purchases are made through a request for proposal process, proposals received shall be evaluated based on the evaluation factors set forth in the request for proposal. When issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life cycle cost analysis that includes an evaluation of fuel efficiency. When a life cycle cost analysis is used, the life cycle cost of a proposal shall be given at least the same relative importance as the initial price element specified in the request of proposal documents. The department may reject any and all proposals received. If the proposals are not rejected, the award shall be made to the proposer whose proposal is most advantageous

to the department, considering price and the other evaluation factors set forth in the request for proposal.

NEW SECTION. **Sec. 36.** RCW 47.56.780 (New ferry vessel construction for service on routes that require a vessel that carries no more than one hundred motor vehicles—How constructed—Warranty work) and 2008 c 4 s 2 are each repealed.

NEW SECTION. **Sec. 37.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 38.** This act takes effect only if chapter ... (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 is enacted by June 30, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

April 7, 2015

ESSB 5994 Prime Sponsor, Committee on Transportation: Concerning permits for state transportation corridor projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended by Committee on Environment as further amended by Committee on Transportation.

Strike everything after the enacting clause and insert the following:

"**Sec. 39.** RCW 90.58.355 and 2012 c 169 s 1 are each amended to read as follows:

Requirements to obtain a substantial development permit, conditional use permit, ((~~or~~)) variance, letter of exemption, or other review conducted by a local government to implement this chapter shall not apply to ((~~any person~~)):

(1) Any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. The department must ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090; ((~~or~~))

(2) Any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit. The department must ensure compliance with the substantive requirements of this chapter through the review of engineering reports, site plans, and other documents related to the installation of boatyard storm water treatment facilities;

(3)(a) Subject to the limitations specified in this subsection (3), normal maintenance or repair of existing structures or developments by the department of transportation, including maintenance or repair of damage caused by accident, fire, or the elements.

(b) For purposes of this subsection (3), the following definitions apply:

(i) "Normal maintenance" includes any usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

(ii) "Normal repair" means to restore a structure or development to a state comparable to its original condition including, but not limited to, restoring the development's size, shape, configuration, location, and external appearance, within a reasonable period after decay or partial destruction. Normal repair of a structure or development may not cause substantial adverse effects to shoreline resources or the shoreline environment. Replacement of a structure or development may be authorized as a normal repair if:

(A) Replacement is the common method of repair for the type of structure or development;

(B) The replacement structure or development is comparable to the original structure or development including, but not limited to, the size, shape, configuration, location, and external appearance of the original structure or development; and

(C) The replacement does not cause substantial adverse effects to shoreline resources or the shoreline environment.

(c) Normal maintenance or repair of an existing structure or development under this subsection (3) does not include the expansion of an existing structure or development, or the construction of a new structure or development that does not meet the criteria of a replacement structure or development under (b)(ii) of this subsection (3); or

(4) Construction or installation of safety structures and equipment by the department of transportation, including pavement marking, freeway surveillance and control systems, railroad protective devices not including grade-separated crossings, grooving, glare screen, safety barriers, energy attenuators, and hazardous or dangerous tree removal.

Sec. 40. RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shorelines hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, 2014((.));

(c)(i) In the case of permits for projects addressing significant public safety risk, as defined by the department of transportation, it is not in the public interest to delay construction until all review proceedings are terminated. In the case of any permit or decision to issue any permit for a Washington state department of transportation transportation project, construction may begin twenty-one days after the date of filing if the following requirements are met:

(A) The project qualifies as water-dependent or water-related as applied in this chapter and described in WAC 173-26-020, and the project, as supported by adequate findings supported by evidence in the record, requires an in-water or over-water location;

(B) All components of the project achieve a no net loss of shoreline ecological functions as defined by department guidelines adopted pursuant to RCW 90.58.060;

(C) The project proponent provides the department with an assessment of how the project affects shoreline ecological functions. This assessment must include specific actions for avoiding, minimizing, and mitigating impacts to shoreline ecological functions that ensure that there is no net loss of ecological functions;

(D) The department, after reviewing the assessment required in (c)(i)(C) of this subsection, determines that the project will result in no net loss of ecological functions. The department's determination must be completed before the final issuance of all appropriate shoreline permits and variances; and

(E) A performance bond is posted by the project proponent adequate to finance mitigation for impacts to ecological functions resulting from the project, and long-term reporting and monitoring of ecological functions;

(ii) Nothing in this subsection (5)(c) precludes the shorelines hearings board from concluding that the shoreline project or any element of the project is inconsistent with this chapter, the local shoreline master program, chapter 43.21C RCW and its implementing regulations, and the applicable shoreline regulations;

(iii) This subsection (5)(c) does not apply to permit decisions for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington;

(d) Except as authorized in (b) and (c) of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(((d))) (e) Except as authorized in (b) and (c) of this subsection, if the permit is for a substantial development meeting the

requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), ((~~or~~)) (d), or (e) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Takko; Tarleton; Wilson; Young and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

April 7, 2015

ESB 5995 Prime Sponsor, Senator King: Modifying the transportation system policy goal of mobility. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 41.** RCW 47.04.280 and 2013 c 199 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. The policy goals established under this section are deemed consistent with the benchmark categories adopted by the state's blue ribbon commission on transportation on November 30, 2000. Public investments in transportation should support achievement of these policy goals:

(a) Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

(b) Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

(c) Safety: To provide for and improve the safety and security of transportation customers and the transportation system;

(d) Mobility: To improve the predictable movement of goods and people throughout Washington state, including congestion relief and improved freight mobility;

(e) Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

(f) Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

(2) The powers, duties, and functions of state transportation agencies must be performed in a manner consistent with the policy goals set forth in subsection (1) of this section.

(3) These policy goals are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(4) It is the intent of the legislature that the office of financial management establish objectives and performance measures for the department of transportation and other state agencies with transportation-related responsibilities to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals set forth in subsection (1) of this section. The office of financial management shall submit initial objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during the 2008 legislative session. The office of financial management shall submit objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during each regular session of the legislature during an even-numbered year thereafter.

(5) A local or regional agency engaging in transportation planning may voluntarily establish objectives and performance measures to demonstrate progress toward the attainment of the policy goals set forth in subsection (1) of this section or any other transportation policy goals established by the local or regional agency. A local or regional agency engaging in transportation planning is encouraged to provide local and regional objectives and performance measures to be included with the objectives and performance measures submitted to the legislature pursuant to subsection (4) of this section.

(6) This section does not create a private right of action.

NEW SECTION. **Sec. 42.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 43.** This act takes effect only if chapter ... (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 is enacted by June 30, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 7, 2015

ESSB 5996 Prime Sponsor, Committee on Transportation: Concerning Washington state department of transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 44.** It is the intent of the legislature to achieve transportation regulatory reform that expedites the delivery of transportation projects through a streamlined approach to environmental decision making. The department of transportation should work cooperatively and proactively with state regulatory and natural resource agencies, public and private sector interests, and Indian tribes to avoid project delays. The department and state regulatory and natural resource agencies should continue to implement and improve upon the successful policies, guidance, tools, and procedures that were created as a result of transportation permit efficiency and accountability committee efforts. The department should expedite project delivery and routine maintenance activities through the use of programmatic agreements and permits where possible and seek new opportunities to eliminate duplicative processes.

NEW SECTION. **Sec. 45.** The legislature recognizes the value that tribal governments provide in the review of transportation projects. The legislature expects the department to continue its efforts to provide consistent consultation and communication during the environmental review of proposed transportation projects.

NEW SECTION. **Sec. 46.** The department must streamline the permitting process by developing and maintaining positive relationships with the regulatory agencies and the Indian tribes. The department can reduce the time it takes to obtain permits by incorporating impact avoidance and minimization measures into project design and by developing complete permit applications. To streamline the permitting process, the department must:

(1) Implement a multiagency permit program, commensurate with program funding levels, consisting of appropriate regulatory agency staff with oversight and management from the department.

(a) The multiagency permit program must provide early project coordination, expedited project review, project status updates, technical and regulatory guidance, and construction support to ensure compliance.

(b) The multiagency permit program staff must assist department project teams with developing complete biological assessments and permit applications, provide suggestions for how the project can avoid and minimize impacts, and provide input regarding mitigation for unavoidable impacts;

(2) Establish, implement, and maintain programmatic agreements and permits with federal and state agencies to expedite the process of ensuring compliance with the endangered species act, section 106 of the national historic preservation act, hydraulic project approvals, the clean water act, and other federal acts as appropriate;

(3) Collaborate with permitting staff from the United States army corps of engineers, Seattle district, department of ecology, and department of fish and wildlife to develop, implement, and maintain complete permit application guidance. The guidance must identify the information that is required for agencies to consider a permit application complete; and

(4) Perform internal quality assurance and quality control to ensure that permit applications are complete before submitting them to the regulatory agencies.

NEW SECTION. **Sec. 47.** The legislature finds that an essential component of streamlined permit decision making is the ability of the department to demonstrate the capacity to meet environmental responsibilities. Therefore, the legislature directs that:

(1) Qualified environmental staff within the department must supervise the development of all environmental documentation in accordance with the department's project delivery tools;

(2) The department must conduct special prebid meetings for projects that are environmentally complex. In addition, the department must review environmental requirements related to

these projects during the preconstruction meeting held with the contractor who is awarded the bid;

(3) Environmental staff at the department, or consultant staff hired directly by the department, must conduct field inspections to ensure that project activities comply with permit conditions and environmental commitments. These inspectors:

(a) Must notify the department's project engineer when compliance with permit conditions or environmental regulations are not being met; and

(b) Must immediately notify the regulatory agencies with jurisdiction over the nonconforming work; and

(4) When a project is not complying with a permit or environmental regulation, the project engineer must immediately order the contractor to stop all nonconforming work and implement measures necessary to bring the project into compliance with permits and regulations.

NEW SECTION. **Sec. 48.** The legislature expects the department to continue its efforts to improve training and compliance. The department must:

(1) Provide training in environmental procedures and permit requirements for those responsible for project delivery activities;

(2) Require wetland mitigation sites to be designed by qualified technical specialists that meet training requirements developed by the department in consultation with the department of ecology. Environmental mitigation site improvements must have oversight by environmental staff;

(3) Develop, implement, and maintain an environmental compliance data system to track permit conditions, environmental commitments, and violations;

(4) Continue to implement the environmental compliance assurance procedure to ensure that appropriate agencies are notified and that action is taken to remedy noncompliant work as soon as possible. When work occurs that does not comply with environmental permits or regulations, the project engineer must document the lessons learned to make other project teams within the department aware of the violation to prevent reoccurrence; and

(5) Provide an annual report summarizing violations of environmental permits and regulations to the department of ecology and the legislature on March 1st of each year for violations occurring during the preceding year.

NEW SECTION. **Sec. 49.** The legislature finds that local land use reviews under chapter 90.58 RCW need to be harmonized with the efficient accomplishment of necessary maintenance and improvement to state transportation facilities. Local land use review procedures are highly variable and pose distinct challenges for linear facility maintenance and improvement projects sponsored by the department. In particular, clearer procedures for local permitting under chapter 90.58 RCW are needed to meet the objectives of chapter 36.70A RCW regarding department facilities designated as essential public facilities.

NEW SECTION. **Sec. 50.** Nothing in this chapter may be interpreted to create a private right of action or right of review. Judicial review of the department's environmental review is limited to that available under chapter 43.21C RCW or applicable federal law.

NEW SECTION. **Sec. 51.** A new section is added to chapter 47.01 RCW to read as follows:

(1) The department shall submit a report to the transportation committees of the legislature detailing engineering errors on highway construction projects resulting in project cost increases in excess of five hundred thousand dollars. The department must submit a full report within ninety days of the negotiated change order resulting from the engineering error.

(2) The department's full report must include an assessment and review of:

(a) How the engineering error happened;

(b) The department of the employee or employees responsible for the engineering error, without disclosing the name of the employee or employees;

(c) What corrective action was taken;

(d) The estimated total cost of the engineering error and how the department plans to mitigate that cost;

(e) Whether the cost of the engineering error will impact the overall project financial plan; and

(f) What action the secretary has recommended to avoid similar engineering errors in the future.

NEW SECTION. **Sec. 52.** Sections 1 through 7 of this act constitute a new chapter in Title 47 RCW.

NEW SECTION. **Sec. 53.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 54.** This act takes effect only if chapter ... (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 is enacted by June 30, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 7, 2015

ESSB 5997 Prime Sponsor, Committee on Transportation: Concerning transportation project delivery. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 55.** RCW 47.20.785 and 2006 c 37 s 1 are each amended to read as follows:

(1) The department of transportation ((~~may~~)) is authorized and strongly encouraged to use the design-build procedure for public works projects over ten million dollars ((~~where~~)) when:

(a) The construction activities are highly specialized and a design-build approach is critical in developing the construction methodology; or

(b) The projects selected provide opportunity for greater innovation and efficiencies between the designer and the builder; or

(c) Significant savings in project delivery time would be realized.

(2) To test the applicability of the design-build procedure on smaller projects and specialty projects, the department may conduct up to five pilot projects on projects that cost between two and ten million dollars. The department shall evaluate these pilot projects with respect to cost, time to complete, efficiencies gained, if any, and other pertinent information to facilitate analysis regarding the further use of the design-build process on projects of this size. This subsection expires upon the completion of the five pilot projects authorized under this subsection.

NEW SECTION. **Sec. 56.** (1) The joint transportation committee must convene a design-build contracting review panel to examine the department's implementation and use of design-build contracting under RCW 47.20.785.

(2) The design-build contracting review panel must provide a report detailing any recommended changes or improvements that the

department of transportation should make to the design-build process in order to maximize cost and schedule efficiencies and ensure that design risk is borne by the appropriate party. The report is due to the transportation committees of the legislature and the governor by December 1, 2016.

(3) The design-build contracting review panel must be comprised of six members, two of which are nationally recognized experts in the field of design-build project delivery, a representative from the association of general contractors, a representative from the American council of engineering companies of Washington, a representative of the professional and technical employees local 17, and a representative from the department of transportation. The two nationally recognized experts must be selected cooperatively by the chairs and ranking members of the senate and house transportation committees from of a list of five to seven proposed candidates provided by the secretary of transportation and the governor. The chair of the design-build contracting review panel must be designated by the appointing authorities. The two experts serving on the panel must be compensated at a rate commensurate with their experience, including reimbursement for expenses according to RCW 43.03.050 and 43.03.060. The joint transportation committee will provide staff support to the design-build contracting review panel.

(4) This section expires June 30, 2017.

NEW SECTION. **Sec. 57.** A new section is added to chapter 47.01 RCW to read as follows:

(1) The department must develop a construction program business plan that incorporates findings of the report required in section 2 of this act and also outlines a sustainable staffing level of state-employed engineering staff, adjusted as necessary by additional sustainable revenue and modeled and optimized to address long-term needs in preservation and improvement programs through multiple biennia.

(2) The sustainable staffing level recognizes that it is in the state's interest that periodic increases in workload due to increases in construction funding are best addressed through the use of contract engineering resources in conjunction with limited and flexible augmentations to department staffing levels as necessary for project oversight, accountability, and delivery.

(3) To provide the appropriate management oversight and accountability of the use of contracted services, the plan must also make recommendations on the development of a strong owner strategy that addresses state employee training, career development, and competitive compensation.

(4) The department must submit the plan to the office of financial management and appropriate committees of the legislature one hundred eighty days after the report in section 2 of this act is completed. The department must submit progress reports on implementation of the plan biennially beginning September 30, 2018, until September 30, 2030. The elements of the plan must include:

(a) Sustainable staffing levels to address long-term needs in preservation and improvement programs;

(b) Employee recruitment, retention, training, and compensation status;

(c) Project delivery methods for design and construction; and

(d) A comparison of Washington state to national trends and methods.

(5) To assist in the development of the plan, the department must convene an advisory group to be comprised of the following members:

(a) One representative of the professional and technical employees local 17 to represent the nonmanagement engineering and technical employees of the department;

(b) One member of the managerial engineering and technical staff of the department, who must serve as chair of the advisory group;

(c) One member appointed by the American council of engineering companies of Washington to represent the private design industry; and

(d) One member appointed by the associated general contractors of Washington to represent the private construction industry.

NEW SECTION. **Sec. 58.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 59.** This act takes effect only if chapter ... (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 is enacted by June 30, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 7, 2015

SSB 5999 Prime Sponsor, Committee on Ways & Means: Addressing the caseload forecast council. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Condotta; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, G.; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Taylor; Tharinger and Van Werven.

Passed to Committee on Rules for second reading.

There being no objection, the bills, memorials and resolutions listed on the day's supplemental committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 1299 which was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 8, 2015, the 87th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SEVENTH DAY

House Chamber, Olympia, Wednesday, April 8, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kayli Robles and Duncan Magendanz. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Father Gerard Saguto, North American Martyrs Parish, Catholic Archdiocese of Seattle, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) recognized fourth and fifth grade students from First Place School along with their teachers and staff who were accompanied by Dawn Mason, former Representative and Board President, and asked the members to acknowledge them.

MESSAGE FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1010
SUBSTITUTE HOUSE BILL NO. 1043
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1060
SUBSTITUTE HOUSE BILL NO. 1382
HOUSE BILL NO. 1637
HOUSE BILL NO. 1961
HOUSE BILL NO. 1962

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2226 by Representative Morris

AN ACT Relating to extending specific aerospace tax preferences to include spacecrafts to encourage the migration of good wage jobs in the state; amending RCW 82.32.550 and 82.04.290; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

ESSB 5077 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to fiscal matters; amending RCW 28B.115.070, 28C.04.535, 36.22.170, 36.22.179, 38.52.540, 41.05.130, 41.16.050, 41.26.802, 41.60.050, 41.80.010, 41.80.020, 43.08.190, 43.09.475, 43.43.839, 43.79.480, 43.79.495, 43.101.200, 43.101.220, 43.135.025, 43.155.050, 43.215.090, 43.320.110, 43.325.040, 43.330.250, 43.334.077, 43.350.070, 61.24.172, 66.08.170, 70.96A.350, 77.12.203, 79.64.040, 79.105.150, 82.08.160, 86.26.007, 88.02.650, and 69.50.540; amending 2014 c 221 ss 101, 102, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 125, 126, 127, 129, 130, 134, 135, 136, 140, 141, 143, 146, 148, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 604, 605, 606, 607, 608, 609, 610, 611, 612, 614, 615, 616, 617, 619, 701, 704, 706, 708, 709, 710, 711, 801, 802, 803, and 805 (uncodified); amending 2013 2nd sp.s. c 4 ss 712 and 718 (uncodified); reenacting and amending RCW 41.50.110 and 70.105D.070; creating new sections; repealing 2014 c 221 s 707 (uncodified); making appropriations; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 6088 by Senate Committee on Ways & Means (originally sponsored by Senator Braun)

AN ACT Relating to K-12 education enhancements; amending RCW 28A.150.261; reenacting and amending RCW 28A.150.260; creating a new section; providing an effective date; and providing for submission of this act to a vote of the people.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2212, by Representatives Cody, Schmick and Fagan

Exempting hospitals licensed under chapter 70.41 RCW that receive capital funds to operate new psychiatric services from certain certificate of need requirements.

The bill was read the second time.

Representative Cody moved the adoption of amendment (342):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 60.** To accommodate the urgent need for inpatient psychiatric services and to facilitate state compliance with the Washington state supreme court decision, *In re the Detention of D.W.*, No. 90110–4, August 7, 2014, which prohibits the practice of psychiatric boarding, the legislature intends to exempt certain hospital mental health projects provided grant funding by the department of commerce from certificate of need requirements.

NEW SECTION. **Sec. 61.** A new section is added to chapter 70.38 RCW to read as follows:

(1) For a grant awarded during fiscal years 2016 and 2017 by the department of commerce under this section, hospitals licensed under chapter 70.41 RCW and psychiatric hospitals licensed under chapter 71.12 RCW are not subject to certificate of need requirements for the addition of the number of new psychiatric beds indicated in the grant. The department of commerce may not make a prior approval of a certificate of need application a condition for a grant application under this section. The period during which an approved hospital project qualifies for a certificate of need exemption under this section is two years from the date of the grant award.

(2) This section expires June 30, 2019.

NEW SECTION. **Sec. 62.** A new section is added to chapter 70.38 RCW to read as follows:

New psychiatric beds added under section 2 of this act must remain psychiatric beds unless a certificate of need is granted to change their use or the hospital or psychiatric hospital voluntarily reduces its licensed capacity.

NEW SECTION. **Sec. 63.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (342) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2212.

MOTION

On motion of Representative Harris, Representative Smith was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2212, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED HOUSE BILL NO. 2212, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5175, by Senate Committee on Health Care (originally sponsored by Senators Becker, Frockt, Angel, Rivers, Cleveland, Dammeier, Keiser, Fain, Parlette, Darneille, Pedersen, Habib, Kohl-Welles and Mullet)

Regarding telemedicine.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5175.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5175, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Harmsworth, McCaslin, Scott, Shea, Taylor and Van Werven.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5175, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5023, by Senate Committee on Health Care (originally sponsored by Senators Parlette and Keiser)

Concerning filing requirements for large group health benefit plans, stand-alone dental plans, and stand-alone vision plans. Revised for 1st Substitute: Concerning the filing of group health benefit plans other than small group plans, stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5023.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5023, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5023, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5027, by Senate Committee on Health Care (originally sponsored by Senators Angel, Darneille, Dammeier, Keiser, Parlette, Cleveland, Bailey and Chase)

Providing access to the prescription drug monitoring database for clinical laboratories.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5027, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5027, as amended by the House, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Harris, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Griffey, Harmsworth, Hayes, Holy, Kristiansen, McCaslin, Parker, Pike, Scott, Shea, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5027, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5030, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and O'Ban)

Addressing the limited liability company act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 72, March 24, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5030, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5030, as amended by the House, and the bill passed

the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5030, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5031, by Senators Pedersen and O'Ban

Permitting advance action regarding business opportunities under the business corporation act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5031.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5031, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Reykdal.

Excused: Representative Smith.

SENATE BILL NO. 5031, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5083, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Rolfes, McCoy, Billig, Darneille, Kohl-Welles, Frockt and Fraser)

Enacting the sudden cardiac arrest awareness act.

The bill was read the second time.

With the consent of the house, amendment (327) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5083.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5083, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Harris, Hayes, Holy, Klippert, Kretz, MacEwen, McCaslin, Nealey, Orcutt, Schmick, Scott, Shea, Short, Taylor, Vick and Wilson.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5083, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5085, by Senators Rolfes, Dammeier, Conway, Benton, Chase, Billig, Ranker, Hobbs, Fraser, McAuliffe and Pearson

Authorizing siblings of United States armed forces members who died while in service or as a result of service to apply for gold star license plates.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Appleton and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5085, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5085, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5085, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5088, by Senators Pearson, Hargrove, Honeyford, Parlette, Keiser, Liias, Hobbs, Hatfield, Kohl-Welles, Frockt, Dammeier, Rolfes, Hewitt, Dansel, Fraser, Chase and Conway

Concerning a geological hazards assessment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake, Buys and Scott spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5088.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5088, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5088, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5100, by Senators Hobbs and King

Concerning the processing of certain motor vehicle-related violations applicable to rental cars.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5100, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5100, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Sawyer and Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5100, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5144, by Senators Dammeier, Becker, Bailey, Rivers, Brown, Parlette and O'Ban

Requiring all meetings of the Robert Bree collaborative to be subject to the open public meetings act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5144.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5144, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5144, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5163, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Hobbs, Roach, Rolfes, O'Ban, Hatfield, Litzow, McCoy, Mullet, Conway, Fain, Chase and Darneille)

Providing for educational data on students from military families.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Muri spoke in favor of the passage of the bill.

Representatives Hayes and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5163, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5163, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Griffey, Harmsworth, Harris, Hawkins, Hayes, Holy, Kretz, Kristiansen, MacEwen, Manweller, McCaslin, Nealey, Orcutt, Parker, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilcox and Wilson.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5163, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5163.
Representative Young, 26th District

SECOND READING

SUBSTITUTE SENATE BILL NO. 5165, by Senate Committee on Health Care (originally sponsored by Senators Angel and Frockt)

Authorizing palliative care in conjunction with treatment or management of chronic or life-threatening illness. Revised for 1st Substitute: Authorizing palliative care in conjunction with treatment or management of serious or life-threatening illness.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5165.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5165, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5165, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5166, by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Ranker and Hasegawa)

Concerning the management of forage fish resources.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 85, April 6, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5166, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5166, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, McCaslin, Shea and Taylor.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5166, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5166.

Representative Scott, 39th District

SECOND READING

SENATE BILL NO. 5176, by Senators Keiser, Honeyford, Roach, Fraser, Schoesler and Chase

Concerning the capitol furnishings preservation committee.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5176.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5176, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5176, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5202, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Mullet, Fain, Litzow, Billig, Frockt, Keiser and Habib)

Regarding the financial education public-private partnership.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5202, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5202, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, McCaslin, Scott, Shea and Taylor.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5202, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5238, by Senators Angel, Liias, Honeyford, McCoy, Dammeier and Chase

Concerning public water systems' public participation notice provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5238.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5238, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Dent, Schmick and Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5238, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5294, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Kohl-Welles, Hasegawa and Chase)

Concerning school library and technology programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5294.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5294, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5294, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5296, by Senate Committee on Commerce & Labor (originally sponsored by Senators Conway, King, McAuliffe, Hasegawa and Chase)

Concerning locksmith services. Revised for 1st Substitute: Concerning regulation of locksmith services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5296.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5296, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, McCaslin, Shea, Taylor and Young.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5296, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5297, by Senators Liias, Fain, King and Hobbs

Updating and clarifying statutory provisions within the commercial vehicle registration and fuel tax administrative systems.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 72, March 24, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5297, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5297, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, G. Hunt, Harmsworth, Holy, Kretz, Kristiansen, McCaslin, Pike, Scott, Shea, Short, Taylor and Young.

Excused: Representative Smith.

SENATE BILL NO. 5297, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5337, by Senators Fraser and Pearson

Modifying per diem rates for port district officers and employees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5337.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5337, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Kretz, McCaslin, Schmick, Scott, Shea, Short and Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5337, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5346, by Senate Committee on Health Care (originally sponsored by

Senators Ranker, Mullet, Darneille, Liias, Conway, McAuliffe, Keiser and Chase)

Providing first responders with contact information for subscribers of life alert services during an emergency. Revised for 1st Substitute: Providing first responders with contact information for subscribers of personal emergency response services during an emergency.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5346.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5346, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5346, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5362, by Senate Committee on Transportation (originally sponsored by Senators King and Liias)

Concerning the regulation of passenger charter and excursion carriers.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 72, March 24, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Moscoso and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5362, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5362, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5362, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5381, by Senate Committee on Law & Justice (originally sponsored by Senators Billig, Frockt, Pedersen, Kohl-Welles, Rolfes, Liias, Nelson, Fraser, Cleveland, McCoy and McAuliffe)

Creating a protocol for the return of firearms in the possession of law enforcement agencies.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, March 31, 2015).

Representative Shea moved the adoption of amendment (329) to the committee amendment:

On page 2, after line 37 of the striking amendment, insert the following:

"(4) The provisions of this act shall not apply to circumstances where a law enforcement officer has momentarily obtained a firearm from an individual and would otherwise immediately return the firearm to the individual during the same interaction."

Representatives Shea and Jinkins spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (329) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Ormsby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5381, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5381, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5381, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5387, by Senators Pedersen and O'Ban

Creating uniformity in common provisions governing business organizations and other entities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5387, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5387, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5387, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5424, by Senators King, McCoy, Ericksen and Hobbs

Allowing public utility districts to produce and distribute renewable natural gas.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5424.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5424, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5424, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5438, by Senate Committee on Transportation (originally sponsored by

Senators King, Hobbs, Dammeier, Rolfes, Hill, Rivers, Liias, Mullet, Billig and Pedersen)

Allowing bicycles to stop and proceed through traffic control signals under certain conditions. Revised for 1st Substitute: Allowing bicycles and mopeds to stop and proceed through traffic control signals under certain conditions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Orcutt spoke in favor of the passage of the bill.

Representative Hayes spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5438.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5438, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hunter, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Short, Springer, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Condotta, Goodman, Hayes, Holy, Hudgins, Hurst, Jinkins, Kristiansen, McCaslin, Orwall, S. Hunt, Sawyer, Scott, Shea, Stambaugh, Tarleton, Taylor and Van De Wege.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5438, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5471, by Senators Angel, Mullet, Litzow and Hobbs

Addressing electronic notices and document delivery of insurance products.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Business & Financial Services was adopted. (For Committee amendment, see Journal, Day 71, March 23, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5471, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5471, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5471, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5504, by Senators Hewitt and Hasegawa

Allowing additional liquor distributor employees to stock liquor under certain circumstances.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5504.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5504, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer,

Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent and Klippert.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5504, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5532, by Senators Rolfes, Bailey and Kohl-Welles

Modifying certain Washington gift of life award provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5532.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5532, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5532, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5556, by Senators Warnick, Hatfield and Honeyford

Concerning irrigation district administration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5556.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5556, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5556, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Hudgins to preside.

MESSAGES FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1172
HOUSE BILL NO. 1222
SUBSTITUTE HOUSE BILL NO. 1285
HOUSE BILL NO. 1307
HOUSE BILL NO. 1317
HOUSE BILL NO. 1342
SUBSTITUTE HOUSE BILL NO. 1447
HOUSE BILL NO. 1554
HOUSE BILL NO. 1595
HOUSE BILL NO. 1720
SUBSTITUTE HOUSE BILL NO. 1730
SUBSTITUTE HOUSE BILL NO. 1806
SECOND SUBSTITUTE HOUSE BILL NO. 2040
HOUSE BILL NO. 2181

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 8, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1010
SUBSTITUTE HOUSE BILL NO. 1043
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1060
SUBSTITUTE HOUSE BILL NO. 1382
HOUSE BILL NO. 1637
HOUSE BILL NO. 1961
HOUSE BILL NO. 1962

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., April 9, 2015, the 88th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY EIGHTH DAY

House Chamber, Olympia, Thursday, April 9, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Ormsby presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Grant Cross and Emmarae Van Werven. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Ormsby presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5203, by Senators Warnick, Hasegawa and Keiser

Modifying certain job order contracting requirements.

The bill was read the second time.

Representative Dunshee moved the adoption of amendment (360):

On page 1, at the beginning of line 10, strike "and" and insert

On page 1, line 10, after "one million" insert ", and cities with a population of more than four hundred thousand"

Representatives Dunshee and DeBolt spoke in favor of the adoption of the amendment.

Amendment (360) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walkinshaw and DeBolt spoke in favor of the passage of the bill.

MOTION

On motion of Representative Harris, Representatives Rodne and Smith were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5203, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5203, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Rodne and Smith.

SENATE BILL NO. 5203, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5300, by Senators Benton, Mullet, Fain, Darneille, Hobbs and Angel

Updating the department of financial institutions' regulatory enforcement powers regarding credit unions and organizations providing services to credit unions.

The bill was read the second time.

Representative Shea moved the adoption of amendment (353):

On page 17, beginning on line 25, strike all of subsection (4)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representatives Kirby and Vick spoke against the adoption of the amendment.

Amendment (353) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5300.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5300 and the bill passed the House by the following vote: Yeas, 77; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hargrove, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Griffey, Harmsworth, Hawkins, Holy, Kretz, Manweller, McCaslin, Parker, Scott, Shea, Short, Taylor, Van Werven and Young.

Excused: Representatives Rodne and Smith.

SENATE BILL NO. 5300, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5591, by Senate Committee on Government Operations & Security (originally sponsored by Senators Liias, Roach, Hasegawa, Fain, McCoy, Keiser, Pearson, Kohl-Welles, McAuliffe and Conway)

Allowing emergency medical services to develop community assistance referral and education services programs.

The bill was read the second time.

Representative Schmick moved the adoption of amendment (355):

On page 2, beginning on line 31, after "services" strike "that levy a tax under RCW 84.52.069"

Representatives Schmick, Schmick (again), Walsh and DeBolt spoke in favor of the adoption of the amendment.

Representative Riccelli and Riccelli (again) spoke against the adoption of the amendment.

Amendment (355) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Van De Wege spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5591.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5591 and the bill passed the House by the following vote: Yeas, 65; Nays, 31; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Harris, Hawkins, Holy, Kretz, Kristiansen, MacEwen, Magendanz, McCaslin, Muri, Nealey, Orcutt, Parker, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

Excused: Representatives Rodne and Smith.

SUBSTITUTE SENATE BILL NO. 5591, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884, by Senate Committee on Law & Justice (originally sponsored by Senators Kohl-Welles, Darneille, Padden, Keiser, Conway, Chase and Hasegawa)

Concerning the trafficking of persons.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, March 31, 2015).

Representative Orwall moved the adoption of amendment (350) to the committee amendment:

On page 4, line 28 of the striking amendment, after "convened" strike "jointly"

On page 4, line 29 of the striking amendment, after "general" strike "and" and insert "with"

On page 4, line 29 of the striking amendment, after "commerce" strike "and" and insert "((~~and~~)) assisting with agenda planning and administrative and clerical support. The committee"

Representative Orwall spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (350), to the committee amendment, was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Orwall and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Rodne and Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5596, by Senate Committee on Commerce & Labor (originally sponsored by Senators King, Hewitt, Kohl-Welles and McAuliffe)

Creating a special permit by a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production. Revised for 1st Substitute: Creating a special permit for a manufacturer of wine to hold a private event for the purpose of tasting and selling wine of its own production.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5596, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5596, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris and Ryu.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5596, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5603, by Senators Warnick and Rolfes

Changing cottage food operation provisions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 67, March 19, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Lytton, Buys, Young and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5603, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5603, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5603, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5606, by Senators Jayapal, Rivers, Frockt, King, Keiser and Kohl-Welles

Modifying provisions related to licensing and scope of practice for dental professionals.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Schmick and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5606.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5606, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5606, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5638, by Senators Hasegawa, Roach, Kohl-Welles, Chase, Keiser and McAuliffe

Changing state need grant eligibility provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5638.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5638, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, McCaslin, Shea and Taylor.

Excused: Representative Smith.

SENATE BILL NO. 5638, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5662, by Senators Kohl-Welles, Honeyford, Braun, Mullet and Rolfes

Authorizing a licensed domestic brewery or microbrewery to provide promotional items to a nonprofit charitable corporation or association.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5662.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5662, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5662, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5679, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Dammeier, Hasegawa, Liias, Chase, Rolfes, Jayapal, Parlette and Conway)

Concerning transition services for special education students.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Ortiz-Self, Magendanz, Ortiz-Self (again) and Santos spoke in favor of the passage of the bill.

Representatives Hayes and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5679, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5679, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, G. Hunt, Haler, Hayes, Klippert, Kristiansen, McCaslin, Schmick, Scott, Shea, Taylor and Van Werven.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5679, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5692, by Senators Hargrove and Darneille

Addressing permanency plans of care for dependent children.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5692, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5692, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5692, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5721, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Dammeier and Jayapal)

Concerning the membership of the expanded learning opportunities council.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Ortiz-Self spoke in favor of the passage of the bill.

Representative Magendanz spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5721, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5721, as amended by the House, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Fagan, G. Hunt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, Magendanz, McCaslin, Nealey, Orcutt, Parker, Rodne, Scott, Shea, Short, Taylor, Vick and Wilson.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5721, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5733, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Warnick, Hatfield and Hobbs)

Authorizing a livestock movement reporting system. Revised for 1st Substitute: Concerning livestock transaction reporting.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Lytton and Dent spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5733, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5733, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5733, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5757, by Senators Benton and Mullet

Addressing credit unions' corporate governance and investments.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5757.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5757, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5757, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5760, by Senators Brown, Sheldon, Keiser and Dansel

Concerning contracts for materials or work required by joint operating agencies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, Nealey and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5760.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5760, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Shea, Taylor and Young.

Excused: Representative Smith.

SENATE BILL NO. 5760, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5803, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Dammeier, McAuliffe and Keiser)

Concerning the notification of parents when their children are below basic on the third grade statewide English language arts assessment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5803.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5803, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5803, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5824, by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Parlette)

Concerning certain recreational guides.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5824.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5824, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5824, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5863, by Senators Jayapal, Rivers, Keiser, Miloscia, Conway, Angel, Liias, Pedersen, Hobbs, Kohl-Welles and Hasegawa

Concerning highway construction workforce development.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5863, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5863, as amended by the House, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, Magendanz, Manweller, McCaslin, Orcutt, Parker, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5863, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 5863.
Representative Dent, 13th District

SECOND READING

SUBSTITUTE SENATE BILL NO. 5870, by Senate Committee on Health Care (originally sponsored by Senators Liias, Litzow, Pedersen, Fain, Ranker, Rivers, Frockt, Cleveland, Mullet, Kohl-Welles, Keiser, Chase, Billig, Hasegawa, Darneille and Habib)

Prohibiting the use of aversion therapy in the treatment of minors. Revised for 1st Substitute: Protecting youth from aversive mental health therapies.

The bill was read the second time.

Representative Shea moved that the House not adopt the committee amendment by the Committee on Health Care & Wellness.

Representative Shea, Klippert and Shea (again) spoke in favor of the motion.

Representative Cody spoke against the motion.

The motion failed. The committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Kilduff spoke in favor of the passage of the bill.

Representatives Schmick and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5870, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5870, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5870, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5887, by Senate Committee on Government Operations & Security (originally sponsored by Senators Pearson and Ranker)

Lengthening the maximum terms of leases entered into by the director of enterprise services in certain counties. Revised for 1st Substitute: Authorizing longer leases for property at the former Northern State Hospital site.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5887.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5887, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5887, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8012, by Senators Hargrove, King, Hobbs, Hill, Conway and Hatfield

Requesting the designation of U.S. Highway 101 to honor recipients of the Medal of Honor.

The memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the memorial was placed on final passage.

Representatives Van De Wege and Orcutt spoke in favor of the passage of the memorial.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8012.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8012, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE JOINT MEMORIAL NO. 8012, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Ortiz-Self to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136 and the bill was placed on the second reading calendar.

The Speaker (Representative Ortiz-Self presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1299, by Representatives Clibborn and Fey

Making transportation appropriations for the 2015-2017 fiscal biennium. Revised for 1st Substitute: Making transportation appropriations for the 2013-2015 and 2015-2017 fiscal biennia.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1299 was substituted for House Bill No. 1299 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1299 was read the second time.

Representative Farrell moved the adoption of amendment (375):

On page 3, beginning on line 1, beginning with "The appropriation" strike all material through "maintenance" on line 18 and insert the following:

"The appropriation in this section is subject to the following conditions and limitations: The utilities and transportation commission shall coordinate a state agency work group in 2015 that will identify issues, laws, and regulations relevant to consolidating rail employee safety and regulatory functions in the utilities and transportation commission, and report those findings to the joint transportation committee by December 31, 2015. State agencies in the work group must include the department of transportation, the department of labor and industries, the emergency management division of the state military department, and any other relevant agencies. The report must address: An inventory of state rail employee safety regulatory authority, including rail employee safety laws and regulations; issues pertaining to state rail safety inspectors, including enforcement authority, staffing, training, and retention; and information relating to the enhancement of rail employee safety, yard conditions, lighting, and appliance maintenance"

On page 9, beginning on line 19, strike all of subsection (4) and insert the following:

"(4)(a) $250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to coordinate a work group that will make recommendations on consolidating rail employee safety regulatory functions in Washington state into the utilities and transportation commission.

(b) This work group must be composed of one representative from each of the following: (i) The utilities and transportation commission, (ii) the department of labor and industries, (iii) the attorney general's office, (iv) a class 1 rail carrier, and (v) a short line rail operator designated as a class 2 or 3 carrier. The work group must also include two representatives from railroad operating craft labor organizations, and four members of the legislature with one member from each caucus of the house of representatives and one member from each caucus of the senate. The work group may consult with the department of transportation and the emergency management division of the state military department as needed.

(c) The work group's examination must include a review of other states' efforts to consolidate rail employee safety regulatory authority within a single agency and identify barriers to such consolidation in Washington.

(d) By December 31, 2016, the joint transportation committee must provide a final report to the legislature summarizing the work group's findings, providing recommendations on how such a consolidation of all state rail employee safety and employee safety regulatory functions should occur, and including statutory revisions that may be necessary to accomplish this consolidation."

Representative Farrell spoke in favor of the adoption of the amendment.

Amendment (375) was adopted.

Representative Hayes moved the adoption of amendment (366):

On page 6, line 14, decrease the highway safety account--state appropriation by $198,000

On page 6, line 18, correct the total.

On page 6, beginning on line 36, strike all of subsection (2)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Hayes and Orcutt spoke in favor of the adoption of the amendment.

Representative Senn spoke against the adoption of the amendment.

Amendment (366) was not adopted.

Representative Shea moved the adoption of amendment (380):

On page 6, beginning on line 21, strike all of subsection (1)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 60, after line 3, insert the following:

"NEW SECTION. **Sec. 607.** Funds appropriated in this act may not be used to install, maintain, or operate automated traffic safety cameras used to detect the failure of a vehicle to stop when facing a steady red traffic control signal."

On page 65, beginning on line 10, strike all of section 704 and insert the following:

"**Sec. 704.** RCW 46.63.170 and 2013 c 306 s 711 are each amended to read as follows:

(1) The use of automated traffic safety cameras for issuance of notices of infraction is subject to the following requirements:

(a) The appropriate local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located: (i) Before enacting an ordinance allowing for the initial use of automated traffic safety cameras; and (ii) before adding additional cameras or relocating any existing camera to a new location within the jurisdiction. Automated traffic safety cameras may be used to detect one or more of the following: Stoplight, except during the 2015-2017 fiscal biennium; railroad crossing((,)); or school speed zone violations. At a minimum, the local ordinance must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to enact an authorizing ordinance. Beginning one year after June 7, 2012, cities and counties using automated traffic safety cameras must post an annual report of the number of traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the city or county deems appropriate on the city's or county's web site.

(b) Use of automated traffic safety cameras is restricted to the following locations only: (i) Except during the 2015-2017 fiscal biennium, intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.

(c) During the 2011-2013 and 2013-2015 fiscal biennia, automated traffic safety cameras may be used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011 and section 201(4), chapter 306, Laws of 2013 if the local legislative authority first enacts an ordinance authorizing the use of cameras to detect speed violations.

(d) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties shall consider installing cameras in a manner that minimizes the impact of camera flash on drivers.

(e) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (3)(a) of this section. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(f) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (3) of this section. If appropriate under the circumstances, a renter identified under subsection (3)(a) of this section is responsible for an infraction.

(g) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in

the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(h) All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(i) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(2) During the 2015-2017 fiscal biennium, an automated traffic safety camera may not be used to detect a vehicle's failure to stop when facing a steady red traffic control signal.

(3) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(((~~(3)~~))) (2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal violation detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments.

(((~~(3)~~))) (4) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(((~~(4)~~))) (5) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(((~~(5)~~))) (6) For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit in a school speed zone as detected by a speed measuring device. During the 2011-2013 and 2013-2015 fiscal biennia, an automated traffic safety camera includes a camera used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011 and section 201(4), chapter 306, Laws of 2013.

(((~~(6)~~))) (7) During the 2011-2013 and 2013-2015 fiscal biennia, this section does not apply to automated traffic safety cameras for the purposes of section 216(5), chapter 367, Laws of 2011 and section 216(6), chapter 306, Laws of 2013."

Representatives Shea, Shea (again) and Condotta spoke in favor of the adoption of the amendment.

Representative Fey spoke against the adoption of the amendment.

Amendment (380) was not adopted.

Representative Hayes moved the adoption of amendment (348):

On page 9, line 11, after "station;" strike "and"

On page 9, line 15, after "changes" strike "." and insert "; and

(vi) Review whether it is cost effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Hayes and Clibborn spoke in favor of the adoption of the amendment.

Amendment (348) was adopted.

Representative Manweller moved the adoption of amendment (347):

On page 10, line 24, decrease the Motor Vehicle Account--State Appropriation by $3,000,000

On page 10, line 27, correct the total

On page 11, beginning on line 17, strike all of subsection 4

Representatives Manweller and Shea spoke in favor of the adoption of the amendment.

Representatives Clibborn and Takko spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (347) to Substitute House Bill No. 1299.

ROLL CALL

The Clerk called the roll on the adoption of amendment (347) to Substitute House Bill No. 1299, and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Kilduff, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kirby, Lytton, MacEwen, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Smith

Amendment (347) was not adopted.

Representative Wylie moved the adoption of amendment (354):

On page 10, line 24, increase the Motor Vehicle Account--State Appropriation by $100,000

On page 10, line 27, correct the total.

On page 13, after line 19, insert the following:

"(5)(a) $100,000 of the motor vehicle account-state appropriation is provided solely for a bi-state project legislative work group coordinated and staffed by the transportation commission.

(b) The legislature finds that both Washington and Oregon recognize the need for improving the capacity of Interstate 5 adjacent to and over the Columbia river and that the legislatures of each state need basic oversight of the process. The legislature recognizes that the development of a bi-state project takes years of hard work and difficult decisions and to achieve development of a successful bi-state project it must be pursued in a manner that will build and maintain bi-state trust and positive working relationships to ensure economic growth and productivity in the entire region prior to reaching a federal record of decision. The legislature also recognizes that area legislators will be called upon to seek funding of any project developed, and therefore must be involved in the development of the project from the beginning.

(c) The legislature further finds that in order to accomplish the findings in subsection (b), it is necessary to form a bi-state bi-partisan project legislative work group, and that it may be beneficial to consult with the William D. Ruckelshaus Center and the Oregon Consensus Center to act as a neutral resource to gather input, provide scoping of potential stakeholders to engage diverse interests, and help facilitate the creation of the work group. Although the primary purpose of this facilitated effort is to establish a process that includes appropriate legislative involvement, it is not the intention to exclude stakeholders or existing expertise or useful work products already established. The work group will define and recommend the ongoing legislative role in moving forward with the bi-state project and report that recommendation to the legislature for any required action.

(d) The bi-state project legislative work group shall facilitate strong public participation and input throughout the initial development stages to identify the most affordable, efficient project that improves freight mobility, safety, relieves traffic congestion, and meets the future needs of the region and the transportation corridor.

(e) The bi-state project legislative work group shall consist of bi-partisan members of the Washington and Oregon state legislatures who represent the districts adjacent to the project and be members of their respective transportation committees. Each legislative member will have an equal vote on matters considered by the committee. The work group will consider options for capacity, safety, sufficiency, public support, and cost effectiveness in developing a solution to meet the needs of the corridor. To the extent feasible, the design shall incorporate existing infrastructure and allow for its future maintenance and improvement.

(f) While not official voting members of the bi-state project legislative work group, it is assumed that local, regional, technical, legal, and other planning and transportation resources and stakeholders required for a project of this type will not be supplanted or precluded from appropriate involvement.

(g) The bi-state project legislative work group must report its final recommendations to the transportation committees of the legislature by December 1, 2016 and will provide annual updates on the project to the legislature thereafter until the project is complete."

Representatives Wylie and Pike spoke in favor of the adoption of the amendment.

Amendment (354) was adopted.

Representative Clibborn moved the adoption of amendment (373):

On page 20, line 20, increase the motor vehicle account--state appropriation by $131,000

On page 20, line 24, correct the total.

On page 25, line 11, increase the motor vehicle account--state appropriation by $427,000

On page 25, line 12, decrease the motor vehicle account--federal appropriation by $427,000

On page 33, line 26, decrease the motor vehicle account--state appropriation by $131,000

On page 34, line 4, correct the total.

On page 53, line 16, after "exceed" strike "$913" and insert "$869"

On page 53, line 18, after "exceed" strike "$947" and insert "$937"

On page 54, line 9, after "exceed" strike "$913" and insert "$869"

On page 54, line 11, after "exceed" strike "$947" and insert "$937"

On page 55, line 1, after "exceed" strike "$913" and insert "$869"

On page 55, line 3, after "exceed" strike "$947" and insert "$937"

On page 76, line 7, after "project" strike "(8BI1003)" and insert "(((~~(8BI1003)~~)))"

On page 139, beginning on line 13, after "(1)" strike all material through "(2)" on line 16 and insert "((~~Recreational Vehicle Account--State~~

~~Appropriation: For transfer to the Motor Vehicle~~

~~Account--State. . . . . $1,300,000~~

~~(2)~~))"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment.

Amendment (373) was adopted.

Representative Hawkins moved the adoption of amendment (357):

On page 21, beginning on line 7, after "(4)" strike the remainder of the subsection and insert the following:

"The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic

from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in (a) of this subsection, the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes."

Representatives Hawkins and Clibborn spoke in favor of the adoption of the amendment.

Amendment (357) was adopted.

Representative Fey moved the adoption of amendment (382):

On page 25, line 28, increase the Motor Vehicle Account--State appropriation by $2,518,000

On page 25, line 36, correct the total.

On page 26, line 2, after "limitations:" insert "(1)"

On page 26, after line 12, insert the following:

"(2) $2,518,000 of the motor vehicle account--state appropriation is provided solely for the development of a statewide transportation model."

On page 26, line 33, increase the Multimodal Transportation Account--State appropriation by $10,000,000

On page 26, line 36, correct the total.

On page 27, line 3, after "(1)" strike "$25,000,000" and insert "$35,000,000"

On page 27, line 7, after "(a)" strike "$5,500,000" and insert "$7,500,000"

On page 27, line 13, after "(b)" strike "$19,500,000" and insert "$27,500,000"

On page 32, line 30, increase the Motor Vehicle Account--State appropriation by $10,000,000

On page 32, line 33, correct the total.

Representatives Fey and Orcutt spoke in favor of the adoption of the amendment.

Amendment (382) was adopted.

Representative Hayes moved the adoption of amendment (361):

On page 26, line 33, increase the multimodal transportation account--state appropriation by $1,000,000

On page 26, line 36, correct the total.

On page 29, after line 32, insert the following:

"(10)(a) $1,000,000 of the multimodal transportation account--state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on the charging of a fare for the Everett connector service that achieves a farebox recovery ratio similar to comparable routes that charge a fare.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that a fare policy has been adopted for the Everett connector service that achieves a farebox recovery ratio similar to comparable routes that charge a fare."

Representatives Hayes and Clibborn spoke in favor of the adoption of the amendment.

Amendment (361) was adopted.

Representative Van Werven moved the adoption of amendment (362):

On page 26, line 33, increase the multimodal transportation account--state appropriation by $40,000

On page 26, line 36, correct the total.

On page 29, after line 32, insert the following:

"(10) $40,000 of the multimodal transportation account--state appropriation is provided solely for the Blaine school district for bus service for students living in Point Roberts."

Representatives Van Werven and Shea spoke in favor of the adoption of the amendment.

Representative Bergquist spoke against the adoption of the amendment.

Amendment (362) was not adopted.

Representative Orcutt moved the adoption of amendment (370):

On page 33, line 23, decrease the Multimodal Transportation Account--State appropriation by $17,000,000

On page 34, line 4, correct the total.

On page 35, beginning on line 3, strike all of subsection (7)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Orcutt, DeBolt, Hargrove, Manweller, Van Werven, Kristiansen, Haler and Kochmar spoke in favor of the adoption of the amendment.

Representatives Farrell, Santos, Fitzgibbon and Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (370) to Substitute House Bill No. 1299.

ROLL CALL

The Clerk called the roll on the adoption of amendment (370) to Substitute House Bill No. 1299, and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Kilduff, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Smith

Amendment (370) was not adopted.

Representative MacEwen moved the adoption of amendment (371):

On page 33, line 26, increase the Motor Vehicle Account--State appropriation by $15,000,000

On page 34, line 4, correct the total.

On page 38, after line 3, insert the following:

"(19) $15,000,000 of the motor vehicle account--state appropriation is provided solely for the SR 3/Belfair Bypass - New Alignment project (300344C)."

Representative MacEwen spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (371) was not adopted.

Representative Harmsworth moved the adoption of amendment (376):

On page 35, line 6, after "(8)" insert "The legislature has provided over $40,000,000 for transit mitigation during construction of the SR 99/Alaskan Way Viaduct Replacement project, in addition to the local sales tax revenues from the project paid as follows: an estimated $12,000,000 to King county metro, an estimated $12,000,000 to Sound Transit, an estimated $11,000,000 to the city of Seattle, and an estimated $2,000,000 to King county. The state intends that the local portion of the sales tax paid during construction of the SR 99/Alaskan Way Viaduct Replacement project must be assumed to be used for transit mitigation for the project due to King county metro, Sound Transit, the city of Seattle, and King county receiving revenues from the state paid sales tax on the projects.

(9)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (376) was not adopted.

Representative Riccelli moved the adoption of amendment (369):

On page 35, line 15, after "project" insert "in 2015-2017"

Representatives Riccelli and Shea spoke in favor of the adoption of the amendment.

Amendment (369) was adopted.

Representative Harmsworth moved the adoption of amendment (367):

On page 35, line 24, after "available" insert "first to make up any difference between expected revenue and actual revenue to the extent that such difference is attributable to the limitations imposed in section 709 of this act. Any additional savings must be made available"

On page 75, after line 12, insert the following:

"**Sec. 709.** RCW 47.56.880 and 2011 c 369 s 3 are each amended to read as follows:

(1) The imposition of tolls for express toll lanes on Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end is authorized, Interstate 405 is designated an eligible toll facility, and toll revenue generated in the corridor must only be expended as allowed under RCW 47.56.820.

(2) Tolls for the express toll lanes must be set as follows:

(a) The schedule of toll rates must be set by the tolling authority pursuant to RCW 47.56.850. Toll rates may vary in amount by time of day, level of traffic congestion within the highway facility, or other criteria, as the tolling authority deems appropriate.

(b) In those locations with two express toll lanes in each direction, the toll rate must be the same in both lanes.

(c) Toll charges may not be assessed on transit buses and vanpools.

(d) The department shall establish performance standards for travel time, speed, and reliability for the express toll lanes project. The department must automatically adjust the toll rate within the schedule established by the tolling authority, using dynamic tolling, to ensure that average vehicle speeds in the lanes remain above forty-five miles per hour at least ninety percent of the time during peak hours.

(e) The tolling authority shall periodically review the toll rates against traffic performance of all lanes to determine if the toll rates are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department may construct and operate express toll lanes on Interstate 405 between the city of Bellevue on the south end and Interstate 5 on the north end. Operation of the express toll lanes may not commence until the department has completed capacity improvements necessary to provide a two-lane system from NE 6th Street in the city of Bellevue to state route number 522 and the conversion of the existing high occupancy vehicle lane to an express toll lane between state route number 522 and the city of Lynnwood. Construction of the capacity improvements described in this subsection, including items that enable implementation of express toll lanes such as conduit and other underground features, must begin as soon as practicable. However, any contract term regarding tolling equipment, such as gantries, barriers, or cameras, for Interstate 405 may not take effect unless specific appropriation authority is provided in 2012 stating that funding is provided solely for tolling equipment on Interstate 405. The department shall work with local jurisdictions to minimize and monitor impacts to local streets and, after consultation with local

jurisdictions, recommend mitigation measures to the legislature in those locations where it is appropriate.

(4) During the 2015-2017 fiscal biennium, to provide better customer service, including avoiding confusion for customers and providing consistency across the transportation system, the department must meet the requirements of this subsection.

(a) During the first one hundred eighty days of operation of any segment of the Interstate 405 express toll lanes, the department must offer travel in the Interstate 405 express toll lanes free of charge at all times for vehicles carrying two or more people. After this period, the department may require three or more people in a vehicle in order to qualify for toll-free travel in a segment of the express toll lanes if necessary to comply with federal requirements. In determining whether toll-free access to the express toll lanes must be limited to vehicles carrying three or more people, the department must analyze each segment of the Interstate 405 express toll lane separately. For the purposes of this section, the portion of Interstate 405 on which there will be two express toll lanes running in each direction shall be considered one segment, and the portion of Interstate 405 on which there will be one express toll lane running in each direction shall be considered another segment.

(b) During the evening hours after peak traffic demand until 5 a.m.: (i) The department may not assess toll charges for travel in the Interstate 405 express toll lanes, and (ii) the department may not restrict access to these lanes based upon the number of people in the vehicle.

(5) The department shall monitor the express toll lanes project and shall annually report to the transportation commission and the legislature on the impacts from the project on the following performance measures:

(a) Whether the express toll lanes maintain speeds of forty-five miles per hour at least ninety percent of the time during peak periods;

(b) Whether the average traffic speed changed in the general purpose lanes;

(c) Whether transit ridership changed;

(d) Whether the actual use of the express toll lanes is consistent with the projected use;

(e) Whether the express toll lanes generated sufficient revenue to pay for all Interstate 405 express toll lane-related operating costs;

(f) Whether travel times and volumes have increased or decreased on adjacent local streets and state highways; and

(g) Whether the actual gross revenues are consistent with projected gross revenues as identified in the fiscal note for Engrossed House Bill No. 1382 distributed by the office of financial management on March 15, 2011.

(((~~(5)~~))) (6)(a) If after two years of operation of the express toll lanes on Interstate 405 performance measures listed in subsection (((~~(4)~~))) (5)(a) and (e) of this section are not being met, the express toll lanes project must be terminated as soon as practicable.

(b) During the 2015-2017 fiscal biennium, for the purposes of this subsection (6), "operation of the express toll lanes on Interstate 405" means the operation of express toll lanes along the entire length of Interstate 405 between Lynnwood and where State Route 167 meets Interstate 405.

(((~~(6)~~))) (7) The department, in consultation with the transportation commission, shall consider making operational changes necessary to fix any unintended consequences of implementing the express toll lanes project.

(((~~(7)~~))) (8) A violation of the lane restrictions applicable to the express toll lanes established under this section is a traffic infraction.

(9) During the 2015-2017 fiscal biennium, any savings on Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available first to make up any difference between expected revenue and actual revenue to the extent that such difference is attributable to the limitations imposed in this section. Any additional savings must be made available to any other project on the corridor."

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representative Harmsworth and Harmsworth (again) spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (367) to Substitute House Bill No. 1299.

ROLL CALL

The Clerk called the roll on the adoption of amendment (367) to Substitute House Bill No. 1299, and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Smith

Amendment (367) was not adopted.

Representative Schmick moved the adoption of amendment (363):

On page 38, line 8, increase the Motor Vehicle Account--State appropriation by $7,000,000

On page 38, line 20, correct the total.

On page 39, after line 15, insert the following:

"(6) $7,000,000 of the motor vehicle account--state appropriation is provided solely for the State Route 26 Spur Bridge Replacement project."

Representative Schmick spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (363) was not adopted.

Representative Manweller moved the adoption of amendment (383):

On page 41, line 20, increase the essential rail assistance account--state appropriation by $10,000,000

On page 41, line 29, correct the total.

On page 42, after line 25, insert the following:

"(5)(a) $10,000,000 of the essential rail assistance account--state appropriation is provided solely for the maintenance and improvement of state-owned railroads and emergent freight rail assistance projects. A minimum of fifty percent of the appropriation must be used for the maintenance and improvement of state-owned railroads.

(b) This appropriation must be held in unallotted status and an amount equal to the transfer by the state treasurer from the multimodal transportation account into this account may only be allotted once the office of financial management determines that such funds are available."

On page 76, after line 7, insert the following:

"**Sec. 712.** RCW 47.76.250 and 2009 c 160 s 1 are each amended to read as follows:

(1) The essential rail assistance account is created in the state treasury. Moneys in the account may be appropriated only for the purposes specified in this section.

(2) Moneys appropriated from the account to the department of transportation may be used by the department or distributed by the department to cities, county rail districts, counties, economic development councils, port districts, and privately or publicly owned railroads for the purpose of:

(a) Acquiring, rebuilding, rehabilitating, or improving rail lines;

(b) Purchasing or rehabilitating railroad equipment necessary to maintain essential rail service;

(c) Constructing railroad improvements to mitigate port access or mainline congestion;

(d) Construction of loading facilities to increase business on light density lines or to mitigate the impacts of abandonment;

(e) Preservation, including operation, of light density lines, as identified by the Washington state department of transportation, in compliance with this chapter; or

(f) Preserving rail corridors for future rail purposes by purchase of rights-of-way. The department shall first pursue transportation enhancement program funds, available under the federal surface transportation program, to the greatest extent practicable to preserve rail corridors. Purchase of rights-of-way may include track, bridges, and associated elements, and must meet the following criteria:

(i) The right-of-way has been identified and evaluated in the state rail plan prepared under this chapter;

(ii) The right-of-way may be or has been abandoned; and

(iii) The right-of-way has potential for future rail service.

(3) The department or the participating local jurisdiction is responsible for maintaining any right-of-way acquired under this chapter, including provisions for drainage management, fire and weed control, and liability associated with ownership.

(4) Nothing in this section impairs the reversionary rights of abutting landowners, if any, without just compensation.

(5) The department, cities, county rail districts, counties, and port districts may grant franchises to private railroads for the right to operate on lines acquired under this chapter.

(6) The department, cities, county rail districts, counties, and port districts may grant trackage rights over rail lines acquired under this chapter.

(7) If rail lines or rail rights-of-way are used by county rail districts, port districts, state agencies, or other public agencies for the purposes of rail operations and are later abandoned, the rail lines or rail rights-of-way cannot be used for any other purposes without the consent of the underlying fee title holder or reversionary rights holder, or until compensation has been made to the underlying fee title holder or reversionary rights holder.

(8) The department of transportation shall develop criteria for prioritizing freight rail projects that meet the minimum eligibility requirements for state assistance under RCW 47.76.240. The department shall develop criteria in consultation with the Washington state freight rail policy advisory committee. Project criteria should consider the level of local financial commitment to the project as well as cost/benefit ratio. Counties, local communities, railroads, shippers, and others who benefit from the project should participate financially to the greatest extent practicable.

(9) Moneys received by the department from franchise fees, trackage rights fees, and loan payments shall be redeposited in the essential rail assistance account. Repayment of loans made under this section shall occur within a period not longer than fifteen years, as set by the department. The repayment schedule and rate of interest, if any, shall be determined before the distribution of the moneys.

(10) The state shall maintain a contingent interest in any equipment, property, rail line, or facility that has outstanding grants or loans. The owner may not use the line as collateral, remove track, bridges, or associated elements for salvage, or use it in any other manner subordinating the state's interest without permission from the department.

(11) Moneys may be granted for improvements to privately owned railroads, railroad property, or other private property under this chapter for freight rail projects that meet the minimum eligibility criteria for state assistance under RCW 47.76.240, and which are supported by contractual consideration. At a minimum, such contractual consideration shall consist of defined benefits to the public with a value equal to or greater than the grant amount, and where the grant recipient provides the state a contingent interest adequate to ensure that such public benefits are realized.

(12)(a) During the 2013-15 and 2015-17 fiscal biennia, by the last day of each biennium, the state treasurer shall transfer from the multimodal transportation account to the essential rail assistance account such amounts as reflect the excess fund balance of the multimodal transportation account not to exceed ten million dollars.

(b) A minimum of fifty percent of the moneys deposited in the account pursuant to (a) of this subsection must be expended by the department for the maintenance and improvement of state-owned railroads."

Correct the title.

Representatives Manweller and Clibborn spoke in favor of the adoption of the amendment.

Amendment (383) was adopted.

Representative Harmsworth moved the adoption of amendment (374):

On page 42, line 34, increase the motor vehicle account--state appropriation by $625,000

On page 42, line 38, correct the total.

On page 43, after line 39, insert the following:

"(6) $575,000 of the motor vehicle account--state appropriation is provided solely for the 30th street widening project.

(7) $50,000 of the motor vehicle account--state appropriation is provided solely for the SR 96 and 35th avenue repaving project."

Representative Harmsworth spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (374) was not adopted.

Representative Shea moved the adoption of amendment (381):

On page 76, after line 7, insert the following:

"**Sec. 712.** RCW 39.42.020 and 1971 ex.s. c 184 s 2 are each amended to read as follows:

Bonds, notes or other evidences of indebtedness shall be issued by the state finance committee. They may be issued at one time or in a series from time to time. The maturity date of each series shall be determined by the state finance committee, but in no case shall any bonds mature later than thirty years from the date of issue, except in the case of bonds issued for transportation purposes during the 2015-2017 fiscal biennium, which in no case shall mature later than fifteen years from the date of issuance. All evidences of indebtedness shall be signed in the name of the state by the governor and the treasurer. The facsimile signature of said officials is authorized and said evidences of indebtedness may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on such evidences of indebtedness has ceased to hold office at the time of issue or at the time of delivery to the purchaser."

Representatives Shea, MacEwen and Shea (again) spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (381) to Substitute House Bill No. 1299.

ROLL CALL

The Clerk called the roll on the adoption of amendment (381) to Substitute House Bill No. 1299, and the amendment was not adopted by the following vote: Yeas, 44; Nays, 53; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative Smith

Amendment (381) was not adopted.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Amendment (381) to Substitute House Bill No. 1299.

Representative Parker, 6th District

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Orcutt, Fey, Hargrove and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1299.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1299, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Griffey, Haler, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, McCabe, McCaslin, Schmick, Scott, Shea, Short and Taylor.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., April 10, 2015, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY NINTH DAY

House Chamber, Olympia, Friday, April 10, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Hanan Nuriddin and Caleb Kim. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Dale Sorgen, First Baptist Church, Monroe, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

MESSAGES FROM THE SENATE

April 9, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5112

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 9, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1002
HOUSE BILL NO. 1011
SUBSTITUTE HOUSE BILL NO. 1052
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170
SUBSTITUTE HOUSE BILL NO. 1252
HOUSE BILL NO. 1277
HOUSE BILL NO. 1302
SUBSTITUTE HOUSE BILL NO. 1313
HOUSE BILL NO. 1547
SUBSTITUTE HOUSE BILL NO. 1749
HOUSE BILL NO. 1819

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 9, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5023
SENATE BILL NO. 5031
ENGROSSED SUBSTITUTE SENATE BILL NO. 5083
SENATE BILL NO. 5088
SENATE BILL NO. 5144
SUBSTITUTE SENATE BILL NO. 5165
SUBSTITUTE SENATE BILL NO. 5175
SENATE BILL NO. 5176
SENATE BILL NO. 5238
SUBSTITUTE SENATE BILL NO. 5294
SUBSTITUTE SENATE BILL NO. 5296
SENATE BILL NO. 5337
ENGROSSED SUBSTITUTE SENATE BILL NO. 5346
ENGROSSED SENATE BILL NO. 5424
SUBSTITUTE SENATE BILL NO. 5438
ENGROSSED SENATE BILL NO. 5504
SENATE BILL NO. 5532
SENATE BILL NO. 5556

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1822, by House Committee on Transportation (originally sponsored by Representatives Farrell, Orcutt, Fey, Fitzgibbon and Moscoso)

Extending and modifying the commute trip reduction tax credit.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1822 was substituted for House Bill No. 1822 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1822 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1822.

MOTION

On motion of Representative Harris, Representative Smith was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1822, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman,

Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1822, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1892, by Representatives Fey, Clibborn, Farrell, Moscoso, Tarleton, Ormsby and Bergquist

Repealing the deduction for handling losses of motor vehicle fuel.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1892 was substituted for House Bill No. 1892 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1892 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fey spoke in favor of the passage of the bill.

Representatives Orcutt and Buys spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1892.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1892, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Kilduff, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Smith.

SUBSTITUTE HOUSE BILL NO. 1892, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1995, by Representative Ryu

Imposing a new studded tire fee.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ryu spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1995.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1995, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, MacEwen, Magendanz, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Manweller, McCabe, McCaslin, Muri, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stokesbary, Taylor, Van Werven, Vick, Wilcox and Wilson.

Excused: Representative Smith.

HOUSE BILL NO. 1995, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5158, by Senate Committee on Law & Justice (originally sponsored by Senators McCoy and Fraser)

Requiring call location information to be provided to law enforcement responding to an emergency.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, March 31, 2015).

Representative G. Hunt moved the adoption of amendment (385) to the committee amendment:

On page 1, beginning on line 19 of the striking amendment, after "when" strike all material through "harm" on line 21 and insert "the law

enforcement officer reasonably believes that the individual is in an emergency situation"

On page 2, beginning on line 20 of the striking amendment, after "services" strike all material through "harm" on line 21

On page 2, line 23 of the striking amendment, after "carrier" strike "voluntarily"

Representatives G. Hunt, Shea, Klippert, DeBolt and Klippert (again) spoke in favor of the adoption of the amendment to the committee amendment.

Representative Goodman and Goodman (again) spoke against the adoption of the amendment to the committee amendment.

There being no objection, the House deferred action on ENGROSSED SUBSTITUTE SENATE BILL NO. 5158, and the bill held its place on the second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5498, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and O'Ban)

Revising the uniform interstate family support act.

The bill was read the second time.

Representative Shea moved the adoption of amendment (379):

On page 36, line 6, after "recognize," strike "or base any ruling on, an" and insert "base any ruling on, or enforce any"

On page 36, line 12, after "rights" strike "that are" and insert ", or when the enforcement of any order would result in a violation of any right,"

Representatives Shea and Jinkins spoke in favor of the adoption of the amendment.

Amendment (379) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5498, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5498, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5498, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5826, by Senate Committee on Ways & Means (originally sponsored by Senators Mullet and Benton)

Creating the Washington small business retirement marketplace.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 1, 2015).

With the consent of the house, amendment (384) to the committee amendment was withdrawn.

Representative Springer moved the adoption of amendment (392) to the committee amendment:

On page 2, line 32, after "licensed" insert "or holding a certificate of authority"

On page 3, at the beginning of line 21, strike all material through "chapter" on line 23 and insert "requirements of section 2(7) of this act."

On page 3, at the beginning of line 38, strike all material through "section" on line 39, and insert the following:

"(a) that the private sector financial services firm offering the plan meets the requirements of section 2(7) of this act; and (b) that the plan meets the requirements of this section excluding subsection 9 which is subject to federal laws and regulations. The director may remove approved plans that no longer meet the requirements of this chapter"

On page 4, line 19, after "marketplace" insert "may not charge the participating employer an administrative fee and"

On page 6, line 30, after "this act" insert ", except for those requirements that pertain to federal laws and regulations"

Representative Springer spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (392) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Springer, Manweller and Riccelli spoke in favor of the passage of the bill.

Representatives Parker and MacEwen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5826, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5826, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, McCabe, McCaslin, Morris, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representative Smith.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5826, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4401, by Representatives S. Hunt and Reykdal

Renaming "Office Building 2" as the "Human Services Building."

The resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the resolution.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4401.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4401, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, G. Hunt, Scott, Shea, Taylor, Wilcox and Young.

Excused: Representative Smith.

HOUSE CONCURRENT RESOLUTION NO. 4401, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5119, by Senators Angel and Mullet

Providing authority for two or more nonprofit corporations to participate in a joint self-insurance program covering property or liability risks.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5119.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5119, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5119, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5153, by Senators Billig, Roach, Sheldon, Fain, Liias, Mullet, Fraser, Dansel, McCoy, Rolfes, Cleveland, Darneille, Habib, Padden, Nelson, Benton, Chase, Keiser, Jayapal, Hasegawa and Frockt

Increasing transparency of campaign contributions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Bergquist spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5153, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5153, as amended by the House, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Harmsworth, Harris, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Manweller, McCaslin, Nealey, Parker, Pike, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5153, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5249, by Senators Darneille, Conway and Miloscia

Creating a bond issuance exemption for qualifying local revitalization financing projects.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey, Fey (again) Morris and DeBolt spoke in favor of the passage of the bill.

Representative Young and Young (again) spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5249.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5249, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, G. Hunt, Harmsworth, Hawkins, McCaslin, Pike, Santos, Schmick, Scott, Shea, Taylor, Van Werven, Vick and Young.

Excused: Representative Smith.

SENATE BILL NO. 5249, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5404, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Frockt, Miloscia, Kohl-Welles, McAuliffe, Chase, Pedersen and Conway)

Concerning homeless youth prevention and protection.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5404.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5404, and the bill passed the House by the following vote: Yeas, 71; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Hargrove, Harris, Hawkins, Holy, Kretz, Magendanz, Manweller, McCaslin, Orcutt, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick and Wilson.

Excused: Representative Smith.

SECOND SUBSTITUTE SENATE BILL NO. 5404, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5448, by Senate Committee on Health Care (originally sponsored by Senator Hatfield)

Concerning the treatment of Lyme disease. Revised for 1st Substitute: Requiring a study of the effects long-term antibiotic therapy has on certain Lyme disease patients.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5448.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5448, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Condotta, DeBolt, Hargrove, Kretz, McCaslin, Nealey, Shea, Short, Taylor, Vick and Young.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5448, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5518, by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Litzow, Frockt, Darneille, McAuliffe, Liias, Dammeier, Fain, Keiser, Hasegawa and Habib)

Creating procedures to address campus sexual violence.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5518.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5518, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Kretz, McCaslin, Nealey, Schmick, Scott, Shea, Short, Taylor and Vick.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5518, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5768, by Senators Cleveland, Benton, Honeyford and Fraser

Concerning county electronic public auctions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5768.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5768, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Smith.

SENATE BILL NO. 5768, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1010
SUBSTITUTE HOUSE BILL NO. 1043
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1060
HOUSE BILL NO. 1172
HOUSE BILL NO. 1222
SUBSTITUTE HOUSE BILL NO. 1285
HOUSE BILL NO. 1307
HOUSE BILL NO. 1317
HOUSE BILL NO. 1342
SUBSTITUTE HOUSE BILL NO. 1382
SUBSTITUTE HOUSE BILL NO. 1447
HOUSE BILL NO. 1554
HOUSE BILL NO. 1595
HOUSE BILL NO. 1637
HOUSE BILL NO. 1720
SUBSTITUTE HOUSE BILL NO. 1730
SUBSTITUTE HOUSE BILL NO. 1806
HOUSE BILL NO. 1961
HOUSE BILL NO. 1962
SECOND SUBSTITUTE HOUSE BILL NO. 2040
HOUSE BILL NO. 2181
SUBSTITUTE HOUSE BILL NO. 1002
HOUSE BILL NO. 1011
SUBSTITUTE HOUSE BILL NO. 1052
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170
SUBSTITUTE HOUSE BILL NO. 1252
HOUSE BILL NO. 1277
HOUSE BILL NO. 1302
SUBSTITUTE HOUSE BILL NO. 1313
HOUSE BILL NO. 1547
SUBSTITUTE HOUSE BILL NO. 1749
HOUSE BILL NO. 1819
SUBSTITUTE SENATE BILL NO. 5023
SENATE BILL NO. 5031
ENGROSSED SUBSTITUTE SENATE BILL NO. 5083
SENATE BILL NO. 5088
SENATE BILL NO. 5144
SUBSTITUTE SENATE BILL NO. 5165
SUBSTITUTE SENATE BILL NO. 5175
SENATE BILL NO. 5176
SENATE BILL NO. 5238
SUBSTITUTE SENATE BILL NO. 5294
SUBSTITUTE SENATE BILL NO. 5296
SENATE BILL NO. 5337
ENGROSSED SUBSTITUTE SENATE BILL NO. 5346
ENGROSSED SENATE BILL NO. 5424
SUBSTITUTE SENATE BILL NO. 5438
ENGROSSED SENATE BILL NO. 5504
SENATE BILL NO. 5532
SENATE BILL NO. 5556

The Speaker called upon Representative Moeller to preside.

SECOND SUBSTITUTE SENATE BILL NO. 5052, by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Hatfield and Conway)

Establishing the cannabis patient protection act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was not adopted. (For Committee amendment, see Journal, Day 67, March 19, 2015).

With the consent of the house, amendments (391), (398), (401), (402), (403) and (404) were withdrawn.

Representative Cody moved the adoption of amendment (338):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 64.** This act may be known and cited as the cannabis patient protection act.

NEW SECTION. **Sec. 65.** The legislature finds that since voters approved Initiative Measure No. 692 in 1998, it has been the public policy of the state to permit the medical use of marijuana. Between 1998 and the present day, there have been multiple legislative attempts to clarify what is meant by the medical use of marijuana and to ensure qualifying patients have a safe, consistent, and adequate source of marijuana for their medical needs.

The legislature further finds that qualifying patients are people with serious medical conditions and have been responsible for finding their own source of marijuana for their own personal medical use. Either by growing it themselves, designating someone to grow for them, or participating in collective gardens, patients have developed methods of access in spite of continued federal opposition to the medical use of marijuana. In a time when access itself was an issue and no safe, consistent source of marijuana was available, this unregulated system was permitted by the state to ensure some, albeit limited, access to marijuana for medical use. Also permitted were personal possession limits of fifteen plants and twenty-four ounces of useable marijuana, which was deemed to be the amount of marijuana needed for a sixty-day supply. In a time when supply was not consistent, this amount of marijuana was necessary to ensure patients would be able to address their immediate medical needs.

The legislature further finds that while possession amounts are provided in statute, these do not amount to protection from arrest and prosecution for patients. In fact, patients in compliance with state law are not provided arrest protection. They may be arrested and their only remedy is to assert an affirmative defense at trial that they are in compliance with the law and have a medical need. Too many patients using marijuana for medical purposes today do not know this; many falsely believe they cannot be arrested so long as their health care provider has authorized them for the medical use of marijuana.

The legislature further finds that in 2012 voters passed Initiative Measure No. 502 which permitted the recreational use of marijuana. For the first time in our nation's history, marijuana would be regulated, taxed, and sold for recreational consumption. Initiative Measure No. 502 provides for strict regulation on the production, processing, and distribution of marijuana. Under Initiative Measure No. 502, marijuana is trackable from seed to sale and may only be sold or grown under license. Marijuana must be tested for impurities and purchasers of marijuana must be informed of the THC level in the marijuana. Since its passage, two hundred fifty producer/processor licenses and sixty-three retail licenses have been issued, covering the majority of the state. With the current product canopy exceeding 2.9 million square feet, and retailers in place, the state now has a system of safe, consistent, and adequate access to marijuana; the marketplace is not the same marketplace envisioned by the voters in 1998. While medical needs remain, the state is in the untenable position of having a recreational product that is tested and subject to production standards that ensure safe access for recreational users. No such standards exist for medical users and,

consequently, the very people originally meant to be helped through the medical use of marijuana do not know if their product has been tested for molds, do not know where their marijuana has been grown, have no certainty in the level of THC or CBD in their products, and have no assurances that their products have been handled through quality assurance measures. It is not the public policy of the state to allow qualifying patients to only have access to products that may be endangering their health.

The legislature, therefore, intends to adopt a comprehensive act that uses the regulations in place for the recreational market to provide regulation for the medical use of marijuana. It intends to ensure that patients retain their ability to grow their own marijuana for their own medical use and it intends to ensure that patients have the ability to possess more marijuana-infused products, useable marijuana, and marijuana concentrates than what is available to a nonmedical user. It further intends that medical specific regulations be adopted as needed and under consultation of the departments of health and agriculture so that safe handling practices will be adopted and so that testing standards for medical products meet or exceed those standards in use in the recreational market.

The legislature further intends that the costs associated with implementing and administering the medical marijuana authorization database shall be financed from the health professions account and that these funds shall be restored to the health professions account through future appropriations using funds derived from the dedicated marijuana account.

Sec. 66. RCW 66.08.012 and 2012 c 117 s 265 are each amended to read as follows:

There shall be a board, known as the "Washington state liquor ((~~control~~)) and cannabis board," consisting of three members, to be appointed by the governor, with the consent of the senate, who shall each be paid an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The governor may, in his or her discretion, appoint one of the members as chair of the board, and a majority of the members shall constitute a quorum of the board.

Sec. 67. RCW 69.50.101 and 2014 c 192 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "Commission" means the pharmacy quality assurance commission.

(d) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(e)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(f) "Deliver" or "delivery," means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(n) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(o) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(p) "Isomer" means an optical isomer, but in subsection (z)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(q) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(r) "Lot number" shall identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(t) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(u) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than sixty percent.

(v) "Marijuana processor" means a person licensed by the state liquor ((~~control~~)) and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(w) "Marijuana producer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(x) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(y) "Marijuana retailer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(z) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(aa) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(bb) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(cc) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(dd) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ee) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(ff) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of

Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(gg) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(hh) "Retail outlet" means a location licensed by the state liquor ((~~control~~)) and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(ii) "Secretary" means the secretary of health or the secretary's designee.

(jj) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(kk) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ll) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(mm) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(nn) "Designated provider" has the meaning provided in RCW 69.51A.010.

(oo) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(pp) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(qq) "Plant" has the meaning provided in RCW 69.51A.010.

(rr) "Recognition card" has the meaning provided in RCW 69.51A.010.

Sec. 68. RCW 69.50.325 and 2014 c 192 s 2 are each amended to read as follows:

(1) There shall be a marijuana producer's license to produce marijuana for sale at wholesale to marijuana processors and other marijuana producers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW and the rules adopted to implement and enforce ((~~it~~)) these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

Sec. 69. RCW 69.50.331 and 2013 c 3 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, or sell marijuana, or for the renewal of a license to produce, process, or sell marijuana, the state liquor ((~~control~~)) and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board shall give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(ii) Second priority is given to applicants who operated or were employed by a collective garden before January 1, 2013, had a state business license and a municipal business license, as applicable in the relevant jurisdiction, and had a history of paying all applicable state taxes and fees; and

(iii) Third priority shall be given to all other applicants who do not have the experience and qualifications identified in (a)(i) and (ii) of this subsection.

(b) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor ((~~control~~)) and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor ((~~control~~)) and cannabis board and a criminal history record information check. The state liquor ((~~control~~)) and cannabis

board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ((~~control~~)) and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to these cases. Subject to the provisions of this section, the state liquor ((~~control~~)) and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (9) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor ((~~control~~)) and cannabis board to any staff member the board designates in writing. Conditions for granting this authority shall be adopted by rule.

(c) No license of any kind may be issued to:

(((~~a~~))) (i) A person under the age of twenty-one years;

(((~~b~~))) (ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least three months prior to applying to receive a license;

(((~~c~~))) (iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(((~~d~~))) (iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor ((~~control~~)) and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, or selling marijuana, useable marijuana, or marijuana-infused products thereunder shall be suspended or terminated, as the case may be.

(b) The state liquor ((~~control~~)) and cannabis board shall immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license shall be automatic upon the state liquor ((~~control~~)) and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor ((~~control~~)) and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor ((~~control~~)) and cannabis board may adopt.

(d) Witnesses shall be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor ((~~control~~)) and cannabis board or a subpoena issued by the state liquor ((~~control~~)) and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the state liquor ((~~control~~)) and cannabis board. Where the license has been suspended only, the state liquor ((~~control~~)) and cannabis board shall return the license to the licensee at the expiration or termination of the period of suspension. The state liquor ((~~control~~)) and cannabis board shall notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under chapter 3, Laws of 2013 shall be subject to all conditions and restrictions imposed by chapter 3, Laws of 2013 or by rules adopted by the state liquor ((~~control~~)) and cannabis board to implement and enforce chapter 3, Laws of 2013. All conditions and restrictions imposed by the state liquor ((~~control~~)) and cannabis board in the issuance of an individual license shall be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee shall employ any person under the age of twenty-one years.

(7)(a) Before the state liquor ((~~control~~)) and cannabis board issues a new or renewed license to an applicant it shall give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the state liquor ((~~control~~)) and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor ((~~control~~)) and cannabis board may extend the time period for submitting written objections.

(c) The written objections shall include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor ((~~control~~)) and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor ((~~control~~)) and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor ((~~control~~)) and cannabis board representatives shall present and defend the state liquor ((~~control~~)) and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor ((~~control~~)) and cannabis board shall send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8) The state liquor ((~~control~~)) and cannabis board shall not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school,

playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor ((~~control~~)) and cannabis board shall give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 70. RCW 69.50.342 and 2013 c 3 s 9 are each amended to read as follows:

(1) For the purpose of carrying into effect the provisions of chapter 3, Laws of 2013 according to their true intent or of supplying any deficiency therein, the state liquor ((~~control~~)) and cannabis board may adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013 as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor ((~~control~~)) and cannabis board is empowered to adopt rules regarding the following:

(((~~(1)~~))) (a) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises where marijuana is produced or processed;

(((~~(2)~~))) (b) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor ((~~control~~)) and cannabis board, and inspection of the books and records;

(((~~(3)~~))) (c) Methods of producing, processing, and packaging marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products; conditions of sanitation; safe handling requirements; approved pesticides and pesticide testing requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(((~~(4)~~))) (d) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(((~~(5)~~))) (e) Screening, hiring, training, and supervising employees of licensees;

(((~~(6)~~))) (f) Retail outlet locations and hours of operation;

(((~~(7)~~))) (g) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products for sale in retail outlets;

(((~~(8)~~))) (h) Forms to be used for purposes of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it~~)) these chapters, the terms and conditions to be contained in licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and the qualifications for receiving a license issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, including a criminal history record information check. The state liquor ((~~control~~)) and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ((~~control~~)) and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;

(((~~(9)~~))) (i) Application, reinstatement, and renewal fees for licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and fees for anything done or permitted to be done under the rules adopted to implement and enforce this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW;

(((~~(10)~~))) (j) The manner of giving and serving notices required by this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or rules adopted to implement or enforce ((~~it~~)) these chapters;

(((~~(11)~~))) (k) Times and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(((~~(12)~~))) (l) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it: PROVIDED, That nothing in chapter 3, Laws of 2013 shall be construed as authorizing the state liquor control board to seize, confiscate, destroy, or donate to law enforcement marijuana, useable marijuana, or marijuana-infused products produced, processed, sold, offered for sale, or possessed in compliance with the Washington state medical use of cannabis act, chapter 69.51A RCW~~)) these chapters.

(2) Rules adopted on retail outlets holding medical marijuana endorsements must be adopted in coordination and consultation with the department.

Sec. 71. RCW 69.50.345 and 2013 c 3 s 10 are each amended to read as follows:

The state liquor ((~~control~~)) and cannabis board, subject to the provisions of this chapter ((~~3, Laws of 2013~~)), must adopt rules ((~~by December 1, 2013,~~)) that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees.

(a) Application forms for marijuana producers must request the applicant to state whether the applicant intends to produce marijuana for sale by marijuana retailers holding medical marijuana endorsements and the amount of or percentage of canopy the applicant intends to commit to growing plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients.

(b) The state liquor and cannabis board must reconsider and increase limits on the amount of square feet permitted to be in production on the effective date of this section and increase the percentage of production space for those marijuana producers who intend to grow plants for marijuana retailers holding medical marijuana endorsements if the marijuana producer designates the increased production space to plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products to be sold to qualifying patients. If current marijuana producers do not use all the increased production space, the state liquor and cannabis

board may reopen the license period for new marijuana producer license applicants but only to those marijuana producers who agree to grow plants for marijuana retailers holding medical marijuana endorsements. Priority in licensing must be given to marijuana producer license applicants who have an application pending on the effective date of this section but who are not yet licensed and then to new marijuana producer license applicants. After January 1, 2017, any reconsideration of the limits on the amount of square feet permitted to be in production to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in section 21 of this act;

(2) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

(a) Population distribution;

(b) Security and safety issues; ((and))

(c) The provision of adequate access to licensed sources of marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(d) The number of retail outlets holding medical marijuana endorsements necessary to meet the medical needs of qualifying patients. The state liquor and cannabis board must reconsider and increase the maximum number of retail outlets it established before the effective date of this section and allow for a new license application period and a greater number of retail outlets to be permitted in order to accommodate the medical needs of qualifying patients and designated providers. After January 1, 2017, any reconsideration of the maximum number of retail outlets needed to meet the medical needs of qualifying patients must consider information contained in the medical marijuana authorization database established in section 21 of this act;

(3) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

(4) Determining the maximum quantities of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

(5) Determining the maximum quantities of marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

(6) In making the determinations required by ((~~subsections (3) through (5) of~~)) this section, the state liquor ((~~control~~)) and cannabis board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(c) Economies of scale, and their impact on licensees' ability to both comply with regulatory requirements and undercut illegal market prices;

(7) Determining the nature, form, and capacity of all containers to be used by licensees to contain marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, and their labeling requirements, to include but not be limited to:

(a) The business or trade name and Washington state unified business identifier number of the licensees that ((~~grew,~~)) processed((~~,~~)) and sold the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(b) Lot numbers of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(c) THC concentration and CBD concentration of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(d) Medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(e) Language required by RCW 69.04.480;

(8) In consultation with the department of agriculture and the department, establishing classes of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products according to grade, condition, cannabinoid profile, THC concentration, CBD concentration, or other qualitative measurements deemed appropriate by the state liquor ((~~control~~)) and cannabis board;

(9) Establishing reasonable time, place, and manner restrictions and requirements regarding advertising of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products that are not inconsistent with the provisions of this chapter ((~~3, Laws of 2013~~)), taking into consideration:

(a) Federal laws relating to marijuana that are applicable within Washington state;

(b) Minimizing exposure of people under twenty-one years of age to the advertising; ((~~and~~))

(c) The inclusion of medically and scientifically accurate information about the health and safety risks posed by marijuana use in the advertising; and

(d) Ensuring that retail outlets with medical marijuana endorsements may advertise themselves as medical retail outlets;

(10) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(11) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor ((~~control~~)) and cannabis board, and prescribing methods of producing, processing, and packaging marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(12) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or the rules of the state liquor ((~~control~~)) and cannabis board.

Sec. 72. RCW 69.50.354 and 2014 c 192 s 3 are each amended to read as follows:

There may be licensed, in no greater number in each of the counties of the state than as the state liquor ((~~control~~)) and cannabis board shall deem advisable, retail outlets established for the purpose of making marijuana concentrates, useable marijuana, and marijuana-infused products available for sale to adults aged twenty-one and over. Retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer or retail outlet employee, shall not be a criminal or civil offense under Washington state law.

NEW SECTION. **Sec. 73.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A medical marijuana endorsement to a marijuana retail license is hereby established to permit a marijuana retailer to sell

marijuana for medical use to qualifying patients and designated providers. This endorsement also permits such retailers to provide marijuana at no charge, at their discretion, to qualifying patients and designated providers.

(2) An applicant may apply for a medical marijuana endorsement concurrently with an application for a marijuana retail license.

(3) To be issued an endorsement, a marijuana retailer must:

(a) Not authorize the medical use of marijuana for qualifying patients at the retail outlet or permit health care professionals to authorize the medical use of marijuana for qualifying patients at the retail outlet;

(b) Carry marijuana concentrates and marijuana-infused products identified by the department under subsection (4) of this section;

(c) Not use labels or market marijuana concentrates, useable marijuana, or marijuana-infused products in a way that make them intentionally attractive to minors;

(d) Demonstrate the ability to enter qualifying patients and designated providers in the medical marijuana authorization database established in section 21 of this act and issue recognition cards and agree to enter qualifying patients and designated providers into the database and issue recognition cards in compliance with department standards;

(e) Keep copies of the qualifying patient's or designated provider's recognition card, or keep equivalent records as required by rule of the state liquor and cannabis board or the department of revenue to document the validity of tax exempt sales; and

(f) Meet other requirements as adopted by rule of the department or the state liquor and cannabis board.

(4) The department, in conjunction with the state liquor and cannabis board, must adopt rules on requirements for marijuana concentrates, useable marijuana, and marijuana-infused products that may be sold, or provided at no charge, to qualifying patients or designated providers at a retail outlet holding a medical marijuana endorsement. These rules must include:

(a) THC concentration, CBD concentration, or low THC, high CBD ratios appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients or designated providers;

(b) Labeling requirements including that the labels attached to marijuana concentrates, useable marijuana, or marijuana-infused products contain THC concentration, CBD concentration, and THC to CBD ratios;

(c) Other product requirements, including any additional mold, fungus, or pesticide testing requirements, or limitations to the types of solvents that may be used in marijuana processing that the department deems necessary to address the medical needs of qualifying patients;

(d) Safe handling requirements for marijuana concentrates, useable marijuana, or marijuana-infused products; and

(e) Training requirements for employees.

(5) A marijuana retailer holding an endorsement to sell marijuana to qualifying patients or designated providers must train its employees on:

(a) Procedures regarding the recognition of valid authorizations and the use of equipment to enter qualifying patients and designated providers into the medical marijuana authorization database;

(b) Recognition of valid recognition cards; and

(c) Recognition of strains, varieties, THC concentration, CBD concentration, and THC to CBD ratios of marijuana concentrates, useable marijuana, and marijuana-infused products, available for sale when assisting qualifying patients and designated providers at the retail outlet.

NEW SECTION. **Sec. 74.** A new section is added to chapter 69.50 RCW to read as follows:

A marijuana retailer or a marijuana retailer holding a medical marijuana endorsement may sell products with a THC concentration of 0.3 percent or less. Marijuana retailers holding a medical marijuana endorsement may also provide these products at no charge to qualifying patients or designated providers.

Sec. 75. RCW 69.50.357 and 2014 c 192 s 4 are each amended to read as follows:

(1) Retail outlets shall sell no products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers shall not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than one thousand six hundred square inches identifying the retail outlet by the licensee's business or trade name. Retail outlets that hold medical marijuana endorsements may include this information on signage.

(((~~(4)~~))) (5) Licensed marijuana retailers shall not display marijuana concentrates, useable marijuana, or marijuana-infused products in a manner that is visible to the general public from a public right-of-way.

(((~~(5)~~))) (6) No licensed marijuana retailer or employee of a retail outlet shall open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

(((~~(6)~~))) (7) The state liquor ((~~control~~)) and cannabis board shall fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

Sec. 76. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor ((~~control~~)) and cannabis board to implement and enforce chapter 3, Laws of 2013,

shall not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under this chapter ((~~3, Laws of 2013~~));

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor ((~~control~~)) and cannabis board under RCW 69.50.345(5); and

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate.

Sec. 77. RCW 69.50.4013 and 2013 c 3 s 20 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) The possession, by a person twenty-one years of age or older, of useable marijuana or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. **Sec. 78.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Nothing in this chapter permits anyone other than a validly licensed marijuana processor to use butane or other explosive gases to extract or separate resin from marijuana or to produce or process any form of marijuana concentrates or marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient. The extraction or separation of resin from marijuana, the processing of marijuana concentrates, and the processing of marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient by any person other than a validly licensed marijuana processor each constitute manufacture of marijuana in violation of RCW 69.50.401. Cooking oil, butter, and other nonexplosive home cooking substances may be used to make marijuana extracts for noncommercial personal use.

(2) Except for the use of butane, the state liquor and cannabis board may not enforce this section until it has adopted the rules required by section 28 of this act.

Sec. 79. RCW 69.51A.005 and 2011 c 181 s 102 are each amended to read as follows:

(1) The legislature finds that:

(a) There is medical evidence that some patients with terminal or debilitating medical conditions may, under their health care professional's care, benefit from the medical use of ((~~cannabis~~)) marijuana. Some of the conditions for which ((~~cannabis~~)) marijuana appears to be beneficial include, but are not limited to:

(i) Nausea, vomiting, and cachexia associated with cancer, HIV-positive status, AIDS, hepatitis C, anorexia, and their treatments;

(ii) Severe muscle spasms associated with multiple sclerosis, epilepsy, and other seizure and spasticity disorders;

(iii) Acute or chronic glaucoma;

(iv) Crohn's disease; and

(v) Some forms of intractable pain.

(b) Humanitarian compassion necessitates that the decision to use ((~~cannabis~~)) marijuana by patients with terminal or debilitating medical conditions is a personal, individual decision, based upon their health care professional's professional medical judgment and discretion.

(2) Therefore, the legislature intends that, so long as such activities are in strict compliance with this chapter:

(a) Qualifying patients with terminal or debilitating medical conditions who, in the judgment of their health care professionals, may benefit from the medical use of ((~~cannabis~~)) marijuana, shall not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law based solely on their medical use of ((~~cannabis~~)) marijuana, notwithstanding any other provision of law;

(b) Persons who act as designated providers to such patients shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law, notwithstanding any other provision of law, based solely on their assisting with the medical use of ((~~cannabis~~)) marijuana; and

(c) Health care professionals shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law for the proper authorization of medical use of ((~~cannabis~~)) marijuana by qualifying patients for whom, in the health care professional's professional judgment, the medical use of ((~~cannabis~~)) marijuana may prove beneficial.

(3) Nothing in this chapter establishes the medical necessity or medical appropriateness of ((~~cannabis~~)) marijuana for treating terminal or debilitating medical conditions as defined in RCW 69.51A.010.

(4) Nothing in this chapter diminishes the authority of correctional agencies and departments, including local governments or jails, to establish a procedure for determining when the use of ((~~cannabis~~)) marijuana would impact community safety or the effective supervision of those on active supervision for a criminal conviction, nor does it create the right to any accommodation of any medical use of ((~~cannabis~~)) marijuana in any correctional facility or jail.

Sec. 80. RCW 69.51A.010 and 2010 c 284 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Designated provider" means a person who((~~:~~

(~~a~~)) is ((~~eighteen~~)) twenty-one years of age or older((~~;~~

(~~b~~)) and:

(a)(i) Is the parent or guardian of a qualifying patient who is under the age of eighteen and beginning July 1, 2016, holds a recognition card; or

(ii) Has been designated in writing by a qualifying patient to serve as ((~~a~~)) the designated provider ((~~under this chapter~~)) for that patient;

(b)(i) Has an authorization from the qualifying patient's health care professional; or

(ii) Beginning July 1, 2016:

(A) Has been entered into the medical marijuana authorization database as being the designated provider to a qualifying patient; and

(B) Has been provided a recognition card;

(c) Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider; ((~~and~~))

(d) Provides marijuana to only the qualifying patient that has designated him or her;

(e) Is in compliance with the terms and conditions of this chapter; and

(f) Is the designated provider to only one patient at any one time.

(2) "Health care professional," for purposes of this chapter only, means a physician licensed under chapter 18.71 RCW, a physician assistant licensed under chapter 18.71A RCW, an osteopathic physician licensed under chapter 18.57 RCW, an osteopathic physicians' assistant licensed under chapter 18.57A RCW, a naturopath licensed under chapter 18.36A RCW, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW.

(3) "Medical use of marijuana" means the manufacture, production, possession, transportation, delivery, ingestion, application, or administration of marijuana((~~, as defined in RCW 69.50.101(q),~~)) for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating ((~~illness~~)) medical condition.

(4) "Qualifying patient" means a person who:

(a)(i) Is a patient of a health care professional;

(((~~(b)~~))) (ii) Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;

(((~~(c)~~))) (iii) Is a resident of the state of Washington at the time of such diagnosis;

(((~~(d)~~))) (iv) Has been advised by that health care professional about the risks and benefits of the medical use of marijuana; ((~~and~~

~~(e)~~)) (v) Has been advised by that health care professional that they may benefit from the medical use of marijuana;

(vi)(A) Has an authorization from his or her health care professional; or

(B) Beginning July 1, 2016, has been entered into the medical marijuana authorization database and has been provided a recognition card; and

(vii) Is otherwise in compliance with the terms and conditions established in this chapter.

(b) "Qualifying patient" does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.

(5) "Tamper-resistant paper" means paper that meets one or more of the following industry-recognized features:

(a) One or more features designed to prevent copying of the paper;

(b) One or more features designed to prevent the erasure or modification of information on the paper; or

(c) One or more features designed to prevent the use of counterfeit ((~~valid documentation~~)) authorization.

(6) "Terminal or debilitating medical condition" means a condition severe enough to significantly interfere with the patient's activities of daily living and ability to function, which can be objectively assessed and evaluated and limited to the following:

(a) Cancer, human immunodeficiency virus (HIV), multiple sclerosis, epilepsy or other seizure disorder, or spasticity disorders; ((~~or~~))

(b) Intractable pain, limited for the purpose of this chapter to mean pain unrelieved by standard medical treatments and medications; ((~~or~~))

(c) Glaucoma, either acute or chronic, limited for the purpose of this chapter to mean increased intraocular pressure unrelieved by standard treatments and medications; ((~~or~~))

(d) Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications; ((~~or~~))

(e) Hepatitis C with debilitating nausea or intractable pain unrelieved by standard treatments or medications; ((~~or~~))

(f) Diseases, including anorexia, which result in nausea, vomiting, wasting, appetite loss, cramping, seizures, muscle spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications; or

(g) ((~~Any other medical condition duly approved by the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter~~)) Posttraumatic stress disorder.

(7) ((~~"Valid documentation"~~)) (a) Until July 1, 2016, "authorization" means:

(((~~(a)~~))) (i) A statement signed and dated by a qualifying patient's health care professional written on tamper-resistant paper, which states that, in the health care professional's professional opinion, the patient may benefit from the medical use of marijuana; and

(((~~(b)~~))) (ii) Proof of identity such as a Washington state driver's license or identicard, as defined in RCW 46.20.035.

(b) Beginning July 1, 2016, "authorization" means a form developed by the department that is completed and signed by a qualifying patient's health care professional and printed on tamper-resistant paper.

(c) An authorization is not a prescription as defined in RCW 69.50.101.

(8) "Recognition card" means a card issued to qualifying patients and designated providers by a marijuana retailer with a medical marijuana endorsement that has entered them into the medical marijuana authorization database.

(9) "CBD concentration" means the percent of cannabidiol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product.

(10) "Department" means the department of health.

(11) "Marijuana" has the meaning provided in RCW 69.50.101.

(12) "Marijuana concentrates" has the meaning provided in RCW 69.50.101.

(13) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(14) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(15) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(16) "Marijuana retailer with a medical marijuana endorsement" means a marijuana retailer that has been issued a medical marijuana endorsement by the state liquor and cannabis board pursuant to section 10 of this act.

(17) "Marijuana-infused products" has the meaning provided in RCW 69.50.101.

(18) "Medical marijuana authorization database" means the secure and confidential database established in section 21 of this act.

(19) "Plant" means a marijuana plant having at least three distinguishable and distinct leaves, each leaf being at least three centimeters in diameter, and a readily observable root formation consisting of at least two separate and distinct roots, each being at least two centimeters in length. Multiple stalks emanating from the same root ball or root system is considered part of the same single plant.

(20) "Retail outlet" has the meaning provided in RCW 69.50.101.

(21) "Secretary" means the secretary of the department of health.

(22) "THC concentration" has the meaning provided in RCW 69.50.101.

(23) "Useable marijuana" has the meaning provided in RCW 69.50.101.

(24) "Low THC, high CBD" means products determined by the department to have a low THC, high CBD ratio under section 10 of this act. Low THC, high CBD products must be inhalable, ingestible, or absorbable.

(25) "Public place" has the meaning provided in RCW 70.160.020.

(26) "Housing unit" means a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building, and which have direct access from the outside of the building or through a common hall.

Sec. 81. RCW 69.51A.030 and 2011 c 181 s 301 are each amended to read as follows:

(1) The following acts do not constitute crimes under state law or unprofessional conduct under chapter 18.130 RCW, and a health care professional may not be arrested, searched, prosecuted, disciplined, or subject to other criminal sanctions or civil consequences or liability under state law, or have real or personal property searched, seized, or forfeited pursuant to state law, notwithstanding any other provision of law as long as the health care professional complies with subsection (2) of this section:

(a) Advising a patient about the risks and benefits of medical use of ((~~cannabis~~)) marijuana or that the patient may benefit from the medical use of ((~~cannabis~~)) marijuana; or

(b) Providing a patient or designated provider meeting the criteria established under RCW 69.51A.010((~~(26)~~)) with ((~~valid documentation~~)) an authorization, based upon the health care professional's assessment of the patient's medical history and current medical condition, ((~~where such use is~~)) if the health care professional has complied with this chapter and he or she determines within a professional standard of care or in the individual health care professional's medical judgment the qualifying patient may benefit from the medical use of marijuana.

(2)(a) A health care professional may ((~~only~~)) provide a qualifying patient or that patient's designated provider with ((~~valid documentation authorizing~~)) an authorization for the medical use of ((~~cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:~~

~~(i) Completing a~~)) marijuana in accordance with this section.

(b) In order to authorize for the medical use of marijuana under (a) of this subsection, the health care professional must:

(i) Have a documented relationship with the patient, as a principal care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition;

(ii) Complete an in-person physical examination of the patient ((~~as appropriate, based on the patient's condition and age~~));

(((~~ii) Documenting~~)) (iii) Document the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of ((~~cannabis~~)) marijuana;

(((~~iii) Informing~~)) (iv) Inform the patient of other options for treating the terminal or debilitating medical condition and documenting in the patient's medical record that the patient has received this information; ((~~and~~

~~(iv) Documenting~~)) (v) Document in the patient's medical record other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of ((~~cannabis~~)) marijuana; and

(vi) Complete an authorization on forms developed by the department, in accordance with subsection (3) of this section.

(((~~(b)~~))) (c) For a qualifying patient eighteen years of age or older, an authorization expires one year after its issuance. For a qualifying patient less than eighteen years of age, an authorization expires six months after its issuance. An authorization may be renewed upon completion of an in-person physical examination and compliance with the other requirements of (b) of this subsection.

(d) A health care professional shall not:

(i) Accept, solicit, or offer any form of pecuniary remuneration from or to a ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer, marijuana processor, or marijuana producer;

(ii) Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a particular ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer;

(iii) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition at a location where ((~~cannabis~~)) marijuana is produced, processed, or ((~~dispensed~~)) sold;

(iv) Have a business or practice which consists ((~~solely~~)) primarily of authorizing the medical use of ((~~cannabis~~)) marijuana or authorize the medical use of marijuana at any location other than his or her practice's permanent physical location;

(v) ((~~Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice~~)) Except as provided in section 35 of this act, sell, or provide at no charge, marijuana concentrates, marijuana-infused products, or useable marijuana to a qualifying patient or designated provider; or

(vi) Hold an economic interest in an enterprise that produces, processes, or ((~~dispenses cannabis~~)) sells marijuana if the health care professional authorizes the medical use of ((~~cannabis~~)) marijuana.

(3) ((~~A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW.~~)) The department shall develop the form for the health care professional to use as an authorization for qualifying patients and designated providers. The form shall include the qualifying patient's or designated provider's name, address, and date of birth; the health care professional's name, address, and license number; the amount of marijuana recommended for the qualifying patient; a telephone number where the authorization can be verified during normal business hours; the dates of issuance and expiration; and a statement that an authorization does not provide protection from arrest unless the qualifying patient or designated provider is also entered in the medical marijuana authorization database and holds a recognition card.

(4) Until July 1, 2016, a health care professional who, within a single calendar month, authorizes the medical use of marijuana to more than thirty patients must report the number of authorizations issued.

(5) The appropriate health professions disciplining authority may inspect or request patient records to confirm compliance with this section. The health care professional must provide access to or produce documents, records, or other items that are within his or her possession or control within twenty-one calendar days of service of a request by the health professions disciplining authority. If the twenty-one calendar day limit results in a hardship upon the health care professional, he or she may request, for good cause, an extension not to exceed thirty additional calendar days. Failure to produce the documents, records, or other items shall result in citations and fines issued consistent with RCW 18.130.230. Failure to otherwise comply with the requirements of this section shall be considered unprofessional conduct and subject to sanctions under chapter 18.130 RCW.

(6) After a health care professional authorizes a qualifying patient for the medical use of marijuana, he or she may discuss with

the qualifying patient how to use marijuana and the types of products the qualifying patient should seek from a retail outlet.

NEW SECTION. **Sec. 82.** A new section is added to chapter 69.51A RCW to read as follows:

As part of authorizing a qualifying patient or designated provider, the health care professional may include recommendations on the amount of marijuana that is likely needed by the qualifying patient for his or her medical needs and in accordance with this section.

(1) If the health care professional does not include recommendations on the qualifying patient's or designated provider's authorization, the marijuana retailer with a medical marijuana endorsement, when adding the qualifying patient or designated provider to the medical marijuana authorization database, shall enter into the database that the qualifying patient or designated provider may purchase or obtain at a retail outlet holding a medical marijuana endorsement a combination of the following: Forty-eight ounces of marijuana-infused product in solid form; three ounces of useable marijuana; two hundred sixteen ounces of marijuana-infused product in liquid form; or twenty-one grams of marijuana concentrates. The qualifying patient or designated provider may also grow, in his or her domicile, up to six plants for the personal medical use of the qualifying patient and possess up to eight ounces of useable marijuana produced from his or her plants. These amounts shall be specified on the recognition card that is issued to the qualifying patient or designated provider.

(2) If the health care professional determines that the medical needs of a qualifying patient exceed the amounts provided for in subsection (1) of this section, the health care professional must specify on the authorization that it is recommended that the patient be allowed to grow, in his or her domicile, up to fifteen plants for the personal medical use of the patient. A patient so authorized may possess up to sixteen ounces of useable marijuana in his or her domicile. The number of plants must be entered into the medical marijuana authorization database by the marijuana retailer with a medical marijuana endorsement and specified on the recognition card that is issued to the qualifying patient or designated provider.

(3) If a qualifying patient or designated provider with an authorization from a health care professional has not been entered into the medical marijuana authorization database, he or she may not receive a recognition card and may only purchase at a retail outlet, whether it holds a medical marijuana endorsement or not, the amounts established in RCW 69.50.360. In addition the qualifying patient or the designated provider may grow, in his or her domicile, up to four plants for the personal medical use of the qualifying patient and possess up to six ounces of useable marijuana in his or her domicile.

NEW SECTION. **Sec. 83.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Health care professionals may authorize the medical use of marijuana for qualifying patients who are under the age of eighteen if:

(a) The minor's parent or guardian participates in the minor's treatment and agrees to the medical use of marijuana by the minor; and

(b) The parent or guardian acts as the designated provider for the minor and has sole control over the minor's marijuana.

(2) The minor may not grow plants or purchase marijuana-infused products, useable marijuana, or marijuana concentrates from a marijuana retailer with a medical marijuana endorsement.

(3) Both the minor and the minor's parent or guardian who is acting as the designated provider must be entered in the medical marijuana authorization database and hold a recognition card.

(4) A health care professional who authorizes the medical use of marijuana by a minor must do so as part of the course of treatment of the minor's terminal or debilitating medical condition. If authorizing a minor for the medical use of marijuana, the health care professional must:

(a) Consult with other health care providers involved in the minor's treatment, as medically indicated, before authorization or reauthorization of the medical use of marijuana; and

(b) Reexamine the minor at least once every six months or more frequently as medically indicated. The reexamination must:

(i) Determine that the minor continues to have a terminal or debilitating medical condition and that the condition benefits from the medical use of marijuana; and

(ii) Include a follow-up discussion with the minor's parent or guardian to ensure the parent or guardian continues to participate in the treatment of the minor.

NEW SECTION. **Sec. 84.** A new section is added to chapter 69.51A RCW to read as follows:

(1) The department must contract with an entity to create, administer, and maintain a secure and confidential medical marijuana authorization database that, beginning July 1, 2016, allows:

(a) A marijuana retailer with a medical marijuana endorsement to add a qualifying patient or designated provider and include the amount of marijuana concentrates, useable marijuana, marijuana-infused products, or plants for which the qualifying patient is authorized under section 19 of this act;

(b) Persons authorized to prescribe or dispense controlled substances to access health care information on their patients for the purpose of providing medical or pharmaceutical care for their patients;

(c) A qualifying patient or designated provider to request and receive his or her own health care information or information on any person or entity that has queried their name or information;

(d) Appropriate local, state, tribal, and federal law enforcement or prosecutorial officials who are engaged in a bona fide specific investigation of suspected marijuana-related activity that may be illegal under Washington state law to confirm the validity of the recognition card of a qualifying patient or designated provider;

(e) A marijuana retailer holding a medical marijuana endorsement to confirm the validity of the recognition card of a qualifying patient or designated provider;

(f) The department of revenue to verify tax exemptions under chapters 82.08 and 82.12 RCW;

(g) The department and the health care professional's disciplining authorities to monitor authorizations and ensure compliance with this chapter and chapter 18.130 RCW by their licensees; and

(h) Authorizations to expire six months or one year after entry into the medical marijuana authorization database, depending on whether the authorization is for a minor or an adult.

(2) A qualifying patient and his or her designated provider, if any, may be placed in the medical marijuana authorization database at a marijuana retailer with a medical marijuana endorsement. After a qualifying patient or designated provider is placed in the medical marijuana authorization database, he or she must be provided with a recognition card that contains identifiers required in subsection (3) of this section.

(3) The recognition card requirements must be developed by the department in rule and include:

(a) A randomly generated and unique identifying number;

(b) For designated providers, the unique identifying number of the qualifying patient whom the provider is assisting;

(c) A photograph of the qualifying patient's or designated provider's face taken by an employee of the marijuana retailer with a medical marijuana endorsement at the same time that the qualifying patient or designated provider is being placed in the medical marijuana authorization database in accordance with rules adopted by the department;

(d) The amount of marijuana concentrates, useable marijuana, marijuana-infused products, or plants for which the qualifying patient is authorized under section 19 of this act;

(e) The effective date and expiration date of the recognition card;

(f) The name of the health care professional who authorized the qualifying patient or designated provider; and

(g) For the recognition card, additional security features as necessary to ensure its validity.

(4) For qualifying patients who are eighteen years of age or older and their designated providers, recognition cards are valid for one year from the date the health care professional issued the authorization. For qualifying patients who are under the age of eighteen and their designated providers, recognition cards are valid for six months from the date the health care professional issued the authorization. Qualifying patients may not be reentered into the medical marijuana authorization database until they have been reexamined by a health care professional and determined to meet the definition of qualifying patient. After reexamination, a marijuana retailer with a medical marijuana endorsement must reenter the qualifying patient or designated provider into the medical marijuana authorization database and a new recognition card will then be issued in accordance with department rules.

(5) If a recognition card is lost or stolen, a marijuana retailer with a medical marijuana endorsement, in conjunction with the database administrator, may issue a new card that will be valid for six months to one year if the patient is reexamined by a health care professional and determined to meet the definition of qualifying patient and depending on whether the patient is under the age of eighteen or eighteen years of age or older as provided in subsection (4) of this section. If a reexamination is not performed, the expiration date of the replacement recognition card must be the same as the lost or stolen recognition card.

(6) The database administrator must remove qualifying patients and designated providers from the medical marijuana authorization database upon expiration of the recognition card. Qualifying patients and designated providers may request to remove themselves from the medical marijuana authorization database before expiration of a recognition card and health care professionals may request to remove qualifying patients and designated providers from the medical marijuana authorization database if the patient or provider no longer qualifies for the medical use of marijuana. The database administrator must retain database records for at least five calendar years to permit the state liquor and cannabis board and the department of revenue to verify eligibility for tax exemptions.

(7) During development of the medical marijuana authorization database, the database administrator must consult with the department, stakeholders, and persons with relevant expertise to include, but not be limited to, qualifying patients, designated providers, health care professionals, state and local law enforcement agencies, and the University of Washington computer science and engineering security and privacy research lab or a certified cyber security firm, vendor, or service.

(8) The medical marijuana authorization database must meet the following requirements:

(a) Any personally identifiable information included in the database must be nonreversible, pursuant to definitions and standards set forth by the national institute of standards and technology;

(b) Any personally identifiable information included in the database must not be susceptible to linkage by use of data external to the database;

(c) The database must incorporate current best differential privacy practices, allowing for maximum accuracy of database queries while minimizing the chances of identifying the personally identifiable information included therein; and

(d) The database must be upgradable and updated in a timely fashion to keep current with state of the art privacy and security standards and practices.

(9)(a) Personally identifiable information of qualifying patients and designated providers included in the medical marijuana authorization database is confidential and exempt from public disclosure, inspection, or copying under chapter 42.56 RCW.

(b) Information contained in the medical marijuana authorization database may be released in aggregate form, with all personally identifying information redacted, for the purpose of statistical analysis and oversight of agency performance and actions.

(c) Information contained in the medical marijuana authorization database shall not be shared with the federal government or its agents unless the particular patient or designated provider is convicted in state court for violating this chapter or chapter 69.50 RCW.

(10)(a) The department must charge a one dollar fee for each initial and renewal recognition card issued by a marijuana retailer with a medical marijuana endorsement. The marijuana retailer with a medical marijuana endorsement shall collect the fee from the qualifying patient or designated provider at the time that he or she is entered into the database and issued a recognition card. The department shall establish a schedule for marijuana retailers with a medical marijuana endorsement to remit the fees collected. Fees collected under this subsection shall be deposited into the health professions account created under RCW 43.70.320.

(b) By November 1, 2016, the department shall report to the governor and the fiscal committees of both the house of representatives and the senate regarding the cost of implementation and administration of the medical marijuana authorization database. The report must specify amounts from the health professions account used to finance the establishment and administration of the medical marijuana authorization database as well as estimates of the continuing costs associated with operating the medical marijuana database. The report must also provide initial enrollment figures in the medical marijuana authorization database and estimates of expected future enrollment.

(11) If the database administrator fails to comply with this section, the department may cancel any contracts with the database administrator and contract with another database administrator to continue administration of the database. A database administrator who fails to comply with this section is subject to a fine of up to five thousand dollars in addition to any penalties established in the contract. Fines collected under this section must be deposited into the health professions account created under RCW 43.70.320.

(12) The department may adopt rules to implement this section.

NEW SECTION. **Sec. 85.** A new section is added to chapter 42.56 RCW to read as follows:

Records in the medical marijuana authorization database established in section 21 of this act containing names and other personally identifiable information of qualifying patients and designated providers are exempt from disclosure under this chapter.

NEW SECTION. **Sec. 86.** A new section is added to chapter 69.51A RCW to read as follows:

(1) It is unlawful for a person to knowingly or intentionally:

(a) Access the medical marijuana authorization database for any reason not authorized under section 21 of this act;

(b) Disclose any information received from the medical marijuana authorization database in violation of section 21 of this act including, but not limited to, qualifying patient or designated provider names, addresses, or amount of marijuana for which they are authorized;

(c) Produce a recognition card or to tamper with a recognition card for the purpose of having it accepted by a marijuana retailer holding a medical marijuana endorsement in order to purchase

marijuana as a qualifying patient or designated provider or to grow marijuana plants in accordance with this chapter;

(d) If a person is a designated provider to a qualifying patient, sell, donate, or supply marijuana produced or obtained for the qualifying patient to another person, or use the marijuana produced or obtained for the qualifying patient for the designated provider's own personal use or benefit; or

(e) If the person is a qualifying patient, sell, donate, or otherwise supply marijuana produced or obtained by the qualifying patient to another person.

(2) A person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both.

Sec. 87. RCW 69.51A.040 and 2011 c 181 s 401 are each amended to read as follows:

The medical use of ((~~cannabis~~)) marijuana in accordance with the terms and conditions of this chapter does not constitute a crime and a qualifying patient or designated provider in compliance with the terms and conditions of this chapter may not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences((~~,~~)) for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, or have real or personal property seized or forfeited for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, and investigating ((~~peace~~)) law enforcement officers and ((~~law enforcement~~)) agencies may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance, if:

(1)(a) The qualifying patient or designated provider has been entered into the medical marijuana authorization database and holds a valid recognition card and possesses no more than ((~~fifteen cannabis plants and:~~

~~(i) No more than twenty-four ounces of useable cannabis;~~

~~(ii) No more cannabis product than what could reasonably be produced with no more than twenty-four ounces of useable cannabis; or~~

~~(iii) A combination of useable cannabis and cannabis product that does not exceed a combined total representing possession and processing of no more than twenty-four ounces of useable cannabis~~)) the amount of marijuana concentrates, useable marijuana, plants, or marijuana-infused products authorized under section 19 of this act.

(((~~(b)~~))) If a person is both a qualifying patient and a designated provider for another qualifying patient, the person may possess no more than twice the amounts described in ((~~(a) of this subsection~~)) section 19 of this act for the qualifying patient and designated provider, whether the plants, ((~~useable cannabis, and cannabis product~~)) marijuana concentrates, useable marijuana, or marijuana-infused products are possessed individually or in combination between the qualifying patient and his or her designated provider;

(((~~(2)~~))) (b) The qualifying patient or designated provider presents his or her ((~~proof of registration with the department of health,~~)) recognition card to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

(((~~(3)~~))) (c) The qualifying patient or designated provider keeps a copy of his or her ((~~proof of registration with the registry established in section 901 of this act~~)) recognition card and the qualifying patient or designated provider's contact information posted prominently next to any ((~~cannabis~~)) plants, ((~~cannabis~~)) marijuana concentrates, marijuana-infused products, or useable ((~~cannabis~~)) marijuana located at his or her residence;

(((~~(4)~~))) (d) The investigating ((~~peace~~)) law enforcement officer does not possess evidence that:

(((~~(a)~~))) (i) The designated provider has converted ((~~cannabis~~)) marijuana produced or obtained for the qualifying patient for his or her own personal use or benefit; or

(((~~(b)~~))) (ii) The qualifying patient ((~~has converted cannabis produced or obtained for his or her own medical use to the qualifying patient's personal, nonmedical use or benefit~~)) sold, donated, or supplied marijuana to another person; and

(((~~(5)~~))) (e) The ((~~investigating peace officer does not possess evidence that the~~)) designated provider has not served as a designated provider to more than one qualifying patient within a fifteen-day period; ((~~and~~

~~(6)~~)) or

(2) The ((~~investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4)~~)) qualifying patient or designated provider participates in a cooperative as provided in section 26 of this act.

Sec. 88. RCW 69.51A.043 and 2011 c 181 s 402 are each amended to read as follows:

(1) A qualifying patient or designated provider who has a valid authorization from his or her health care professional, but is not ((~~registered with the registry established in section 901 of this act~~)) entered in the medical marijuana authorization database and does not have a recognition card may raise the affirmative defense set forth in subsection (2) of this section, if:

(a) The qualifying patient or designated provider presents his or her ((~~valid documentation to any peace~~)) authorization to any law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

(b) The qualifying patient or designated provider possesses no more ((~~cannabis~~)) marijuana than the limits set forth in ((~~RCW 69.51A.040(1)~~)) section 19(3) of this act;

(c) The qualifying patient or designated provider is in compliance with all other terms and conditions of this chapter;

(d) The investigating ((~~peace~~)) law enforcement officer does not have probable cause to believe that the qualifying patient or designated provider has committed a felony, or is committing a misdemeanor in the officer's presence, that does not relate to the medical use of ((~~cannabis~~)) marijuana; and

(e) No outstanding warrant for arrest exists for the qualifying patient or designated provider((~~; and~~

~~(f) The investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4) of this act~~)).

(2) A qualifying patient or designated provider who is not ((~~registered with the registry established in section 901 of this act~~)) entered in the medical marijuana authorization database and does not have a recognition card, but who presents his or her ((~~valid documentation~~)) authorization to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana, may assert an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that he or she otherwise meets the requirements of RCW 69.51A.040. A qualifying patient or designated provider meeting the conditions of this subsection but possessing more ((~~cannabis~~)) marijuana than the limits set forth in ((~~RCW 69.51A.040(1)~~)) section 19(3) of this act may, in the investigating ((~~peace~~)) law enforcement officer's discretion, be taken into custody and booked into jail in connection with the investigation of the incident.

NEW SECTION. **Sec. 89.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid

recognition cards. All members of the cooperative must be at least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member of a cooperative on the qualifying patient's behalf.

(2) Cooperatives may not be located within one mile of a marijuana retailer. People who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location. The state liquor and cannabis board must deny the registration of any cooperative if the location is within one mile of a marijuana retailer.

(3) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(4) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(5) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(6) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(7) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

NEW SECTION. **Sec. 90.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Notwithstanding any other provision of this chapter and even if multiple qualifying patients or designated providers reside in the same housing unit, no more than fifteen plants may be grown or located in any one housing unit other than a cooperative established pursuant to section 26 of this act.

(2) Neither the production nor processing of marijuana or marijuana-infused products pursuant to this section nor the storage or growing of plants may occur if any portion of such activity can be readily seen by normal unaided vision or readily smelled from a public place or the private property of another housing unit.

(3) Cities, towns, counties, and other municipalities may create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance with this section.

NEW SECTION. **Sec. 91.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Once the state liquor and cannabis board adopts rules under subsection (2) of this section, qualifying patients or designated providers may only extract or separate the resin from marijuana or produce or process any form of marijuana concentrates or marijuana-infused products in accordance with those standards.

(2) The state liquor and cannabis board must adopt rules permitting qualifying patients and designated providers to extract or separate the resin from marijuana using noncombustable methods. The rules must provide the noncombustible methods permitted and any restrictions on this practice.

Sec. 92. RCW 69.51A.045 and 2011 c 181 s 405 are each amended to read as follows:

(1) A qualifying patient or designated provider in possession of ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the limits set forth in ((~~RCW 69.51A.040(1)~~)) this chapter but otherwise in compliance with all other terms and conditions of this chapter may establish an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that the qualifying patient's necessary medical use exceeds the amounts set forth in RCW 69.51A.040((~~(1)~~)).

(2) An investigating ((~~peace~~)) law enforcement officer may seize ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the amounts set forth in ((~~RCW 69.51A.040(1): PROVIDED, That~~)) this chapter. In the case of ((~~cannabis~~)) plants, the qualifying patient or designated provider shall be allowed to select the plants that will remain at the location. The officer and his or her law enforcement agency may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance.

Sec. 93. RCW 69.51A.055 and 2011 c 181 s 1105 are each amended to read as follows:

(1)(a) The arrest and prosecution protections established in RCW 69.51A.040 may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(b) The affirmative defenses established in RCW 69.51A.043((~~,~~)) and 69.51A.045((~~, 69.51A.047, and section 407 of this act~~)) may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(2) ((~~The provisions of~~)) RCW 69.51A.040((~~, 69.51A.085, and 69.51A.025 do~~)) does not apply to a person who is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision.

(((~~(3) A person may not be licensed as a licensed producer, licensed processor of cannabis products, or a licensed dispenser under section 601, 602, or 701 of this act if he or she is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that licensure is inconsistent with and contrary to his or her supervision.~~))

Sec. 94. RCW 69.51A.060 and 2011 c 181 s 501 are each amended to read as follows:

(1) It shall be a class 3 civil infraction to use or display medical ((~~cannabis~~)) marijuana in a manner or place which is open to the view of the general public.

(2) Nothing in this chapter establishes a right of care as a covered benefit or requires any state purchased health care as defined in RCW 41.05.011 or other health carrier or health plan as defined in Title 48 RCW to be liable for any claim for reimbursement for the medical use of ((~~cannabis~~)) marijuana. Such entities may enact coverage or noncoverage criteria or related policies for payment or nonpayment of medical ((~~cannabis~~)) marijuana in their sole discretion.

(3) Nothing in this chapter requires any health care professional to authorize the medical use of ((~~cannabis~~)) marijuana for a patient.

(4) Nothing in this chapter requires any accommodation of any on-site medical use of ((~~cannabis~~)) marijuana in any place of employment, in any school bus or on any school grounds, in any youth center, in any correctional facility, or smoking ((~~cannabis~~)) marijuana in any public place or hotel or motel. However, a school may permit a minor who meets the requirements of section 20 of this act to consume marijuana on school grounds. Such use must be in accordance with school policy relating to medication use on school grounds.

(5) Nothing in this chapter authorizes the possession or use of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products on federal property.

(((~~(5)~~))) (6) Nothing in this chapter authorizes the use of medical ((~~cannabis~~)) marijuana by any person who is subject to the Washington code of military justice in chapter 38.38 RCW.

(((~~(6)~~))) (7) Employers may establish drug-free work policies. Nothing in this chapter requires an accommodation for the medical use of ((~~cannabis~~)) marijuana if an employer has a drug-free workplace.

(((~~(7) It is a class C felony to fraudulently produce any record purporting to be, or tamper with the content of any record for the purpose of having it accepted as, valid documentation under RCW 69.51A.010(32)(a), or to backdate such documentation to a time earlier than its actual date of execution.~~)))

(8) No person shall be entitled to claim the protection from arrest and prosecution under RCW 69.51A.040 or the affirmative defense under RCW 69.51A.043 for engaging in the medical use of ((~~cannabis~~)) marijuana in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway, including violations of RCW 46.61.502 or 46.61.504, or equivalent local ordinances.

Sec. 95. RCW 69.51A.085 and 2011 c 181 s 403 are each amended to read as follows:

(1) Qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering ((~~cannabis~~)) marijuana for medical use subject to the following conditions:

(a) No more than ten qualifying patients may participate in a single collective garden at any time;

(b) No person under the age of twenty-one may participate in a collective garden or receive marijuana that was produced, processed, transported, or delivered through a collective garden. A designated provider for a person who is under the age of twenty-one may participate in a collective garden on behalf of the person under the age of twenty-one;

(c) A collective garden may contain no more than fifteen plants per patient up to a total of forty-five plants;

(((~~(c)~~))) (d) A collective garden may contain no more than twenty-four ounces of useable ((~~cannabis~~)) marijuana per patient up to a total of seventy-two ounces of useable ((~~cannabis~~)) marijuana;

(((~~(d)~~))) (e) A copy of each qualifying patient's ((~~valid documentation or proof of registration with the registry established in section 901 of this act~~)) authorization, including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and

(((~~(e)~~))) (f) No useable ((~~cannabis~~)) marijuana from the collective garden is delivered to anyone other than one of the qualifying patients participating in the collective garden.

(2) For purposes of this section, the creation of a "collective garden" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies, and labor necessary to plant, grow, and harvest ((~~cannabis; cannabis~~)) marijuana plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of ((~~cannabis~~)) marijuana plants.

(3) A person who knowingly violates a provision of subsection (1) of this section is not entitled to the protections of this chapter.

NEW SECTION. **Sec. 96.** A new section is added to chapter 69.50 RCW to read as follows:

(1) The state liquor and cannabis board may conduct controlled purchase programs to determine whether:

(a) A marijuana retailer is unlawfully selling marijuana to persons under the age of twenty-one;

(b) A marijuana retailer holding a medical marijuana endorsement is selling to persons under the age of eighteen or selling to persons between the ages of eighteen and twenty-one who do not hold valid recognition cards;

(c) Until July 1, 2016, collective gardens under RCW 69.51A.085 are providing marijuana to persons under the age of twenty-one; or

(d) A cooperative organized under section 26 of this act is permitting a person under the age of twenty-one to participate.

(2) Every person under the age of twenty-one years who purchases or attempts to purchase marijuana is guilty of a violation of this section. This section does not apply to:

(a) Persons between the ages of eighteen and twenty-one who hold valid recognition cards and purchase marijuana at a marijuana retail outlet holding a medical marijuana endorsement;

(b) Persons between the ages of eighteen and twenty-one years who are participating in a controlled purchase program authorized by the state liquor and cannabis board under rules adopted by the board. Violations occurring under a private, controlled purchase program authorized by the state liquor and cannabis board may not be used for criminal or administrative prosecution.

(3) A marijuana retailer who conducts an in-house controlled purchase program authorized under this section shall provide his or her employees a written description of the employer's in-house controlled purchase program. The written description must include notice of actions an employer may take as a consequence of an employee's failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program.

(4) An in-house controlled purchase program authorized under this section shall be for the purposes of employee training and employer self-compliance checks. A marijuana retailer may not terminate an employee solely for a first-time failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program authorized under this section.

(5) Every person between the ages of eighteen and twenty-one who is convicted of a violation of this section is guilty of a misdemeanor punishable as provided by RCW 9A.20.021.

Sec. 97. RCW 69.51A.100 and 2011 c 181 s 404 are each amended to read as follows:

(1) A qualifying patient may revoke his or her designation of a specific designated provider and designate a different designated provider at any time. A revocation of designation must be in writing, signed and dated, and provided to the designated provider and, if applicable, the medical marijuana authorization database administrator. The protections of this chapter cease to apply to a person who has served as a designated provider to a qualifying patient seventy-two hours after receipt of that patient's revocation of his or her designation.

(2) A person may stop serving as a designated provider to a given qualifying patient at any time by revoking that designation in writing, signed and dated, and provided to the qualifying patient and, if applicable, the medical marijuana authorization database administrator. However, that person may not begin serving as a designated provider to a different qualifying patient until fifteen days have elapsed from the date the last qualifying patient designated him or her to serve as a provider.

(3) The department may adopt rules to implement this section, including a procedure to remove the name of the designated provider from the medical marijuana authorization database upon receipt of a revocation under this section.

NEW SECTION. **Sec. 98.** A new section is added to chapter 69.51A RCW to read as follows:

Neither this chapter nor chapter 69.50 RCW prohibits a health care professional from selling or donating topical, noningestible products that have a THC concentration of less than .3 percent to qualifying patients.

NEW SECTION. **Sec. 99.** A new section is added to chapter 69.51A RCW to read as follows:

Employers of a health care professional may not prohibit or limit the authority of any health care professional to:

(1) Advise a patient about the risks and benefits of the medical use of marijuana or that the patient may benefit from the medical use of marijuana; or

(2) Provide a patient or designated provider meeting the criteria established under RCW 69.51A.010 with an authorization, based upon the health care professional's assessment of the patient's medical history and current medical condition, if the health care professional has complied with this chapter and he or she determines within a professional standard of care or in the individual health care professional's medical judgment the qualifying patient may benefit from the medical use of marijuana.

NEW SECTION. **Sec. 100.** A new section is added to chapter 69.51A RCW to read as follows:

A medical marijuana consultant certificate is hereby established.

(1) In addition to any other authority provided by law, the secretary of the department may:

(a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to implement this chapter;

(b) Establish forms and procedures necessary to administer this chapter;

(c) Approve training or education programs that meet the requirements of this section and any rules adopted to implement it;

(d) Receive criminal history record information that includes nonconviction information data for any purpose associated with initial certification or renewal of certification. The secretary shall require each applicant for initial certification to obtain a state or federal criminal history record information background check through the state patrol or the state patrol and the identification division of the federal bureau of investigation prior to the issuance of any certificate. The secretary shall specify those situations where a state background check is inadequate and an applicant must obtain an electronic fingerprint-based national background check through the state patrol and federal bureau of investigation. Situations where a background check is inadequate may include instances where an applicant has recently lived out-of-state or where the applicant has a criminal record in Washington;

(e) Establish administrative procedures, administrative requirements, and fees in accordance with RCW 43.70.110 and 43.70.250; and

(f) Maintain the official department record of all applicants and certificate holders.

(2) A training or education program approved by the secretary must include the following topics:

(a) The medical conditions that constitute terminal or debilitating conditions, and the symptoms of those conditions;

(b) Short and long-term effects of cannabinoids;

(c) Products that may benefit qualifying patients based on the patient's terminal or debilitating medical condition;

(d) Risks and benefits of various routes of administration;

(e) Safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors;

(f) Demonstrated knowledge of this chapter and the rules adopted to implement it; and

(g) Other subjects deemed necessary and appropriate by the secretary to ensure medical marijuana consultant certificate holders are able to provide evidence-based and medically accurate advice on the medical use of marijuana.

(3) Medical marijuana consultant certificates are subject to annual renewals and continuing education requirements established by the secretary.

(4) The secretary shall have the power to refuse, suspend, or revoke the certificate of any medical marijuana consultant upon proof that:

(a) The certificate was procured through fraud, misrepresentation, or deceit;

(b) The certificate holder has committed acts in violation of subsection (6) of this section; or

(c) The certificate holder has violated or has permitted any employee or volunteer to violate any of the laws of this state relating to drugs or controlled substances or has been convicted of a felony.

In any case of the refusal, suspension, or revocation of a certificate by the secretary under the provisions of this chapter, appeal may be taken in accordance with chapter 34.05 RCW, the administrative procedure act.

(5) A medical marijuana consultant may provide the following services when acting as an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 and holding a medical marijuana endorsement under section 10 of this act:

(a) Assisting a customer with the selection of products sold at the retail outlet that may benefit the qualifying patient's terminal or debilitating medical condition;

(b) Describing the risks and benefits of products sold at the retail outlet;

(c) Describing the risks and benefits of methods of administration of products sold at the retail outlet;

(d) Advising a customer about the safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors; and

(e) Providing instruction and demonstrations to customers about proper use and application of useable marijuana, marijuana-infused products, and marijuana concentrates.

(6) Nothing in this section authorizes a medical marijuana consultant to:

(a) Offer or undertake to diagnose or cure any human disease, ailment, injury, infirmity, deformity, pain, or other condition, physical or mental, real or imaginary, by use of marijuana or any other means or instrumentality; or

(b) Recommend or suggest modification or elimination of any course of treatment that does not involve the medical use of marijuana.

(7) Nothing in this section requires an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 and holding a medical marijuana endorsement under section 10 of this act to obtain a medical marijuana consultant certification.

(8) Nothing in this section applies to the practice of a health care profession by individuals who are licensed, certified, or registered in a profession listed in RCW 18.130.040(2) and who are performing services within their authorized scope of practice.

NEW SECTION. **Sec. 101.** A new section is added to chapter 69.51A RCW to read as follows:

The board of naturopathy, the board of osteopathic medicine and surgery, the medical quality assurance commission, and the nursing care quality assurance commission shall develop and approve continuing education programs related to the use of marijuana for medical purposes for the health care providers that they each regulate that are based upon practice guidelines that have been adopted by each entity.

Sec. 102. RCW 43.70.320 and 2008 c 134 s 16 are each amended to read as follows:

(1) There is created in the state treasury an account to be known as the health professions account. All fees received by the department for health professions licenses, registration, certifications, renewals, or examinations and the civil penalties assessed and collected by the department under RCW 18.130.190 shall be forwarded to the state treasurer who shall credit such moneys to the health professions account.

(2) All expenses incurred in carrying out the health professions licensing activities of the department and implementing and administering the medical marijuana authorization database established in section 21 of this act shall be paid from the account as authorized by legislative appropriation, except as provided in subsection (4) of this section. Any residue in the account shall be accumulated and shall not revert to the general fund at the end of the biennium.

(3) The secretary shall biennially prepare a budget request based on the anticipated costs of administering the health professions licensing activities of the department which shall include the estimated income from health professions fees.

(4) The secretary shall, at the request of a board or commission as applicable, spend unappropriated funds in the health professions account that are allocated to the requesting board or commission to meet unanticipated costs of that board or commission when revenues exceed more than fifteen percent over the department's estimated six-year spending projections for the requesting board or commission. Unanticipated costs shall be limited to spending as authorized in subsection (3) of this section for anticipated costs.

NEW SECTION. **Sec. 103.** A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to any cooperative in respect to growing marijuana, or manufacturing marijuana concentrates, useable marijuana, or marijuana-infused products, as those terms are defined in RCW 69.50.101.

(2) The tax preference authorized in this section is not subject to the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. **Sec. 104.** (1) The department of health must develop recommendations on establishing medical marijuana specialty clinics that would allow for the authorization and dispensing of marijuana to patients of health care professionals who work on-site of the clinic and who are certified by the department of health in the medical use of marijuana.

(2) Recommendations must be reported to the chairs of the health care committees of both the senate and house of representatives by December 1, 2015.

NEW SECTION. **Sec. 105.** All references to the Washington state liquor control board must be construed as referring to the Washington state liquor and cannabis board. The code reviser must prepare legislation for the 2016 legislative session changing all references in the Revised Code of Washington from the Washington state liquor control board to the Washington state liquor and cannabis board.

NEW SECTION. **Sec. 106.** The following acts or parts of acts are each repealed:

(1)RCW 69.51A.020 (Construction of chapter) and 2011 c 181 s 103 & 1999 c 2 s 3;

(2)RCW 69.51A.025 (Construction of chapter—Compliance with RCW 69.51A.040) and 2011 c 181 s 413;

(3)RCW 69.51A.047 (Failure to register or present valid documentation—Affirmative defense) and 2011 c 181 s 406;

(4)RCW 69.51A.070 (Addition of medical conditions) and 2007 c 371 s 7 & 1999 c 2 s 9;

(5)RCW 69.51A.090 (Applicability of valid documentation definition) and 2010 c 284 s 5;

(6)RCW 69.51A.140 (Counties, cities, towns—Authority to adopt and enforce requirements) and 2011 c 181 s 1102; and

(7)RCW 69.51A.200 (Evaluation) and 2011 c 181 s 1001.

NEW SECTION. **Sec. 107.** RCW 69.51A.085 (Collective gardens) and 2015 c ... s 32 (section 32 of this act) and 2011 c 181 s 403 are each repealed.

NEW SECTION. **Sec. 108.** Sections 12, 19, 20, 23 through 26, 31, 35, 40, and 44 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 109.** Sections 21, 22, 32, and 33 of this act are necessary for the immediate preservation of the public health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. **Sec. 110.** This act takes effect on the dates provided in sections 45 and 46 of this act if House Bill No. 2136, or any subsequent version of House Bill No. 2136, is enacted into law by October 1, 2015."

Correct the title.

Representative Blake moved the adoption of amendment (410) to the striking amendment (338):

On page 3, line 3 of the striking amendment, beginning with "The legislature" strike all material through "account." on line 8

On page 19, beginning on line 16 of the striking amendment, after "applicants" strike all material through "act" on line 20

On page 19, beginning on line 36 of the striking amendment, after "providers" strike all material through "act" on line 40

On page 22, beginning on line 34 of the striking amendment, strike all of subsection (d)

Reletter the remaining subsections and correct any internal references accordingly.

On page 23, line 2 of the striking amendment, after "provider's" strike "recognition card" and insert "authorization"

On page 23, beginning on line 32 of the striking amendment, after "authorizations" strike all material through "(c)" on line 36 and insert "; and

(b)"

On page 28, beginning on line 31 of the striking amendment, after "eighteen" strike all material through "card" on line 32

On page 28, line 36 of the striking amendment, after "(b)" strike "(i)"

On page 28, beginning on line 37 of the striking amendment, after "professional" strike all material through "card" on page 29, line 4

On page 29, line 36 of the striking amendment, after "(vi)" strike "(A)"

On page 29, beginning on line 37 of the striking amendment, after "professional" strike all material through "card" on line 40

On page 31, beginning on line 16 of the striking amendment, strike all of subsection (8)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 31, beginning on line 39 of the striking amendment, strike all of subsection (18)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 34, line 40 of the striking amendment, after "hours;" insert "and"

On page 35, beginning on line 1 of the striking amendment, after "expiration" strike all material through "card" on line 5

On page 35, beginning on 28 of the striking amendment, strike all of section 19 and insert the following:

"NEW SECTION. **Sec. 19.** A new section is added to chapter 69.51A RCW to read as follows:

As part of authorizing a qualifying patient or designated provider, the health care professional may include recommendations on the amount of marijuana that is likely needed by the qualifying patient for his or her medical needs and in accordance with this section. The health care professional may authorize the qualifying patient or designated provider to purchase at a retail outlet holding a medical marijuana endorsement a combination of the following: Forty-eight ounces of marijuana-infused product in solid form; three ounces of useable marijuana; two hundred sixteen ounces of marijuana-infused product in liquid form; or twenty-one grams of marijuana concentrates. The qualifying patient or designated provider may also grow, in his or her domicile, up to fifteen plants for the personal medical use of the qualifying patient and possess up to sixteen ounces of useable marijuana produced from his or her plants."

On page 37, beginning on line 9 of the striking amendment, after "(3)" strike all material through "(4)" on line 12

On page 37, beginning on line 28 of the striking amendment, strike all of sections 21 and 22

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 42, beginning on line 4 of the striking amendment, after "(a)" strike all material through "(d)" on line 16

Reletter the remaining subsection consecutively and correct any internal references accordingly.

On page 43, beginning on line 3 of the striking amendment, after "provider" strike all material through "and" on line 5

On page 43, line 25 of the striking amendment, after "~~health,~~))" strike "recognition card" and insert "authorization"

On page 43, line 30 of the striking amendment, after "~~act~~))" strike "recognition card" and insert "authorization"

On page 44, beginning on line 17 of the striking amendment, after "professional" strike all material through "card" on line 20 and insert "((~~is not registered with the registry established in section 901 of this act~~))"

On page 44, line 28 of the striking amendment, after "section" strike "19(3)" and insert "19"

On page 45, beginning on line 1 of the striking amendment, after "provider" strike all material through "but" on line 4 and insert "((~~who is not registered with the registry established in section 901 of this act, but~~))"

On page 45, at the beginning of line 14 of the striking amendment, strike "19(3)" and insert "19"

On page 45, beginning on line 24 of the striking amendment, after "section" strike all material through "cards" on line 25

On page 45, beginning on line 34 of the striking amendment, after "participant's" strike "recognition card" and insert "authorization"

On page 46, line 16 of the striking amendment, after "their" strike "recognition cards" and insert "authorizations"

On page 46, line 33 of the striking amendment, after "participant's" strike "recognition card" and insert "authorization"

On page 51, at the beginning of line 27 of the striking amendment, strike "recognition cards" and insert "authorizations"

On page 51, line 36 of the striking amendment, after "valid" strike "recognition cards" and insert "authorizations"

On page 52, beginning on line 26 of the striking amendment, after "provider" strike all material through "administrator" on line 28

On page 52, beginning on line 34 of the striking amendment, after "patient" strike all material through "administrator" on line 36

On page 53, beginning on line 1 of the striking amendment, after "section" strike all material through "section" on line 4

On page 56, beginning on line 21 of the striking amendment, strike all of section 39

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Blake and Manweller spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Cody and Rodne spoke against the adoption of the amendment to the striking amendment.

Amendment (410) to the striking amendment was not adopted.

Representative Cody moved the adoption of amendment (389) to the striking amendment (338):

On page 12, beginning on line 1 of the striking amendment, after "applicants who" strike all material through "fees" on line 8 and insert ":

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority shall be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Representative Condotta spoke against the adoption of the amendment to the striking amendment.

Amendment (389) to the striking amendment was adopted.

Representative Klippert moved the adoption of amendment (349) to the striking amendment (338):

On page 26, line 25 of the striking amendment, after "(4)" insert "No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(5)"

Representatives Klippert and Cody spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (349) to the striking amendment was adopted.

Representative Shea moved the adoption of amendment (358) to the striking amendment (338):

On page 30, line 36 of the striking amendment, after "medications;" strike "or" and insert "((~~or~~))"

On page 30, line 40 of the striking amendment, after "disorder" insert "; or

(h) Traumatic brain injury"

Representatives Shea and Cody spoke in favor of the adoption of the amendment to the striking amendment.

Representative Klippert spoke against the adoption of the amendment to the striking amendment.

Amendment (358) to the striking amendment was adopted.

Representative Cody moved the adoption of amendment (409) to the striking amendment (338):

On page 42, beginning on line 25 of the striking amendment, after "felony" strike all material through "both" on line 26

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (409) to the striking amendment was adopted.

Representative Shea moved the adoption of amendment (419) to the striking amendment (338):

On page page 57, after line 29 of the striking amendment, insert the following:

"**Sec. 42.** RCW 69.50.203 and 2013 c 19 s 88 are each amended to read as follows:

(a) Except as provided in subsection (c) of this section, the commission shall place a substance in Schedule I upon finding that the substance:

(1) has high potential for abuse;

(2) has no currently accepted medical use in treatment in the United States; and

(3) lacks accepted safety for use in treatment under medical supervision.

(b) The commission may place a substance in Schedule I without making the findings required by subsection (a) of this section if the substance is controlled under Schedule I of the federal Controlled Substances Act by a federal agency as the result of an international treaty, convention, or protocol.

(c) No marijuana concentrates, useable marijuana, or marijuana-infused product that the department has identified in rules adopted pursuant to section 10(4) of this act as appropriate for sale to qualifying patients and designated providers in a retail outlet that holds a medical marijuana endorsement shall be deemed to have met the criteria established in subsection (a) of this section and may not be placed in Schedule I.

Sec. 43. RCW 69.50.204 and 2010 c 177 s 2 are each amended to read as follows:

Unless specifically excepted by state or federal law or regulation or more specifically included in another schedule, the following controlled substances are listed in Schedule I:

(a) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol, except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(9) Benzethidine;

(10) Betacetylmethadol;

(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(12) Beta-hydroxy-3-methylfentanyl, some trade or other names: N-[1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

(13) Betameprodine;

(14) Betamethadol;

(15) Betaprodine;

(16) Clonitazene;

(17) Dextromoramide;

(18) Diampromide;

(19) Diethylthiambutene;

(20) Difenoxin;

(21) Dimenoxadol;

(22) Dimepheptanol;

(23) Dimethylthiambutene;

(24) Dioxaphetyl butyrate;

(25) Dipipanone;

(26) Ethylmethylthiambutene;

(27) Etonitazene;

(28) Etoxeridine;

(29) Furethidine;

(30) Hydroxypethidine;

(31) Ketobemidone;

(32) Levomoramide;

(33) Levophenacylmorphan;

(34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylprop anamide);

(35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(36) Morpheridine;

(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(38) Noracymethadol;

(39) Norlevorphanol;

(40) Normethadone;

(41) Norpipanone;

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);

(43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

(44) Phenadoxone;

(45) Phenampromide;
(46) Phenomorphan;
(47) Phenoperidine;
(48) Piritramide;
(49) Proheptazine;
(50) Properidine;
(51) Propiram;
(52) Racemoramide;
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanaminde);
(54) Tilidine;
(55) Trimeperidine.

(b) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;
(2) Acetyldihydrocodeine;
(3) Benzylmorphine;
(4) Codeine methylbromide;
(5) Codeine-N-Oxide;
(6) Cyprenorphine;
(7) Desomorphine;
(8) Dihydromorphine;
(9) Drotebanol;
(10) Etorphine, except hydrochloride salt;
(11) Heroin;
(12) Hydromorphinol;
(13) Methyldesorphine;
(14) Methyldihydromorphine;
(15) Morphine methylbromide;
(16) Morphine methylsulfonate;
(17) Morphine-N-Oxide;
(18) Myrophine;
(19) Nicocodeine;
(20) Nicomorphine;
(21) Normorphine;
(22) Pholcodine;
(23) Thebacon.

(c) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers:

(1) Alpha-ethyltryptamine: Some trade or other names: Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; and AET;

(2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

(3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, nexus;

(4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;

(5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name: 2C-T-7;

(7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;

(8) 5-methoxy-3,4-methylenedioxy-amphetamine;

(9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";

(10) 3,4-methylenedioxy amphetamine;

(11) 3,4-methylenedioxymethamphetamine (MDMA);

(12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;

(13) N-hydroxy-3,4-methylenedioxyamphetamine also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine,N-hydroxy MDA;

(14) 3,4,5-trimethoxy amphetamine;

(15) Alpha-methyltryptamine: Other name: AMT;

(16) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

(17) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;

(18) Dimethyltryptamine: Some trade or other names: DMT;

(19) 5-methoxy-N,N-diisopropyltryptamine: Other name: 5-MeO-DIPT;

(20) Ibogaine: Some trade or other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyndo (1',2' 1,2) azepino (5,4-b) indole; Tabernanthe iboga;

(21) Lysergic acid diethylamide;

(22) Marihuana or marijuana, except for any marijuana concentrates, useable marijuana, or marijuana-infused products identified by the department in rules adopted pursuant to section 10(4) of this act as appropriate for sale to qualifying patients and designated providers in a retail outlet that holds a medical marijuana endorsement;

(23) Mescaline;

(24) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;

(25) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 U.S.C. Sec. 812 (c), Schedule I (c)(12));

(26) N-ethyl-3-piperidyl benzilate;

(27) N-methyl-3-piperidyl benzilate;

(28) Psilocybin;

(29) Psilocyn;

(30)(i) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, species, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

((~~(i)~~))(A) 1 - cis - or trans tetrahydrocannabinol, and their optical isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;

((~~(ii)~~))(B) 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;

((~~(iii)~~))(C) 3,4 - cis - or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(ii) The term "tetrahydrocannabinols" does not include any marijuana concentrates, useable marijuana, or marijuana-infused products identified by the department in rules adopted pursuant to section 10(4) of this act as appropriate for sale to qualifying patients and designated providers in a retail outlet that holds a medical marijuana endorsement;

(31) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1phenylcyclohexalymine, (1-phenylcyclohexl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

(32) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phencyclohexyl)pyrrolidine; PCPy; PHP;

(33) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexly)-pipendine; 2-thienylanalog of phencyclidine; TPCP; TCP;

(34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other name is TCPy.

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(1) Gamma-hydroxybutyric acid: Some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate;

(2) Mecloqualone;

(3) Methaqualone.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4, 5-dihydro-5-phenly-2-oxazolamine;

(2) N-Benzylpiperazine: Some other names: BZP,1-benzylpiperazine;

(3) Cathinone, also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

(4) Fenethylline;

(5) Methcathinone: Some other names: 2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of optical isomers;

(6) (+-)cis-4-methylaminorex ((+-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

(7) N-ethylamphetamine;

(8) N,N-dimethylamphetamine: Some trade or other names: N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

The controlled substances in this section may be added, rescheduled, or deleted as provided for in RCW 69.50.201.

NEW SECTION. **Sec. 44.** A new section is added to chapter 69.50 RCW to read as follows:

(1) It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, marijuana concentrates, useable marijuana, and marijuana-infused products identified by the department in rules adopted pursuant to section 10(4) of this act as appropriate for sale to qualifying patients and designated providers in a retail outlet that holds a medical marijuana endorsement, except:

(a) As those activities are associated with the lawful operation as a licensed marijuana producer, processor, retailer, or retailer with a medical marijuana endorsement in compliance with this chapter and chapter 69.51A RCW;

(b) In association with the lawful operation of a cooperative established pursuant to, and operating in compliance with, section 26 of this act;

(c) Until July 1, 2016, in association with the lawful operation of a collection garden established pursuant to, and operating in compliance with RCW 69.51A.085; or

(d) As the activities of a designated provider or qualifying patient support the personal, medical use of a qualifying patient in compliance with section 27 of this act.

(2) Any person who violates this section is guilty of a class B felony.

NEW SECTION. **Sec. 45.** A new section is added to chapter 69.50 RCW to read as follows:

(1) It is unlawful for any person to possess marijuana concentrates, useable marijuana, and marijuana-infused products identified by the department in rules adopted pursuant to section 10(4) of this act as appropriate for sale to qualifying patients and designated providers in a retail outlet that holds a medical marijuana endorsement, unless:

(a) It is obtained and possessed by a designated provider or qualifying patient in an amount that does not exceed those authorized in section 19 of this act and the substance is obtained from:

(i) A licensed marijuana retailer or retailer with a medical marijuana endorsement operating in compliance with this chapter and chapter 69.51A RCW;

(ii) A cooperative established pursuant to, and operating in compliance with, section 26 of this act;

(iii) Until July 1, 2016, a collective garden established pursuant to, and operating in compliance with RCW 69.51A.085; or

(iv) The designated provider or qualifying patient in compliance with section 27 of this act; or

(b) It is obtained and possessed by a person in an amount that does not exceed those authorized in RCW 69.50.360 and was obtained from a licensed marijuana retailer or retailer with a medical marijuana endorsement operating in compliance with this chapter.

(2) Any person who violates this section is guilty of a class C felony.

Sec. 46. RCW 9.94A.518 and 2003 c 53 s 57 are each amended to read as follows:

TABLE 4
DRUG OFFENSES
INCLUDED WITHIN EACH
SERIOUSNESS LEVEL

III Any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under *RCW 9.94A.602
Controlled Substance Homicide (RCW 69.50.415)
Delivery of imitation controlled substance by person eighteen or over to person under eighteen (RCW 69.52.030(2))
Involving a minor in drug dealing (RCW 69.50.4015)
Manufacture of methamphetamine (RCW 69.50.401(2)(b))

	Over 18 and deliver heroin, methamphetamine, a narcotic from Schedule I or II, or flunitrazepam from Schedule IV to someone under 18 (RCW 69.50.406)
	Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic, except flunitrazepam or methamphetamine, from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)
	Possession of Ephedrine, Pseudoephedrine, or Anhydrous Ammonia with intent to manufacture methamphetamine (**RCW 69.50.440)
	Selling for profit (controlled or counterfeit) any controlled substance (RCW 69.50.410)
II	Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.4011)
	Deliver or possess with intent to deliver methamphetamine (RCW 69.50.401(2)(b))
	Delivery of a material in lieu of a controlled substance (RCW 69.50.4012)
	Maintaining a Dwelling or Place for Controlled Substances (RCW 69.50.402(1)(f))
	Manufacture, deliver, or possess with intent to deliver amphetamine (RCW 69.50.401(2)(b))
	Manufacture, deliver, or possess with intent to deliver narcotics from Schedule I or II or flunitrazepam from Schedule IV (RCW 69.50.401(2)(a))
	Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana, amphetamine, methamphetamines, or flunitrazepam) (RCW 69.50.401(2)(c) through (e))
	Manufacture, distribute, or possess with intent to distribute an imitation controlled substance (RCW 69.52.030(1))
I	Forged Prescription (RCW 69.41.020)
	Forged Prescription for a Controlled Substance (RCW 69.50.403)
	Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(2)(c))
	Manufacture, deliver, or possess with intent to deliver marijuana pursuant to section 44 of this act
	Possesses marijuana pursuant to section 45 of this act
	Possess Controlled Substance that is a Narcotic from Schedule III, IV, or V or Nonnarcotic from Schedule I-V (RCW 69.50.4013)
	Possession of Controlled Substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.4013)
	Unlawful Use of Building for Drug Purposes (RCW 69.53.010)"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Shea, Cody and Shea (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Klippert and Appleton spoke against the adoption of the amendment to the striking amendment.

Amendment (419) to the striking amendment was adopted.

Representative Taylor moved the adoption of amendment (359) to the striking amendment (338):

On page 58, beginning on line 25 of the striking amendment, strike all of section 47

Representative Taylor and Taylor (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Carlyle and Hurst spoke against the adoption of the amendment to the striking amendment.

Amendment (359) to the striking amendment was not adopted.

Representative Appleton moved the adoption of amendment (400) to striking amendment (338):

On page 1 of the striking amendment strike all material after line 2 and insert the following:

"NEW SECTION. **Sec. 111.** This act may be known and cited as the cannabis patient protection act.

NEW SECTION. **Sec. 112.** The legislature finds that since voters approved Initiative Measure No. 692 in 1998, it has been the public policy of the state to permit the medical use of marijuana. Between 1998 and the present day, there have been multiple legislative attempts to clarify what is meant by the medical use of marijuana and to ensure qualifying patients have a safe, consistent, and adequate source of marijuana for their medical needs.

The legislature further finds that qualifying patients are people with serious medical conditions and have been responsible for finding their own source of marijuana for their own personal medical use. Either by growing it themselves, designating someone to grow for them, or participating in collective gardens, patients have developed methods of access in spite of continued federal opposition to the medical use of marijuana. In a time when access itself was an issue and no safe, consistent source of marijuana was available, this unregulated system was permitted by the state to ensure some, albeit limited, access to marijuana for medical use. Also permitted were personal possession limits of fifteen plants and twenty-four ounces of useable marijuana, which was deemed to be the amount of marijuana needed for a sixty-day supply. In a time when supply was not consistent, this amount of marijuana was necessary to ensure patients would be able to address their immediate medical needs.

The legislature further finds that in 2012 voters passed Initiative Measure No. 502 which permitted the recreational use of marijuana. For the first time in our nation's history, marijuana would be regulated, taxed, and sold for recreational consumption.

Initiative Measure No. 502 provides for strict regulation on the production, processing, and distribution of marijuana. Under Initiative Measure No. 502, marijuana is trackable from seed to sale and may only be sold or grown under license. Marijuana must be tested for impurities and purchasers of marijuana must be informed of the THC level in the marijuana. Since its passage, two hundred fifty producer/processor licenses and sixty-three retail licenses have been issued, covering the majority of the state. With the current product canopy exceeding 2.9 million square feet, and retailers in place, the state now has a system of safe, consistent, and adequate access to marijuana; the marketplace is not the same marketplace envisioned by the voters in 1998.

The legislature, therefore, intends to adopt a comprehensive act that uses the regulations in place for the recreational market to provide regulation for the medical use of marijuana. It intends to ensure that patients retain their ability to grow their own marijuana for their own medical use and participate in private noncommercial cooperatives, and it intends to ensure that patients have the ability to possess more marijuana-infused products, useable marijuana, and marijuana concentrates than what is available to a nonmedical user. It further intends that medical specific regulations be adopted as needed and under consultation of the departments of health and agriculture so that safe handling practices will be adopted and so that testing standards for medical products meet or exceed those standards in use in the recreational market.

The legislature further intends that the costs associated with implementing and administering the registry shall be financed from the health professions account and that these funds shall be restored to the health professions account through future appropriations using funds derived from the dedicated marijuana account.

Sec. 113. RCW 66.08.012 and 2012 c 117 s 265 are each amended to read as follows:

There shall be a board, known as the "Washington state liquor ((~~control~~)) and cannabis board," consisting of three members, to be appointed by the governor, with the consent of the senate, who shall each be paid an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The governor may, in his or her discretion, appoint one of the members as chair of the board, and a majority of the members shall constitute a quorum of the board.

Sec. 114. RCW 69.50.101 and 2014 c 192 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "Commission" means the pharmacy quality assurance commission.

(d) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(e)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(f) "Deliver" or "delivery," means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(n) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(o) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(p) "Isomer" means an optical isomer, but in subsection (z)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(q) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(r) "Lot number" shall identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(t) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(u) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than sixty percent.

(v) "Marijuana processor" means a person licensed by the state liquor ((~~control~~)) and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(w) "Marijuana producer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(x) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(y) "Marijuana retailer" means a person licensed by the state liquor ((~~control~~)) and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(z) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(aa) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(bb) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(cc) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(dd) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ee) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those

licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(ff) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(gg) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(hh) "Retail outlet" means a location licensed by the state liquor ((~~control~~)) and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(ii) "Secretary" means the secretary of health or the secretary's designee.

(jj) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(kk) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ll) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(mm) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(nn) "Designated provider" has the meaning provided in RCW 69.51A.010.

(oo) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(pp) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(qq) "Plant" has the meaning provided in RCW 69.51A.010.

(rr) "Recognition card" has the meaning provided in RCW 69.51A.010.

Sec. 115. RCW 69.50.325 and 2014 c 192 s 2 are each amended to read as follows:

(1) There shall be a marijuana producer's license to produce marijuana for sale at wholesale to marijuana processors and other marijuana producers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The production, possession, delivery, distribution, and sale of marijuana in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.

(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, and marijuana concentrates in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW and the rules adopted to implement and enforce ((~~it~~)) these chapters, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.

(3) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, and marijuana-infused products at retail in retail outlets, regulated by the state liquor ((~~control~~)) and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

Sec. 116. RCW 69.50.331 and 2013 c 3 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, or sell marijuana, or for the renewal of a license to produce, process, or sell marijuana, the state liquor ((~~control~~)) and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board shall give preference between competing applications in the licensing process to applicants that have the following experience and qualifications: operating or being employed by a collective garden before January 1, 2013, having had a state business license and a municipal business license, as applicable in the relevant jurisdiction, and having had a history of paying all applicable state taxes and fees.

(b) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor ((~~control~~)) and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor ((~~control~~)) and cannabis board and a criminal history record information check. The state liquor ((~~control~~)) and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ((~~control~~)) and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to these cases. Subject to the provisions of this section, the state liquor ((~~control~~)) and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (9) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor ((~~control~~)) and cannabis board to any staff member the board designates in writing. Conditions for granting this authority shall be adopted by rule.

(c) No license of any kind may be issued to:

(((~~(a)~~))) (i) A person under the age of twenty-one years;

(((~~(b)~~))) (ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least three months prior to applying to receive a license;

(((~~(c)~~))) (iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(((~~(d)~~))) (iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor ((~~control~~)) and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, or selling marijuana, useable marijuana, or marijuana-infused products thereunder shall be suspended or terminated, as the case may be.

(b) The state liquor ((~~control~~)) and cannabis board shall immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license shall be automatic upon the state liquor ((~~control~~)) and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor ((~~control~~)) and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor ((~~control~~)) and cannabis board may adopt.

(d) Witnesses shall be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor ((~~control~~)) and cannabis board or a subpoena issued by the state liquor ((~~control~~)) and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the state liquor ((~~control~~)) and cannabis board. Where the license has been suspended only, the state liquor ((~~control~~)) and cannabis board shall return the license to the licensee at the expiration or termination of the period of suspension. The state liquor ((~~control~~)) and cannabis board shall notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under chapter 3, Laws of 2013 shall be subject to all conditions and restrictions imposed by chapter 3, Laws of 2013 or by rules adopted by the state liquor ((~~control~~)) and cannabis board to implement and enforce chapter 3, Laws of 2013. All conditions and restrictions imposed by the state liquor ((~~control~~)) and cannabis board in the issuance of an individual license shall be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee shall employ any person under the age of twenty-one years.

(7)(a) Before the state liquor ((~~control~~)) and cannabis board issues a new or renewed license to an applicant it shall give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the state liquor ((~~control~~)) and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which

the new or renewed license is asked. The state liquor ((~~control~~)) and cannabis board may extend the time period for submitting written objections.

(c) The written objections shall include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor ((~~control~~)) and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor ((~~control~~)) and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor ((~~control~~)) and cannabis board representatives shall present and defend the state liquor ((~~control~~)) and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor ((~~control~~)) and cannabis board shall send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8) The state liquor ((~~control~~)) and cannabis board shall not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor ((~~control~~)) and cannabis board shall give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

Sec. 117. RCW 69.50.342 and 2013 c 3 s 9 are each amended to read as follows:

(1) For the purpose of carrying into effect the provisions of chapter 3, Laws of 2013 according to their true intent or of supplying any deficiency therein, the state liquor ((~~control~~)) and cannabis board may adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013 as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor ((~~control~~)) and cannabis board is empowered to adopt rules regarding the following:

(((~~(1)~~))) (a) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises where marijuana is produced or processed;

(((~~(2)~~))) (b) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor ((~~control~~)) and cannabis board, and inspection of the books and records;

(((~~(3)~~))) (c) Methods of producing, processing, and packaging marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products; conditions of sanitation; safe handling requirements; approved pesticides and pesticide testing requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(((~~(4)~~))) (d) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(((~~(5)~~))) (e) Screening, hiring, training, and supervising employees of licensees;

(((~~(6)~~))) (f) Retail outlet locations and hours of operation;

(((~~(7)~~))) (g) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products for sale in retail outlets;

(((~~(8)~~))) (h) Forms to be used for purposes of this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it~~)) these chapters, the terms and conditions to be contained in licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and the qualifications for receiving a license issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, including a criminal history record information check. The state liquor ((~~control~~)) and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ((~~control~~)) and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;

(((~~(9)~~))) (i) Application, reinstatement, and renewal fees for licenses issued under this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW, and fees for anything done or permitted to be done under the rules adopted to implement and enforce this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW;

(((~~(10)~~))) (j) The manner of giving and serving notices required by this chapter ((~~3, Laws of 2013~~)) and chapter 69.51A RCW or rules adopted to implement or enforce ((~~it~~)) these chapters;

(((~~(11)~~))) (k) Times and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(((~~(12)~~))) (l) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or chapter 69.51A RCW or the rules adopted to implement and enforce ((~~it: PROVIDED, That nothing in chapter 3, Laws of 2013 shall be construed as authorizing the state liquor control board to seize, confiscate, destroy, or donate to law enforcement marijuana, useable marijuana, or marijuana-infused products produced, processed, sold, offered for sale, or possessed in compliance with the Washington state medical use of cannabis act, chapter 69.51A RCW~~)) these chapters.

(2) Rules adopted on retail outlets holding medical marijuana endorsements as well as producers and processors of medical marijuana must be adopted in coordination and consultation with the department.

Sec. 118. RCW 69.50.345 and 2013 c 3 s 10 are each amended to read as follows:

The state liquor ((~~control~~)) and cannabis board, subject to the provisions of this chapter ((~~3, Laws of 2013~~)), must adopt rules ((~~by December 1, 2013,~~)) that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees.

(a) Application forms for marijuana producers must request the applicant to state whether the applicant intends to produce marijuana for sale by marijuana retailers holding medical marijuana endorsements and the amount of or percentage of canopy the applicant intends to commit to growing plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products sold to qualifying patients.

(b) The state liquor and cannabis board must reconsider and increase limits on the amount of square feet permitted to be in production on the effective date of this section and increase the percentage of production space for those marijuana producers who intend to grow plants for marijuana retailers holding medical marijuana endorsements if the marijuana producer designates the increased production space to plants determined by the department under section 10 of this act to be of a THC concentration, CBD concentration, or THC to CBD ratio appropriate for marijuana concentrates, useable marijuana, or marijuana-infused products to be sold to qualifying patients. If current marijuana producers do not use all the increased production space, the state liquor and cannabis board may reopen the license period for new marijuana producer license applicants but only to those marijuana producers who agree to grow plants for marijuana retailers holding medical marijuana endorsements. Priority in licensing must be given to marijuana producer license applicants who have an application pending on the effective date of this section but who are not yet licensed and then to new marijuana producer license applicants. After January 1, 2017, any reconsideration of the limits on the amount of square feet permitted to be in production to meet the medical needs of qualifying patients must consider information contained in the registry established in section 21 of this act;

(2) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

(a) Population distribution;

(b) Security and safety issues; ((~~and~~))

(c) The provision of adequate access to licensed sources of marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(d) The number of producers, processors, and retail outlets holding medical marijuana endorsements necessary to meet the medical needs of qualifying patients. The state liquor and cannabis board must reconsider and increase the maximum number of retail outlets it established before the effective date of this section and allow for a new license application period and a greater number of producers, processors, and retail outlets to be permitted in order to accommodate the medical needs of qualifying patients and designated providers. After January 1, 2017, any reconsideration of the maximum number of producers, processors, and retail outlets needed to meet the medical needs of qualifying patients must consider information contained in the registry established in section 21 of this act;

(3) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

(4) Determining the maximum quantities of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

(5) Determining the maximum quantities of marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

(6) In making the determinations required by ((~~subsections (3) through (5) of~~)) this section, the state liquor ((~~control~~)) and cannabis board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(c) Economies of scale, and their impact on licensees' ability to both comply with regulatory requirements and undercut illegal market prices;

(7) Determining the nature, form, and capacity of all containers to be used by licensees to contain marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, and their labeling requirements, to include but not be limited to:

(a) The business or trade name and Washington state unified business identifier number of the licensees that ((~~grew,~~)) processed((~~,~~)) and sold the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(b) Lot numbers of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(c) THC concentration and CBD concentration of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(d) Medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(e) Language required by RCW 69.04.480;

(8) In consultation with the department of agriculture and the department, establishing classes of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products according to grade, condition, cannabinoid profile, THC concentration, CBD concentration, or other qualitative measurements deemed appropriate by the state liquor ((~~control~~)) and cannabis board;

(9) Establishing reasonable time, place, and manner restrictions and requirements regarding advertising of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products that are not inconsistent with the provisions of this chapter ((~~3, Laws of 2013~~)), taking into consideration:

(a) Federal laws relating to marijuana that are applicable within Washington state;

(b) Minimizing exposure of people under twenty-one years of age to the advertising; ((~~and~~))

(c) The inclusion of medically and scientifically accurate information about the health and safety risks posed by marijuana use in the advertising; and

(d) Ensuring that retail outlets with medical marijuana endorsements may advertise themselves as medical retail outlets;

(10) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(11) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor ((~~control~~)) and cannabis board, and prescribing methods of producing, processing, and packaging marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(12) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by this chapter ((~~3, Laws of 2013~~)) or the rules of the state liquor ((~~control~~)) and cannabis board.

Sec. 119. RCW 69.50.354 and 2014 c 192 s 3 are each amended to read as follows:

There may be licensed, in no greater number in each of the counties of the state than as the state liquor ((~~control~~)) and cannabis board shall deem advisable, retail outlets established for the purpose of making marijuana concentrates, useable marijuana, and marijuana-infused products available for sale to adults aged twenty-one and over. Retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products in accordance with the provisions of this chapter ((~~3, Laws of 2013~~)) and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer or retail outlet employee, shall not be a criminal or civil offense under Washington state law.

NEW SECTION. **Sec. 120.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A medical marijuana endorsement to a marijuana retail license is hereby established to permit a marijuana retailer to sell marijuana for medical use to qualifying patients and designated providers. This endorsement also permits such retailers to provide marijuana at a reduced cost or no charge, at their discretion, to qualifying patients and designated providers.

(2) An applicant may apply for a medical marijuana endorsement concurrently with an application for a marijuana retail license.

(3) To be issued an endorsement, a marijuana retailer must:

(a) Not authorize the medical use of marijuana for qualifying patients at the retail outlet or permit health care professionals to authorize the medical use of marijuana for qualifying patients at the retail outlet;

(b) Carry marijuana concentrates and marijuana-infused products identified by the department under subsection (4) of this section;

(c) Not use labels or market marijuana concentrates, useable marijuana, or marijuana-infused products in a way that make them intentionally attractive to minors;

(d) Demonstrate the ability to enter qualifying patients and designated providers in the registry established in section 21 of this act and issue recognition cards and agree to enter qualifying patients and designated providers into the registry and issue recognition cards in compliance with department standards;

(e) Keep copies of the qualifying patient's or designated provider's recognition card, or keep equivalent records as required by rule of the state liquor and cannabis board or the department of revenue to document the validity of tax exempt sales; and

(f) Meet other requirements as adopted by rule of the department or the state liquor and cannabis board.

(4) The department, in conjunction with the state liquor and cannabis board, must adopt rules on requirements for marijuana concentrates, useable marijuana, and marijuana-infused products that may be sold, or provided at a reduced cost or no charge, to qualifying patients or designated providers at a retail outlet holding a medical marijuana endorsement. These rules must include:

(a) Labeling requirements including that the labels attached to marijuana concentrates, useable marijuana, or marijuana-infused products contain THC concentration, CBD concentration, and THC to CBD ratios;

(b) Other product requirements, including any additional mold, fungus, or pesticide testing requirements, or limitations to the types of solvents that may be used in marijuana processing that the department deems necessary to address the medical needs of qualifying patients;

(c) Safe handling requirements for marijuana concentrates, useable marijuana, or marijuana-infused products; and

(d) Training requirements for employees.

(5) A marijuana retailer holding an endorsement to sell marijuana to qualifying patients or designated providers must train its employees on:

(a) Procedures regarding the recognition of valid authorizations and the use of equipment to enter qualifying patients and designated providers into the registry;

(b) Recognition of valid recognition cards; and

(c) Recognition of strains, varieties, THC concentration, CBD concentration, and THC to CBD ratios of marijuana concentrates, useable marijuana, and marijuana-infused products, available for sale when assisting qualifying patients and designated providers at the retail outlet.

NEW SECTION. **Sec. 121.** A new section is added to chapter 69.50 RCW to read as follows:

A marijuana retailer or a marijuana retailer holding a medical marijuana endorsement may sell products with a THC concentration of 0.3 percent or less. Marijuana retailers holding a medical marijuana endorsement may also provide these products at a reduced cost no charge to qualifying patients or designated providers.

Sec. 122. RCW 69.50.357 and 2014 c 192 s 4 are each amended to read as follows:

(1) Retail outlets shall sell no products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers shall not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one who are not qualifying patients are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than one thousand six hundred square inches identifying the retail outlet by the licensee's business or trade name. Retail outlets that hold medical marijuana endorsements may include this information on signage.

((~~(4)~~)) (5) Licensed marijuana retailers shall not display marijuana concentrates, useable marijuana, or marijuana-infused products in a manner that is visible to the general public from a public right-of-way.

((~~(5)~~)) (6) No licensed marijuana retailer or employee of a retail outlet shall open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

((~~(6)~~)) (7) The state liquor ((~~control~~)) and cannabis board shall fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

Sec. 123. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor ((~~control~~)) and cannabis board to implement and enforce chapter 3, Laws of 2013, shall not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under this chapter ((~~3, Laws of 2013~~));

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor ((~~control~~)) and cannabis board under RCW 69.50.345(5); and

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate.

Sec. 124. RCW 69.50.4013 and 2013 c 3 s 20 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) The possession, by a person twenty-one years of age or older, of useable marijuana or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. **Sec. 125.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Nothing in this chapter permits anyone other than a validly licensed marijuana processor to use butane or other explosive gases to extract or separate resin from marijuana. The extraction or separation of resin from marijuana, by any person other than a validly licensed marijuana processor each constitute manufacture of marijuana in violation of RCW 69.50.401. Cooking oil, butter, and other nonexplosive substances may be used to make marijuana extracts for noncommercial personal use.

(2) Except for the use of butane, the state liquor and cannabis board may not enforce this section until it has adopted the rules required by section 27 of this act.

Sec. 126. RCW 69.51A.005 and 2011 c 181 s 102 are each amended to read as follows:

(1) The legislature finds that:

(a) There is medical evidence that some patients with terminal or debilitating medical conditions may, under their health care professional's care, benefit from the medical use of ((~~cannabis~~)) marijuana. Some of the conditions for which ((~~cannabis~~)) marijuana appears to be beneficial include, but are not limited to:

(i) Nausea, vomiting, and cachexia associated with cancer, HIV-positive status, AIDS, hepatitis C, anorexia, and their treatments;

(ii) Severe muscle spasms associated with multiple sclerosis, epilepsy, and other seizure and spasticity disorders;

(iii) Acute or chronic glaucoma;

(iv) Crohn's disease; and

(v) Some forms of intractable pain.

(b) Humanitarian compassion necessitates that the decision to use ((~~cannabis~~)) marijuana by patients with terminal or debilitating medical conditions is a personal, individual decision, based upon their health care professional's professional medical judgment and discretion.

(2) Therefore, the legislature intends that, so long as such activities are in strict compliance with this chapter:

(a) Qualifying patients with terminal or debilitating medical conditions who, in the judgment of their health care professionals, may benefit from the medical use of ((~~cannabis~~)) marijuana, shall not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law based

solely on their medical use of ((~~cannabis~~)) marijuana, notwithstanding any other provision of law;

(b) Persons who act as designated providers to such patients shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law, notwithstanding any other provision of law, based solely on their assisting with the medical use of ((~~cannabis~~)) marijuana; and

(c) Health care professionals shall also not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences under state law for the proper authorization of medical use of ((~~cannabis~~)) marijuana by qualifying patients for whom, in the health care professional's professional judgment, the medical use of ((~~cannabis~~)) marijuana may prove beneficial.

(3) Nothing in this chapter establishes the medical necessity or medical appropriateness of ((~~cannabis~~)) marijuana for treating terminal or debilitating medical conditions as defined in RCW 69.51A.010.

(4) Nothing in this chapter diminishes the authority of correctional agencies and departments, including local governments or jails, to establish a procedure for determining when the use of ((~~cannabis~~)) marijuana would impact community safety or the effective supervision of those on active supervision for a criminal conviction, nor does it create the right to any accommodation of any medical use of ((~~cannabis~~)) marijuana in any correctional facility or jail.

Sec. 127. RCW 69.51A.010 and 2010 c 284 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Designated provider" means a person who((~~:~~ ~~(a)~~)) is ((~~eighteen~~)) twenty-one years of age or older((~~; (b)~~)) and:

(a)(i) Is the parent or guardian of a qualifying patient who is under the age of eighteen and beginning July 1, 2016, holds a recognition card; or

(ii) Has been designated in writing by a qualifying patient to serve as ((~~a~~)) the designated provider ((~~under this chapter~~)) for that patient;

(b)(i) Has an authorization from the qualifying patient's health care professional; or

(ii) Beginning July 1, 2016:

(A) Has been entered into the registry as being the designated provider to a qualifying patient; and

(B) Has been provided a recognition card;

(c) Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider; ((~~and~~))

(d) Provides marijuana to only the qualifying patient that has designated him or her;

(e) Is in compliance with the terms and conditions of this chapter; and

(f) Is the designated provider to only one patient at any one time.

(2) "Health care professional," for purposes of this chapter only, means a physician licensed under chapter 18.71 RCW, a physician assistant licensed under chapter 18.71A RCW, an osteopathic physician licensed under chapter 18.57 RCW, an osteopathic physicians' assistant licensed under chapter 18.57A RCW, a naturopath licensed under chapter 18.36A RCW, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW.

(3) "Medical use of marijuana" means the manufacture, production, possession, transportation, delivery, ingestion, application, or administration of marijuana((~~, as defined in RCW 69.50.101(q),~~)) for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating ((~~illness~~)) medical condition.

(4) "Qualifying patient" means a person who:

(a)(i) Is a patient of a health care professional;

((~~(b)~~)) (ii) Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;

((~~(c)~~)) (iii) Is a resident of the state of Washington at the time of such diagnosis;

((~~(d)~~)) (iv) Has been advised by that health care professional about the risks and benefits of the medical use of marijuana; ((~~and~~ ~~(e)~~)) (v) Has been advised by that health care professional that they may benefit from the medical use of marijuana;

(vi)(A) Has an authorization from his or her health care professional; or

(B) Beginning July 1, 2016, has been entered into the registry and has been provided a recognition card; and

(vii) Is otherwise in compliance with the terms and conditions established in this chapter.

(b) "Qualifying patient" does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.

(5) "Tamper-resistant paper" means paper that meets one or more of the following industry-recognized features:

(a) One or more features designed to prevent copying of the paper;

(b) One or more features designed to prevent the erasure or modification of information on the paper; or

(c) One or more features designed to prevent the use of counterfeit ((~~valid documentation~~)) authorization.

(6) "Terminal or debilitating medical condition" means:

(a) Cancer, human immunodeficiency virus (HIV), multiple sclerosis, epilepsy or other seizure disorder, or spasticity disorders; ((~~or~~))

(b) Intractable pain, limited for the purpose of this chapter to mean pain unrelieved by standard medical treatments and medications; ((~~or~~))

(c) Glaucoma, either acute or chronic, limited for the purpose of this chapter to mean increased intraocular pressure unrelieved by standard treatments and medications; ((~~or~~))

(d) Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications; ((~~or~~))

(e) Hepatitis C with debilitating nausea or intractable pain unrelieved by standard treatments or medications; ((~~or~~))

(f) Diseases, including anorexia, which result in nausea, vomiting, wasting, appetite loss, cramping, seizures, muscle spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications; or

(g) ((~~Any other medical condition duly approved by the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter~~)) Posttraumatic stress disorder.

(7) ((~~"Valid documentation"~~)) (a) Until July 1, 2016, "authorization" means:

((~~(a)~~)) (i) A statement signed and dated by a qualifying patient's health care professional written on tamper-resistant paper, which states that, in the health care professional's professional opinion, the patient may benefit from the medical use of marijuana; and

((~~(b)~~)) (ii) Proof of identity such as a Washington state driver's license or identicard, as defined in RCW 46.20.035.

(b) Beginning July 1, 2016, "authorization" means a form developed by the department that is completed and signed by a

qualifying patient's health care professional and printed on tamper-resistant paper.

(c) An authorization is not a prescription as defined in RCW 69.50.101.

(8) "Recognition card" means a card issued to qualifying patients and designated providers by a marijuana retailer with a medical marijuana endorsement or an outlet authorized by the department that has entered them into the registry.

(9) "CBD concentration" means the percent of cannabidiol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product.

(10) "Department" means the department of health.

(11) "Marijuana" has the meaning provided in RCW 69.50.101.

(12) "Marijuana concentrates" has the meaning provided in RCW 69.50.101.

(13) "Marijuana processor" has the meaning provided in RCW 69.50.101.

(14) "Marijuana producer" has the meaning provided in RCW 69.50.101.

(15) "Marijuana retailer" has the meaning provided in RCW 69.50.101.

(16) "Marijuana retailer with a medical marijuana endorsement" means a marijuana retailer that has been issued a medical marijuana endorsement by the state liquor and cannabis board pursuant to section 10 of this act.

(17) "Marijuana-infused products" has the meaning provided in RCW 69.50.101.

(18) "Registry" means the secure and confidential database established in section 21 of this act.

(19) "Plant" means a marijuana plant having at least three distinguishable and distinct leaves, each leaf being at least three centimeters in diameter, and a readily observable root formation consisting of at least two separate and distinct roots, each being at least two centimeters in length. Multiple stalks emanating from the same root ball or root system is considered part of the same single plant.

(20) "Retail outlet" has the meaning provided in RCW 69.50.101.

(21) "Secretary" means the secretary of the department of health.

(22) "THC concentration" has the meaning provided in RCW 69.50.101.

(23) "Useable marijuana" has the meaning provided in RCW 69.50.101.

(24) "Public place" has the meaning provided in RCW 70.160.020.

(25) "Housing unit" means a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied as separate living quarters, in which the occupants live and eat separately from any other persons in the building, and which have direct access from the outside of the building or through a common hall.

Sec. 128. RCW 69.51A.030 and 2011 c 181 s 301 are each amended to read as follows:

(1) The following acts do not constitute crimes under state law or unprofessional conduct under chapter 18.130 RCW, and a health care professional may not be arrested, searched, prosecuted, disciplined, or subject to other criminal sanctions or civil consequences or liability under state law, or have real or personal property searched, seized, or forfeited pursuant to state law, notwithstanding any other provision of law as long as the health care professional complies with subsection (2) of this section:

(a) Advising a patient about the risks and benefits of medical use of ((~~cannabis~~)) marijuana or that the patient may benefit from the medical use of ((~~cannabis~~)) marijuana; or

(b) Providing a patient or designated provider meeting the criteria established under RCW 69.51A.010((~~(26)~~)) with ((~~valid documentation~~)) an authorization, based upon the health care professional's assessment of the patient's medical history and current medical condition, ((~~where such use is~~)) if the health care professional has complied with this chapter and he or she determines within a professional standard of care or in the individual health care professional's medical judgment the qualifying patient may benefit from the medical use of marijuana.

(2)(a) A health care professional may ((~~only~~)) provide a qualifying patient or that patient's designated provider with ((~~valid documentation authorizing~~)) an authorization for the medical use of ((~~cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:~~

~~(i) Completing a~~)) marijuana in accordance with this section.

(b) In order to authorize for the medical use of marijuana under (a) of this subsection, the health care professional must:

(i) Have a documented relationship with the patient, as a principal care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, as appropriate based on the patient's condition and age;

(ii) Complete an in-person physical examination of the patient as appropriate, based on the patient's condition and age;

((~~(ii) Documenting~~)) (iii) Document the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of ((~~cannabis~~)) marijuana;

((~~(iii) Informing~~)) (iv) Inform the patient of other options for treating the terminal or debilitating medical condition; ((~~and~~

~~(iv) Documenting~~)) (v) Document other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of ((~~cannabis~~)) marijuana; and

(vi) Complete an authorization on forms developed by the department, in accordance with subsection (3) of this section.

((~~(b)~~)) (c) A health care professional shall not:

(i) Accept, solicit, or offer any form of pecuniary remuneration from or to a ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer, marijuana processor, or marijuana producer;

(ii) Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a particular ((~~licensed dispenser, licensed producer, or licensed processor of cannabis products~~)) marijuana retailer;

(iii) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition at a location where ((~~cannabis~~)) marijuana is produced, processed, or ((~~dispensed~~)) sold;

(iv) Have a business or practice which consists ((~~solely~~)) primarily of authorizing the medical use of ((~~cannabis~~)) marijuana;

(v) ((~~Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice~~)) Except as provided in section 34 of this act, sell, or provide at a reduced cost or no charge, marijuana concentrates, marijuana-infused products, or useable marijuana to a qualifying patient or designated provider; or

(vi) Hold an economic interest in an enterprise that produces, processes, or ((~~dispenses cannabis~~)) sells marijuana if the health care professional authorizes the medical use of ((~~cannabis~~)) marijuana.

(3) ((~~A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW.~~)) The department shall develop the form for the health care professional to use as an authorization for qualifying patients and designated providers. The form shall include the qualifying patient's or designated provider's name and date of birth; the health care professional's name, address, and license number; a telephone number where the authorization can be verified during normal business hours; the dates of issuance and expiration; and a statement that an authorization does not provide protection from arrest unless the qualifying patient or designated provider is also entered in the registry and holds a recognition card.

(4) Until July 1, 2016, a health care professional who, within a three month calendar period, as designated by the department, authorizes the medical use of marijuana to more than ninety patients must report the number of authorizations issued.

NEW SECTION. **Sec. 129.** A new section is added to chapter 69.51A RCW to read as follows:

As part of authorizing a qualifying patient or designated provider, the health care professional may include recommendations on the amount of marijuana that is likely needed by the qualifying patient for his or her medical needs and in accordance with this section. The qualifying patient or designated provider may grow, in his or her domicile, up to fifteen plants for the personal medical use of the qualifying patient and possess up to twenty-four ounces of useable marijuana produced from his or her plants. In addition, if the qualifying patient or designated provider has been entered in the registry and holds a recognition card, he or she may purchase at a retail outlet holding a medical marijuana endorsement a combination of the following: Forty-eight ounces of marijuana-infused product in solid form; three ounces of useable marijuana; two hundred sixteen ounces of marijuana-infused product in liquid form; or twenty-one grams of marijuana concentrates.

NEW SECTION. **Sec. 130.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Health care professionals may authorize the medical use of marijuana for qualifying patients who are under the age of eighteen if:

(a) The minor's parent or guardian participates in the minor's treatment and agrees to the medical use of marijuana by the minor; and

(b) The parent or guardian acts as the designated provider for the minor and has sole control over the minor's marijuana.

(2) The minor may not grow plants or purchase marijuana-infused products, useable marijuana, or marijuana concentrates from a marijuana retailer with a medical marijuana endorsement.

(3) Both the minor and the minor's parent or guardian who is acting as the designated provider must be entered in the registry and hold a recognition card.

(4) A health care professional who authorizes the medical use of marijuana by a minor must do so as part of the course of treatment of the minor's terminal or debilitating medical condition. If authorizing a minor for the medical use of marijuana, the health care professional must:

(a) Consult with other health care providers involved in the minor's treatment, as medically indicated, before authorization or reauthorization of the medical use of marijuana; and

(b) Reexamine the minor as frequently as medically indicated. The reexamination must:

(i) Determine that the minor continues to have a terminal or debilitating medical condition and that the condition benefits from the medical use of marijuana; and

(ii) Include a follow-up discussion with the minor's parent or guardian to ensure the parent or guardian continues to participate in the treatment of the minor.

NEW SECTION. **Sec. 131.** A new section is added to chapter 69.51A RCW to read as follows:

(1) By July 1, 2016, the department of health shall, in consultation with the state liquor and cannabis board, adopt rules for the creation, implementation, maintenance, and timely upgrading of a secure and confidential registration system that allows:

(a) A peace officer to verify at any time whether a health care professional, a marijuana retailer with a medical marijuana endorsement, or another entity authorized by the department to enter qualifying patients and designated providers into the registry has registered a person who has been contacted by that peace officer and has provided that peace officer information necessary to verify his or her registration as either a qualifying patient or a designated provider; and

(b) A peace officer to verify at any time during ordinary business hours of the department of health whether a health care professional a marijuana retailer with a medical marijuana endorsement, or another entity authorized by the department to enter qualifying patients and designated providers into the registry has registered a person as either a qualifying patient or a designated provider.

(2) After a qualifying patient or designated provider is placed in the registry, he or she must be provided with a recognition card that contains the following information:

(a) A randomly generated and unique identifying number;

(b) For designated providers, the unique identifying number of the qualifying patient whom the provider is assisting;

(c) The effective date and expiration date of the recognition card;

(d) The name of the health care professional who authorized the qualifying patient or designated provider; and

(e) For the recognition card, additional security features as necessary to ensure its validity.

(3) Registration in the system shall be optional for qualifying patients and designated providers and registrations are valid for one year, except that qualifying patients must be able to remove themselves from the registry at any time. The department of health must adopt rules providing for registration renewals and for removing expired registrations and expired or revoked licenses from the registry.

(4) Fees, including renewal fees, for qualifying patients and designated providers participating in the registration system shall be limited to the cost to the state of implementing, maintaining, and enforcing the provisions of this section and the rules adopted to carry out its purposes.

(5) During the rule-making process, the department of health shall consult with stakeholders and persons with relevant expertise, to include, but not be limited to, qualifying patients, designated providers, health care professionals, state and local law enforcement agencies, and the University of Washington computer science and engineering security and privacy research lab.

(6) The registration system shall meet the following requirements:

(a) Any personally identifiable information included in the registration system must be "nonreversible," pursuant to definitions and standards set forth by the national institute of standards and technology;

(b) Any personally identifiable information included in the registration system must not be susceptible to linkage by use of data external to the registration system;

(c) The registration system must incorporate current best differential privacy practices, allowing for maximum accuracy of registration system queries while minimizing the chances of identifying the personally identifiable information included therein; and

(d) The registration system must be upgradable and updated in a timely fashion to keep current with state of the art privacy and security standards and practices.

(7) The registration system shall maintain a log of each verification query submitted by a peace officer, including the peace officer's name, agency, and identification number, for a period of no less than three years from the date of the query. Personally identifiable information of qualifying patients and designated providers included in the log shall be confidential and exempt from public disclosure, inspection, or copying under chapter 42.56 RCW: PROVIDED, That:

(a) Names and other personally identifiable information from the list may be released only to:

(i) Authorized employees of the department of health as necessary to perform official duties of either department; or

(ii) Authorized employees of state or local law enforcement agencies, only as necessary to verify that the person or location is a qualified patient, designated provider, licensed producer, licensed processor of cannabis products, or licensed dispenser, and only after the inquiring employee has provided adequate identification. Authorized employees who obtain personally identifiable information under this subsection may not release or use the information for any purpose other than verification that a person or location is a qualified patient, designated provider, licensed producer, licensed processor of cannabis products, or licensed dispenser;

(b) Information contained in the registration system may be released in aggregate form, with all personally identifying information redacted, for the purpose of statistical analysis and oversight of agency performance and actions;

(c) The subject of a registration query may appear during ordinary department of health business hours and inspect or copy log records relating to him or her upon adequate proof of identity; and

(d) The subject of a registration query may submit a written request to the department of health, along with adequate proof of identity, for copies of log records relating to him or her.

(8) This section does not prohibit a department of health employee from contacting state or local law enforcement for assistance during an emergency or while performing his or her duties under this chapter.

(9) Fees collected under this section must be deposited into the health professions account under RCW 43.70.320.

NEW SECTION. **Sec. 132.** A new section is added to chapter 69.51A RCW to read as follows:

(1) It is unlawful for a person to knowingly or intentionally:

(a) Access the registry for any reason not authorized under section 21 of this act;

(b) Disclose any information received from the database in violation of section 21 of this act including, but not limited to, qualifying patient or designated provider names, addresses, or amount of marijuana for which they are authorized;

(c) Produce a recognition card or to tamper with a recognition card for the purpose of having it accepted by a marijuana retailer holding a medical marijuana endorsement in order to purchase marijuana as a qualifying patient or designated provider or to grow marijuana plants in accordance with this chapter; or

(d) If a person is a designated provider to a qualifying patient, sell, donate, or supply marijuana produced or obtained for the qualifying patient to another person, or use the marijuana produced or obtained for the qualifying patient for the designated provider's own personal use or benefit.

(2) A person who violates this section is guilty of a class C felony.

Sec. 133. RCW 69.51A.040 and 2011 c 181 s 401 are each amended to read as follows:

The medical use of ((~~cannabis~~)) marijuana in accordance with the terms and conditions of this chapter does not constitute a crime and a qualifying patient or designated provider in compliance with the terms and conditions of this chapter may not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences((~~,~~)) for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, or have real or personal property seized or forfeited for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ((~~cannabis~~)) marijuana under state law, and investigating ((~~peace~~)) law enforcement officers and ((~~law enforcement~~)) agencies may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance, if:

(1)(a) The qualifying patient or designated provider possesses no more than fifteen ((~~cannabis~~)) marijuana plants and:

(i) No more than twenty-four ounces of useable ((~~cannabis~~)) marijuana;

(ii) No more ((~~cannabis~~)) marijuana product than what could reasonably be produced with no more than twenty-four ounces of useable ((~~cannabis~~)) marijuana; or

(iii) A combination of useable ((~~cannabis~~)) marijuana and ((~~cannabis~~)) marijuana product that does not exceed a combined total representing possession and processing of no more than twenty-four ounces of useable ((~~cannabis~~)) marijuana; or

(iv) The amount of marijuana concentrates, useable marijuana, plants, or marijuana-infused products authorized under section 19 of this act.

((~~(b)~~)) If a person is both a qualifying patient and a designated provider for another qualifying patient, the person may possess no more than twice the amounts described in (a) of this subsection or section 19 of this act for the qualifying patient and designated provider, whether the plants, ((~~useable cannabis, and cannabis product~~)) marijuana concentrates, useable marijuana, or marijuana-infused products are possessed individually or in combination between the qualifying patient and his or her designated provider;

((~~(2)~~)) (b) The qualifying patient or designated provider presents his or her ((~~proof of registration with the department of health,~~)) valid authorization or recognition card to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

((~~(3)~~)) (c) The qualifying patient or designated provider keeps a copy of his or her ((~~proof of registration with the registry established in section 901 of this act~~)) valid authorization or recognition card and the qualifying patient or designated provider's contact information posted prominently next to any ((~~cannabis~~)) marijuana plants, ((~~cannabis~~)) marijuana concentrates, marijuana-infused products, or useable ((~~cannabis~~)) marijuana located at his or her residence;

((~~(4)~~)) (d) The investigating ((~~peace~~)) law enforcement officer does not possess evidence that:

((~~(a)~~)) (i) The designated provider has converted ((~~cannabis~~)) marijuana produced or obtained for the qualifying patient for his or her own personal use or benefit; or

((~~(b)~~)) (ii) The qualifying patient has converted cannabis produced or obtained for his or her own medical use to the qualifying patient's personal, nonmedical use or benefit; and

((~~(5)~~)) (e) The ((~~investigating peace officer does not possess evidence that the~~)) designated provider has not served ((~~as a designated provider to~~)) more than one qualifying patient within a fifteen-day period; ((~~and~~

~~(6)~~)) or

(2) The ((~~investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4)~~)) qualifying patient or designated provider participates in a cooperative as provided in section 25 of this act.

Sec. 134. RCW 69.51A.043 and 2011 c 181 s 402 are each amended to read as follows:

(1) A qualifying patient or designated provider who has a valid authorization from his or her health care professional, but is not ((~~registered with the registry established in section 901 of this act~~)) entered in the registry and does not have a recognition card may raise the affirmative defense set forth in subsection (2) of this section, if:

(a) The qualifying patient or designated provider presents his or her ((~~valid documentation to any peace~~)) authorization to any law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana;

(b) The qualifying patient or designated provider possesses no more ((~~cannabis~~)) marijuana than the limits set forth in RCW 69.51A.040(1) or section 19 of this act;

(c) The qualifying patient or designated provider is in compliance with all other terms and conditions of this chapter;

(d) The investigating ((~~peace~~)) law enforcement officer does not have probable cause to believe that the qualifying patient or designated provider has committed a felony, or is committing a misdemeanor in the officer's presence, that does not relate to the medical use of ((~~cannabis~~)) marijuana; and

(e) No outstanding warrant for arrest exists for the qualifying patient or designated provider((~~; and~~

~~(f) The investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4) of this act~~)).

(2) A qualifying patient or designated provider who is not ((~~registered with the registry established in section 901 of this act~~)) entered in the registry and does not have a recognition card, but who presents his or her ((~~valid documentation~~)) authorization to any ((~~peace~~)) law enforcement officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana, may assert an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that he or she otherwise meets the requirements of RCW 69.51A.040. A qualifying patient or designated provider meeting the conditions of this subsection but possessing more ((~~cannabis~~)) marijuana than the limits set forth in RCW 69.51A.040(1) or section 19 of this act may, in the investigating ((~~peace~~)) law enforcement officer's discretion, be taken into custody and booked into jail in connection with the investigation of the incident.

NEW SECTION. **Sec. 135.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Nothing in this chapter or in the rules adopted to implement it precludes a qualifying patient or designated provider from engaging in private, unlicensed, noncommercial cooperatives for the purposes of producing, processing, transporting, delivering, or administering of marijuana for medical use, subject to the following conditions:

(a) No more than eight qualifying patients may participate in a single cooperative;

(b) A cooperative may contain no more than fifteen plants per patient up to a total of sixty plants;

(c) A cooperative may contain no more than twenty-four ounces of useable marijuana per patient up to a total of seventy-two ounces of useable marijuana;

(d) A copy of each qualifying patient's authorization, including a copy of the patient's proof of identity, must be available at all times on the premises of the cooperative;

(e) Members of the cooperative who are qualifying patients and are between eighteen and twenty-one years old must hold a valid recognition card. A copy of the recognition card for each qualifying patient who is between eighteen and twenty-one years old must be available at all times on the premises of the cooperative. The designated provider of a qualifying patient who is less than eighteen years old may participate on behalf of the qualifying patient;

(f) Documentation of all participants in the cooperative, as required under subsections (1)(d) and (e) of this section, must be maintained at the location of the cooperative for at least two years.

(g) No useable cannabis from the cooperative may be delivered to anyone other than one of the qualifying patients participating in the cooperative;

(h) The cooperative must not conduct sales of any kind;

(i) The cooperative must not engage in any commercial activity, including advertising; and

(j) If a qualifying patient or designated provider no longer participates in the cooperative, the cooperative may not accept any new qualifying patient or designated provider for fifteen days from the date the qualifying patient or designated provider ceases participation. No more than six qualifying patients or designated providers may be newly accepted to the cooperative within a twelve-month period. Documentation of all participants in the cooperative must be maintained at the location for at least two years.

(2) For purposes of this section, the creation of a "cooperative" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process marijuana for medical use such as, for example: a location for a cooperative; equipment, supplies, and labor necessary to plant, grow, and harvest marijuana; marijuana plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of marijuana plants.

(3) A person who knowingly violates a provision of subsection (1) of this section is not entitled to the protections of this chapter.

NEW SECTION. **Sec. 136.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Notwithstanding any other provision of this chapter and even if multiple qualifying patients or designated providers reside in the same housing unit, no more than fifteen plants may be grown or located in any one housing unit other than a cooperative established pursuant to section 25 of this act or designated providers.

(2) Neither the production nor processing of marijuana or marijuana-infused products pursuant to this section nor the storage or growing of plants may occur if any portion of such activity can be readily seen by normal unaided vision or readily smelled from a public place or the private property of another housing unit.

(3) Cities, towns, counties, and other municipalities may create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance with this section.

NEW SECTION. **Sec. 137.** A new section is added to chapter 69.51A RCW to read as follows:

(1) Once the state liquor and cannabis board adopts rules under subsection (2) of this section, qualifying patients or designated providers may only extract or separate the resin from marijuana in accordance with those standards.

(2) The state liquor and cannabis board must adopt rules permitting qualifying patients and designated providers to extract or separate the resin from marijuana using noncombustable methods. The rules must provide the noncombustible methods permitted and any restrictions on this practice.

Sec. 138. RCW 69.51A.045 and 2011 c 181 s 405 are each amended to read as follows:

(1) A qualifying patient or designated provider in possession of ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the limits set forth in ((~~RCW 69.51A.040(1)~~)) this chapter but otherwise in compliance with all other terms and conditions of this chapter may establish an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that the qualifying patient's necessary medical use exceeds the amounts set forth in RCW 69.51A.040(((~~(1)~~))).

(2) An investigating ((~~peace~~)) law enforcement officer may seize ((~~cannabis~~)) plants, marijuana concentrates, useable ((~~cannabis~~)) marijuana, or ((~~cannabis~~)) marijuana-infused products exceeding the amounts set forth in ((~~RCW 69.51A.040(1): PROVIDED, That~~)) this chapter. In the case of ((~~cannabis~~)) plants, the qualifying patient or designated provider shall be allowed to select the plants that will remain at the location. The officer and his or her law enforcement agency may not be held civilly liable for failure to seize ((~~cannabis~~)) marijuana in this circumstance.

Sec. 139. RCW 69.51A.055 and 2011 c 181 s 1105 are each amended to read as follows:

(1)(a) The arrest and prosecution protections established in RCW 69.51A.040 may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(b) The affirmative defenses established in RCW 69.51A.043((~~,~~)) and 69.51A.045((~~, 69.51A.047, and section 407 of this act~~)) may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(2) ((~~The provisions of~~)) RCW 69.51A.040((~~, 69.51A.085, and 69.51A.025 do~~)) does not apply to a person who is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision.

(((~~(3) A person may not be licensed as a licensed producer, licensed processor of cannabis products, or a licensed dispenser under section 601, 602, or 701 of this act if he or she is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that licensure is inconsistent with and contrary to his or her supervision.~~))

Sec. 140. RCW 69.51A.060 and 2011 c 181 s 501 are each amended to read as follows:

(1) It shall be a class 3 civil infraction to use or display medical ((~~cannabis~~)) marijuana in a manner or place which is open to the view of the general public.

(2) Nothing in this chapter establishes a right of care as a covered benefit or requires any state purchased health care as defined in RCW 41.05.011 or other health carrier or health plan as defined in Title 48 RCW to be liable for any claim for reimbursement for the medical use of ((~~cannabis~~)) marijuana. Such entities may enact coverage or noncoverage criteria or related policies for payment or nonpayment of medical ((~~cannabis~~)) marijuana in their sole discretion.

(3) Nothing in this chapter requires any health care professional to authorize the medical use of ((~~cannabis~~)) marijuana for a patient.

(4) Nothing in this chapter requires any accommodation of any on-site medical use of ((~~cannabis~~)) marijuana in any place of employment, in any school bus or on any school grounds, in any youth center, in any correctional facility, or smoking ((~~cannabis~~)) marijuana in any public place or hotel or motel. However, a school may permit a minor who meets the requirements of section 20 of this act to consume marijuana on school grounds. Such use must be in accordance with school policy relating to medication use on school grounds.

(5) Nothing in this chapter authorizes the possession or use of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products on federal property.

(((~~(5)~~))) (6) Nothing in this chapter authorizes the use of medical ((~~cannabis~~)) marijuana by any person who is subject to the Washington code of military justice in chapter 38.38 RCW.

(((~~(6)~~))) (7) Employers may establish drug-free work policies. Nothing in this chapter requires an accommodation for the medical use of ((~~cannabis~~)) marijuana if an employer has a drug-free workplace.

(((~~(7) It is a class C felony to fraudulently produce any record purporting to be, or tamper with the content of any record for the purpose of having it accepted as, valid documentation under RCW 69.51A.010(32)(a), or to backdate such documentation to a time earlier than its actual date of execution.~~)))

(8) No person shall be entitled to claim the protection from arrest and prosecution under RCW 69.51A.040 or the affirmative defense under RCW 69.51A.043 for engaging in the medical use of ((~~cannabis~~)) marijuana in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway, including violations of RCW 46.61.502 or 46.61.504, or equivalent local ordinances.

Sec. 141. RCW 69.51A.085 and 2011 c 181 s 403 are each amended to read as follows:

(1) Qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering ((~~cannabis~~)) marijuana for medical use subject to the following conditions:

(a) No more than ten qualifying patients may participate in a single collective garden at any time;

(b) No person under the age of eighteen may participate in a collective garden or receive marijuana that was produced, processed, transported, or delivered through a collective garden. A designated provider for a person who is under the age of eighteen may participate in a collective garden on behalf of the person under the age of eighteen;

(c) A collective garden may contain no more than fifteen plants per patient up to a total of forty-five plants;

(((~~(c)~~))) (d) A collective garden may contain no more than twenty-four ounces of useable ((~~cannabis~~)) marijuana per patient up to a total of seventy-two ounces of useable ((~~cannabis~~)) marijuana;

(((~~(d)~~))) (e) A copy of each qualifying patient's ((~~valid documentation or proof of registration with the registry established in section 901 of this act~~)) authorization, including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and

(((~~(e)~~))) (f) No useable ((~~cannabis~~)) marijuana from the collective garden is delivered to anyone other than one of the qualifying patients participating in the collective garden.

(2) For purposes of this section, the creation of a "collective garden" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies, and labor necessary to plant, grow, and harvest ((~~cannabis; cannabis~~)) marijuana plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of ((~~cannabis~~)) marijuana plants.

(3) A person who knowingly violates a provision of subsection (1) of this section is not entitled to the protections of this chapter.

NEW SECTION. **Sec. 142.** A new section is added to chapter 69.50 RCW to read as follows:

(1) The state liquor and cannabis board may conduct controlled purchase programs to determine whether:

(a) A marijuana retailer is unlawfully selling marijuana to persons under the age of twenty-one;

(b) A marijuana retailer holding a medical marijuana endorsement is selling to persons under the age of eighteen or selling to persons between the ages of eighteen and twenty-one who do not hold valid recognition cards;

(c) Until July 1, 2016, collective gardens under RCW 69.51A.085 are providing marijuana to persons under the age of eighteen; or

(d) A cooperative organized under section 25 of this act is permitting a person under the age of eighteen to participate.

(2) Every person under the age of twenty-one years who purchases or attempts to purchase marijuana from a marijuana retailer is guilty of a violation of this section. This section does not apply to:

(a) Persons between the ages of eighteen and twenty-one who hold valid recognition cards and purchase marijuana at a marijuana retail outlet holding a medical marijuana endorsement;

(b) Persons between the ages of eighteen and twenty-one years who are participating in a controlled purchase program authorized by the state liquor and cannabis board under rules adopted by the board. Violations occurring under a private, controlled purchase program authorized by the state liquor and cannabis board may not be used for criminal or administrative prosecution.

(3) A marijuana retailer who conducts an in-house controlled purchase program authorized under this section shall provide his or her employees a written description of the employer's in-house controlled purchase program. The written description must include notice of actions an employer may take as a consequence of an employee's failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program.

(4) An in-house controlled purchase program authorized under this section shall be for the purposes of employee training and employer self-compliance checks. A marijuana retailer may not terminate an employee solely for a first-time failure to comply with company policies regarding the sale of marijuana during an in-house controlled purchase program authorized under this section.

(5) Every person under the age of twenty-one who is convicted of a violation of this section is guilty of a misdemeanor punishable as provided by RCW 9A.20.021.

Sec. 143. RCW 69.51A.100 and 2011 c 181 s 404 are each amended to read as follows:

(1) A qualifying patient may revoke his or her designation of a specific designated provider and designate a different designated provider at any time. A revocation of designation must be in writing, signed and dated, and provided to the designated provider and, if applicable, the registry administrator. The protections of this chapter cease to apply to a person who has served as a designated provider to a qualifying patient seventy-two hours after receipt of that patient's revocation of his or her designation.

(2) A person may stop serving as a designated provider to a given qualifying patient at any time by revoking that designation in writing, signed and dated, and provided to the qualifying patient and, if applicable, the registry administrator. However, that person may not begin serving as a designated provider to a different qualifying patient until fifteen days have elapsed from the date the last qualifying patient designated him or her to serve as a provider.

(3) The department may adopt rules to implement this section, including a procedure to remove the name of the designated provider from the registry upon receipt of a revocation under this section.

NEW SECTION. **Sec. 144.** A new section is added to chapter 69.51A RCW to read as follows:

Neither this chapter nor chapter 69.50 RCW prohibits a health care professional from selling or donating topical, noningestible products that have a THC concentration of less than .3 percent to qualifying patients.

NEW SECTION. **Sec. 145.** A new section is added to chapter 69.51A RCW to read as follows:

Employers of a health care professional may not prohibit or limit the authority of any health care professional to:

(1) Advise a patient about the risks and benefits of the medical use of marijuana or that the patient may benefit from the medical use of marijuana; or

(2) Provide a patient or designated provider meeting the criteria established under RCW 69.51A.010 with an authorization, based upon the health care professional's assessment of the patient's medical history and current medical condition, if the health care professional has complied with this chapter and he or she determines within a professional standard of care or in the individual health care professional's medical judgment the qualifying patient may benefit from the medical use of marijuana.

NEW SECTION. **Sec. 146.** A new section is added to chapter 69.51A RCW to read as follows:

A medical marijuana consultant certificate is hereby established.

(1) In addition to any other authority provided by law, the secretary of the department may:

(a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to implement this chapter;

(b) Establish forms and procedures necessary to administer this chapter;

(c) Approve training or education programs that meet the requirements of this section and any rules adopted to implement it;

(d) Receive criminal history record information that includes nonconviction information data for any purpose associated with initial certification or renewal of certification. The secretary shall require each applicant for initial certification to obtain a state or federal criminal history record information background check through the state patrol or the state patrol and the identification division of the federal bureau of investigation prior to the issuance of any certificate. The secretary shall specify those situations where a state background check is inadequate and an applicant must obtain an electronic fingerprint-based national background check through the state patrol and federal bureau of investigation. Situations where a background check is inadequate may include instances where an applicant has recently lived out-of-state or where the applicant has a criminal record in Washington;

(e) Establish administrative procedures, administrative requirements, and fees in accordance with RCW 43.70.110 and 43.70.250; and

(f) Maintain the official department record of all applicants and certificate holders.

(2) A training or education program approved by the secretary must include the following topics:

(a) The medical conditions that constitute terminal or debilitating conditions, and the symptoms of those conditions;

(b) Short and long-term effects of cannabinoids;

(c) Products that may benefit qualifying patients based on the patient's terminal or debilitating medical condition;

(d) Risks and benefits of various routes of administration;

(e) Safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors;

(f) Demonstrated knowledge of this chapter and the rules adopted to implement it; and

(g) Other subjects deemed necessary and appropriate by the secretary to ensure medical marijuana consultant certificate holders are able to provide evidence-based and medically accurate advice on the medical use of marijuana.

(3) Medical marijuana consultant certificates are subject to annual renewals and continuing education requirements established by the secretary.

(4) The secretary shall have the power to refuse, suspend, or revoke the certificate of any medical marijuana consultant upon proof that:

(a) The certificate was procured through fraud, misrepresentation, or deceit;

(b) The certificate holder has committed acts in violation of subsection (6) of this section; or

(c) The certificate holder has violated or has permitted any employee or volunteer to violate any of the laws of this state relating to drugs or controlled substances or has been convicted of a felony.

In any case of the refusal, suspension, or revocation of a certificate by the secretary under the provisions of this chapter, appeal may be taken in accordance with chapter 34.05 RCW, the administrative procedure act.

(5) A medical marijuana consultant may provide the following services when acting as an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 and holding a medical marijuana endorsement under section 10 of this act:

(a) Assisting a customer with the selection of products sold at the retail outlet that may benefit the qualifying patient's terminal or debilitating medical condition;

(b) Describing the risks and benefits of products sold at the retail outlet;

(c) Describing the risks and benefits of methods of administration of products sold at the retail outlet;

(d) Advising a customer about the safe handling and storage of useable marijuana, marijuana-infused products, and marijuana concentrates, including strategies to reduce access by minors; and

(e) Providing instruction and demonstrations to customers about proper use and application of useable marijuana, marijuana-infused products, and marijuana concentrates.

(6) Nothing in this section authorizes a medical marijuana consultant to:

(a) Offer or undertake to diagnose or cure any human disease, ailment, injury, infirmity, deformity, pain, or other condition, physical or mental, real or imaginary, by use of marijuana or any other means or instrumentality; or

(b) Recommend or suggest modification or elimination of any course of treatment that does not involve the medical use of marijuana.

(7) Nothing in this section requires an owner, employee, or volunteer of a retail outlet licensed under RCW 69.50.354 to obtain a medical marijuana consultant certification.

(8) Nothing in this section applies to the practice of a health care profession by individuals who are licensed, certified, or registered in a profession listed in RCW 18.130.040(2) and who are performing services within their authorized scope of practice.

NEW SECTION. **Sec. 147.** A new section is added to chapter 69.51A RCW to read as follows:

The board of naturopathy, the board of osteopathic medicine and surgery, the medical quality assurance commission, and the nursing care quality assurance commission shall develop and approve continuing education programs related to the use of marijuana for medical purposes for the health care providers that they each regulate that are based upon practice guidelines that have been adopted by each entity.

Sec. 148. RCW 43.70.320 and 2008 c 134 s 16 are each amended to read as follows:

(1) There is created in the state treasury an account to be known as the health professions account. All fees received by the department for health professions licenses, registration, certifications, renewals, or examinations and the civil penalties assessed and collected by the department under RCW 18.130.190 shall be forwarded to the state treasurer who shall credit such moneys to the health professions account.

(2) All expenses incurred in carrying out the health professions licensing activities of the department and implementing and administering the registry established in section 21 of this act shall be paid from the account as authorized by legislative appropriation, except as provided in subsection (4) of this section. Any residue in the account shall be accumulated and shall not revert to the general fund at the end of the biennium.

(3) The secretary shall biennially prepare a budget request based on the anticipated costs of administering the health professions licensing activities of the department which shall include the estimated income from health professions fees.

(4) The secretary shall, at the request of a board or commission as applicable, spend unappropriated funds in the health professions account that are allocated to the requesting

board or commission to meet unanticipated costs of that board or commission when revenues exceed more than fifteen percent over the department's estimated six-year spending projections for the requesting board or commission. Unanticipated costs shall be limited to spending as authorized in subsection (3) of this section for anticipated costs.

NEW SECTION. **Sec. 149.** A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to any cooperative in respect to growing marijuana, or manufacturing marijuana concentrates, useable marijuana, or marijuana-infused products, as those terms are defined in RCW 69.50.101.

(2) The tax preference authorized in this section is not subject to the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. **Sec. 150.** (1) The department of health must develop recommendations on establishing medical marijuana specialty clinics that would allow for the authorization and dispensing of marijuana to patients of health care professionals who work on-site of the clinic and who are certified by the department of health in the medical use of marijuana.

(2) Recommendations must be reported to the chairs of the health care committees of both the senate and house of representatives by December 1, 2015.

NEW SECTION. **Sec. 151.** All references to the Washington state liquor control board must be construed as referring to the Washington state liquor and cannabis board. The code reviser must prepare legislation for the 2016 legislative session changing all references in the Revised Code of Washington from the Washington state liquor control board to the Washington state liquor and cannabis board.

Sec. 152. RCW 69.51A.020 and 2011 c 181 s 103 are each amended to read as follows:

Nothing in this chapter shall be construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale, or use of ((~~cannabis~~)) marijuana for nonmedical purposes. Criminal penalties created under chapter 181, Laws of 2011 do not preclude the prosecution or punishment for other crimes, including other crimes involving the manufacture or delivery of ((~~cannabis~~)) marijuana for nonmedical purposes.

Sec. 153. RCW 69.51A.025 and 2011 c 181 s 413 are each amended to read as follows:

Nothing in this chapter or in the rules adopted to implement it precludes a qualifying patient or designated provider from engaging in the private, unlicensed, noncommercial production, possession, transportation, delivery, or administration of ((~~cannabis~~)) marijuana for medical use as authorized under RCW 69.51A.040.

Sec. 154. RCW 69.51A.047 and 2011 c 181 s 406 are each amended to read as follows:

A qualifying patient or designated provider who is not registered ((~~with the registry established in section 901 of this act~~)) or does not present his or her valid documentation to a peace officer who questions the patient or provider regarding his or her medical use of ((~~cannabis~~)) marijuana but is in compliance with all other terms and conditions of this chapter may establish an affirmative defense to charges of violations of state law relating to ((~~cannabis~~)) marijuana through proof at trial, by a preponderance of the evidence, that he or she was a validly authorized qualifying patient or designated provider at the time of the officer's questioning. A qualifying patient or designated provider who establishes an affirmative defense under the terms of this section may also establish an affirmative defense under RCW 69.51A.045.

Sec. 155. RCW 69.51A.200 and 2011 c 181 s 1001 are each amended to read as follows:

(1) By July 1, 2014, the Washington state institute for public policy shall, within available funds, conduct a cost-benefit evaluation of the implementation of chapter 181, Laws of 2011 and the rules adopted to carry out its purposes.

(2) The evaluation of the implementation of chapter 181, Laws of 2011 and the rules adopted to carry out its purposes shall include, but not necessarily be limited to, consideration of the following factors:

(a) Qualifying patients' access to an adequate source of ((~~cannabis~~)) marijuana for medical use;

(b) Qualifying patients' access to a safe source of ((~~cannabis~~)) marijuana for medical use;

(c) Qualifying patients' access to a consistent source of ((~~cannabis~~)) marijuana for medical use;

(d) Qualifying patients' access to a secure source of ((~~cannabis~~)) marijuana for medical use;

(e) Qualifying patients' and designated providers' contact with law enforcement and involvement in the criminal justice system;

(f) Diversion of ((~~cannabis~~)) marijuana intended for medical use to nonmedical uses;

(g) Incidents of home invasion burglaries, robberies, and other violent and property crimes associated with qualifying patients accessing ((~~cannabis~~)) marijuana for medical use;

(h) Whether there are health care professionals who make a disproportionately high amount of authorizations in comparison to the health care professional community at large;

(i) Whether there are indications of health care professionals in violation of RCW 69.51A.030; and

(j) Whether the health care professionals making authorizations reside in this state or out of this state.

(3) For purposes of facilitating this evaluation, the departments of health and agriculture will make available to the Washington state institute for public policy requested data, and any other data either department may consider relevant, from which all personally identifiable information has been redacted.

NEW SECTION. **Sec. 156.** The following acts or parts of acts are each repealed:

(1)RCW 69.51A.070 (Addition of medical conditions) and 2007 c 371 s 7 & 1999 c 2 s 9;

(2)RCW 69.51A.090 (Applicability of valid documentation definition) and 2010 c 284 s 5; and

(3)RCW 69.51A.140 (Counties, cities, towns—Authority to adopt and enforce requirements) and 2011 c 181 s 1102.

NEW SECTION. **Sec. 157.** RCW 69.51A.085 (Collective gardens) and 2015 c ... s 31 (section 31 of this act) and 2011 c 181 s 403 are each repealed.

NEW SECTION. **Sec. 158.** Sections 12, 19, 20, 21, 22 through 25, 30, 34, 39, and 47 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 158.1.1.** Sections 20, 21, 31, and 32 of this act take effect October 1, 2015.

NEW SECTION. **Sec. 159.** This act takes effect on the dates provided in section 48 of this act if House Bill No. 2136, or any subsequent version of House Bill No. 2136, is enacted into law by October 1, 2015.

Correct the title."

Representatives Appleton, Manweller, Short, Pike, Moscoso, Walsh, Appleton (again), Shea and Condotta spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Schmick, Cody, Hurst and Rodne spoke against the adoption of the amendment to the striking amendment.

Amendment (400) to the striking amendment was not adopted.

Amendment (338), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody, Schmick and Hurst spoke in favor of the passage of the bill.

Representatives Appleton, Orcutt, Taylor, Condotta and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5052, as amended by the House.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5052, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 36; Absent, 0; Excused, 2.

Voting yea: Representatives Bergquist, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Gregerson, Gregory, Haler, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Blake, Buys, Caldier, Chandler, Condotta, Dent, G. Hunt, Goodman, Griffey, Hargrove, Harmsworth, Harris, Hawkins, Holy, Klippert, Kretz, MacEwen, Manweller, McCabe, McCaslin, Moscoso, Muri, Orcutt, Parker, Pike, Reykdal, Santos, Scott, Shea, Short, Taylor, Walsh, Wilcox, Wilson and Young.

Excused: Representatives DeBolt and Smith.

SECOND SUBSTITUTE SENATE BILL NO. 5052, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2136, by Representative Carlyle

Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state. Revised for 2nd Substitute: Concerning comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2136 was substituted for House Bill No. 2136 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2136 was read the second time.

With the consent of the house, amendments (334), (335) and (405) were withdrawn.

Representative Orcutt moved the adoption of amendment (344):

On page 9, line 1, after "(a)" strike "There" and insert "Except as provided in (c) of this subsection, there"

On page 9, after line 14, insert the following:

"(c) The tax levied in this subsection (1) does not apply to the retail sale of useable marijuana, marijuana concentrates, or marijuana-infused products sold to a qualifying patient or designated provider with an authorization from a health care professional. Only marijuana retail outlets with medical marijuana endorsements established under RCW 69.50.--- (section 10, chapter . . ., Laws of 2015 (2SSB 5052 (S-1522/15))) are authorized to make exempt sales. "Qualifying patient", "designated provider", "authorization", and "health care professional" have the same meanings as provided in RCW 69.51A.010.

(d) Each seller making exempt sales under (c) of this subsection (1) must maintain information establishing eligibility for the exemption in the form and manner required by the board."

(e) The board must provide a separate tax reporting line on the marijuana excise tax return for marijuana retail outlets to report the total amount of exempt sales under this subsection."

Representatives Orcutt and Shea spoke in favor of the adoption of the amendment.

Representative Carlyle spoke against the adoption of the amendment.

Amendment (344) was not adopted.

Representative Senn moved the adoption of amendment (408):

On page 12, after line 4, insert the following:

"(e) Twenty-three thousand seven hundred fifty dollars to the department of enterprise services provided solely for the state building code council established under RCW 19.27.070, to develop and adopt fire and building code provisions related to marijuana processing and extraction facilities. The distribution under this subsection (1)(e) is for fiscal year 2016 only."

Representative Senn spoke in favor of the adoption of the amendment.

Amendment (408) was adopted.

Representative Reykdal moved the adoption of amendment (336):

On page 14, line 17, after "(i)" strike "Until January 1, 2022, if" and insert "If"

Representatives Reykdal and Condotta spoke in favor of the adoption of the amendment.

Amendment (336) was adopted.

Representative Condotta moved the adoption of amendment (399):

Beginning on page 14, line 17, strike all of subsection (2)(g)(i) and insert the following:

"(i) Until January 1, 2022, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities and towns as follows:

(A) Thirty percent must be distributed to counties, cities and towns where licensed marijuana retailers are physically located. Each jurisdiction shall receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one-hundred percent of the proportional amount attributed to a retailer physically located in a city or town shall be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities and towns ratably on a per capita basis. Counties shall receive sixty percent of the distribution, which shall be disbursed based on each county's total proportional population, including the population within incorporated cities and towns, and cities and towns shall receive forty percent of this distribution, which shall be based on each city or town's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor or retailer.

(ii) Distribution amounts allocated to each county, city and town must be distributed in four installments by the last day of each fiscal quarter"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 45, line 37, after "1203." insert "(1)"

On page 46, beginning on line 7, after "formula" strike "required under section 206(2)(g)(i) of this act." and insert "in subsection (2) of this section.

(2)(a) The distribution amount allocated to each county, including the portion for eligible cities within the county, is ratably based on the total amount of taxable sales of marijuana products subject to the marijuana excise tax under RCW 69.50.535 in the prior fiscal year within the county, including all taxable sales attributable to the incorporated areas within the county. Distribution amounts allocated to each county, and eligible cities within the county, must be distributed in four installments by the last day of each fiscal quarter as follows:

(b) Sixty percent must be distributed to each county, except where there is no eligible city with taxable sales of marijuana products in the prior fiscal year, in which case the county must receive one hundred percent of the distribution amount allocated to the county as determined in (a) of this subsection. A county in which the producing, processing, or retailing of marijuana products is prohibited in the unincorporated area of the county is not entitled to a distribution and the distribution amount must be distributed instead to the eligible cities within the county as provided in (c) of this subsection.

(c) After making any distribution to counties as provided in (b) of this subsection, the treasurer must distribute the remaining amount to eligible cities within the counties. The share to each eligible city within a county must be determined by a division among the eligible cities within each county ratably based on total sales, from the prior fiscal year, of all marijuana products subject to the marijuana excise tax under RCW 69.50.535 within the boundaries of each eligible city located within the county. "Eligible city" means any city or town in which sales of marijuana products are attributable to a marijuana retailer, as defined in RCW 69.50.101, located within the boundaries of the city or town.

(d) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in subsection (2) of this section."

Representatives Condotta and Carlyle spoke in favor of the adoption of the amendment.

Amendment (399) was adopted.

Representative Carlyle moved the adoption of amendment (411):

On page 16, line 18, after "issued" strike "authorization" and insert "recognition"

On page 16, line 21, after "issued" strike "authorization" and insert "recognition"

On page 17, at the beginning of line 34, strike "authorization" and insert "recognition"

On page 18, line 13, after "issued" strike "authorization" and insert "recognition"

On page 18, line 18, after "issued" strike "authorization" and insert "recognition"

On page 18, line 29, after "issued" strike "an authorization" and insert "a recognition"

Representative Carlyle spoke in favor of the adoption of the amendment.

Amendment (411) was adopted.

Representative Sawyer moved the adoption of amendment (340):

On page 40, line 21, after "projects" insert ", not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3),"

On page 41, after line 26, insert the following:

"(3) The University of Washington and Washington State University may contract to conduct marijuana research with an entity licensed to conduct such research by a federally recognized Indian tribe located within the geographical boundaries of the state of Washington."

Representatives Sawyer, Nealey, Hurst and Condotta spoke in favor of the adoption of the amendment.

Amendment (340) was adopted.

Representative Sawyer moved the adoption of amendment (341):

On page 43, after line 34, insert the following:

"PART XII
Preemption and Public Vote

NEW SECTION. **Sec. 1201.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Except as provided in subsections (2) through (6) of this section, no city, town, or county may enact or enforce a moratorium or prohibition on the production, processing, researching, or retail sale of marijuana under this chapter.

(2)(a) Any registered voter of a city, town, or county may submit a petition calling for the city, town, or county to prohibit the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under this chapter. The petition must be signed by thirty percent or more of the voters of the jurisdiction and must be filed with the legislative authority of the applicable city, town, or county. With respect to petitions to be filed with a county under this subsection, only registered voters in the unincorporated area of the county may initiate and sign the petition.

(b) If the legislative authority determines the petition to be sufficient, it must, within sixty days of determining the petition to be sufficient, hold a public hearing on the petition and an implementing ordinance. Following the public hearing, the legislative authority of the city, town, or county must submit the question of prohibiting siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana products under this chapter to the voters of the jurisdiction at a general election.

(c) If a majority of the voters of the city, town, or county voting in the election approve the prohibition, the prohibition will take effect on the date specified in the petition. If no effective date is specified in the petition, the prohibition takes effect sixty days after the election.

(3) As an alternative to the petition process established in subsection (1) of this section, the legislative authority of any city, town, or county may initiate an ordinance provided for in subsection (1) of this section by submitting a ballot proposition at a general election prohibiting the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under this chapter. If a majority of the voters of the county, city, or town voting in the election approve the prohibition, the prohibition takes effect on the date specified in the ballot proposition. If no effective date is specified in the ballot proposition, the prohibition takes effect sixty days after the election.

(4) With respect to a county enacting an ordinance under this section, the ordinance may only apply to unincorporated areas of the county. No voters within the boundaries of an incorporated city or town may participate in a county election under this section.

(5) Following the passage of an ordinance under subsections (1) and (2) of this section, the state liquor control board may not issue or renew any license under RCW 69.50.325 or section 1001 of this act for the production, processing, researching, or retail sale of marijuana with respect to businesses that are either located or proposed to be located within an area subject to the ordinance.

(6) The legislative authority of a city, town, or county may, by ordinance, repeal a prohibition enacted under this section not less than two years after the prohibition's effective date. After a repeal under this subsection, the state liquor control board may issue and renew licenses under RCW 69.50.325 or section 1001 of this act within the area that had been subject to a prohibition.

(7) Nothing in this section may be construed to extend powers to cities, towns, or counties beyond the power to prohibit the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana.

NEW SECTION. **Sec. 1202.** A new section is added to chapter 36.01 RCW to read as follows:

Notwithstanding any other provision of law, counties also have the authority granted in section 1201 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW.

NEW SECTION. **Sec. 1203.** A new section is added to chapter 35.21 RCW to read as follows:

Notwithstanding any other provision of law, cities and towns also have the authority granted in section 1201 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW.

NEW SECTION. **Sec. 1204.** A new section is added to chapter 35A.21 RCW to read as follows:

Notwithstanding any other provision of law, code cities also have the authority granted in section 1201 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW."

Renumber the remaining sections and parts consecutively and correct any internal references accordingly.

Correct the title.

Representatives Sawyer, Hurst and Condotta spoke in favor of the adoption of the amendment.

Representatives Klippert, Reykdal, Stokesbary and Taylor spoke against the adoption of the amendment.

Amendment (341) was adopted.

Representative Hurst moved the adoption of amendment (386):

On page 43, after line 34, insert the following:

"PART XII
Agreements between the Governor and Indian Tribes

NEW SECTION. **Sec. 1201.** A new section is added to chapter 43.06 RCW to read as follows:

The legislature intends to further the government-to-government relationship between the state of Washington and federally recognized Indian tribes in the state of Washington by authorizing the governor to enter into agreements concerning the regulation of marijuana. Such agreements may include provisions pertaining to: The lawful commercial production, processing, sale, and possession of marijuana for both recreational and medical purposes; marijuana-related research activities; law enforcement, both criminal and civil; and taxation. The legislature finds that these agreements will facilitate and promote a cooperative and mutually beneficial relationship between the state and the tribes regarding matters relating to the legalization of marijuana, particularly in light of the fact that federal Indian law precludes the state from enforcing its civil regulatory laws in Indian country. Such cooperative

agreements will enhance public health and safety, ensure a lawful and well-regulated marijuana market, encourage economic development, and provide fiscal benefits to both the tribes and the state.

NEW SECTION. **Sec. 1202.** A new section is added to chapter 43.06 RCW to read as follows:

(1) The governor may enter into agreements with federally recognized Indian tribes concerning marijuana. Marijuana agreements may address any marijuana-related issue that involves both state and tribal interests or otherwise has an impact on tribal-state relations. Such agreements may include, but are not limited to, the following provisions and subject matter:

(a) Criminal and civil law enforcement;

(b) Regulatory issues related to the commercial production, processing, sale, and possession of marijuana, and processed marijuana products, for both recreational and medical purposes;

(c) Medical and pharmaceutical research involving marijuana;

(d) Taxation;

(e) Any tribal immunities or preemption of state law regarding the production, processing, or marketing of marijuana; and

(f) Dispute resolution, including the use of mediation or other nonjudicial process.

(2) Any marijuana agreement relating to the production, processing, and sale of marijuana in Indian country, whether for recreational or medical purposes, must address the following issues:

(a) Preservation of public health and safety;

(b) Ensuring the security of production, processing, retail, and research facilities; and

(c) Cross-border commerce in marijuana.

(3) The governor may delegate the power to negotiate marijuana agreements to the state liquor control board. In conducting such negotiations, the state liquor control board must, when necessary, consult with the governor and/or the department of revenue.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Indian country" has the same meaning as in RCW 82.24.010.

(b) "Indian tribe" or "tribe" means a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.

(c) "Marijuana" means "marijuana," "marijuana concentrates," "marijuana-infused products," and "useable marijuana," as those terms are defined in RCW 69.50.101.

NEW SECTION. **Sec. 1203.** A new section is added to chapter 69.50 RCW to read as follows:

The taxes, fees, assessments, and other charges imposed by this chapter do not apply to commercial activities related to the production, processing, sale, and possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 1202 of this act.

NEW SECTION. **Sec. 1204.** A new section is added to chapter 82.08 RCW to read as follows:

The taxes imposed by this chapter do not apply to the retail sale of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 1202 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

NEW SECTION. **Sec. 1205.** A new section is added to chapter 82.12 RCW to read as follows:

The taxes imposed by this chapter do not apply to the use of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 1202 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

Sec. 1206. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under chapter 3, Laws of 2013;

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(5); ((~~and~~))

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate; and

(4) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 1202 of this act.

Sec. 1207. RCW 69.50.363 and 2013 c 3 s 16 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana processor or employee of a validly licensed marijuana processor in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana that has been properly packaged and labeled from a marijuana producer validly licensed under chapter 3, Laws of 2013;

(2) Possession, processing, packaging, and labeling of quantities of marijuana, useable marijuana, and marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(4); ((~~and~~))

(3) Delivery, distribution, and sale of useable marijuana or marijuana-infused products to a marijuana retailer validly licensed under chapter 3, Laws of 2013; and

(4) Delivery, distribution, and sale of useable marijuana, marijuana concentrates, or marijuana-infused products to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 1202 of this act.

Sec. 1208. RCW 69.50.366 and 2013 c 3 s 17 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(3); ((~~and~~))

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under chapter 3, Laws of 2013; and

(3) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 1202 of this act."

Renumber the remaining part consecutively, correct any internal references accordingly, and correct the title.

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment.

Representative Taylor spoke against the adoption of the amendment.

Amendment (386) was adopted.

Representative Hurst moved the adoption of amendment (387):

On page 45, after line 26, insert the following:

"NEW SECTION. **Sec. 1208.1.1202.** RCW 69.50.425 (Misdemeanor violations—Minimum penalties) and 2002 c 175 s 44 & 1989 c 271 s 105 are each repealed."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Hurst, Condotta and Appleton spoke in favor of the adoption of the amendment.

Representative Klippert spoke against the adoption of the amendment.

Amendment (387) was adopted.

Representative Taylor moved the adoption of amendment (395):

On page 46, beginning on line 9, strike all of section 1204 and insert the following:

"NEW SECTION. **Sec. 1204.** (1) Parts I through IV, VI through IX, XI, and XII of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015.

(2) Parts V and X of this act take effect October 1, 2015."

Representatives Taylor and Condotta spoke in favor of the adoption of the amendment.

Representative Carlyle spoke against the adoption of the amendment.

Amendment (395) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Nealey, Hurst and Condotta spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2136.

MOTION

On motion of Representative Van De Wege, Representative Morris was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2136, and the bill passed the House by the following vote: Yeas, 67; Nays, 28; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, Moeller, Moscoso, Nealey, Ormsby, Ortiz-Self, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Chandler, Dent, Fagan, G. Hunt, Griffey, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Manweller, McCabe, McCaslin, Muri, Orcutt, Orwall, Parker, Pike, Schmick, Scott, Shea, Short, Taylor, Wilcox, Wilson and Young.

Excused: Representatives DeBolt, Morris and Smith.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5121, by Senators Kohl-Welles, Rivers, Bailey, Pedersen, Liias, McAuliffe, Frockt, Chase, Keiser and Hatfield

Establishing a marijuana research license.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was not adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5121, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5121, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent,

Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Morris and Smith.

SENATE BILL NO. 5121, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SENATE BILL NO. 5024
SUBSTITUTE SENATE BILL NO. 5081
SENATE BILL NO. 5143
SUBSTITUTE SENATE BILL NO. 5147
SENATE BILL NO. 5155
SUBSTITUTE SENATE BILL NO. 5156
SENATE BILL NO. 5164
SUBSTITUTE SENATE BILL NO. 5268
SUBSTITUTE SENATE BILL NO. 5276
SUBSTITUTE SENATE BILL NO. 5299
SENATE BILL NO. 5302
SECOND SUBSTITUTE SENATE BILL NO. 5311
SUBSTITUTE SENATE BILL NO. 5411
ENGROSSED SUBSTITUTE SENATE BILL NO. 5441
SENATE BILL NO. 5464
SENATE BILL NO. 5482
SECOND SUBSTITUTE SENATE BILL NO. 5486
SUBSTITUTE SENATE BILL NO. 5488
ENGROSSED SENATE BILL NO. 5510
SUBSTITUTE SENATE BILL NO. 5534
ENGROSSED SENATE BILL NO. 5577
SENATE BILL NO. 5581
SUBSTITUTE SENATE BILL NO. 5631
SUBSTITUTE SENATE BILL NO. 5633
SENATE BILL NO. 5647
SENATE BILL NO. 5658
SENATE BILL NO. 5689
SENATE BILL NO. 5725
SUBSTITUTE SENATE BILL NO. 5763
SENATE BILL NO. 5805
SECOND SUBSTITUTE SENATE BILL NO. 5851
SENATE BILL NO. 5881
SUBSTITUTE SENATE BILL NO. 5897
ENGROSSED SENATE BILL NO. 5923
ENGROSSED SENATE BILL NO. 5935
SENATE BILL NO. 5941
SUBSTITUTE SENATE BILL NO. 5972
SENATE BILL NO. 5974
SUBSTITUTE SENATE BILL NO. 5999
SUBSTITUTE SENATE BILL NO. 6019

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 13, 2015, the 92nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY SECOND DAY

House Chamber, Olympia, Monday, April 13, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joseph Adam and Sedona Wilcox. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Robert Ray, Humanist Celebrant, Granite Falls, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2227 by Representatives Blake and Kretz

AN ACT Relating to increasing participation in recreational fishing by lowering licensure costs; and amending RCW 77.32.470.

Referred to Committee on Appropriations.

SSB 5112 by Senate Committee on Trade & Economic Development (originally sponsored by Senators Brown, Parlette and Benton)

AN ACT Relating to a pilot program that provides incentives for investments in Washington state job creation and economic development; adding a new chapter to Title 82 RCW; and creating new sections.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5106, by Senators O'Ban, Padden, Fain and Roach

Creating a civil action for webcam unauthorized remote access.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (390):

On page 2, beginning on line 18, after "authority," strike "permission, or consent,"

On page 2, after line 25, insert the following:

"(d) "Without authority" and "unauthorized" mean a person does not have the express prior permission, approval, or consent of the owner, renter, or leaser of a webcam to access the webcam. If access to a webcam is for purposes of a criminal investigation, the access is unauthorized and without authority unless the access is pursuant to a search warrant, a valid waiver of the warrant requirement, exigent circumstances, or under other authority of law."

Representatives Rodne and Kilduff spoke in favor of the adoption of the amendment.

Amendment (390) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5106, as amended by the House.

MOTION

On motion of Representative Van De Wege, Representative McBride was excused.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5106, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

SENATE BILL NO. 5106, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5538, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Angel and Sheldon)

Creating procedures for disposing property in the leased premises of a deceased tenant. Revised for 1st Substitute: Concerning procedures and requirements relating to the death of a tenant.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 1, 2015).

Representative Jinkins moved the adoption of amendment (413) to the committee amendment:

Beginning on page 7, line 4 of the amendment, strike all of section 3 and insert the following:

"NEW SECTION. **Sec. 3.** A new section is added to chapter 59.18 RCW to read as follows:

(1) In the event of the death of a tenant who is the sole occupant of the dwelling unit:

(a) The landlord, upon learning of the death of the tenant, shall promptly mail or personally deliver written notice to any known personal representative, known designated person, emergency contact identified by the tenant on the rental application, known person reasonably believed to be a successor of the tenant as defined in RCW 11.62.005, and to the deceased tenant at the address of the dwelling unit. If the landlord knows of any address used for the receipt of electronic communications, the landlord shall email the notice to that address as well. The notice must include:

(i) The name of the deceased tenant and address of the dwelling unit;

(ii) The approximate date of the deceased tenant's death;

(iii) The rental amount and date through which rent is paid;

(iv) A statement that the tenancy will terminate fifteen days from the date the notice is mailed or personally delivered or the date through which rent is paid, whichever comes later, unless during that time period a tenant representative makes arrangements with the landlord to pay rent in advance for no more than sixty days from the date of the tenant's death to allow a tenant representative to arrange for orderly removal of the tenant's property. At the end of the period for which the rent has been paid pursuant to this subsection, the tenancy ends;

(v) A statement that failure to remove the tenant's property before the tenancy is terminated or ends as provided in (a)(iv) of this subsection will allow the landlord to enter the dwelling unit and take possession of any property found on the premises, store it in a reasonably secure place, and charge the actual or reasonable costs, whichever is less, of drayage and storage of the property, and after service of a second notice sell or dispose of the property as provided in subsection (3) of this section; and

(vi) A copy of any designation executed by the tenant pursuant to section 2 of this act;

(b) The landlord shall turn over possession of the tenant's property to a tenant representative if a request is made in writing within the specified time period or any subsequent date agreed to by the parties;

(c) Within fourteen days after the removal of the property by the tenant representative, the landlord shall refund any unearned rent and shall give a full and specific statement of the basis for retaining any deposit together with the payment of any refund due the deceased tenant under the terms and conditions of the rental agreement to the tenant representative; and

(d) Any tenant representative who removes property from the tenant's dwelling unit or the premises must, at the time of removal, provide to the landlord an inventory of the removed property and signed acknowledgment that he or she has only been given possession and not ownership of the property.

(2) A landlord shall send a second written notice before selling or disposing of a deceased tenant's property.

(a) If the tenant representative makes arrangements with the landlord to pay rent in advance as provided in subsection (1)(a)(iv) of this section, the landlord shall mail a second written notice to any known personal representative, known designated person, emergency contact identified by the tenant on the rental application, known person reasonably believed to be a successor of the tenant as defined in RCW 11.62.005, and to the deceased tenant at the dwelling unit. The second notice must include:

(i) The name, address, and phone number or other contact information for the tenant representative, if known, who made the arrangements to pay rent in advance;

(ii) The amount of rent paid in advance and date through which rent was paid; and

(iii) A statement that the landlord may sell or dispose of the property on or after the date through which rent is paid or at least forty-five days after the second notice is mailed, whichever comes later, if a tenant representative does not claim and remove the property in accordance with this subsection.

(b) If the landlord places the property in storage pursuant to subsection (1)(a) of this section, the landlord shall mail a second written notice, unless a written notice under (a) of this subsection has already been provided, to any known personal representative, known designated person, emergency contact identified by the tenant on the rental application, known person reasonably believed to be a successor of the tenant as defined in RCW 11.62.005, and to the deceased tenant at the dwelling unit. The second notice must state that the landlord may sell or dispose of the property on or after a specified date that is at least forty-five days after the second notice is mailed if a tenant representative does not claim and remove the property in accordance with this subsection.

(c) The landlord shall turn over possession of the tenant's property to a tenant representative if a written request is made within the applicable time periods after the second notice is mailed, provided the tenant representative: (i) Pays the actual or reasonable costs, whichever is less, of drayage and storage of the property, if applicable; and (ii) gives the landlord an inventory of the property and signs an acknowledgment that he or she has only been given possession and not ownership of the property.

(d) Within fourteen days after the removal of the property by the tenant representative, the landlord shall refund any unearned rent and shall give a full and specific statement of the basis for retaining any deposit together with the payment of any refund due the deceased tenant under the terms and conditions of the rental agreement to the tenant representative.

(3)(a) If a tenant representative has not contacted the landlord or removed the deceased tenant's property within the applicable time periods under this section, the landlord may sell or dispose of the deceased tenant's property, except for personal papers and personal photographs, as provided in this subsection.

(i) If the landlord reasonably estimates the fair market value of the stored property to be more than one thousand dollars, the landlord shall arrange to sell the property in a commercially

reasonable manner and may dispose of any property that remains unsold in a reasonable manner.

(ii) If the value of the stored property does not meet the threshold provided in (a)(i) of this subsection, the landlord may dispose of the property in a reasonable manner.

(iii) The landlord may apply any income derived from the sale of the property pursuant to this section against any costs of sale and moneys due the landlord, including actual or reasonable costs, whichever is less, of drayage and storage of the deceased tenant's property. Any excess income derived from the sale of such property under this section must be held by the landlord for a period of one year from the date of sale, and if no claim is made for recovery of the excess income before the expiration of that one-year period, the balance must be treated as abandoned property and deposited by the landlord with the department of revenue pursuant to chapter 63.29 RCW.

(b) Personal papers and personal photographs that are not claimed by a tenant representative within ninety days after a sale or other disposition of the deceased tenant's other property shall be either destroyed or held for the benefit of any successor of the deceased tenant as defined in RCW 11.62.005.

(c) No landlord or employee of a landlord, or his or her family members, may acquire, directly or indirectly, the property sold pursuant to (a)(i) of this subsection or disposed of pursuant to (a)(ii) of this subsection.

(4) Upon learning of the death of the tenant, the landlord may enter the deceased tenant's dwelling unit and immediately dispose of any perishable food, hazardous materials, and garbage found on the premises and turn over animals to a tenant representative or to an animal control officer, humane society, or other individual or organization willing to care for the animals.

(5) Any notices sent by the landlord under this section must include a mailing address, any address used for the receipt of electronic communications, and a telephone number of the landlord.

(6) If a landlord knowingly violates this section, the landlord is liable to the deceased tenant's estate for actual damages. The prevailing party in any action pursuant to this subsection may recover costs and reasonable attorneys' fees.

(7) A landlord who complies with this section is relieved from any liability relating to the deceased tenant's property."

Representatives Jinkins and Rodne spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (413) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5538, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5538, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5538, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5719, by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Baumgartner, Becker, Kohl-Welles, Parlette, Dammeier, Honeyford, Fain, Fraser, Darneille, McAuliffe, Pearson, Angel, Keiser, Chase, Sheldon, Hill, Jayapal and Frockt)

Creating a task force on campus sexual violence prevention.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Gregory and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5719, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5719, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton,

Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt and Scott.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5719, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5011, by Senators Becker, Cleveland, Frockt and Keiser

Addressing third-party payor release of health care information.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 68, March 20, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5011, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5011, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

SENATE BILL NO. 5011, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5032, by Senators Pedersen and O'Ban

Specifying when a transaction in the form of a lease does not create a security interest for purposes of the uniform commercial code.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5032.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5032, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5032, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048, by Senate Committee on Government Operations & Security (originally sponsored by Senators Chase, Roach, Hatfield and Miloscia)

Subjecting a resolution or ordinance adopted by the legislative body of a city or town to assume a water-sewer district to a referendum.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 72, March 24, 2015).

Representative Takko moved the adoption of amendment (377) to the committee amendment:

On page 1, line 13 of the striking amendment, after "petition" strike all material through "question" on line 15 and insert "and issue a petition identification number. The ballot title must be prepared by the applicable city attorney in accordance with this section and RCW 29A.36.071, and the question posed to the voters must be written"

On page 2, after line 23 of the striking amendment, insert the following:

"**Sec. 3.1.3.** RCW 29A.36.071 and 2006 c 311 s 9 are each amended to read as follows:

(1) Except as provided to the contrary in RCW 82.14.036, 82.46.021, or 82.80.090, the ballot title of any referendum filed on an enactment or portion of an enactment of a local government and any other question submitted to the voters of a local government consists of three elements: (a) An identification of the enacting legislative body and a statement of the subject matter; (b) a concise description of the measure; and (c) a question. The ballot title must conform with the requirements and be displayed substantially as provided under RCW 29A.72.050, except that the concise description must not exceed seventy-five words; however, a concise description submitted on behalf of a proposed or existing regional transportation investment district may exceed seventy-five words. If the local governmental unit is a city or a town, or if the ballot title is for a referendum under section 1 of this act, the concise statement shall be prepared by the city or town attorney. If the local governmental unit is a county, the concise statement shall be prepared by the prosecuting attorney of the county. If the unit is a unit of local government other than a city, town, or county, the concise statement shall be prepared by the prosecuting attorney of the county within which the majority area of the unit is located.

(2) A referendum measure on the enactment of a unit of local government shall be advertised in the manner provided for nominees for elective office.

(3) Subsection (1) of this section does not apply if another provision of law specifies the ballot title for a specific type of ballot question or proposition."

Representatives Takko and Taylor spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (377) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5048, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5048, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Kagi.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5059, by Senate Committee on Law & Justice (originally sponsored by Senators Frockt, Fain, Pedersen and Chase)

Creating the patent troll prevention act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5059.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5059, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Hansen, Reykdal and Sawyer.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5059, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5215, by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Pedersen, Kohl-Welles, Baumgartner, Padden, Darneille, Keiser, Benton and O'Ban)

Establishing the Washington internet crimes against children account.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Sawyer spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5215.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5215, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SECOND SUBSTITUTE SENATE BILL NO. 5215, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5292, by Senate Committee on Law & Justice (originally sponsored by Senators Roach, Billig, Hasegawa and Benton)

Protecting children and youth from powdered alcohol.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst and Holy spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5292, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5292, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Magendanz, Manweller, Orcutt, Reykdal and Taylor.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5292, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5293, by Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Rivers, Conway, Dammeier, Hobbs, Angel, Frockt, Bailey, Ericksen, Mullet and Benton)

Concerning the use of hydrocodone products by licensed optometrists in Washington state.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5293.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5293, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5293, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5322, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield, Hobbs and Honeyford)

Concerning conservation districts' rates and charges.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger, Nealey and Muri spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5322.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5322, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Lytton, MacEwen, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kristiansen, Magendanz, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5322, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5460, by Senate Committee on Health Care (originally sponsored by Senators Parlette, Cleveland, Rivers, Keiser, Angel, Chase and Bailey)

Allowing practitioners to prescribe and distribute prepackaged emergency medications to emergency room patients when a pharmacy is not available.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 1, 2015).

Representative Cody moved the adoption of amendment (337) to the committee amendment:

On page 2, after line 40 of the amendment, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 70.41 RCW to read as follows:

(1) The legislature recognizes that in order for hospitals to ensure drugs are accessible to patients and the public to meet hospital and community health care needs, certain transfers of drugs must be authorized between hospitals and their affiliated or related companies under common ownership and control of the corporate entity and for emergency medical reasons.

(2) A licensed hospital pharmacy is permitted, without a wholesaler license, to:

(a) Engage in intracompany sales, being defined as any transaction or transfer between any division, subsidiary, parent company, affiliated company, or related company under common ownership and control of the corporate entity, unless the transfer occurs between a wholesale distributor and a health care entity or practitioner; and

(b) Sell, purchase, or trade a drug or offer to sell, purchase, or trade a drug for emergency medical reasons. For the purposes of this subsection, "emergency medical reasons" includes transfers of prescription drugs to alleviate a temporary shortage, except that the gross dollar value of the transfers may not exceed five percent of the total prescription drug sale revenue of either the transferor or transferee pharmacy during any twelve consecutive month period.

Sec. 3. RCW 18.64.011 and 2013 c 146 s 1, 2013 c 144 s 13, and 2013 c 19 s 7 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administer" means the direct application of a drug or device, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.

(2) "Business licensing system" means the mechanism established by chapter 19.02 RCW by which business licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a business license application and a business license expiration date common to each renewable license endorsement.

(3) "Commission" means the pharmacy quality assurance commission.

(4) "Compounding" means the act of combining two or more ingredients in the preparation of a prescription.

(5) "Controlled substance" means a drug or substance, or an immediate precursor of such drug or substance, so designated under or pursuant to the provisions of chapter 69.50 RCW.

(6) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a drug or device, whether or not there is an agency relationship.

(7) "Department" means the department of health.

(8) "Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (a) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals, or (b) to affect the structure or any function of the body of human beings or other animals.

(9) "Dispense" means the interpretation of a prescription or order for a drug, biological, or device and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(10) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(11) "Drug" and "devices" do not include surgical or dental instruments or laboratory materials, gas and oxygen, therapy equipment, X-ray apparatus or therapeutic equipment, their component parts or accessories, or equipment, instruments, apparatus, or contrivances used to render such articles effective in medical, surgical, or dental treatment, or for use or consumption in or for mechanical, industrial, manufacturing, or scientific applications or purposes. "Drug" also does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended, nor medicated feed

intended for and used exclusively as a feed for animals other than human beings.

(12) "Drugs" means:

(a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of human beings or other animals; or

(d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

(13) "Health care entity" means an organization that provides health care services in a setting that is not otherwise licensed by the state to acquire or possess legend drugs. Health care entity includes a freestanding outpatient surgery center ((~~or~~)), a residential treatment facility, and a freestanding cardiac care center. ((~~It~~)) "Health care entity" does not include an individual practitioner's office or a multipractitioner clinic, regardless of ownership, unless the owner elects licensure as a health care entity. "Health care entity" also does not include an individual practitioner's office or multipractitioner clinic identified by a hospital on a pharmacy application or renewal pursuant to RCW 18.64.043.

(14) "Labeling" means the process of preparing and affixing a label to any drug or device container. The label must include all information required by current federal and state law and pharmacy rules.

(15) "Legend drugs" means any drugs which are required by any applicable federal or state law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

(16) "Manufacture" means the production, preparation, propagation, compounding, or processing of a drug or other substance or device or the packaging or repackaging of such substance or device, or the labeling or relabeling of the commercial container of such substance or device, but does not include the activities of a practitioner who, as an incident to his or her administration or dispensing such substance or device in the course of his or her professional practice, personally prepares, compounds, packages, or labels such substance or device. "Manufacture" includes the distribution of a licensed pharmacy compounded drug product to other state licensed persons or commercial entities for subsequent resale or distribution, unless a specific product item has approval of the ((~~board~~)) commission. The term does not include:

(a) The activities of a licensed pharmacy that compounds a product on or in anticipation of an order of a licensed practitioner for use in the course of their professional practice to administer to patients, either personally or under their direct supervision;

(b) The practice of a licensed pharmacy when repackaging commercially available medication in small, reasonable quantities for a practitioner legally authorized to prescribe the medication for office use only;

(c) The distribution of a drug product that has been compounded by a licensed pharmacy to other appropriately licensed entities under common ownership or control of the facility in which the compounding takes place; or

(d) The delivery of finished and appropriately labeled compounded products dispensed pursuant to a valid prescription to alternate delivery locations, other than the patient's residence, when requested by the patient, or the prescriber to administer to the patient, or to another licensed pharmacy to dispense to the patient.

(17) "Manufacturer" means a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(18) "Nonlegend" or "nonprescription" drugs means any drugs which may be lawfully sold without a prescription.

(19) "Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(20) "Pharmacist" means a person duly licensed by the commission to engage in the practice of pharmacy.

(21) "Pharmacy" means every place properly licensed by the commission where the practice of pharmacy is conducted.

(22) "Poison" does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended.

(23) "Practice of pharmacy" includes the practice of and responsibility for: Interpreting prescription orders; the compounding, dispensing, labeling, administering, and distributing of drugs and devices; the monitoring of drug therapy and use; the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs; the participating in drug utilization reviews and drug product selection; the proper and safe storing and distributing of drugs and devices and maintenance of proper records thereof; the providing of information on legend drugs which may include, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(24) "Practitioner" means a physician, dentist, veterinarian, nurse, or other person duly authorized by law or rule in the state of Washington to prescribe drugs.

(25) "Prescription" means an order for drugs or devices issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe drugs or devices in the course of his or her professional practice for a legitimate medical purpose.

(26) "Secretary" means the secretary of health or the secretary's designee.

(27) "Wholesaler" means a corporation, individual, or other entity which buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

Sec. 4. RCW 18.64.043 and 1996 c 191 s 43 are each amended to read as follows:

(1) The owner of each pharmacy shall pay an original license fee to be determined by the secretary, and annually thereafter, on or before a date to be determined by the secretary, a fee to be determined by the secretary, for which he or she shall receive a license of location, which shall entitle the owner to operate such pharmacy at the location specified, or such other temporary location as the secretary may approve, for the period ending on a date to be determined by the secretary as provided in RCW 43.70.250 and 43.70.280, and each such owner shall at the time of filing proof of payment of such fee as provided in RCW 18.64.045 as now or hereafter amended, file with the department on a blank therefor provided, a declaration of ownership and location, which declaration of ownership and location so filed as aforesaid shall be deemed presumptive evidence of ownership of the pharmacy mentioned therein. For a hospital licensed under chapter 70.41 RCW, the license of location provided under this section may include any individual practitioner's office or multipractitioner clinic owned and operated by a hospital, and identified by the hospital on the pharmacy application or renewal. A hospital that elects to include one or more offices or clinics under this subsection on its pharmacy application must maintain the office or clinic under its pharmacy license through at least one pharmacy inspection or twenty-four months. However, the department may, in its discretion, allow a change in licensure at an earlier time. The secretary may adopt rules to establish an additional reasonable fee for any such office or clinic.

(2) It shall be the duty of the owner to immediately notify the department of any change of location or ownership and to keep the license of location or the renewal thereof properly exhibited in said pharmacy.

(3) Failure to comply with this section shall be deemed a misdemeanor, and each day that said failure continues shall be deemed a separate offense.

(4) In the event such license fee remains unpaid on the date due, no renewal or new license shall be issued except upon compliance with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280."

Renumber the remaining section consecutively, correct any internal references accordingly, and correct the title.

On page 3, line 1 of the amendment, after "**Sec. 2.**" strike "This" and insert "Section 1 of this"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (337) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5460, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5460, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McCaslin, Pike, Shea and Taylor.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5460, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute Senate Bill No. 5460.

Representative Scott, 39th District

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Miloscia, Hargrove, Kohl-Welles, Fain, Jayapal, Brown, Habib, Dammeier, Frockt, Litzow, Warnick, Hasegawa and McAuliffe)

Concerning the sealing of juvenile records and fines imposed in juvenile cases.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 30, 2015).

Representative Kagi moved the adoption of amendment (415) to the committee amendment:

On page 7, line 33 of the striking amendment, after "(c)" strike "The" and insert "Effective July 1, 2019, the"

On page 10, line 5 of the striking amendment, after "statement." insert "The statement must also note that any information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee may not be used by the employer or prospective employer, or an agent authorized to obtain this information on their behalf, unless required by federal regulation or law. The employer or prospective employer must afford the employee or prospective employee an opportunity to demonstrate that an adjudication contained in the abstract is subject to a court order sealing the juvenile record."

On page 10, after line 11 of the striking amendment, insert the following:

"(D) No employer or prospective employer, nor any agent of an employer or prospective employer, may use information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee for any purpose unless required by federal regulation or law. The employee or prospective employee must furnish a copy of the court order sealing the juvenile record to the employer or prospective employer, or the agent of the employer or prospective employer, as may be required to ensure the application of this subsection."

On page 13, line 18 of the striking amendment, after "(6)" strike "The" and insert "Effective July 1, 2019, the"

Representative Kagi spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (415) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5564, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5564, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Shea and Taylor.

Excused: Representative McBride.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5600, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Dammeier, Keiser, Darneille and Kohl-Welles)

Modifying certain definitions concerning the abuse of vulnerable adults.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5600, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5600, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5600, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5793, by Senators Darneille, Conway and O'Ban

Providing credit towards child support obligations for veterans benefits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5793.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5793, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5793, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5843, by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Parlette, Pearson, Rolfes, Hewitt, Litzow, Conway, Hasegawa and McAuliffe)

Concerning outdoor recreation.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government & Information Technology was

before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 1, 2015).

With the consent of the house, amendment (414) to the committee amendment was withdrawn.

Representative Hudgins moved the adoption of amendment (421) to the committee amendment:

On page 2, line 36 of the striking amendment, after "chapter" strike "43.330" and insert "43.06"

On page 2, beginning on line 39 of the striking amendment, after "purpose, the" strike "director must maintain a position in the department" and insert "governor must maintain a senior policy advisor to the governor"

On page 3, at the beginning of line 3, strike "position" and insert "advisor"

On page 3, line 7 of the striking amendment, after "of the" strike "department's outdoor recreation lead" and insert "advisor"

Representative Hudgins spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (421) to the committee amendment was adopted.

Representative MacEwen moved the adoption of amendment (431) to the committee amendment:

On page 3, line 7 of the striking amendment, after "(2)" insert "The outdoor recreation lead required to be appointed under this section must be confirmed by the senate.

(3)"

Representative MacEwen spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (431) to the committee amendment was not adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5843, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5843, as amended by the House, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McCabe, Moeller, Morris, Moscoso, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Caldier, Condotta, Dent, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Kretz, Kristiansen, Manweller, McCaslin, Muri, Nealey, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5843, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

SUBSTITUTE SENATE BILL NO. 5156, by Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Warnick and Conway)

Concerning the disclosure of information regarding elevators and other conveyances in certain real estate transactions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby, Vick and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5156.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5156, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick,

Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5156, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5268, by Senate Committee on Health Care (originally sponsored by Senators Parlette, Kohl-Welles, Hatfield, Angel and Fraser)

Concerning refilling eye drop prescriptions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5268.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5268, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5268, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5311, by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, O'Ban, Frockt, Darneille, Keiser, McCoy, Kohl-Welles, Hasegawa and Jayapal)

Requiring crisis intervention training for peace officers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5311.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5311, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

SECOND SUBSTITUTE SENATE BILL NO. 5311, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5464, by Senators Warnick, Hatfield, Parlette, Hargrove, Ranker, Hewitt, Fraser and Chase

Concerning unlawfully engaging in fishing guide activity.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5464.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5464, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.
Excused: Representative McBride.

SENATE BILL NO. 5464, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5482, by Senators Roach and Liias

Addressing the disclosure of global positioning system data by law enforcement officers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Holy spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5482.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5482, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Harmsworth, Scott and Taylor.
Excused: Representative McBride.

SENATE BILL NO. 5482, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5486, by Senate Committee on Ways & Means (originally sponsored by Senators Frockt, O'Ban, Darneille, Fraser, Miloscia, Rolfes, Hargrove, Billig, Ranker, Hewitt, Kohl-Welles and McAuliffe)

Creating the parents for parents program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby, Dent and Walsh spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5486.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5486, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, Kretz, Kristiansen, Manweller, McCaslin, Orcutt, Schmick, Scott, Shea, Short, Taylor and Young.
Excused: Representative McBride.

SECOND SUBSTITUTE SENATE BILL NO. 5486, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5488, by Senate Committee on Health Care (originally sponsored by Senators Keiser, Jayapal, Parlette and Cleveland)

Concerning applied behavior analysis.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Schmick and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5488.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5488, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer,

Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Scott, Shea, Taylor and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5488, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5510, by Senators Braun, Baumgartner, Rivers and Angel

Simplifying and adding certainty to the calculation of workers' compensation benefits. (REVISED FOR ENGROSSED: Simplifying and adding certainty to the calculation of workers' compensation benefits by creating a working group to develop recommendations.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5510, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5510, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SENATE BILL NO. 5510, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5631, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Hargrove, O'Ban, Darneille, Pearson, Ranker, Litzow, Rolfes, Jayapal, Liias, Frockt, Dansel, Hill, Fain, Kohl-Welles, Hasegawa, Keiser, Angel, McAuliffe and Conway)

Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5631, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5631, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McCaslin, Scott, Shea and Taylor.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5631, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5633, by Senate Committee on Ways & Means (originally sponsored by Senators Conway, O'Ban, Hobbs, Chase, Kohl-Welles, Liias, McCoy and Hatfield)

Creating a coordinator for the helmets to hardhats program in the department of veterans affairs.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Community Development, Housing & Tribal Affairs was adopted. (For Committee amendment, see Journal, Day 71, March 23, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Appleton and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5633, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5633, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5633, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5647, by Senators Conway, Dansel and Fraser

Allowing counties to create guardianship courthouse facilitator programs.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5647, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5647, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, G. Hunt, Hargrove, Harmsworth, Holy, Kristiansen, Magendanz, McCaslin, Nealey, Orcutt, Schmick, Scott, Shea, Taylor and Vick.

Excused: Representative McBride.

SENATE BILL NO. 5647, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5881, by Senators Pearson, Chase and Hasegawa

Providing a group fishing permit for certain programs for at-risk youth.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5881.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5881, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5881, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5897, by Senate Committee on Ways & Means (originally sponsored by Senators Cleveland, Darneille, McAuliffe, Kohl-Welles and Chase)

Requiring costs for the examination of a suspected victim of assault of a child to be paid by the state. Revised for 1st Substitute: Concerning funding for medical evaluations of suspected victims of child abuse.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5897.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5897, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5897, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5974, by Senators Benton, Bailey, Hobbs, Chase, Cleveland, Angel, Hasegawa, Roach, Jayapal, Fraser, McCoy and Hewitt

Requiring the insurance commissioner to review barriers to offering supplemental coverage options to disabled veterans and their dependents.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5974.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5974, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5974, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5999, by Senate Committee on Ways & Means (originally sponsored by Senator Darneille)

Addressing the caseload forecast council.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ormsby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5999.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5999, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5999, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Kagi to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 2195
SUBSTITUTE SENATE BILL NO. 5004
SENATE BILL NO. 5020
SENATE BILL NO. 5075
ENGROSSED SUBSTITUTE SENATE BILL NO. 5084
SENATE BILL NO. 5104
SENATE BILL NO. 5107
SENATE BILL NO. 5120
SENATE BILL NO. 5139
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179
SENATE BILL NO. 5233
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269
SUBSTITUTE SENATE BILL NO. 5275
SENATE BILL NO. 5307
SENATE BILL NO. 5310
SUBSTITUTE SENATE BILL NO. 5328
SENATE BILL NO. 5468
SUBSTITUTE SENATE BILL NO. 5481
SUBSTITUTE SENATE BILL NO. 5501
SENATE BILL NO. 5542
ENGROSSED SENATE BILL NO. 5616
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649
SENATE BILL NO. 5650
SENATE BILL NO. 5693
SUBSTITUTE SENATE BILL NO. 5740
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810
SUBSTITUTE SENATE BILL NO. 5877
SUBSTITUTE SENATE BILL NO. 5933
SUBSTITUTE SENATE BILL NO. 5957
SENATE BILL NO. 5958

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 14, 2015, the 93rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY THIRD DAY

House Chamber, Olympia, Tuesday, April 14, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alex Montiel and Amelia Kilduff. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Marlando Jordan, Word of Faith Center, Kennewick, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 13, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1063
SUBSTITUTE HOUSE BILL NO. 1127
SUBSTITUTE HOUSE BILL NO. 1132
SUBSTITUTE HOUSE BILL NO. 1138
SUBSTITUTE HOUSE BILL NO. 1145
SUBSTITUTE HOUSE BILL NO. 1184
SUBSTITUTE HOUSE BILL NO. 1194
HOUSE BILL NO. 1259
HOUSE BILL NO. 1268
SUBSTITUTE HOUSE BILL NO. 1337
SUBSTITUTE HOUSE BILL NO. 1575
SUBSTITUTE HOUSE BILL NO. 1617
ENGROSSED HOUSE BILL NO. 1633
HOUSE BILL NO. 1641
HOUSE BILL NO. 1674
HOUSE BILL NO. 1706
ENGROSSED HOUSE BILL NO. 2190

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 13, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6092

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 13, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1004

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1078
HOUSE BILL NO. 1090
HOUSE BILL NO. 1179
HOUSE BILL NO. 1232
HOUSE BILL NO. 1282
HOUSE BILL NO. 1308
HOUSE BILL NO. 1309
SUBSTITUTE HOUSE BILL NO. 1319
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1410
SUBSTITUTE HOUSE BILL NO. 1496
HOUSE BILL NO. 1601
SUBSTITUTE HOUSE BILL NO. 1604
HOUSE BILL NO. 1627
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1695
SUBSTITUTE HOUSE BILL NO. 1721
SUBSTITUTE HOUSE BILL NO. 1727
ENGROSSED HOUSE BILL NO. 1890
SUBSTITUTE HOUSE BILL NO. 2021

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 13, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1002
SUBSTITUTE HOUSE BILL NO. 1010
HOUSE BILL NO. 1011
SUBSTITUTE HOUSE BILL NO. 1043
SUBSTITUTE HOUSE BILL NO. 1052
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1060
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1170
HOUSE BILL NO. 1172
HOUSE BILL NO. 1222
SUBSTITUTE HOUSE BILL NO. 1252
HOUSE BILL NO. 1277
SUBSTITUTE HOUSE BILL NO. 1285
HOUSE BILL NO. 1302
HOUSE BILL NO. 1307
SUBSTITUTE HOUSE BILL NO. 1313
HOUSE BILL NO. 1317
HOUSE BILL NO. 1342
SUBSTITUTE HOUSE BILL NO. 1382
SUBSTITUTE HOUSE BILL NO. 1447
HOUSE BILL NO. 1547
HOUSE BILL NO. 1554
HOUSE BILL NO. 1595
HOUSE BILL NO. 1637
HOUSE BILL NO. 1720
SUBSTITUTE HOUSE BILL NO. 1730
SUBSTITUTE HOUSE BILL NO. 1749
SUBSTITUTE HOUSE BILL NO. 1806
HOUSE BILL NO. 1819
HOUSE BILL NO. 1961
HOUSE BILL NO. 1962
SECOND SUBSTITUTE HOUSE BILL NO. 2040
HOUSE BILL NO. 2181

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 13, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5300
SUBSTITUTE SENATE BILL NO. 5591
SENATE BILL NO. 5606
SENATE BILL NO. 5638
SENATE BILL NO. 5662
SENATE BILL NO. 5757
SENATE BILL NO. 5760
ENGROSSED SUBSTITUTE SENATE BILL NO. 5803
SUBSTITUTE SENATE BILL NO. 5824
SUBSTITUTE SENATE BILL NO. 5887
SENATE JOINT MEMORIAL NO. 8012

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5158, by Senate Committee on Law & Justice (originally sponsored by Senators McCoy and Fraser)

Requiring call location information to be provided to law enforcement responding to an emergency.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, March 31, 2015).

With the consent of the house, amendment (385) to the committee amendment was withdrawn.

Representative G. Hunt moved the adoption of amendment (438) to the committee amendment:

On page 2, line 23 of the striking amendment, after "carrier" strike "voluntarily"

Representatives G. Hunt and Goodman spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (438) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Goodman, G. Hunt and Magendanz spoke in favor of the passage of the bill.

COLLOQUY

Representative G. Hunt: "Thank you. In its present form, as amended by the House, would this bill's definition of 'emergency' include situations involving Amber Alerts or in other circumstances such as when a person who has been diagnosed with dementia has gone missing?"

Representative Goodman: "Thank you for the question. I am under the impression that the answer is yes, Amber Alerts could be included in this bill's definition of emergency as would other situations such as a person who has gone missing and has been diagnosed with dementia."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5158, as amended by the House.

MOTION

On motion of Representative Riccelli, Representative McBride was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5158, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5158, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5557, by Senate Committee on Health Care (originally sponsored by Senators Parlette, Conway, Rivers, Dammeier, Becker, Frockt, Schoesler, Keiser, Jayapal, Warnick and Honeyford)

Addressing services provided by pharmacists.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was not adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

Representative Short moved the adoption of amendment (439):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 5.** A new section is added to chapter 48.43 RCW to read as follows:

(1) For health plans issued or renewed on or after January 1, 2017:

(a) Benefits shall not be denied for any health care service performed by a pharmacist licensed under chapter 18.64 RCW if:

(i) The service performed was within the lawful scope of such person's license;

(ii) The plan would have provided benefits if the service had been performed by a physician licensed under chapter 18.71 or 18.57 RCW, an advanced registered nurse practitioner licensed under chapter 18.79 RCW, or a physician's assistant licensed under chapter 18.71A or 18.57A RCW; and

(iii) The pharmacist is included in the plan's network of participating providers; and

(b) The health plan must include an adequate number of pharmacists in its network of participating medical providers.

(2) The participation of pharmacies in the plan network's drug benefit does not satisfy the requirement that plans include pharmacists in their networks of participating medical providers.

(3) For health benefit plans issued or renewed on or after January 1, 2016, but before January 1, 2017, health plans that delegate credentialing agreements to contracted health care facilities must accept credentialing for pharmacists employed or contracted by those facilities. Health plans must reimburse facilities for covered services provided by network pharmacists within the pharmacists' scope of practice per negotiations with the facility.

(4) This section does not supersede the requirements of RCW 48.43.045.

Sec. 6. RCW 48.43.045 and 2007 c 253 s 12 are each amended to read as follows:

(1) Every health plan delivered, issued for delivery, or renewed by a health carrier on and after January 1, 1996, shall:

(a) Permit every category of health care provider to provide health services or care ((~~for conditions~~)) included in the basic ((~~health plan services~~)) essential health benefits benchmark plan established by the commissioner consistent with RCW 48.43.715, to the extent that:

(i) The provision of such health services or care is within the health care providers' permitted scope of practice; ((~~and~~))

(ii) The providers agree to abide by standards related to:

(A) Provision, utilization review, and cost containment of health services;

(B) Management and administrative procedures; and

(C) Provision of cost-effective and clinically efficacious health services; and

(iii) The plan covers such services or care in the essential health benefits benchmark plan. The reference to the essential health benefits does not create a mandate to cover a service that is otherwise not a covered benefit.

(b) Annually report the names and addresses of all officers, directors, or trustees of the health carrier during the preceding year, and the amount of wages, expense reimbursements, or other payments to such individuals, unless substantially similar information is filed with the commissioner or the national association of insurance commissioners. This requirement does not apply to a foreign or alien insurer regulated under chapter 48.20 or 48.21 RCW that files a supplemental compensation exhibit in its annual statement as required by law.

(2) The requirements of subsection (1)(a) of this section do not apply to a licensed health care profession regulated under Title 18 RCW when the licensing statute for the profession states that such requirements do not apply.

NEW SECTION. **Sec. 7.** (1) The insurance commissioner shall designate a lead organization to establish and facilitate an advisory committee to implement the provisions of section 1 of this act. The lead organization and advisory committee shall develop best practice recommendations on standards for credentialing, privileging, billing, and payment processes to ensure pharmacists are adequately included and appropriately utilized in participating provider networks of health plans. In developing these standards, the committee shall also discuss topics as they relate to implementation including current credentialing requirements for health care providers consistent with chapter 18.64 RCW, existing processes of similarly situated health care providers, pharmacist training, care coordination, and the role of pharmacist prescriptive authority agreements pursuant to WAC 246-863-100.

(2) The lead organization shall create an advisory committee including, but not limited to, representatives of the following stakeholders:

(a) The insurance commissioner or designee;

(b) The secretary of health or designee;

(c) An organization representing pharmacists;

(d) An organization representing physicians;

(e) An organization representing hospitals;

(f) A hospital conducting internal credentialing of pharmacists;

(g) A clinic with pharmacists providing medical services;

(h) A community pharmacy with pharmacists providing medical services;

(i) The two largest health carriers in Washington based upon enrollment;

(j) A health care system that coordinates care and coverage;

(k) A school or college of pharmacy in Washington;

(l) A representative from a pharmacy benefit manager or organization that represents pharmacy benefit managers; and

(m) Other representatives appointed by the insurance commissioner.

(3) No later than December 1, 2015, the advisory committee shall present initial best practice recommendations to the insurance commissioner and the department of health. If necessary, the insurance commissioner or department of health may adopt rules to implement the standards developed by the lead organization and advisory committee. The advisory committee will remain intact to assist the insurance commissioner or department of health in rule making. The rules adopted by the insurance commissioner or the department of health must be consistent with the recommendations developed by the advisory committee.

(4) For purposes of this section, "lead organization" means a private sector organization or organizations designated by the insurance commissioner to lead development of processes, guidelines, and standards to streamline health care administration to be adopted by payors and providers of health care services operating in the state."

Correct the title.

Representatives Short and Cody spoke in favor of the adoption of the striking amendment.

Amendment (439) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody, Short and Harris spoke in favor of the passage of the bill.

Representative Caldier spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5557, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5557, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Shea, Taylor and Young.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5557, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5070, by Senators Pearson, Warnick, Dammeier, Kohl-Welles and Brown

Requiring the department of corrections to supervise domestic violence offenders who have a conviction and were sentenced for a domestic violence felony offense that was plead and proven.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was not adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the committee amendment by the Committee on General Government & Information Technology was adopted. (For Committee amendment, see Journal, Day 86, April 7, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5070, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5070, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5070, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5466, by Senators Becker, Keiser and Conway

Clarifying employee eligibility for benefits from the public employees' benefits board and conforming the eligibility provisions with federal law.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Ormsby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5466.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5466, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Shea, Taylor and Young.

Excused: Representative McBride.

SENATE BILL NO. 5466, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5466.

Representative Dent, 13th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5466.
Representative Klippert, 8th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5466.
Representative Scott, 39th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5466.
Representative Van Werven, 42nd District

SECOND READING

SENATE BILL NO. 5717, by Senators Angel, Mullet and Keiser

Amending the insurer holding company act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5717.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5717, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5717, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5743, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Fain, Hobbs, Benton, Mullet and Angel)

Addressing insurance producers, insurers, and title insurance agents activities with customers and potential customers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5743.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5743, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5743, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5763, by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Pearson and Hatfield)

Addressing the public employees' collective bargaining act as applied to commissioned officers of the department of fish and wildlife. Revised for 1st Substitute: Establishing a coalition of commissioned officers of the department of fish and wildlife for the purposes of collective bargaining.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5763, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5763, as amended by the House, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, DeBolt, G. Hunt, Hargrove, Harmsworth, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Magendanz, McCaslin, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Van Werven, Vick, Wilson and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5763, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5763.
Representative Caldier, 26th District

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5057, by Senate Committee on Ways & Means (originally sponsored by Senator Ericksen)

Concerning the safe transport of hazardous materials.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the committee amendment by the Committee on Appropriations was before the House for the purpose of amendment. (For Committee amendment, see Journal, Day 86, April 7, 2015).

Representative Shea moved the adoption of amendment (416) to the committee amendment:

Beginning on page 1, after line 2 of the amendment, strike all material through "2015." on page 50, line 18 and insert the following:

"NEW SECTION. **Sec. 8.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

Sec. 9. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil from a tank car.

(3) "Crude oil" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(((~~3~~))) (4) "Department" means the department of revenue.

(((~~4~~))) (5) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(((~~5~~))) (6) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(((~~6~~))) (7) "Person" has the meaning provided in RCW 82.04.030.

(((~~7~~))) (8) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(((~~8~~))) (9) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

(10) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(((~~(9)~~))) (11) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of travelling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 10. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; and (b) crude oil at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; and (b) crude oil at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of four cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ((~~shall~~)) must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ((~~imposition of the~~)) taxes imposed, or having collected the taxes, fails to pay them to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ((~~shall~~)), nevertheless, ((~~be~~)) is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ((~~shall~~)) must relieve the owner from further liability for the taxes.

(4) Taxes collected under this chapter ((~~shall~~)) must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ((~~shall be~~)) is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ((~~shall~~)) must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ((~~shall be~~)) are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ((~~shall~~)) constitute a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter((~~, shall be~~)) is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department. The department ((~~shall~~)) must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ((~~shall~~)) must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ((~~shall~~)) must relieve the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ((~~shall~~)) must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ((~~shall~~)) must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ((~~shall~~)) may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ((~~shall~~)) must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 11. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ((~~shall~~)) only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 12. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ((~~shall~~)) must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

NEW SECTION. **Sec. 13.** A new section is added to chapter 90.56 RCW to read as follows:

(1) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, and gravity of the oil, as measured by standards developed by the American petroleum institute. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. The information published by the department must be aggregated on a statewide basis and may include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery. The department must publish routes to facilities within the state, but may not include specific information about volume or gravity of oil, as measured by the standards developed by the American petroleum institute transported to any particular facility along the routes.

(4) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that is not aggregated and that contains proprietary, commercial, or financial information. The requirement for aggregating information does not apply when information is shared by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

Sec. 14. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Sec. 15. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of

protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 16. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

NEW SECTION. **Sec. 17.** A new section is added to chapter 88.16 RCW to read as follows:

(1) The board of pilotage commissioners may adopt rules to implement this section. The rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050.

organizations to submit hazardous materials plans and to update the plans on a five-year cycle for compliance review by the director. The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 21. RCW 38.52.070 and 1997 c 49 s 4 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization or to be a member of a joint local organization for emergency management in accordance with the state comprehensive emergency management plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for emergency management to the state director and secure his or her recommendations thereon, and verification of consistency with the state comprehensive emergency management plan, in order that the plan of the local organization for emergency management may be coordinated with the plan and program of the state. Local comprehensive emergency management plans must: (a) Specify the use of the incident command system for multiagency/multijurisdiction operations; and (b) include hazardous materials plans that are updated on a five-year cycle for compliance review by the director. No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack. If the director's recommendations are adverse to the plan as submitted, and, if the local organization does not agree to the director's recommendations for modification to the proposal, the matter shall be referred to the council for final action. The director may authorize two or more political subdivisions to join in the establishment and operation of a joint local organization for emergency management as circumstances may warrant, in which case each political subdivision shall contribute to the cost of emergency management upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the . . . . . emergency management fund. Each local organization or joint local organization for emergency management shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency management, subject to the direction and control of such executive officer or officers. In the case of a joint local organization for emergency management, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. Each local organization or joint local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

Sec. 22. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

NEW SECTION. **Sec. 23.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to adopt rules establishing criteria for inspection of private crossings and governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state, including, but not limited to, requirements for signage.

(2) Nothing in this section modifies existing agreements between the railroad company and the landowner governing cost allocation for upgrades to private crossing or liability for injuries or damages occurring at the private crossing.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 24.** (1)(a) The department of ecology must convene a panel consisting of representatives from: The oil and rail industries, businesses that are recipients of liquid bulk crude oil, Columbia river harbor safety committees, maritime fire safety associations, the United States coast guard, Columbia river public ports in Oregon and Washington, and Columbia river pilots.

(b) The panel convened under (a) of this subsection must evaluate and assess vessel traffic management and vessel traffic safety within the Columbia river.

(2) The panel shall convene no more than four times to assess and evaluate: (a) The need for tug escorts for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges; (b) best achievable protection; and (c) required tug capabilities to ensure safe escort of vessels on the Columbia river.

(3) By December 15, 2016, the department of ecology must provide to the appropriate committees of the legislature recommendations for vessel traffic management and vessel traffic safety on the Columbia river.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 25.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 26. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee ((~~equal~~)) up to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue for the purpose of administering the rail safety program. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

Sec. 27. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23) Unaggregated or individualized information shared as part of notices of transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 6 of this act, and in the possession of the department of ecology or any entity with which the department of ecology has shared it.

NEW SECTION. **Sec. 28.** The senate energy, environment, and telecommunications committee and the house of representatives environment committee must hold at least one joint meeting on oil spill prevention and response activities for international transport of liquid bulk crude oil. The committees may invite representatives of affected parties from the United States and Canada to address cooperative prevention and emergency response activities between shared international and state borders; expected risks posed by transport of Canadian crude oil or liquid bulk crude oil throughout the Pacific Northwest region; and an update of the marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 29.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment to the committee amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (416) to the amendment by the Committee on Appropriations to Engrossed Second Substitute Senate Bill No. 5057.

ROLL CALL

The Clerk called the roll on the adoption of amendment (416) to the amendment by the Committee on Appropriations to Engrossed Second Substitute Senate Bill No. 5057, and the amendment was not adopted by the following vote: Yeas: 47; Nays: 51; Absent: 0; Excused: 0

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (416) to the committee amendment was not adopted.

Amendment (429) to the committee amendment was ruled out of order.

There being no objection, the committee amendment by the Committee on Appropriations was not adopted.

With the consent of the house, amendments (420), (422), (440), (441), (442), (443), (444), (445), (446), (447), (448), and (449) to the striking amendment were withdrawn.

Representative Farrell moved the adoption of amendment (418):

Strike everything after the enacting clause and insert the following:

"**Sec. 30.** RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ((~~and~~))

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 31. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 32. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 33. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(((~~(4)~~))) (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(((~~(5)~~))) (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(((~~(6)~~))) (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(7)~~))) (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(((~~(8)~~))) (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 34. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ((~~office~~)) department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk. Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans until state rules are adopted.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(((~~(4)~~))) (5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(((~~(5)~~))) (6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(((~~(6)~~))) (7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(((~~(7)~~))) (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(((~~(8)~~))) (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(((~~(9)~~))) (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(10)~~))) (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 35. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) The account shall be used exclusively to pay for:

(a) The costs associated with the response to spills or threats of spills of crude oil or petroleum products into the ((~~navigable~~)) waters of the state; and

(b) The costs associated with the department's use of ((~~the~~)) an emergency response towing vessel ((~~as described in RCW 88.46.135~~)).

(3) Payment of response costs under subsection (2)(a) of this section shall be limited to spills which the director has determined are likely to exceed ((~~fifty~~)) one thousand dollars.

(4) Before expending moneys from the account, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 36. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

(a) Routine responses not covered under RCW 90.56.500;

(b) Management and staff development activities;

(c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the tax provided for in chapter 82.23B RCW; and

(g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. **Sec. 37.** A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, type, and gravity as measured by standards developed by the American petroleum institute, of crude oil received. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(b) Twice per year, pipelines must report to the department the following information about the crude oil transported by the pipeline through the state: The volume of crude oil, the type of crude oil, and the types of diluting agents used in the crude oil. This report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. With respect to the information reported under subsection (1)(a) of this section, the information published by the department must be aggregated on a statewide basis by route through the state, by week, and by type of crude oil. The report may also include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

(4)(a) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(b) Twice per year, a facility must submit a report to the department that corrects inaccuracies in the advanced notices submitted under subsection (1) of this section. The facility is not required to correct in the report any insubstantial discrepancies between actual and scheduled train arrival times. The report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that is not aggregated and that contains proprietary, commercial, or financial information. The requirement for aggregating information does not apply when information is shared by the department with

emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

NEW SECTION. **Sec. 38.** A new section is added to chapter 90.56 RCW to read as follows:

The department shall periodically evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

Sec. 39. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, advanced notice of oil transfers in section 8 of this act, and financial responsibility in RCW 88.40.025, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) A facility does not include any: (i) ((~~Railroad car,~~)) Motor vehicle((~~, or other rolling stock~~)) while transporting oil over the highways ((~~or rail lines~~)) of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(21) "Certificate of financial responsibility" means an official written acknowledgment issued by the director or the director's designee that an owner or operator of a covered vessel or facility, or the owner of the oil, has demonstrated to the satisfaction of the director or the director's designee that the relevant entity has the financial ability to pay for costs and damages caused by an oil spill.

Sec. 40. RCW 88.40.020 and 2003 c 91 s 3 and 2003 c 56 s 3 are each reenacted and amended to read as follows:

(1) Any barge that transports hazardous substances in bulk as cargo, using any port or place in the state of Washington or the navigable waters of the state shall establish evidence of financial responsibility in the amount of the greater of five million dollars, or three hundred dollars per gross ton of such vessel.

(2)(a) Except as provided in (b) or (c) of this subsection, a tank vessel that carries oil as cargo in bulk shall demonstrate financial responsibility to pay at least five hundred million dollars. The

amount of financial responsibility required under this subsection is one billion dollars after January 1, 2004.

(b) The director by rule may establish a lesser standard of financial responsibility for tank vessels of three hundred gross tons or less. The standard shall set the level of financial responsibility based on the quantity of cargo the tank vessel is capable of carrying. The director shall not set the standard for tank vessels of three hundred gross tons or less below that required under federal law.

(c) The owner or operator of a tank vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a tank vessel to prove membership in such an organization.

(3)(a) A cargo vessel or passenger vessel that carries oil as fuel shall demonstrate financial responsibility to pay at least three hundred million dollars. However, a passenger vessel that transports passengers and vehicles between Washington state and a foreign country shall demonstrate financial responsibility to pay the greater of at least six hundred dollars per gross ton or five hundred thousand dollars.

(b) The owner or operator of a cargo vessel or passenger vessel who is a member of an international protection and indemnity mutual organization and is covered for oil pollution risks up to the amounts required under this section is not required to demonstrate financial responsibility under this chapter. The director may require the owner or operator of a cargo vessel or passenger vessel to prove membership in such an organization.

(4) A fishing vessel while on the navigable waters of the state must demonstrate financial responsibility in the following amounts: (a) For a fishing vessel carrying predominantly nonpersistent product, one hundred thirty-three dollars and forty cents per incident, for each barrel of total oil storage capacity, persistent and nonpersistent product, on the vessel or one million three hundred thirty-four thousand dollars, whichever is greater; or (b) for a fishing vessel carrying predominantly persistent product, four hundred dollars and twenty cents per incident, for each barrel of total oil storage capacity, persistent product and nonpersistent product, on the vessel or six million six hundred seventy thousand dollars, whichever is greater.

(5) The ((~~documentation of financial responsibility shall demonstrate the ability of the document holder to meet state and federal financial liability requirements for the actual costs for removal of oil spills, for natural resource damages, and for necessary expenses~~)) certificate of financial responsibility is conclusive evidence that the person or entity holding the certificate is the party responsible for the specified vessel, facility, or oil for purposes of determining liability pursuant to this chapter.

(6) This section shall not apply to a covered vessel owned or operated by the federal government or by a state or local government.

Sec. 41. RCW 88.40.025 and 1991 c 200 s 704 are each amended to read as follows:

An onshore or offshore facility shall demonstrate financial responsibility in an amount determined by the department as necessary to compensate the state and affected counties and cities for damages that might occur during a reasonable worst case spill of oil from that facility into the navigable waters of the state. The department shall ((~~consider such matters as the amount of oil that could be spilled into the navigable waters from the facility, the cost of cleaning up the spilled oil, the frequency of operations at the facility, the damages that could result from the spill and the commercial availability and affordability of financial responsibility~~)) adopt by rule an amount that will be calculated by multiplying the reasonable per barrel cleanup and damage cost of spilled oil, times the reasonable worst case spill volume, as measured in barrels. This section shall not apply to an onshore or offshore facility owned or operated by the federal government or by the state or local government.

Sec. 42. RCW 88.40.030 and 2000 c 69 s 32 are each amended to read as follows:

(1) Financial responsibility required by this chapter may be established by any one of, or a combination of, the following methods acceptable to the department of ecology: ((~~(1)~~)) (a) Evidence of insurance; ((~~(2)~~)) (b) surety bonds; ((~~(3)~~)) (c) qualification as a self-insurer; ((~~or (4)~~)) (d) guaranty; (e) letter of credit; (f) certificate of deposits; (g) protection and indemnity club membership; or (h) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States. Documentation of such financial responsibility shall be kept on any covered vessel and filed with the department at least twenty-four hours before entry of the vessel into the navigable waters of the state. A covered vessel is not required to file documentation of financial responsibility twenty-four hours before entry of the vessel into the navigable waters of the state, if the vessel has filed documentation of financial responsibility with the federal government, and the level of financial responsibility required by the federal government is the same as or exceeds state requirements. The owner or operator of the vessel may file with the department a certificate evidencing compliance with the requirements of another state's or federal financial responsibility requirements if the state or federal government requires a level of financial responsibility the same as or greater than that required under this chapter.

(2) A certificate of financial responsibility may not have a term greater than one year.

Sec. 43. RCW 88.40.040 and 2003 c 56 s 4 are each amended to read as follows:

(1) ((~~It is unlawful for any vessel required to have financial responsibility under this chapter to enter or operate on Washington waters without meeting the requirements of this chapter or rules adopted under this chapter, except~~)) A vessel or facility need not demonstrate financial responsibility under this chapter prior to using any port or place in the state of Washington or the navigable waters of the state when necessary to avoid injury to the vessel's or facility's crew or passengers. Any vessel owner or operator that does not meet the financial responsibility requirements of this chapter and any rules prescribed thereunder or the federal oil pollution act of 1990 shall be reported by the department to the United States coast guard.

(2) ((~~The department shall enforce section 1016 of the federal oil pollution act of 1990 as authorized by section 1019 of the federal act.~~)) Upon notification of an oil spill or discharge or other action or potential liability, the director shall reevaluate the validity of the certificate of financial responsibility. If the director determines that, because of a spill outside of the state or some other action or potential liability, the holder of a certificate may not have the financial resources to pay damages for the oil spill or discharge or other action or potential liability and have resources remaining available to meet the requirements of this chapter, the director may suspend or revoke the certificate.

(3) An owner or operator of more than one covered vessel, more than one facility, or one or more vessels and facilities, is only required to obtain a single certificate of financial responsibility that applies to all of the owner or operator's vessels and facilities.

(4) If a person holds a certificate for more than one covered vessel or facility and a spill or spills occurs from one or more of those vessels or facilities for which the owner or operator may be liable for damages in an amount exceeding five percent of the financial resources reflected by the certificate, as determined by the director, the certificate is immediately considered inapplicable to any vessel or facility not associated with the spill. In that event, the owner or operator shall demonstrate to the satisfaction of the

director the amount of financial ability required pursuant to this chapter, as well as the financial ability to pay all damages that arise or have arisen from the spill or spills that have occurred.

Sec. 44. RCW 88.16.170 and 1991 c 200 s 601 are each amended to read as follows:

Because of the danger of spills, the legislature finds that the transportation of crude oil and refined petroleum products by tankers on the Columbia river, Grays Harbor, and on Puget Sound and adjacent waters creates a great potential hazard to important natural resources of the state and to jobs and incomes dependent on these resources.

The legislature recognizes that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill. The legislature also recognizes Grays Harbor and Puget Sound and adjacent waters are ((~~a~~)) relatively confined salt water environments with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill.

The legislature further recognizes that certain areas of the Columbia river, Grays Harbor, and Puget Sound and adjacent waters have limited space for maneuvering a large oil tanker and that these waters contain many natural navigational obstacles as well as a high density of commercial and pleasure boat traffic.

For these reasons, it is important that large oil tankers be piloted by highly skilled persons who are familiar with local waters and that such ((~~tankers~~)) vessels have sufficient capability for rapid maneuvering responses.

It is therefore the intent and purpose of RCW 88.16.180 and 88.16.190 to decrease the likelihood of oil spills on the Columbia river, Grays Harbor, and on Puget Sound and its shorelines by ((~~requiring all oil tankers above a certain size to employ licensed pilots and to be escorted by a tug or tugs while navigating on certain areas of Puget Sound and adjacent waters~~)) establishing safety requirements that comprehensively address spill risks, which may include the establishment of tug escorts and other measures to mitigate safety risks in certain state waters.

Sec. 45. RCW 88.16.190 and 1994 c 52 s 1 are each amended to read as follows:

(1) ((~~Any oil tanker, whether enrolled or registered, of greater than one hundred and twenty-five thousand deadweight tons shall be prohibited from proceeding beyond a point east of a line extending from Discovery Island light south to New Dungeness light.~~

~~(2) An oil tanker, whether enrolled or registered, of forty to one hundred and twenty-five thousand deadweight tons may proceed beyond the points enumerated in subsection (1) if such tanker possesses all of the following standard safety features:~~

~~(a) Shaft horsepower in the ratio of one horsepower to each two and one-half deadweight tons; and~~

~~(b) Twin screws; and~~

~~(c) Double bottoms, underneath all oil and liquid cargo compartments; and~~

~~(d) Two radars in working order and operating, one of which must be collision avoidance radar; and~~

~~(e) Such other navigational position location systems as may be prescribed from time to time by the board of pilotage commissioners:~~

~~PROVIDED, That, if such forty to one hundred and twenty-five thousand deadweight ton tanker is in ballast or is under escort of a tug or tugs with an aggregate shaft horsepower equivalent to five percent of the deadweight tons of that tanker, subsection (2) of this section shall not apply: PROVIDED FURTHER, That additional tug shaft horsepower equivalencies may be required under certain conditions as established by rule and regulation of the Washington utilities and transportation commission pursuant to chapter 34.05 RCW: PROVIDED FURTHER, That~~)) (a) Except as provided in subsection (2) of this section, an oil tanker of greater than forty thousand deadweight tons may operate in the waters east of a line extending from Discovery Island light south to New Dungeness light and all points in the Puget Sound area, to the extent that these waters are within the territorial boundaries of Washington, only if the oil tanker is under the escort of a tug or tugs in compliance with the requirements of subsection (3) of this section.

(b) The state board of pilotage commissioners, in consultation with the department of ecology and relying on the results of vessel traffic risk assessments, shall adopt rules by June 30, 2017, to implement this subsection (1)(b). These rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges. The rules adopted under this subsection may not include rules to require that oil tankers of greater than forty thousand deadweight tons be escorted by more than one escort tug. The geographic scope of the rules must be limited to the narrow channels of the San Juan Islands archipelago, including Rosario Strait, Haro Strait, Boundary Pass, and connected waterways. In order to adopt a rule under this section, the board of pilotage commissioners must determine that the results of a vessel traffic risk assessment provide evidence that the rules are necessary in order to achieve best achievable protection as defined in RCW 88.46.010.

(2)(a) If an oil tanker, articulated tug barge, or other towed waterborne vessel or barge is in ballast, the tug escort requirements of subsection (1)(a) of this section and any tug escort rules adopted pursuant to subsection (1)(b) of this section do not apply.

(b) If an oil tanker is a single-hulled oil tanker of greater than five thousand gross tons, the requirements of subsection (1)(a) of this section do not apply and the oil tanker must instead comply with 33 C.F.R. Part 168, as of the effective date of this section.

(3) Oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges must ensure that any escort tugs they use have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge. The state board of pilotage commissioners may adopt rules to ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort. Rules adopted on this subject must be designed to achieve best achievable protection as defined under RCW 88.46.010.

(4) A tanker assigned a deadweight of equal to or less than forty thousand deadweight tons at the time of construction or reconstruction as reported in Lloyd's Register of Ships is not subject to the provisions of RCW 88.16.170 through 88.16.190.

(5) The provisions adopted under this section may not include any rules affecting pilotage. This section does not affect any existing authority to establish pilotage requirements.

(6) For the purposes of this section:

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

NEW SECTION. **Sec. 46.** (1) The department of ecology must complete an evaluation and assessment of vessel traffic management and vessel traffic safety within and near the mouth of the Columbia river. A draft evaluation and assessment must be completed and submitted to the legislature consistent with RCW 43.01.036 by

December 15, 2017. A final evaluation and assessment must be completed by June 30, 2018. In conducting this evaluation, the department of ecology must consult with the United States coast guard, the Oregon board of maritime pilots, Columbia river harbor safety committee, the Columbia river bar pilots, the Columbia river pilots, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities.

(2) The evaluation and assessment completed under subsection (1) of this section must include, but is not limited to, an assessment and evaluation of: (a) The need for tug escorts for oil tankers, articulated tug barges, and other towed waterborne vessels or barges; (b) best achievable protection; and (c) required tug capabilities to ensure safe escort of vessels on the waters that are the subject of focus for each water body evaluated under subsection (1) of this section.

(3) The assessment and evaluations submitted to the legislature under subsection (1) of this section must include recommendations for vessel traffic management and vessel traffic safety on the Columbia river, including recommendations for tug escort requirements for vessels transporting oil as bulk cargo.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 47.** A new section is added to chapter 88.16 RCW to read as follows:

(1) The board of pilotage commissioners may adopt rules to implement this section. The rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050.

(2)(a) Prior to proposing a draft rule, the board of pilotage commissioners must consult with the department of ecology, the United States coast guard, the Grays Harbor safety committee, area tribes, public ports, local governments, and other appropriate entities. The board of pilotage commissioners may not adopt rules under this section unless a state agency or a local jurisdiction, for a facility within Grays Harbor that is required to have a contingency plan pursuant to chapter 90.56 RCW:

(i) Makes a final determination or issues a final permit after January 1, 2015, to site a new facility; or

(ii) Provides authority to an existing facility to process or receive crude oil for the first time.

(b) This subsection does not apply to a transmission pipeline or railroad facility.

(3) A rule adopted under this section must:

(a) Be designed to achieve best achievable protection as defined in RCW 88.46.010;

(b) Ensure that any escort tugs used have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge; and

(c) Ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort.

(4) The provisions adopted under this section may not include rules affecting pilotage. This section does not affect any existing authority to establish pilotage requirements.

Sec. 48. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring ((~~liquid~~)) hydrocarbons ((~~at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline~~)) coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ((~~travelling~~)) traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car or pipeline.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 49. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car; or (c) crude oil or petroleum products at a bulk oil terminal within this state from a pipeline. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car, pipeline, or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; (b) crude oil or petroleum products at

submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 53. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee ((~~equal~~)) of up to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. **Sec. 54.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 55. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 56. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261

through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. **Sec. 57.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage;

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section; and

(c) Requirements governing the responsibilities of railroad companies to ensure that private crossing improvements are completed.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 58. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

(((~~(3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.~~)))

Sec. 59. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23)(a) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 8(1)(a) of this act, and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8 of this act; and

(b) Information submitted to the department of ecology by pipelines pursuant to section 8(1)(b) of this act that is related to diluting agents contained in transported oil and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the information pursuant to section 8 of this act.

NEW SECTION. **Sec. 60.** A new section is added to chapter 81.40 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission created in chapter 80.01 RCW.

(2) "Hazardous material" means spent nuclear fuel, high level nuclear waste, or class 3 flammable liquids, as defined in the hazardous materials regulations of the United States department of transportation in 49 C.F.R. Part 173 as of the effective date of this section.

(3) "Hazardous material train" means any train:

(a) Carrying twenty or more car loads of a class 3 flammable liquid as defined by the United States department of transportation in 49 C.F.R. Part 173 as of the effective date of this section; or

(b) Containing one or more car loads of spent nuclear fuel or high level nuclear waste.

(4) "Qualified crew member" means a railroad operating craft employee who has been trained and meets the requirements and qualifications as determined by the federal railroad administration for a railroad operating service employee.

(5) "Railroad carrier" means a carrier of persons or property upon vehicles, other than streetcars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns. "Railroad carrier" includes the officers and agents of the railroad carrier.

NEW SECTION. **Sec. 61.** A new section is added to chapter 81.40 RCW to read as follows:

Except as provided in section 33 of this act, the following minimum crew requirements apply:

(1) Any person, corporation, company, or officer of the court operating any railroad, railway, or any part of any railroad or railway, in the state of Washington, and engaged, as a common carrier, in the transportation of freight or passengers, shall operate all trains and switching assignments over its road with crews consisting of no less than two qualified crew members.

(2)(a) Railroad carriers shall operate all hazardous material trains over its road with crews consisting of no less than three qualified crew members. One qualified train crew member shall be assigned to a position located on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

(b) Railroad carriers shall operate any hazardous material trains consisting of fifty-one or more car loads of any combination of hazardous materials over its road with crews consisting of no less than four qualified crew members. Two qualified crew members shall be assigned to a position on the rear of the train and within rolling equipment, situated to safely observe and monitor the train's contents and movement.

NEW SECTION. **Sec. 62.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Trains transporting hazardous material shipments a distance of five miles or less may operate the train with the required crew members positioned on the lead locomotive.

(2)(a) Class II and class III carriers transporting fewer than twenty loaded hazardous material cars on trains operating on their road while at a speed of twenty-five miles per hour or less are exempt from the additional train crew requirements specified in section 32(2) of this act.

(b) The commission may grant exemptions to the minimum crew size requirements to class III railroad carriers that are not transporting hazardous materials on their road.

(3)(a) The commission may order class I or II railroad carriers to exceed the minimum crew size and operate specific trains, routes, or switching assignments on their road with additional numbers of qualified crew members if it is determined that such an increase in crew size is necessary to protect the safety, health, and welfare of the public and railroad employees, to prevent harm to the environment, and to address local safety and security hazards.

(b) In issuing such an order the commission may consider relevant factors including but not limited to the volatility of the commodities being transported, vulnerabilities, risk exposure to localities along the train route, security risks including sabotage or terrorism threat levels, a railroad carriers prior history of accidents, compliance violations, and track and equipment maintenance issues.

NEW SECTION. **Sec. 63.** A new section is added to chapter 81.40 RCW to read as follows:

(1) Each train or engine run in violation of section 32 of this act constitutes a separate offense. However, section 32 of this act does not apply in the case of disability of one or more members of any train crew while out on the road between division terminals, or assigned to wrecking trains.

(2) Any person, corporation, company, or officer of the court operating any railroad, or part of any railroad or railway within the state of Washington, and engaged as a common carrier, in the transportation of freight or passengers, who violates any of the provisions of section 32 of this act shall be fined not less than one thousand dollars and not more than one hundred thousand dollars for each offense.

(3) It is the duty of the commission to enforce this section.

NEW SECTION. **Sec. 64.** The following acts or parts of acts are each repealed:

(1)RCW 81.40.010 (Full train crews—Passenger—Safety review—Penalty—Enforcement) and 2003 c 53 s 386, 1992 c 102 s 1, & 1961 c 14 s 81.40.010; and

(2)RCW 81.40.035 (Freight train crews) and 1967 c 2 s 2.

NEW SECTION. **Sec. 65.** A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must provide to the relevant policy and fiscal committees of the senate and house of representatives:

(a) A review of all state geographic response plans and any federal requirements as needed in contingency plans required under RCW 90.56.210 and 88.46.060 by December 31, 2015; and

(b) Annual updates, beginning December 31, 2016, and ending December 31, 2021, as required under RCW 43.01.036, as to the progress made in completing state and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) The department must contract, if practicable, with eligible independent third parties to ensure completion by December 1, 2017, of at least fifty percent of the geographic response plans as needed in contingency plans required under RCW 90.56.210 and 88.46.060 for the state.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 66.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

NEW SECTION. **Sec. 67.** Before the start of the 2016 legislative session, the senate energy, environment, and telecommunications committee and the house of representatives environment committee must hold at least one joint meeting on oil spill prevention and response activities for international transport of liquid bulk crude oil. The committees may invite representatives of affected parties from the United States and Canada to address issues including but not limited to the following:

(1) Cooperative prevention and emergency response activities between shared international and state borders;

(2) Expected risks posed by the transport of liquid bulk crude oil throughout the Pacific Northwest region; and

(3) An update of the status of marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 68.** Sections 19 through 22 of this act take effect January 1, 2016.

NEW SECTION. **Sec. 69.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 70.** Except for sections 19 through 22 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Correct the title.

Representative Buys moved the adoption of amendment (423) to amendment (418):

On page 32, line 28 of the amendment, after "car" strike "or pipeline"

On page 32, line 36 of the amendment, after "state;" insert "or"

On page 32, beginning on line 37 of the amendment, after "car" strike all material through "pipeline" on line 39

On page 33, line 3 of the amendment, after "car" strike ", pipeline,"

On page 33, line 10 of the amendment, after "state;" insert "and"

On page 33, beginning on line 12 of the amendment, after "car" strike all material through "pipeline" on line 13

On page 33, line 16 of the amendment, after "car" strike ", pipeline,"

On page 33, line 17 of the amendment, after "of" strike "((~~four~~)) eight" and insert "four"

Representative Buys spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

Amendment (423) to amendment (418) was not adopted.

Representative Manweller moved the adoption of amendment (430) to amendment (418):

On page 37, line 34 of the amendment, after "thereof" strike ", and" and insert "((~~, and~~)). Except for railroad companies and those companies listed in subsection (3) of the section, every company subject to regulation by the commission shall"

On page 37, line 38 of the amendment, after "dollars" strike ", except railroad companies which" and insert "~~((, except railroad companies which~~)). Railroad companies"

On page 38, line 1 of the amendment, after "revenue" insert ", except for class III railroads that do not transport crude oil in bulk which shall pay to the commission a fee equal to one and one-half percent of its intrastate gross operating revenue"

Representatives Manweller, Schmick and Dent spoke in favor of the adoption of the amendment to the striking amendment.

MESSAGES FROM THE SENATE

April 14, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1263
HOUSE BILL NO. 1531
HOUSE BILL NO. 1884
HOUSE BILL NO. 2007

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 14, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5119
SENATE BILL NO. 5121
SENATE BILL NO. 5249
SECOND SUBSTITUTE SENATE BILL NO. 5404
SUBSTITUTE SENATE BILL NO. 5448
SUBSTITUTE SENATE BILL NO. 5518
SENATE BILL NO. 5768

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5607, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Conway, Dammeier, Darneille, O'Ban and Padden)

Concerning the complaint procedure for the modification or termination of guardianship.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5607, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5607, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Kretz, McCaslin, Schmick, Scott, Shea, Short, Taylor and Young.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5607, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5122, by Senators Kohl-Welles, Frockt, Liias, Bailey and McAuliffe

Concerning precollege placement measures.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5122.

MOTION

On motion of Representative Van De Wege, Representative McBride was excused.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5122, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

SENATE BILL NO. 5122, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5125, by Senators Padden, Darneille, Roach and Hatfield

Increasing district court civil jurisdiction.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5125, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5125, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5125, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353, by Senate Committee on Ways & Means (originally sponsored by Senator Angel)

Concerning the service and sales of spirits, wine, and beer. Revised for 2nd Substitute: Concerning marketing opportunities for spirits produced in Washington by craft and general licensed distilleries.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Gaming was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst, Condotta and Young spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5353, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5353, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris, Klippert and Ryu.

Excused: Representative McBride.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5299, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton, Mullet, Fain, Darneille, Hobbs, Angel and Conway)

Updating, clarifying, and strengthening department of financial institutions' enforcement, licensing, and examination statutes relating to residential mortgage lending, and enhancing the crime of mortgage fraud in the residential mortgage lending process.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Business & Financial Services was adopted. (For Committee amendment, see Journal, Day 68, March 20, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5299, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5299, as amended by the House, and the bill passed

the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5299, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5923, by Senators Brown, Liias, Roach, Dansel, Hobbs, Warnick and Chase

Promoting economic recovery in the construction industry.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 71, March 23, 2015).

Representative Springer moved the adoption of amendment

registration number or other unique identification number, is entitled to annually receive deferrals under this subsection (3) for the first twenty single-family residential construction building permits per county, city, or town. A county, city, or town, however, may elect, by ordinance, to defer more than twenty single-family residential construction building permits for an applicant. If the county, city, or town collects impact fees on behalf of one or more school districts for which the collection of impact fees could be delayed, the county, city, or town must consult with the district or districts about the additional deferrals. A county, city, or town considering additional deferrals must give substantial weight to recommendations of each applicable school district regarding the number of additional deferrals. If the county, city, or town disagrees with the recommendations of one or more school districts, the county, city, or town must provide the district or districts with a written rationale for its decision.

(ii) For purposes of this subsection (3)(g), an "applicant" includes an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.

(h) Counties, cities, and towns may collect reasonable administrative fees to implement this subsection (3) from permit applicants who are seeking to delay the payment of impact fees under this subsection (3).

(i) In accordance with sections 3 and 4 of this act, counties, cities, and towns must cooperate with and provide requested data, materials, and assistance to the department of commerce and the joint legislative audit and review committee.

(4) The impact fees:

(a) Shall only be imposed for system improvements that are reasonably related to the new development;

(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and

(c) Shall be used for system improvements that will reasonably benefit the new development.

(((~~(4)~~))) (5)(a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and expend impact fees ((~~shall be~~)) is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

(((~~(a)~~))) (i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;

(((~~(b)~~))) (ii) Additional demands placed on existing public facilities by new development; and

(((~~(c)~~))) (iii) Additional public facility improvements required to serve new development.

(b) If the capital facilities plan of the county, city, or town is complete other than for the inclusion of those elements which are the responsibility of a special district, the county, city, or town may impose impact fees to address those public facility needs for which the county, city, or town is responsible.

Sec. 41. RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative

techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area ((~~shall be~~)) are subject to the requirements of (d)(iv) of this subsection, but ((~~shall~~)) are not ((~~be~~)) subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land- use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards sh(,)-7.3uld be regionallntyydinatsd;5(a)7Taaysr sssp67(t

Representative Taylor spoke against the adoption of the amendment to the committee striking amendment.

Amendment (460) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5923, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5923, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dunshee, Hawkins, Holy, McCaslin, Parker, Pollet, Reykdal, Sawyer, Schmick, Scott, Shea, Tarleton and Taylor.

Excused: Representative McBride.

ENGROSSED SENATE BILL NO. 5923, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5935, by Senators Parlette and Frockt

Concerning biological products.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 7, 2015).

Representative Cody moved the adoption of amendment (452) to the committee amendment:

On page 2, line 1 of the amendment, after "product" strike "licensed" and insert ":

(a) Licensed"

On page 2, beginning on line 4 of the amendment, after "262(k)(4)" strike all material through "book" on line 7 and insert ";

or

(b) Approved based on an application filed under section 505(b) of the federal food, drug, and cosmetic act that is determined by the federal food and drug administration to be therapeutically equivalent to an approved 505(b) biological product and is included in the 505(b) list maintained by the pharmacy quality assurance commission pursuant to section 5 of this act"

Beginning on page 3, line 11 of the amendment, strike all of sections 4 and 5 and insert the following:

"NEW SECTION. **Sec. 4.** A new section is added to chapter 69.41 RCW to read as follows:

(1) Within five business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist's designee must make an entry of the specific product provided to the patient, including either the name of the product and the manufacturer or the federal food and drug administration's national drug code, provided that the name of the product and the name of the manufacturer are accessible to a practitioner in an electronic records system that can be electronically accessed by the patient's practitioner through:

(a) An interoperable electronic medical records system;

(b) An electronic prescribing technology;

(c) A pharmacy benefit management system; or

(d) A pharmacy record.

(2) Entry into an electronic records system, as described in subsection (1) of this section, is presumed to provide notice to the practitioner. Otherwise, the pharmacist must communicate to the practitioner the specific product provided to the patient, including the name of the product and manufacturer, using facsimile, telephone, electronic transmission, or other prevailing means.

(3) No entry or communication pursuant to this section is required if:

(a) There is no interchangeable biological product for the product prescribed;

(b) A refill prescription is not changed from the product dispensed on the prior filling of the prescription; or

(c) The pharmacist or the pharmacist's designee and the practitioner communicated before dispensing and the communication included confirmation of the specific product to be provided to the patient, including the name of the product and the manufacturer.

(4) This section expires August 1, 2020.

NEW SECTION. **Sec. 5.** A new section is added to chapter 69.41 RCW to read as follows:

The pharmacy quality assurance commission shall maintain a link on its web site to the current list of all biological products determined by the federal food and drug administration as interchangeable. The commission shall maintain a list of all biological products approved as therapeutically equivalent by the federal food and drug administration through the approval process specified in 505(b) of the federal food, drug, and cosmetic act. The commission shall make the 505(b) list accessible to pharmacies."

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (452) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5935, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5935, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

ENGROSSED SENATE BILL NO. 5935, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5075, by Senator Baumgartner

Making nonsubstantive changes to procurement law.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5075.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5075, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative DeBolt.

Excused: Representative McBride.

SENATE BILL NO. 5075, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, by Senate Committee on Health Care (originally sponsored by Senators Becker, Frockt, Conway, Keiser and Mullet)

Clarifying the all payer claims database to improve health care quality and cost transparency by changing certain definitions regarding data, reporting and pricing of products, responsibility of the office and lead organization, and parameters for release of information. Revised for 1st Substitute: Modifying the all payer claims database to improve health care quality and cost transparency by changing provisions related to definitions regarding data, reporting and pricing of products, responsibilities of the office of financial management and the lead organization, submission to the database, and parameters for release of information.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5084, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5084, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Shea, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, Dent, Klippert, Manweller, McCabe, Morris, Parker, Schmick, Scott, Short, Smith, Stambaugh and Zeiger.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5107, by Senators Padden, Pedersen, Roach, O'Ban, Darneille and Benton

Encouraging the establishment of therapeutic courts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 7, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walkinshaw and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5107, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5107, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5107, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5120, by Senator Parlette

Concerning school district dissolutions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Hawkins spoke in favor of the passage of the bill.

Representative Magendanz spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5120.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5120, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Hudgins, Lytton, Magendanz, Morris, Rodne, S. Hunt, Senn and Van De Wege.

Excused: Representative McBride.

SENATE BILL NO. 5120, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5328, by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Bailey and Chase)

Disseminating financial aid information.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hansen and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5328, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5328, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5328, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5468, by Senators King, Keiser, Kohl-Welles and Conway

Authorizing the use of nonappropriated funds on certain administrative costs and expenses of the stay-at-work and self-insured employer programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5468.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5468, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Holy, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative McBride.

SENATE BILL NO. 5468, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5481, by Senate Committee on Transportation (originally sponsored by Senators Hill, Litzow, Mullet, Chase, Rivers, Becker, Bailey, Warnick, Rolfes and Hasegawa)

Concerning tolling customer service reform.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 86, April 7, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn, Hargrove and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5481, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5481, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5481, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5501, by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Frockt, Kohl-Welles and Chase)

Preventing animal cruelty.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 30, 2015).

Representative Klippert moved the adoption of amendment (330) to the committee amendment:

On page 1, line 6 of the striking amendment, after "vehicle" strike "or enclosed space"

On page 1, line 13 of the striking amendment, after "vehicle" strike "or enclosed space"

On page 1, at the beginning of line 16 of the striking amendment, strike "or enclosed space"

Representatives Klippert and Dent spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Amendment (330) to the committee amendment was not adopted.

Representative Klippert moved the adoption of amendment (331) to the committee amendment:

On page 1, at the beginning of line 8 of the striking amendment, after "heat" strike ", cold"

On page 1, line 12 of the striking amendment, after "heat" strike ", cold"

Representatives Klippert and Dent spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (331) to the committee amendment was not adopted.

Representative Klippert moved the adoption of amendment (332) to the committee amendment:

On page 2, beginning on line 31 of the striking amendment, after "age" strike all material through "condition," on line 32 and insert "and species"

On page 2, line 34 of the striking amendment, after "reasons" insert "based on the medical condition of the animal"

Representative Klippert spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (332) to the committee amendment was not adopted.

Representative Klippert moved the adoption of amendment (333) to the committee amendment:

On page 5, beginning on line 8 of the striking amendment, after "or" strike all material through "life" on line 9 and insert "with malice"

Representative Klippert and Klippert (again) spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Amendment (333) to the committee amendment was not adopted.

Representative Klippert moved the adoption of amendment (351) to the committee amendment:

On page 6, line 32 of the striking amendment, after "image." insert the following:

"**Sec. 7.** RCW 16.52.185 and 1994 c 261 s 22 are each amended to read as follows:

Nothing in this chapter applies to accepted husbandry practices used in the commercial or non-commercial raising or slaughtering of livestock or poultry, or products thereof or to the use of animals in the normal and usual course of rodeo events or to the customary use or exhibiting of animals in normal and usual events at fairs as defined in RCW 15.76.120."

Representatives Klippert and Jinkins spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (351) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Jinkins spoke in favor of the passage of the bill.

Representatives Rodne, Short and Dent spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5501, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5501, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Nealey, Orcutt, Parker, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5501, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649, by Senate Committee on Ways & Means (originally

sponsored by Senators Darneille, Miloscia, Fraser, Keiser, Parlette, Benton, McCoy and Dammeier)

Concerning involuntary outpatient mental health treatment. Revised for 2nd Substitute: Concerning involuntary outpatient mental health treatment. (REVISED FOR ENGROSSED: Concerning the involuntary treatment act.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the committee amendment by the Committee on Appropriations to the committee striking amendment was adopted. (For Committee amendment, see Journal Day 86, April 7, 2015).

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5649, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5649, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative McBride.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5740, by Senate Committee on Ways & Means (originally sponsored by Senators Fain, Billig, Litzow, McAuliffe, Frockt, Miloscia, Darneille and Jayapal)

Concerning extended foster care services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall, Parker, Caldier and Kagi spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5740, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5740, as amended by the House, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, G. Hunt, Klippert, McCaslin, Scott, Shea, Taylor, Van Werven and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5740, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5785, by Senate Committee on Government Operations & Security (originally sponsored by Senators Rivers, Nelson, Dansel, Hatfield, Pearson, Fain, Liias and Hobbs)

Revising the definition of official duties of state officers.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Bergquist spoke in favor of the passage of the bill.

Representative Holy spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5785, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5785, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, MacEwen, McCabe, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Lytton, Magendanz, Manweller, McCaslin, Muri, Parker, Pike, Rodne, Schmick, Scott, Shea, Smith, Stokesbary, Taylor, Van Werven, Wilson and Young.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5785, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5810, by Senate Committee on Government Operations & Security (originally sponsored by Senators Roach, Liias and Chase)

Promoting the use, acceptance, and removal of barriers to the use and acceptance of electronic signatures.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5810.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5810, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5810, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5933, by Senate Committee on Law & Justice (originally sponsored by Senators O'Ban, Kohl-Welles, Miloscia, Fraser, Fain, Padden, Hasegawa, Litzow, Dammeier, Chase and Conway)

Establishing a statewide training program on human trafficking laws for criminal justice personnel.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Orwall spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5933.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5933, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5933, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5958, by Senators Roach, Liias, Benton, McCoy, Angel and Chase

Providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee. (REVISED FOR PASSED LEGISLATURE: Requiring the

governor's veterans affairs advisory committee to appoint liaisons to the state veterans' homes if the home does not have a representative on the committee.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Community Development, Housing & Tribal Affairs was adopted. (For Committee amendment, see Journal, Day 71, March 23, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Appleton and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5958, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5958, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5958, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Rolfes, Dansel, Miloscia, Pearson, Bailey, Padden, Becker, Frockt, Habib and Pedersen)

Concerning court review of detention decisions under the involuntary treatment act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was not adopted. (For Committee amendment, see Journal, Day 72, March 24, 2015).

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 7, 2015).

Representative DeBolt moved the adoption of amendment (474) to the committee amendment:

On page 1, line 27 of the striking amendment, after "(3)" insert "A person filing a petition under this section must make a reasonable effort to have the petition and a notification of rights as described in section 4 of this act served on the subject of the petition within a reasonable length of time not to exceed three judicial days after the petition is filed with the court.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 2, beginning on line 11 of the striking amendment, after "(6)" strike all material through "filed" on line 12 and insert "If possible, the court must issue a final ruling on the petition within five judicial days after it is filed, taking into consideration the rights of the subject of the petition under section 4 of this act"

On page 3, after line 12 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 4.** A new section is added to chapter 71.05 RCW to read as follows:

In order to ensure constitutional due process for all parties, a person who is the subject of a petition under section 2 of this act has the following rights in addition to any other rights to which the person is entitled to under law:

(1) A right to be represented by an attorney and to have an attorney appointed at public expense if indigent;

(2) A right to participate in the proceedings;

(3) A right to a court hearing at a reasonable date and time to be set by the court which is governed by the rules of evidence; and

(4) A right to present evidence, call witnesses, and cross examine adverse witnesses."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives DeBolt and Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Amendment (474) to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Rodne, Walkinshaw and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5269, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5269, as amended by the House,

and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Scott, Shea and Taylor.

Excused: Representative McBride.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5210, by Senators Bailey, Conway, Hobbs, Schoesler, Angel, Keiser and Benton

Authorizing an optional life annuity benefit for members of the Washington state patrol retirement system.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5210.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5210, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5210, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5262, by Senators O'Ban, Pedersen, Darneille, Dammeier and Honeyford

Releasing juvenile case records to the Washington state office of civil legal aid.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5262, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5262, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SENATE BILL NO. 5262, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5795, by Senate Committee on Government Operations & Security (originally sponsored by Senators Roach and Liias)

Authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5795.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5795, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5795, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5101, by Senators Padden and O'Ban

Modifying mental status evaluation provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5101.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5101, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5101, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5174, by Senators Bailey, Ranker, Pearson and Sheldon

Increasing the number of district court judges in Skagit county.

The bill was read the second time.

Representative Shea moved the adoption of amendment (475):

On page 1, line 18, after **"Sec. 2."** insert "(1)"

On page 2, after line 4, insert the following:

"(2)(a) The additional judicial position created by section 1 of this act becomes effective only if Skagit county agrees to maintain documentation of overnight, out-of-town conferences, conventions, and events attended fully or partially at public expense by Skagit county district court judges. The documentation shall include an itemized breakdown of costs associated with such attendance, including, but not limited to travel, lodging, and meals.

(b) The documentation required under (a) of this subsection is subject to public disclosure under chapter 42.56 RCW."

Representative Shea spoke in favor of the adoption of the amendment.

There being no objection, the House deferred action on. SENATE BILL NO. 5174, and the bill held its place on the second reading calendar.

SUBSTITUTE SENATE BILL NO. 5147, by Senate Committee on Health Care (originally sponsored by Senators Becker, Bailey, Brown and Rivers)

Concerning monitoring health and health outcomes for medicaid patients. Revised for 1st Substitute: Establishing a medicaid baseline health assessment and monitoring the medicaid population's health.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5147, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5147, as amended by the House, and the bill passed

the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5147, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5302, by Senators Benton and Mullet

Addressing the prudent investor rule for Washington state trusts, delegation of trustee duties by trustees of a Washington state trust, and standards for authorization and treatment of statutory trust advisors and directed trustees incident to the establishment of Washington state directed trusts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5302.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5302, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5302, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5441, by Senate Committee on Health Care (originally sponsored by Senators Rivers, Frockt, Parlette, Bailey, Conway, Keiser and Benton)

Addressing patient medication coordination.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, March 31, 2015).

Representative Harris moved the adoption of amendment (434) to the committee amendment:

On page 1, beginning on line 15 of the striking amendment, after "(b)" strike all material through "dispensed" on line 29 and insert "The health benefit plan shall adjust the enrollee cost-sharing for a prescription drug subject to coinsurance that is dispensed for less than the standard refill amount for the purpose of synchronizing the medications.

(c) The health benefit plan shall adjust the enrollee cost-sharing for a prescription drug with a copayment that is dispensed for less than the standard refill amount for the purpose of synchronizing the medications by:

(i) Discounting the copayment rate by fifty percent;

(ii) Discounting the copayment rate based on fifteen-day increments; or

(iii) Any other method that meets the intent of this section and is approved by the office of the insurance commissioner"

On page 2, beginning on line 8 of the striking amendment, after "(a)" strike all material through "(b)" on line 13

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 2, beginning on line 32 of the striking amendment, after "(b)" strike all material through "dispensed" on page 3, line 7 and insert "The health benefit plan shall adjust the enrollee cost-sharing for a prescription drug subject to coinsurance that is dispensed for less than the standard refill amount for the purpose of synchronizing the medications.

(c) The health benefit plan shall adjust the enrollee cost-sharing for a prescription drug with a copayment that is dispensed for less than the standard refill amount for the purpose of synchronizing the medications by:

(i) Discounting the copayment rate by fifty percent;

(ii) Discounting the copayment rate based on fifteen-day increments; or

(iii) Any other method that meets the intent of this section and is approved by the office of the insurance commissioner"

On page 3, beginning on line 20 of the striking amendment, after "(a)" strike all material through "(b)" on line 25

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Harris and Cody spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (434) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5441, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5441, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5441, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5577, by Senators Braun and Cleveland

Concerning pharmaceutical waste.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5577.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5577, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

ENGROSSED SENATE BILL NO. 5577, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5805, by Senators Rivers, Rolfes and Keiser

Concerning conflict resolution programs in schools.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5805.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5805, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative McBride.

SENATE BILL NO. 5805, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5877, by Senate Committee on Health Care (originally sponsored by Senators O'Ban, Angel, Padden, Pearson, Rivers, Warnick and Darneille)

Concerning due process for adult family home licensees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 79, March 31, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Riccelli and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5877, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5877, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5877, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6019, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Frockt and O'Ban)

Addressing adjudicative proceedings by state agencies.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6019, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6019, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 6019, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5104, by Senator Padden

Concerning the possession or use of alcohol and controlled substances in sentencing provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5104.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5104, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5104, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5275, by Senate Committee on Ways & Means (originally sponsored by Senators Schoesler, Hargrove, Hill, Sheldon and Hewitt)

Concerning tax code improvements that do not affect state revenue collections.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5275.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5275, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5275, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5650, by Senators Padden, Darneille, Pearson and Kohl-Welles

Modifying provisions governing inmate funds subject to deductions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 72, March 24, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Appleton and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5650, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5650, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative McBride.

SENATE BILL NO. 5650, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5280, by Senate Committee on Commerce & Labor (originally sponsored by Senators Kohl-Welles, Braun and Warnick)

Concerning the sale of beer and cider by grocery store licensees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government & Information Technology was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 7, 2015).

With the consent of the house, amendments (433), (461) and (462) to the committee amendment were withdrawn.

Representative Condotta moved the adoption of amendment (457) to the committee amendment:

On page 2, line 1 of the striking amendment, after "(b)" insert "Until July 1, 2017, only those qualified licensees operating a fully enclosed retail area encompassing at least ten thousand square feet of fully enclosed retail space within a single structure, including storerooms and other interior auxiliary areas but excluding covered or fenced exterior areas, whether or not attached to the structure, are eligible for the endorsement authorized under subsection (6)(a) of this section.

(c)"

Correct internal references.

Representative Condotta spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Hurst and Vick spoke against the adoption of the amendment to the committee amendment.

Amendment (457) to the committee amendment was not adopted.

Representative Springer moved the adoption of amendment (469) to the committee amendment:

On page 2, after line 3 of the striking amendment, insert the following:

"(c) The board may, by rule, establish fees to be paid by licensees receiving the endorsement authorized under this subsection (6) of this section, as necessary to cover the costs of implementing and enforcing the provisions of this subsection (6)."

Representatives Springer and Hurst spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (469) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst, Vick, Reykdal and Johnson spoke in favor of the passage of the bill.

Representatives Condotta, Senn, Smith, Pike, Harris, Goodman, Klippert and Kagi spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5280, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5280, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Johnson, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Moeller, Morris, Muri, Orcutt, Ortiz-Self, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Rodne, S. Hunt, Santos, Sawyer, Scott, Sells, Shea, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Chandler, Condotta, Dent, Farrell, Goodman, Gregerson, Harris, Hawkins, Holy, Jinkins, Kagi, Kilduff, Klippert, Kretz, Moscoso, Nealey, Ormsby, Orwall, Pike, Robinson, Ryu, Schmick, Senn, Short, Smith, Stanford, Taylor, Tharinger and Van De Wege.

Excused: Representative McBride.

SUBSTITUTE SENATE BILL NO. 5280, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5280.

Representative Farrell, 46th District

The Speaker (Representative Orwall presiding) called upon Representative Van De Wege to preside.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SENATE BILL NO. 5270
SENATE BILL NO. 5271
SENATE BILL NO. 5314
SUBSTITUTE SENATE BILL NO. 5348
SUBSTITUTE SENATE BILL NO. 5350
SUBSTITUTE SENATE BILL NO. 5433
SENATE BILL NO. 5491
SENATE BILL NO. 5499
ENGROSSED SENATE BILL NO. 5524
SENATE BILL NO. 5746
SENATE BILL NO. 5761
SECOND SUBSTITUTE SENATE BILL NO. 5888
SENATE JOINT MEMORIAL NO. 8008

There being no objection, the Committee on Capital Budget was relieved of SENATE BILL NO. 5442 and the bill was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 15, 2015, the 94th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY FOURTH DAY

House Chamber, Olympia, Wednesday, April 15, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Reidar Kelstrup and Faith Brimberry. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Eric Trout, Open Door Church, Kenmore, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 14, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5032
SUBSTITUTE SENATE BILL NO. 5059
SUBSTITUTE SENATE BILL NO. 5156
SECOND SUBSTITUTE SENATE BILL NO. 5215
SUBSTITUTE SENATE BILL NO. 5268
SUBSTITUTE SENATE BILL NO. 5293
SECOND SUBSTITUTE SENATE BILL NO. 5311
SUBSTITUTE SENATE BILL NO. 5322
SENATE BILL NO. 5464
SENATE BILL NO. 5482
SECOND SUBSTITUTE SENATE BILL NO. 5486
SUBSTITUTE SENATE BILL NO. 5488
SENATE BILL NO. 5793
SENATE BILL NO. 5881
SUBSTITUTE SENATE BILL NO. 5897
SENATE BILL NO. 5974
SUBSTITUTE SENATE BILL NO. 5999

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 14, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1431

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 14, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6080

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 14, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SECOND SUBSTITUTE SENATE BILL NO. 5052

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5024, by Senator Benton

Making conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government & Information Technology was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Senn and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5024, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5024, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko,

Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

SENATE BILL NO. 5024, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5276, by Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Roach and Keiser)

Concerning refunds of property taxes paid as a result of manifest errors in descriptions of property.

The bill was read the second time.

With the consent of the house, amendment (453) was withdrawn.

Representative Nealey moved the adoption of amendment (470):

On page 2, line 13, after "(1)" insert "(a)"

Beginning on page 2, line 37, after "taxes." strike all material through "authority" on page 3, line 3 and insert the following:

"(b) Except as otherwise provided in this subsection (1)(b), no manifest error cancellation or correction, including a cancellation or correction made due to a definitive change of land use designation, ((~~shall~~)) may be made for any period more than three years preceding the year in which the error is discovered. However, a manifest error cancellation or correction may be made for a period more than three years preceding the year in which the error is discovered if authorized by the county legislative authority and the manifest error cancellation or correction would result in a refund or reduction of taxes for a property owner"

Representatives Nealey and Tharinger spoke in favor of the adoption of the amendment.

Amendment (470) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5276, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5276, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Pike and Takko.

SUBSTITUTE SENATE BILL NO. 5276, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5851, by Senate Committee on Ways & Means (originally sponsored by Senators Frockt, Kohl-Welles, Miloscia, Liias, Mullet, Pedersen, Nelson and McAuliffe)

Concerning recommendations of the college bound scholarship program work group.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

Representative Young moved the adoption of amendment (437):

On page 2, line 32, after "purposes." insert the following:

"**Sec. 3.** RCW 28B.118.010 and 2012 c 229 s 402 are each amended to read as follows:

The office of student financial assistance shall design the Washington college bound scholarship program in accordance with this section and in alignment with the state need grant program in chapter 28B.92 RCW unless otherwise provided in this section.

(1) "Eligible students" are those students who:

(a) Qualify for free or reduced-price lunches. If a student qualifies in the seventh grade, the student remains eligible even if the student does not receive free or reduced-price lunches thereafter; or

(b) Are dependent pursuant to chapter 13.34 RCW and:

(i) In grade seven through twelve; or

(ii) Are between the ages of eighteen and twenty-one and have not graduated from high school.

(2) Eligible students shall be notified of their eligibility for the Washington college bound scholarship program beginning in their seventh grade year. Students shall also be notified of the requirements for award of the scholarship.

(3)(a) To be eligible for a Washington college bound scholarship, a student eligible under subsection (1)(a) of this section must sign a pledge during seventh or eighth grade that includes a commitment to graduate from high school with at least a C average and with no felony convictions. The pledge must be witnessed by a parent or guardian and forwarded to the office of student financial assistance by mail or electronically, as indicated on the pledge form.

(b) A student eligible under subsection (1)(b) of this section shall be automatically enrolled, with no action necessary by the student or the student's family, and the enrollment form must be forwarded by the department of social and health services to the *higher education coordinating board or its successor by mail or electronically, as indicated on the form.

(4)(a) Scholarships shall be awarded to eligible students graduating from public high schools, approved private high schools under chapter 28A.195 RCW, or who received home-based instruction under chapter 28A.200 RCW.

(b)(i) To receive the Washington college bound scholarship, a student must graduate with at least a "C" average from a public high school or an approved private high school under chapter 28A.195 RCW in Washington or have received home-based instruction under chapter 28A.200 RCW, must have no felony convictions, and must be a resident student as defined in RCW 28B.15.012(2) (a) through (d).

(ii) For a student who does not meet the "C" average requirement, and who completes fewer than two quarters in the running start program, under RCW 28A.600, the student's first quarter of running start course grades must be excluded from the student's overall grade point average for purposes of determining their eligibility to receive the scholarship.

(5) A student's family income will be assessed upon graduation before awarding the scholarship.

(6) If at graduation from high school the student's family income does not exceed sixty-five percent of the state median family income, scholarship award amounts shall be as provided in this section.

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, the value of the award shall be (i) the difference between the student's tuition and required fees, less the value of any state-funded grant, scholarship, or waiver assistance the student receives; (ii) plus five hundred dollars for books and materials.

(b) For students attending private four-year institutions of higher education in Washington, the award amount shall be the representative average of awards granted to students in public research universities in Washington.

(c) For students attending private vocational schools in Washington, the award amount shall be the representative average of awards granted to students in public community and technical colleges in Washington.

(7) Recipients may receive no more than four full-time years' worth of scholarship awards.

(8) Institutions of higher education shall award the student all need-based and merit-based financial aid for which the student would otherwise qualify. The Washington college bound scholarship is intended to replace unmet need, loans, and, at the student's option, work-study award before any other grants or scholarships are reduced.

(9) The first scholarships shall be awarded to students graduating in 2012.

(10) The state of Washington retains legal ownership of tuition units awarded as scholarships under this chapter until the tuition units are redeemed. These tuition units shall remain separately held from any tuition units owned under chapter 28B.95 RCW by a Washington college bound scholarship recipient.

(11) The scholarship award must be used within five years of receipt. Any unused scholarship tuition units revert to the Washington college bound scholarship account.

(12) Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship tuition units shall revert to the Washington college bound scholarship account."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Young and Hansen spoke in favor of the adoption of the amendment.

Amendment (437) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hansen and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5851, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5851, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

SECOND SUBSTITUTE SENATE BILL NO. 5851, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5139, by Senators Roach, Liias, Conway, Benton, McCoy, Dansel and Ericksen

Concerning building code standards for certain buildings four or more stories high.

The bill was read the second time.

Representative Buys moved the adoption of amendment (328):

On page 2, line 16, after "(4)" strike "((~~The provisions of this chapter shall not apply to any building four or more stories high with a B occupancy as defined by the uniform building code, 1982 edition, and with a city fire insurance rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.~~

~~(5)~~))" and insert "(a) Except as otherwise provided in (b) of this subsection (4), the provisions of this chapter ((~~shall not~~)) apply to any building four or more stories high with a B occupancy as defined by the uniform building code, 1982 edition, and with a city fire insurance rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.

(b) For any building specified in (a) of this subsection (4), the provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the codes enumerated in RCW 19.27.031, as amended and adopted by the state building code council, provided that any such alternative has been

approved. An alternative material, design, or method of construction shall be approved if the building official finds: (i) That the proposed design is satisfactory and complies with the purposes, objectives, and standards of this chapter set forth in RCW 19.27.020; and (ii) that, for the purpose intended, the material, method, or work offered is not less than the equivalent of that prescribed by an applicable code enumerated in RCW 19.27.031, as amended and adopted by the state building code council, in quality, strength, effectiveness, fire resistance, durability, and safety. If the alternative material, design, or method of construction is not approved, the building official must respond in writing, stating the reasons why the alternative was not approved.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (328) was not adopted.

Representative Buys moved the adoption of amendment (454):

On page 2, line 20, after "~~organization~~" strike "~~.~~

~~(5)~~)) and insert ")) Jurisdictions that have adopted alternative building methods legally allowing the use of air admittance valves prior to enactment of this act may continue to allow the installation of air admittance valves and their related systems.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (454) was not adopted.

Representative Buys moved the adoption of amendment (455):

On page 2, line 20, after "~~organization~~" strike "~~.~~

~~(5)~~)) and insert ")) Jurisdictions that have adopted alternative building methods legally allowing the use of trenchless technology for the replacement of aging sewer and piping system infrastructure prior to enactment of this act may continue to allow such installations.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (455) was not adopted.

Representative Buys moved the adoption of amendment (456):

On page 2, line 20, after "~~organization~~" strike "~~.~~

~~(5)~~)) and insert ")) Jurisdictions that have adopted alternative building methods legally allowing the use of siphonic roof drainage systems prior to enactment of this act may continue to allow the installation of such systems.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (456) was not adopted.

Representative Stokesbary moved the adoption of amendment (482):

On page 2, beginning on line 20, after "~~organization~~" strike "~~.~~

~~(5)~~)) and insert ")) Jurisdictions may adopt or choose to use more energy efficient methods of plumbing installation as prescribed by national code standards.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Stokesbary spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (482) to Senate Bill No. 5139.

ROLL CALL

The Clerk called the roll on the adoption of amendment (482) to Senate Bill No. 5139 and the amendment was not adopted by the following vote: Yeas: 47; Nays: 51; Absent: 0; Excused: 0

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Amendment (482) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5139.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5139 and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

SENATE BILL NO. 5139, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5957, by Senate Committee on Transportation (originally sponsored by Senators Liias, Rivers, Billig, King, Hobbs, Frockt and Hasegawa)

Creating a pedestrian fatality and serious injury review panel. Revised for 1st Substitute: Creating a pedestrian safety advisory council.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 7, 2015).

Representative Farrell moved the adoption of amendment (478) to the committee amendment:

On page 1, line 21 of the striking amendment, after "(v)" insert "A traffic engineer;

(vi)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 20 of the striking amendment, after "December 1," strike "2020" and insert "2018"

On page 3, line 36 of the striking amendment, after "June 30," strike "2021" and insert "2019"

Representatives Farrell and Hayes spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (478) to the committee amendment was adopted.

With the consent of the house, amendment (467) to the committee amendment was withdrawn.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representative Farrell spoke in favor of the passage of the bill.

Representative Hayes spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5957, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5957, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, G. Hunt, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson and Young.

SUBSTITUTE SENATE BILL NO. 5957, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5307, by Senators O'Ban, Ranker and Dammeier

Concerning deficit reimbursement agreements with counties owning and operating ferry systems.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 71, March 23, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Muri, Fey and Van Werven spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5307, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5307, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Johnson, Klippert, Kretz, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick and Wilson.

SENATE BILL NO. 5307, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5348, by Senate Committee on Government Operations & Security (originally sponsored by Senators Miloscia and Chase)

Allowing public agencies to enter into contracts providing for the joint utilization of architectural or engineering services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist, Holy, Kochmar and Gregory spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5348.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5348, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Harmsworth, McCaslin, Schmick, Scott, Shea, Smith, Taylor, Van Werven and Young.

SUBSTITUTE SENATE BILL NO. 5348, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5746, by Senators Bailey, Hobbs, Liias, Baumgartner, Kohl-Welles, Chase and McAuliffe

Including Everett Community College as an aerospace training or educational program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Robinson and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5746.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5746, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Taylor and Young.

SENATE BILL NO. 5746, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8008, by Senators Hobbs, Roach, Conway, Miloscia, Hatfield, King, Bailey, Keiser, Billig, Padden, Mullet, Ericksen, Frockt, Fraser and McAuliffe

Calling for a National Guard Stryker Brigade stationed on the west coast.

The joint memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the joint memorial was placed on final passage.

Representatives Appleton, Johnson and Klippert spoke in favor of the passage of the memorial.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8008.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8008, and the joint memorial passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SENATE JOINT MEMORIAL NO. 8008, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5893, by Senators Fain, Mullet, Litzow, Liias and Hargrove

Addressing the nonemployee status of athletes in amateur sports. (REVISED FOR ENGROSSED: Addressing the nonemployee status of athletes affiliated with the Western Hockey League.)

The bill was read the second time.

Representative Sells moved the adoption of amendment (481):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 6.** The legislature recognizes that junior ice hockey teams that are members of regional, national, or internationally recognized leagues provide significant benefits to their players by teaching them valuable athletic skills and interpersonal life skills. These junior teams also provide significant financial support to their communities as tenants of arenas owned, operated, or managed by public facilities districts. The legislature seeks to assist in the financial stability of public facilities districts and to ensure the viability of junior ice hockey in the state by clarifying that these young athletes are not employees of their teams.

Sec. 7. RCW 49.12.005 and 2003 c 401 s 2 are each amended to read as follows:

For the purposes of this chapter:

(1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department of labor and industries, or the director's designated representative.

(3)(a) Before May 20, 2003, "employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees but does not include the state, any state institution, any state agency, political subdivision of the state, or any municipal corporation or quasi-municipal corporation. However, for the purposes of RCW 49.12.265 through 49.12.295, 49.12.350 through 49.12.370, 49.12.450, and 49.12.460 only, "employer" also includes the state, any state institution, any state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation.

(b) On and after May 20, 2003, "employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees, and includes the state, any state institution, state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation. However, this chapter and the rules adopted thereunder apply to these public employers only to the extent that this chapter and the rules adopted thereunder do not conflict with: (i) Any state statute or rule; and (ii) respect to political subdivisions of the state and any municipal or quasi-municipal corporation, any local resolution, ordinance, or rule adopted under the authority of the local legislative authority before April 1, 2003.

(4) "Employee" means an employee who is employed in the business of the employee's employer whether by way of manual labor or otherwise. "Employee" does not include an individual who is at least sixteen years old but under twenty-one years old, in his or her capacity as a player for a junior ice hockey team that is a member of a regional, national, or international league and that contracts with an arena owned, operated, or managed by a public facilities district created under chapter 36.100 RCW.

(5) "Conditions of labor" means and includes the conditions of rest and meal periods for employees including provisions for personal privacy, practices, methods and means by or through which labor or services are performed by employees and includes bona fide physical qualifications in employment, but shall not include conditions of labor otherwise governed by statutes and rules and regulations relating to industrial safety and health administered by the department.

(6) For the purpose of chapter 16, Laws of 1973 2nd ex. sess. a minor is defined to be a person of either sex under the age of eighteen years.

Sec. 8. RCW 49.46.010 and 2014 c 131 s 2 and 2013 c 141 s 1 are each reenacted amended to read as follows:

As used in this chapter:

(1) "Director" means the director of labor and industries;

(2) "Employ" includes to permit to work;

(3) "Employee" includes any individual employed by an employer but shall not include:

(a) Any individual (i) employed as a hand harvest laborer and paid on a piece rate basis in an operation which has been, and is generally and customarily recognized as having been, paid on a piece rate basis in the region of employment; (ii) who commutes daily from his or her permanent residence to the farm on which he or she is employed; and (iii) who has been employed in agriculture less than thirteen weeks during the preceding calendar year;

(b) Any individual employed in casual labor in or about a private home, unless performed in the course of the employer's trade, business, or profession;

(c) Any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesperson as those terms are defined and delimited by rules of the

director. However, those terms shall be defined and delimited by the human resources director pursuant to chapter 41.06 RCW for employees employed under the director of personnel's jurisdiction;

(d) Any individual engaged in the activities of an educational, charitable, religious, state or local governmental body or agency, or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously. If the individual receives reimbursement in lieu of compensation for normally incurred out-of-pocket expenses or receives a nominal amount of compensation per unit of voluntary service rendered, an employer-employee relationship is deemed not to exist for the purpose of this section or for purposes of membership or qualification in any state, local government, or publicly supported retirement system other than that provided under chapter 41.24 RCW;

(e) Any individual employed full time by any state or local governmental body or agency who provides voluntary services but only with regard to the provision of the voluntary services. The voluntary services and any compensation therefor shall not affect or add to qualification, entitlement, or benefit rights under any state, local government, or publicly supported retirement system other than that provided under chapter 41.24 RCW;

(f) Any newspaper vendor, carrier, or delivery person selling or distributing newspapers on the street, to offices, to businesses, or from house to house and any freelance news correspondent or "stringer" who, using his or her own equipment, chooses to submit material for publication for free or a fee when such material is published;

(g) Any carrier subject to regulation by Part 1 of the Interstate Commerce Act;

(h) Any individual engaged in forest protection and fire prevention activities;

(i) Any individual employed by any charitable institution charged with child care responsibilities engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States;

(j) Any individual whose duties require that he or she reside or sleep at the place of his or her employment or who otherwise spends a substantial portion of his or her work time subject to call, and not engaged in the performance of active duties;

(k) Any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution;

(l) Any individual who holds a public elective or appointive office of the state, any county, city, town, municipal corporation or quasi municipal corporation, political subdivision, or any instrumentality thereof, or any employee of the state legislature;

(m) All vessel operating crews of the Washington state ferries operated by the department of transportation;

(n) Any individual employed as a seaman on a vessel other than an American vessel;

(o) Any farm intern providing his or her services to a small farm which has a special certificate issued under RCW 49.12.470;

(p) An individual who is at least sixteen years old but under twenty-one years old, in his or her capacity as a player for a junior ice hockey team that is a member of a regional, national, or international league and that contracts with an arena owned, operated, or managed by a public facilities district created under chapter 36.100 RCW;

(4) "Employer" includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee;

(5) "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed;

(6) "Retail or service establishment" means an establishment seventy-five percent of whose annual dollar volume of sales of goods or services, or both, is not for resale and is recognized as retail sales or services in the particular industry;

(7) "Wage" means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted by rules of the director."

Correct the title.

Representatives Sells and Manweller spoke in favor of the adoption of the striking amendment.

Amendment (481) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives MacEwen, Sells and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5893, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5893, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Hunter, Kilduff, Morris, Pollet, Reykdal and Sawyer.

ENGROSSED SENATE BILL NO. 5893, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5154, by Senate Committee on Ways & Means (originally sponsored by Senator Hargrove)

Concerning registered sex or kidnapping offenders.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

Representative Goodman moved the adoption of amendment (490):

Strike everything after the enacting clause and insert the following:

"**Sec. 9.** RCW 4.24.550 and 2011 c 337 s 1 are each amended to read as follows:

(1) In addition to the disclosure under subsection (5) of this section, public agencies are authorized to release information to the public regarding sex offenders and kidnapping offenders when the agency determines that disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender. This authorization applies to information regarding: (a) Any person adjudicated or convicted of a sex offense as defined in RCW 9A.44.128 or a kidnapping offense as defined by RCW 9A.44.128; (b) any person under the jurisdiction of the indeterminate sentence review board as the result of a sex offense or kidnapping offense; (c) any person committed as a sexually violent predator under chapter 71.09 RCW or as a sexual psychopath under chapter 71.06 RCW; (d) any person found not guilty of a sex offense or kidnapping offense by reason of insanity under chapter 10.77 RCW; and (e) any person found incompetent to stand trial for a sex offense or kidnapping offense and subsequently committed under chapter 71.05 or 71.34 RCW.

(2) Except for the information specifically required under subsection (5) of this section, the extent of the public disclosure of relevant and necessary information shall be rationally related to: (a) The level of risk posed by the offender to the community; (b) the locations where the offender resides, expects to reside, or is regularly found; and (c) the needs of the affected community members for information to enhance their individual and collective safety.

(3) Except for the information specifically required under subsection (5) of this section, local law enforcement agencies shall consider the following guidelines in determining the extent of a public disclosure made under this section: (a) For offenders classified as risk level I, the agency shall share information with other appropriate law enforcement agencies and, if the offender is a student, the public or private school regulated under Title 28A RCW or chapter 72.40 RCW which the offender is attending, or planning to attend. The agency may disclose, upon request, relevant, necessary, and accurate information to any victim or witness to the offense ((~~and to~~)), any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found, and any individual who requests information regarding a specific offender; (b) for offenders classified as risk level II, the agency may also disclose relevant, necessary, and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women, or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found; (c) for offenders classified as risk level III, the agency may also disclose relevant, necessary, and accurate information to the public at large; and (d) because more localized notification is not feasible and homeless and transient offenders may present unique risks to the community, the agency may also disclose relevant, necessary, and accurate information to the public at large for offenders registered as homeless or transient.

(4) The county sheriff with whom an offender classified as risk level III is registered shall ((~~cause to be published by legal notice, advertising, or news release a sex offender community notification that conforms to the guidelines established under RCW 4.24.5501 in at least one legal newspaper with general circulation in the area of the sex offender's registered address or location. Unless the information is posted on the web site described in subsection (5) of this section, this list shall be maintained by the county sheriff on a publicly accessible web site and shall be updated at least once per month~~)) release a sex offender community notification that conforms to the guidelines established under RCW 4.24.5501.

(5)(a) When funded by federal grants or other sources, the Washington association of sheriffs and police chiefs shall create and maintain a statewide registered kidnapping and sex offender web site, which shall be available to the public. The web site shall post all level III and level II registered sex offenders, level I registered sex offenders only during the time they are out of compliance with registration requirements under RCW 9A.44.130 or if lacking a fixed residence as provided in RCW 9A.44.130, and all registered kidnapping offenders in the state of Washington.

(i) For level III offenders, the web site shall contain, but is not limited to, the registered sex offender's name, relevant criminal convictions, address by hundred block, physical description, and photograph. The web site shall provide mapping capabilities that display the sex offender's address by hundred block on a map. The web site shall allow citizens to search for registered sex offenders within the state of Washington by county, city, zip code, last name, and address by hundred block.

(ii) For level II offenders, and level I sex offenders during the time they are out of compliance with registration requirements under RCW 9A.44.130, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(iii) For kidnapping offenders, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(b) ((~~Until the implementation of (a) of this subsection, the Washington association of sheriffs and police chiefs shall create a web site available to the public that provides electronic links to county-operated web sites that offer sex offender registration information.~~)) Law enforcement agencies must provide information requested by the Washington association of sheriffs and police chiefs to administer the statewide registered kidnapping and sex offender web site.

(c) (i) Within five business days of the Washington association of sheriffs and police chiefs receiving any public record request under chapter 42.56 RCW for sex offender and kidnapping offender information, records or website data it holds or maintains pursuant to this section or a unified sex offender registry, the Washington association of sheriffs and police chiefs shall refer the requester in writing to the appropriate law enforcement agency or agencies for submission of such a request. The Washington association of sheriffs and police chiefs shall have no further obligation under chapter 42.56 RCW for responding to such a request.

(ii) This subparagraph (c) of this section is remedial and applies retroactively.

(6) ((~~Local~~)) (a) Law enforcement agencies ((~~that disseminate information pursuant to this section~~)) responsible for the registration and dissemination of information regarding offenders required to register under RCW 9A.44.130 shall assign a

risk level classification to all offenders after consideration of: (((~~(a) Review~~)) (i) Any available risk level classifications ((~~made~~)) provided by the department of corrections, the department of social and health services, and the indeterminate sentence review board; (((~~(b) assign risk level classifications to all offenders about whom information will be disseminated~~)) (ii) the agency's own application of a sex offender risk assessment tool; and (iii) other information and aggravating or mitigating factors known to the agency and deemed rationally related to the risk posed by the offender to the community at large.

(b) A sex offender shall be classified as a risk level I if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a low risk to sexually reoffend within the community at large. A sex offender shall be classified as a risk level II if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a moderate risk to sexually reoffend within the community at large. A sex offender shall be classified as a risk level III if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a high risk to sexually reoffend within the community at large.

(c) The agency shall make a good faith effort to notify the public and residents within a reasonable period of time after the offender registers with the agency.

((~~The juvenile court shall provide local law enforcement officials with all relevant information on offenders allowed to remain in the community in a timely manner.~~)) (d) Agencies may develop a process to allow an offender to petition for review of the offender's assigned risk level classification. The timing, frequency, and process for review are at the sole discretion of the agency.

(7) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470, or units of local government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any discretionary risk level classification decisions or release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity in this section applies to risk level classification decisions and the release of relevant and necessary information regarding any individual for whom disclosure is authorized. The decision of a ((~~local~~)) law enforcement agency or official to classify an offender to a risk level other than the one assigned by the department of corrections, the department of social and health services, or the indeterminate sentence review board, or the release of any relevant and necessary information based on that different classification shall not, by itself, be considered gross negligence or bad faith. The immunity provided under this section applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the general public.

(8) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information authorized under this section.

(9) Nothing in this section implies that information regarding persons designated in subsection (1) of this section is confidential except as may otherwise be provided by law.

(10) When a ((~~local~~)) law enforcement agency or official classifies an offender differently than the offender is classified by the end of sentence review committee ((~~or the department of social and health services~~)) at the time of the offender's release from confinement, the law enforcement agency or official shall notify the end of sentence review committee ((~~or the department of social and health services~~)) and the Washington state patrol and submit its reasons supporting the change in classification.

(11) As used in this section, "law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

Sec. 10. RCW 9A.44.128 and 2014 c 188 s 2 are each amended to read as follows:

For the purposes of RCW 9A.44.130 through 9A.44.145, 10.01.200, 43.43.540, 70.48.470, and 72.09.330, the following definitions apply:

(1) "Business day" means any day other than Saturday, Sunday, or a legal local, state, or federal holiday.

(2) "Conviction" means any adult conviction or juvenile adjudication for a sex offense or kidnapping offense.

(3) "Disqualifying offense" means a conviction for: Any offense that is a felony; a sex offense as defined in this section; a crime against children or persons as defined in RCW 43.43.830(7) and 9.94A.411(2)(a); an offense with a domestic violence designation as provided in RCW 10.99.020; permitting the commercial sexual abuse of a minor as defined in RCW 9.68A.103; or any violation of chapter 9A.88 RCW.

(4) "Employed" or "carries on a vocation" means employment that is full time or part time for a period of time exceeding fourteen days, or for an aggregate period of time exceeding thirty days during any calendar year. A person is employed or carries on a vocation whether the person's employment is financially compensated, volunteered, or for the purpose of government or educational benefit.

(5) "Fixed residence" means a building that a person lawfully and habitually uses as living quarters a majority of the week. Uses as living quarters means to conduct activities consistent with the common understanding of residing, such as sleeping; eating; keeping personal belongings; receiving mail; and paying utilities, rent, or mortgage. A nonpermanent structure including, but not limited to, a motor home, travel trailer, camper, or boat may qualify as a residence provided it is lawfully and habitually used as living quarters a majority of the week, primarily kept at one location with a physical address, and the location it is kept at is either owned or rented by the person or used by the person with the permission of the owner or renter. A shelter program may qualify as a residence provided it is a shelter program designed to provide temporary living accommodations for the homeless, provides an offender with a personally assigned living space, and the offender is permitted to store belongings in the living space.

(6) "In the community" means residing outside of confinement or incarceration for a disqualifying offense.

(7) "Institution of higher education" means any public or private institution dedicated to postsecondary education, including any college, university, community college, trade, or professional school.

(8) "Kidnapping offense" means:

(a) The crimes of kidnapping in the first degree, kidnapping in the second degree, and unlawful imprisonment, as defined in chapter 9A.40 RCW, where the victim is a minor and the offender is not the minor's parent;

(b) Any offense that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit an offense that is classified as a kidnapping offense under this subsection; ((~~and~~))

(c) Any federal or out-of-state conviction for: An offense for which the person would be required to register as a kidnapping offender if residing in the state of conviction; or, if not required to register in the state of conviction, an offense that under the laws of this state would be classified as a kidnapping offense under this subsection; and

(d) Any tribal conviction for an offense for which the person would be required to register as a kidnapping offender while residing in the reservation of conviction; or, if not required to register in the reservation of conviction, an offense that under the laws of this state would be classified as a kidnapping offense under this subsection.

(9) "Lacks a fixed residence" means the person does not have a living situation that meets the definition of a fixed residence and includes, but is not limited to, a shelter program designed to provide temporary living accommodations for the homeless, an outdoor sleeping location, or locations where the person does not have permission to stay.

(10) "Sex offense" means:

(a) Any offense defined as a sex offense by RCW 9.94A.030;

(b) Any violation under RCW 9A.44.096 (sexual misconduct with a minor in the second degree);

(c) Any violation under RCW 9A.40.100(1)(b)(ii) (trafficking);

(d) Any violation under RCW 9.68A.090 (communication with a minor for immoral purposes);

(e) A violation under RCW 9A.88.070 (promoting prostitution in the first degree) or RCW 9A.88.080 (promoting prostitution in the second degree) if the person has a prior conviction for one of these offenses;

(f) Any violation under RCW 9A.40.100(1)(a)(i)(A) (III) or (IV) or (a)(i)(B);

(g) Any gross misdemeanor that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit an offense that is classified as a sex offense under RCW 9.94A.030 or this subsection;

(h) Any out-of-state conviction for an offense for which the person would be required to register as a sex offender while residing in the state of conviction; or, if not required to register in the state of conviction, an offense that under the laws of this state would be classified as a sex offense under this subsection;

(i) Any federal conviction classified as a sex offense under 42 U.S.C. Sec. 16911 (SORNA);

(j) Any military conviction for a sex offense. This includes sex offenses under the uniform code of military justice, as specified by the United States secretary of defense;

(k) Any conviction in a foreign country for a sex offense if it was obtained with sufficient safeguards for fundamental fairness and due process for the accused under guidelines or regulations established pursuant to 42 U.S.C. Sec. 16912;

(l) Any tribal conviction for an offense for which the person would be required to register as a sex offender while residing in the reservation of conviction; or, if not required to register in the reservation of conviction, an offense that under the laws of this state would be classified as a sex offense under this subsection.

(11) "School" means a public or private school regulated under Title 28A RCW or chapter 72.40 RCW.

(12) "Student" means a person who is enrolled, on a full-time or part-time basis, in any school or institution of higher education.

Sec. 11. RCW 9A.44.130 and 2011 c 337 s 3 are each amended to read as follows:

(1)(a) Any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation, or as otherwise specified in this section. When a person required to register under this section is in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person.

(b) Any adult or juvenile who is required to register under (a) of this subsection must give notice to the county sheriff of the county with whom the person is registered within three business days:

(i) Prior to arriving at a school or institution of higher education to attend classes;

(ii) Prior to starting work at an institution of higher education; or

(iii) After any termination of enrollment or employment at a school or institution of higher education.

(2)(a) A person required to register under this section must provide the following information when registering: (i) Name and any aliases used; (ii) complete and accurate residential address or, if the person lacks a fixed residence, where he or she plans to stay; (iii) date and place of birth; (iv) place of employment; (v) crime for which convicted; (vi) date and place of conviction; (vii) social security number; (viii) photograph; and (ix) fingerprints.

(b) A person may be required to update any of the information required in this subsection in conjunction with any address verification conducted by the county sheriff or as part of any notice required by this section.

(c) A photograph or copy of an individual's fingerprints may be taken at any time to update an individual's file.

(3) Any person required to register under this section who intends to travel outside the United States must provide, by certified mail, with return receipt requested, or in person, signed written notice of the plan to travel outside the country to the county sheriff of the county with whom the person is registered at least twenty-one days prior to travel. The notice shall include the following information: (a) Name; (b) passport number and country; (c) destination; (d) itinerary details including departure and return dates; (e) means of travel; and (f) purpose of travel. If the offender subsequently cancels or postpones travel outside the United States, the offender must notify the county sheriff not later than three days after cancellation or postponement of the intended travel outside the United States or on the departure date provided in the notification, whichever is earlier. The county sheriff shall notify the United States marshals service as soon as practicable after receipt of the notification. In cases of unexpected travel due to family or work emergencies, or for offenders who travel routinely across international borders for work related purposes, the notice must be submitted in person at least twenty-four hours prior to travel to the sheriff of the county where such offenders are registered with a written explanation of the circumstances that make compliance with this subsection (3) impracticable.

(4)(a) Offenders shall register with the county sheriff within the following deadlines:

(i) OFFENDERS IN CUSTODY. (((~~(A)~~))) Sex offenders ((~~who committed a sex offense on, before, or after February 28, 1990, and who, on or after July 28, 1991, are in custody, as a result of that offense, of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, and (B)~~)) or kidnapping offenders who ((~~on or after July 27, 1997,~~)) are in custody of the state department of corrections, the state department

of social and health services, a local division of youth services, or a local jail or juvenile detention facility, must register at the time of release from custody with an official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county of the offender's anticipated residence. The offender must also register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

When the agency with jurisdiction intends to release an offender with a duty to register under this section, and the agency has knowledge that the offender is eligible for developmental disability services from the department of social and health services, the agency shall notify the division of developmental disabilities of the release. Notice shall occur not more than thirty days before the offender is to be released. The agency and the division shall assist the offender in meeting the initial registration requirement under this section. Failure to provide such assistance shall not constitute a defense for any violation of this section.

When a person required to register under this section is in the custody of the state department of corrections or a local corrections or probations agency and has been approved for partial confinement as defined in RCW 9.94A.030, the person must register at the time of transfer to partial confinement with the official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county in which the offender is in partial confinement. The offender must also register within three business days from the time of the termination of partial confinement or release from confinement with the county sheriff for the county of the person's residence. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

(ii) ((~~OFFENDERS NOT IN CUSTODY BUT UNDER STATE OR LOCAL JURISDICTION. Sex offenders who, on July 28, 1991, are not in custody but are under the jurisdiction of the indeterminate sentence review board or under the department of corrections' active supervision, as defined by the department of corrections, the state department of social and health services, or a local division of youth services, for sex offenses committed before, on, or after February 28, 1990, must register within ten days of July 28, 1991. Kidnapping offenders who, on July 27, 1997, are not in custody but are under the jurisdiction of the indeterminate sentence review board or under the department of corrections' active supervision, as defined by the department of corrections, the state department of social and health services, or a local division of youth services, for kidnapping offenses committed before, on, or after July 27, 1997, must register within ten days of July 27, 1997. A change in supervision status of a sex offender who was required to register under this subsection (3)(a)(ii) as of July 28, 1991, or a kidnapping offender required to register as of July 27, 1997, shall not relieve the offender of the duty to register or to reregister following a change in residence.~~

(~~iii~~)) OFFENDERS UNDER FEDERAL JURISDICTION. Sex offenders ((~~who, on or after July 23, 1995, and~~)) or kidnapping offenders who((~~, on or after July 27, 1997, as a result of that offense~~)) are in the custody of the United States bureau of prisons or other federal or military correctional agency ((~~for sex offenses committed before, on, or after February 28, 1990, or kidnapping offenses committed on, before, or after July 27, 1997,~~)) must register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. ((~~Sex offenders who, on July 23, 1995, are not in custody but are under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board for sex offenses committed before, on, or after February 28, 1990, must register within ten days of July 23, 1995. Kidnapping offenders who, on July 27, 1997, are not in custody but are under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board for kidnapping offenses committed before, on, or after July 27, 1997, must register within ten days of July 27, 1997. A change in supervision status of a sex offender who was required to register under this subsection (3)(a)(iii) as of July 23, 1995, or a kidnapping offender required to register as of July 27, 1997 shall not relieve the offender of the duty to register or to reregister following a change in residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation.~~

(~~iv~~))) (iii) OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED. Sex offenders who are convicted of a sex offense ((~~on or after July 28, 1991, for a sex offense that was committed on or after February 28, 1990,~~)) and kidnapping offenders who are convicted ((~~on or after July 27, 1997,~~)) for a kidnapping offense ((~~that was committed on or after July 27, 1997,~~)) but who are not sentenced to serve a term of confinement immediately upon sentencing((~~,~~)) shall report to the county sheriff to register within three business days of being sentenced.

(((~~v~~))) (iv) OFFENDERS WHO ARE NEW RESIDENTS, TEMPORARY RESIDENTS, OR RETURNING WASHINGTON RESIDENTS. Sex offenders and kidnapping offenders who move to Washington state from another state or a foreign country ((~~that are not under the jurisdiction of the state department of corrections, the indeterminate sentence review board, or the state department of social and health services at the time of moving to Washington,~~)) must register within three business days of establishing residence or reestablishing residence if the person is a former Washington resident. ((~~The duty to register under this subsection applies to sex offenders convicted under the laws of another state or a foreign country, federal or military statutes for offenses committed before, on, or after February 28, 1990, or Washington state for offenses committed before, on, or after February 28, 1990, and to kidnapping offenders convicted under the laws of another state or a foreign country, federal or military statutes, or Washington state for offenses committed before, on, or after July 27, 1997. Sex offenders and kidnapping offenders from other states or a foreign country who, when they move to Washington, are under the jurisdiction of the department of corrections, the indeterminate sentence review board, or the department of social and health services must register within three business days of moving to Washington. The agency that has jurisdiction over the offender shall notify the offender of the registration requirements before the offender moves to Washington.~~

(~~vi~~))) If the offender is under the jurisdiction of an agency of this state when the offender moves to Washington, the agency shall provide notice to the offender of the duty to register.

Sex offenders and kidnapping offenders who are visiting Washington state and intend to reside or be present in the state for ten days or more shall register his or her temporary address or where he or she plans to stay with the county sheriff of each county where the offender will be staying within three business days of arrival. Registration for temporary residents shall include the information required by subsection (2)(a) of this section, except the photograph and fingerprints.

(v) OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY. Any adult or juvenile who has been found not guilty by reason of insanity under chapter 10.77 RCW of (((~~A~~)))

committing a sex offense ((~~on, before, or after February 28, 1990, and who, on or after July 23, 1995, is in custody, as a result of that finding, of the state department of social and health services,~~)) or (((~~(B) committing~~)) a kidnapping offense ((~~on, before, or after July 27, 1997,~~)) and who ((~~on or after July 27, 1997,~~)) is in custody, as a result of that finding, of the state department of social and health services, must register within three business days from the time of release with the county sheriff for the county of the person's residence. The state department of social and health services shall provide notice to the adult or juvenile in its custody of the duty to register. ((~~Any adult or juvenile who has been found not guilty by reason of insanity of committing a sex offense on, before, or after February 28, 1990, but who was released before July 23, 1995, or any adult or juvenile who has been found not guilty by reason of insanity of committing a kidnapping offense but who was released before July 27, 1997, shall be required to register within three business days of receiving notice of this registration requirement.~~

(~~(vii)~~)) (vi) OFFENDERS WHO LACK A FIXED RESIDENCE. Any person who lacks a fixed residence and leaves the county in which he or she is registered and enters and remains within a new county for twenty-four hours is required to register with the county sheriff not more than three business days after entering the county and provide the information required in subsection (2)(a) of this section.

(((~~(viii)~~)) (vii) OFFENDERS WHO LACK A FIXED RESIDENCE AND WHO ARE UNDER SUPERVISION. Offenders who lack a fixed residence and who are under the supervision of the department shall register in the county of their supervision.

(((~~(ix)~~)) (viii) OFFENDERS WHO MOVE TO, WORK, CARRY ON A VOCATION, OR ATTEND SCHOOL IN ANOTHER STATE. Offenders required to register in Washington, who move to another state, or who work, carry on a vocation, or attend school in another state shall register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. The person must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom the person last registered in Washington state. The county sheriff shall promptly forward this information to the Washington state patrol.

(b) The county sheriff shall not be required to determine whether the person is living within the county.

(c) An arrest on charges of failure to register, service of an information, or a complaint for a violation of RCW 9A.44.132, or arraignment on charges for a violation of RCW 9A.44.132, constitutes actual notice of the duty to register. Any person charged with the crime of failure to register under RCW 9A.44.132 who asserts as a defense the lack of notice of the duty to register shall register within three business days following actual notice of the duty through arrest, service, or arraignment. Failure to register as required under this subsection (((~~(3)~~)) (4)(c) constitutes grounds for filing another charge of failing to register. Registering following arrest, service, or arraignment on charges shall not relieve the offender from criminal liability for failure to register prior to the filing of the original charge.

(((~~(d) The deadlines for the duty to register under this section do not relieve any sex offender of the duty to register under this section as it existed prior to July 28, 1991.~~

(~~(4)~~)) (5)(a) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address to the county sheriff within three business days of moving.

(b) If any person required to register pursuant to this section moves to a new county, within three business days of moving the person must register with ((~~that~~)) the county sheriff of the county into which the person has moved ((~~within three business days of moving. Within three business days, the person must also~~)) and provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address ((~~in the new county~~)) to the county sheriff with whom the person last registered. The county sheriff with whom the person last registered ((~~shall promptly forward the information concerning the change of address to the county sheriff for the county of the person's new residence. Upon receipt of notice of change of address to a new state, the county sheriff shall promptly forward the information regarding the change of address to the agency designated by the new state as the state's offender registration agency~~)) is responsible for address verification pursuant to RCW 9A.44.135 until the person completes registration of his or her new residence address.

(((~~(5)~~)) (6)(a) Any person required to register under this section who lacks a fixed residence shall provide signed written notice to the sheriff of the county where he or she last registered within three business days after ceasing to have a fixed residence. The notice shall include the information required by subsection (2)(a) of this section, except the photograph and fingerprints. The county sheriff may, for reasonable cause, require the offender to provide a photograph and fingerprints. The sheriff shall forward this information to the sheriff of the county in which the person intends to reside, if the person intends to reside in another county.

(b) A person who lacks a fixed residence must report weekly, in person, to the sheriff of the county where he or she is registered. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. The person must keep an accurate accounting of where he or she stays during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

(c) If any person required to register pursuant to this section does not have a fixed residence, it is an affirmative defense to the charge of failure to register, that he or she provided written notice to the sheriff of the county where he or she last registered within three business days of ceasing to have a fixed residence and has subsequently complied with the requirements of subsections (((~~(3)~~)) (4)(a)(((~~(vii)~~))) (vi) or (((~~(viii)~~))) (vii) and (((~~(5)~~))) (6) of this section. To prevail, the person must prove the defense by a preponderance of the evidence.

(((~~(6)~~))) (7) A sex offender subject to registration requirements under this section who applies to change his or her name under RCW 4.24.130 or any other law shall submit a copy of the application to the county sheriff of the county of the person's residence and to the state patrol not fewer than five days before the entry of an order granting the name change. No sex offender under the requirement to register under this section at the time of application shall be granted an order changing his or her name if the court finds that doing so will interfere with legitimate law enforcement interests, except that no order shall be denied when the name change is requested for religious or legitimate cultural reasons or in recognition of marriage or dissolution of marriage. A sex offender under the requirement to register under this section who receives an order changing his or her name shall submit a copy of the order to the county sheriff of the county of the person's residence and to the state patrol within three business days of the entry of the order.

(((~~(7)~~))) (8) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a peace

officer, including a county sheriff, or law enforcement agency, for failing to release information authorized under this section.

NEW SECTION. **Sec. 12.** A new section is added to chapter 9A.44 RCW to read as follows:

(1) RCW 9A.44.128 through 9A.44.145 apply to offenders who committed their crimes and were adjudicated within the following time frames:

(a) Sex offenders convicted of a sex offense on or after July 28, 1991, for a sex offense committed on or after February 28, 1990;

(b) Kidnapping offenders convicted of a kidnapping offense on or after July 27, 1997, for a kidnapping offense committed on or after July 27, 1997;

(c) Sex offenders who, on or after July 28, 1991, were in the custody or under the jurisdiction of the department of corrections, the department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as the result of a sex offense, regardless of when the sex offense was committed;

(d) Kidnapping offenders who, on or after July 27, 1997, were in the custody or under the jurisdiction of the department of corrections, the department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as the result of a kidnapping offense, regardless of when the kidnapping offense was committed;

(e) Any person who is or has been determined to be a sexually violent predator pursuant to chapter 71.09 RCW;

(f) Sex offenders who, on or after July 23, 1995, were in the custody or under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board as the result of a sex offense, regardless of when the sex offense was committed;

(g) Kidnapping offenders who, on or after July 27, 1997, were in the custody or under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board as the result of a kidnapping offense, regardless of when the kidnapping offense was committed;

(h) Sex offenders who move to Washington state from another state, tribe, or a foreign country and who were convicted of a sex offense under the laws of this state, another state, a foreign country, tribe, or other federal or military tribunal, regardless of when the sex offense was committed or the conviction occurred;

(i) Kidnapping offenders who move to Washington state from another state, tribe, or a foreign country and who were convicted of a kidnapping offense under the laws of this state, another state, a foreign country, tribe, or other federal or military tribunal, regardless of when the kidnapping offense was committed or the conviction occurred;

(j) Any adult or juvenile found not guilty by reason of insanity under chapter 10.77 RCW of committing a sex offense or of committing a kidnapping offense, regardless of when the offense was committed.

(2) The provisions of this section do not relieve any sex offender of the duty to register under the law as it existed prior to July 28, 1991.

Sec. 13. RCW 9A.44.132 and 2011 c 337 s 5 are each amended to read as follows:

(1) A person commits the crime of failure to register as a sex offender if the person has a duty to register under RCW 9A.44.130 for a felony sex offense and knowingly fails to comply with any of the requirements of RCW 9A.44.130.

(a) The failure to register as a sex offender pursuant to this subsection is a class C felony if:

(i) It is the person's first conviction for a felony failure to register; or

(ii) The person has previously been convicted of a felony failure to register as a sex offender in this state or pursuant to the laws of another state, or pursuant to federal law.

(b) If a person has been convicted of a felony failure to register as a sex offender in this state or pursuant to the laws of another state, or pursuant to federal law, on two or more prior occasions, the failure to register under this subsection is a class B felony.

(2) A person is guilty of failure to register as a sex offender if the person has a duty to register under RCW 9A.44.130 for a sex offense other than a felony and knowingly fails to comply with any of the requirements of RCW 9A.44.130. The failure to register as a sex offender under this subsection is a gross misdemeanor.

(3) A person commits the crime of failure to register as a kidnapping offender if the person has a duty to register under RCW 9A.44.130 for a kidnapping offense and knowingly fails to comply with any of the requirements of RCW 9A.44.130.

(a) If the person has a duty to register for a felony kidnapping offense, the failure to register as a kidnapping offender is a class C felony.

(b) If the person has a duty to register for a kidnapping offense other than a felony, the failure to register as a kidnapping offender is a gross misdemeanor.

(4) A person commits the crime of refusal to provide DNA if the person has a duty to register under RCW 9A.44.130 and the person willfully refuses to comply with a legal request for a DNA sample as required under RCW 43.43.754(1)(b). The refusal to provide DNA is a gross misdemeanor.

(5) Unless relieved of the duty to register pursuant to RCW 9A.44.141 and 9A.44.142, a violation of this section is an ongoing offense for purposes of the statute of limitations under RCW 9A.04.080.

Sec. 14. RCW 9A.44.140 and 2010 c 267 s 4 are each amended to read as follows:

The duty to register under RCW 9A.44.130 shall continue for the duration provided in this section.

(1) For a person convicted in this state of a class A felony ((~~or an offense listed in RCW 9A.44.142(5)~~)), or a person convicted ((~~in this state~~)) of any sex offense or kidnapping offense who has one or more prior convictions for a sex offense or kidnapping offense, the duty to register shall continue indefinitely.

(2) For a person convicted in this state of a class B felony who does not have one or more prior convictions for a sex offense or kidnapping offense ((~~and whose current offense is not listed in RCW 9A.44.142(5)~~)), the duty to register shall end fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

(3) For a person convicted in this state of a class C felony, a violation of RCW 9.68A.090 or 9A.44.096, or an attempt, solicitation, or conspiracy to commit a class C felony, and the person does not have one or more prior convictions for a sex offense or kidnapping offense ((~~and the person's current offense is not listed in RCW 9A.44.142(5)~~)), the duty to register shall end ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has

spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period.

(4) Except as provided in RCW 9A.44.142, for a person required to register for a federal, tribal, or out-of-state conviction, the duty to register shall continue indefinitely.

(5) For a person who is or has been determined to be a sexually violent predator pursuant to chapter 71.09 RCW, the duty to register shall continue for the person's lifetime.

(6) Nothing in this section prevents a person from being relieved of the duty to register under RCW 9A.44.142 and 9A.44.143.

((~~(6)~~)) (7) Nothing in RCW 9.94A.637 relating to discharge of an offender shall be construed as operating to relieve the offender of his or her duty to register pursuant to RCW 9A.44.130.

((~~(7)~~)) (8) For purposes of determining whether a person has been convicted of more than one sex offense, failure to register as a sex offender or kidnapping offender is not a sex or kidnapping offense.

((~~(8)~~)) (9) The provisions of this section and RCW 9A.44.141 through 9A.44.143 apply equally to a person who has been found not guilty by reason of insanity under chapter 10.77 RCW of a sex offense or kidnapping offense.

Sec. 15. RCW 9A.44.141 and 2011 c 337 s 6 are each amended to read as follows:

(1) Upon the request of a person who is listed in the Washington state patrol central registry of sex offenders and kidnapping offenders, the county sheriff shall investigate whether a person's duty to register has ended by operation of law pursuant to RCW 9A.44.140.

(a) Using available records, the county sheriff shall verify that the offender has spent the requisite time in the community and has not been convicted of a disqualifying offense.

(b) If the county sheriff determines the person's duty to register has ended by operation of law, the county sheriff shall request the Washington state patrol remove the person's name from the central registry.

(2) Nothing in this subsection prevents a county sheriff from investigating, upon his or her own initiative, whether a person's duty to register has ended by operation of law pursuant to RCW 9A.44.140.

(3)(a) A person who is listed in the central registry as the result of a federal, tribal, or out-of-state conviction may request the county sheriff to investigate whether the person should be removed from the registry if:

(i) A court or other administrative authority in the person's state of conviction has made an individualized determination that the person ((~~should~~)) is not ((~~be~~)) required to register; and

(ii) The person provides proof of relief from registration to the county sheriff.

(b) If the county sheriff determines the person has been relieved of the duty to register in his or her state of conviction, the county sheriff shall request the Washington state patrol remove the person's name from the central registry.

(4) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470, or units of local government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for removing or requesting the removal of a person from the central registry of sex offenders and kidnapping offenders or the failure to remove or request removal of a person within the time frames provided in RCW 9A.44.140.

Sec. 16. RCW 9A.44.142 and 2011 c 337 s 7 are each amended to read as follows:

(1) A person who is required to register under RCW 9A.44.130 may petition the superior court to be relieved of the duty to register:

(a) If the person has a duty to register for a sex offense or kidnapping offense committed when the offender was a juvenile, regardless of whether the conviction was in this state, as provided in RCW 9A.44.143;

(b) If the person is required to register for a conviction in this state and is not prohibited from petitioning for relief from registration under subsection (2) of this section, when the person has spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period; or

(c) If the person is required to register for a federal, tribal, or out-of-state conviction, when the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

(2)(a) A person may not petition for relief from registration if the person has been:

(i) Determined to be a sexually violent predator ((~~as defined in RCW 71.09.020~~)) pursuant to chapter 71.09 RCW; or

(ii) Convicted as an adult of a sex offense or kidnapping offense that is a class A felony and that was committed with forcible compulsion on or after June 8, 2000((~~; or~~

~~(iii) Until July 1, 2012, convicted of one aggravated offense or more than one sexually violent offense, as defined in subsection (5) of this section, and the offense or offenses were committed on or after March 12, 2002. After July 1, 2012, this subsection (2)(a)(iii) shall have no further force and effect~~)).

(b) Any person who may not be relieved of the duty to register may petition the court to be exempted from any community notification requirements that the person may be subject to fifteen years after the later of the entry of the judgment and sentence or the last date of release from confinement, including full-time residential treatment, pursuant to the conviction, if the person has spent the time in the community without being convicted of a disqualifying offense.

(3) A petition for relief from registration or exemption from notification under this section shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register or, in the case of convictions in other states, a foreign country, or a federal, tribal, or military court, to the court in the county where the person is registered at the time the petition is sought. The prosecuting attorney of the county shall be named and served as the respondent in any such petition.

(4)(a) The court may relieve a petitioner of the duty to register only if the petitioner shows by clear and convincing evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(b) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the registry, the following factors are provided as guidance to assist the court in making its determination:

(i) The nature of the registrable offense committed including the number of victims and the length of the offense history;

(ii) Any subsequent criminal history;

(iii) The petitioner's compliance with supervision requirements;

(iv) The length of time since the charged incident(s) occurred;

(v) Any input from community corrections officers, law enforcement, or treatment providers;

(vi) Participation in sex offender treatment;

(vii) Participation in other treatment and rehabilitative programs;

(viii) The offender's stability in employment and housing;

(ix) The offender's community and personal support system;

(x) Any risk assessments or evaluations prepared by a qualified professional;

(xi) Any updated polygraph examination;

(xii) Any input of the victim;

(xiii) Any other factors the court may consider relevant.

(5)(((~~(a) A person who has been convicted of an aggravated offense, or has been convicted of one or more prior sexually violent offenses or criminal offenses against a victim who is a minor, as defined in (b) of this subsection:~~

~~(i) Until July 1, 2012, may not be relieved of the duty to register;~~

~~(ii) After July 1, 2012, may petition the court to be relieved of the duty to register as provided in this section;~~

~~(iii) This provision shall apply to convictions for crimes committed on or after July 22, 2001.~~

~~(b) Unless the context clearly requires otherwise, the following definitions apply only to the federal lifetime registration requirements under this subsection:~~

~~(i) "Aggravated offense" means an adult conviction that meets the definition of 18 U.S.C. Sec. 2241, which is limited to the following:~~

~~(A) Any sex offense involving sexual intercourse or sexual contact where the victim is under twelve years of age;~~

~~(B) RCW 9A.44.040 (rape in the first degree), RCW 9A.44.073 (rape of a child in the first degree), or RCW 9A.44.083 (child molestation in the first degree);~~

~~(C) Any of the following offenses when committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that person to appraise or control conduct: RCW 9A.44.050 (rape in the second degree), RCW 9A.44.100 (indecent liberties), RCW 9A.44.160 (custodial sexual misconduct in the first degree), RCW 9A.64.020 (incest), or RCW 9.68A.040 (sexual exploitation of a minor);~~

~~(D) Any of the following offenses when committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that person to appraise or control conduct, if the victim is twelve years of age or over but under sixteen years of age and the offender is eighteen years of age or over and is more than forty-eight months older than the victim: RCW 9A.44.076 (rape of a child in the second degree), RCW 9A.44.079 (rape of a child in the third degree), RCW 9A.44.086 (child molestation in the second degree), or RCW 9A.44.089 (child molestation in the third degree);~~

~~(E) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is under twelve years of age or that is committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that person to appraise or control conduct;~~

~~(F) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or~~

~~(G) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(i)(A) through (F) of this subsection.~~

~~(ii) "Sexually violent offense" means an adult conviction that meets the definition of 42 U.S.C. Sec. 14071(a)(1)(A), which is limited to the following:~~

~~(A) An aggravated offense;~~

~~(B) An offense that is not an aggravated offense but meets the definition of 18 U.S.C. Sec. 2242, which is limited to RCW 9A.44.050(1) (b) through (f) (rape in the second degree) and RCW 9A.44.100(1) (b) through (f) (indecent liberties);~~

~~(C) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is incapable of appraising the nature of the conduct or physically incapable of declining participation in, or communicating unwillingness to engage in, the conduct;~~

~~(D) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or~~

~~(E) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(ii)(A) through (D) of this subsection.~~

~~(iii) "Criminal offense against a victim who is a minor" means, in addition to any aggravated offense or sexually violent offense where the victim was under eighteen years of age, an adult conviction for the following offenses where the victim is under eighteen years of age:~~

~~(A) RCW 9A.44.060 (rape in the third degree), RCW 9A.44.076 (rape of a child in the second degree), RCW 9A.44.079 (rape of a child in the third degree), RCW 9A.44.086 (child molestation in the second degree), RCW 9A.44.089 (child molestation in the third degree), RCW 9A.44.093 (sexual misconduct with a minor in the first degree), RCW 9A.44.096 (sexual misconduct with a minor in the second degree), RCW 9A.44.160 (custodial sexual misconduct in the first degree), RCW 9A.64.020 (incest), RCW 9.68A.040 (sexual exploitation of a minor), RCW 9.68A.090 (communication with a minor for immoral purposes), or RCW 9.68A.100 (commercial sexual abuse of a minor);~~

~~(B) RCW 9A.40.020 (kidnapping in the first degree), RCW 9A.40.030 (kidnapping in the second degree), or RCW 9A.40.040 (unlawful imprisonment), where the victim is a minor and the offender is not the minor's parent;~~

~~(C) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is a minor;~~

~~(D) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or~~

~~(E) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(iii)(A) through (D) of this subsection~~)) If a person is relieved of the duty to register pursuant to this section, the relief of registration does not constitute a certificate of rehabilitation, or the equivalent of a certificate of rehabilitation, for the purposes of restoration of firearm possession under RCW 9.41.040.

Sec. 17. RCW 9A.44.143 and 2011 c 338 s 1 are each amended to read as follows:

(1) An offender having a duty to register under RCW 9A.44.130 for a sex offense or kidnapping offense committed when the offender was a juvenile, and who has not been determined to be a sexually violent predator pursuant to chapter 71.09 RCW may petition the superior court to be relieved of that duty as provided in this section.

(2) For class A sex offenses or kidnapping offenses committed when the petitioner was fifteen years of age or older, the court may relieve the petitioner of the duty to register if:

(a) At least sixty months have passed since the petitioner's adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not

been adjudicated or convicted of any additional sex offenses or kidnapping offenses within the sixty months before the petition;

(b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the sixty months prior to filing the petition; and

(c) The petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(3) For all other sex offenses or kidnapping offenses committed by a juvenile not included in subsection (2) of this section, the court may relieve the petitioner of the duty to register if:

(a) At least twenty-four months have passed since the petitioner's adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not been adjudicated or convicted of any additional sex offenses or kidnapping offenses within the twenty-four months before the petition;

(b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the twenty-four months prior to filing the petition; and

(c) The petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(4) A petition for relief from registration under this section shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register or, in the case of convictions in other states, a foreign country, or a federal or military court, to the court in ((~~Thurston~~)) the county in which the juvenile is registered at the time a petition is sought. The prosecuting attorney of the county shall be named and served as the respondent in any such petition.

(5) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders, the following factors are provided as guidance to assist the court in making its determination, to the extent the factors are applicable considering the age and circumstances of the petitioner:

(a) The nature of the registrable offense committed including the number of victims and the length of the offense history;

(b) Any subsequent criminal history;

(c) The petitioner's compliance with supervision requirements;

(d) The length of time since the charged incident(s) occurred;

(e) Any input from community corrections officers, juvenile parole or probation officers, law enforcement, or treatment providers;

(f) Participation in sex offender treatment;

(g) Participation in other treatment and rehabilitative programs;

(h) The offender's stability in employment and housing;

(i) The offender's community and personal support system;

(j) Any risk assessments or evaluations prepared by a qualified professional;

(k) Any updated polygraph examination;

(l) Any input of the victim;

(m) Any other factors the court may consider relevant.

(6) If a person is relieved of the duty to register pursuant to this section, the relief of registration does not constitute a certificate of rehabilitation, or the equivalent of a certificate of rehabilitation, for the purposes of restoration of firearm possession under RCW 9.41.040.

(7) A juvenile prosecuted and convicted of a sex offense or kidnapping offense as an adult pursuant to RCW 13.40.110 or 13.04.030 may not petition to the superior court under this section and must follow the provisions of RCW 9A.44.142.

(8) An adult prosecuted for an offense committed as a juvenile once the juvenile court has lost jurisdiction due to the passage of time between the date of the offense and the date of filing of charges may petition the superior court under the provisions of this section.

Sec. 18. RCW 43.43.754 and 2008 c 97 s 2 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile offenses):

Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835)

Communication with a minor for immoral purposes (RCW 9.68A.090)

Custodial sexual misconduct in the second degree (RCW 9A.44.170)

Failure to register (RCW 9A.44.130 for persons convicted on or before June 10, 2010, and RCW 9A.44.132 for persons convicted after June 10, 2010)

Harassment (RCW 9A.46.020)

Patronizing a prostitute (RCW 9A.88.110)

Sexual misconduct with a minor in the second degree (RCW 9A.44.096)

Stalking (RCW 9A.46.110)

Violation of a sexual assault protection order granted under chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(3) Biological samples shall be collected in the following manner:

(a) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do serve a term of confinement in a city or county jail facility, the city or county shall be responsible for obtaining the biological samples.

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do not serve a term of confinement in a city or county jail facility; and

(ii) Persons who are required to register under RCW ((~~9A.44.030~~)) 9A.44.130.

(c) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of social and health services facility, the facility holding the person shall be responsible for obtaining the biological samples. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.

(4) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

(5) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under subsection (1) of this section, to the extent allowed by funding available for this purpose. The director shall give priority to testing on samples collected from those adults or juveniles convicted of a felony or adjudicated guilty of an equivalent juvenile offense that is defined as a sex offense or a violent offense in RCW 9.94A.030. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

(6) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008; and

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008.

(7) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

(8) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks.

(9) A person commits the crime of refusal to provide DNA if the person has a duty to register under RCW 9A.44.130 and the person willfully refuses to comply with a legal request for a DNA sample as required under this section. The refusal to provide DNA is a gross misdemeanor.

Sec. 19. RCW 9.94A.515 and 2013 c 322 s 26, 2013 c 290 s 8, 2013 c 267 s 2, and 2013 c 153 s 2 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW 10.95.020)

XV Homicide by abuse (RCW 9A.32.055)
Malicious explosion 1 (RCW 70.74.280(1))
Murder 1 (RCW 9A.32.030)

XIV Murder 2 (RCW 9A.32.050)
Trafficking 1 (RCW 9A.40.100(1))

XIII Malicious explosion 2 (RCW 70.74.280(2))
Malicious placement of an explosive 1 (RCW 70.74.270(1))

XII Assault 1 (RCW 9A.36.011)
Assault of a Child 1 (RCW 9A.36.120)
Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
Rape 1 (RCW 9A.44.040)
Rape of a Child 1 (RCW 9A.44.073)
Trafficking 2 (RCW 9A.40.100((~~(2)~~)) (3))

XI Manslaughter 1 (RCW 9A.32.060)
Rape 2 (RCW 9A.44.050)
Rape of a Child 2 (RCW 9A.44.076)
Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)

X Child Molestation 1 (RCW 9A.44.083)
Criminal Mistreatment 1 (RCW 9A.42.020)
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
Kidnapping 1 (RCW 9A.40.020)
Leading Organized Crime (RCW 9A.82.060(1)(a))
Malicious explosion 3 (RCW 70.74.280(3))
Sexually Violent Predator Escape (RCW 9A.76.115)

IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
Assault of a Child 2 (RCW 9A.36.130)
Explosive devices prohibited (RCW 70.74.180)
Hit and Run—Death (RCW 46.52.020(4)(a))
Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
Malicious placement of an explosive 2 (RCW 70.74.270(2))
Robbery 1 (RCW 9A.56.200)
Sexual Exploitation (RCW 9.68A.040)

VIII Arson 1 (RCW 9A.48.020)
Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
Manslaughter 2 (RCW 9A.32.070)
Promoting Prostitution 1 (RCW 9A.88.070)
Theft of Ammonia (RCW 69.55.010)
Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)

VII Burglary 1 (RCW 9A.52.020)
Child Molestation 2 (RCW 9A.44.086)
Civil Disorder Training (RCW 9A.48.120)
Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
Drive-by Shooting (RCW 9A.36.045)
Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)

Indecent Liberties (without forcible compulsion) (RW 9A.44.100(1) (b) and (c))
Introducing Contraband 1 (RCW 9A.76.140)
Malicious placement of an explosive 3 (RCW 70.74.270(3))
Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)

VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Bribery (RCW 9A.68.010)
Incest 1 (RCW 9A.64.020(1))
Intimidating a Judge (RCW 9A.72.160)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
Rape of a Child 3 (RCW 9A.44.079)
Theft of a Firearm (RCW 9A.56.300)
Unlawful Storage of Ammonia (RCW 69.55.020)

V Abandonment of Dependent Person 2 (RCW 9A.42.070)
Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
Child Molestation 3 (RCW 9A.44.089)
Criminal Mistreatment 2 (RCW 9A.42.030)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
Driving While Under the Influence (RCW 46.61.502(6))
Extortion 1 (RCW 9A.56.120)
Extortionate Extension of Credit (RCW 9A.82.020)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Incest 2 (RCW 9A.64.020(2))
Kidnapping 2 (RCW 9A.40.030)
Perjury 1 (RCW 9A.72.020)
Persistent prison misbehavior (RCW 9.94.070)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
Possession of a Stolen Firearm (RCW 9A.56.310)
Rape 3 (RCW 9A.44.060)
Rendering Criminal Assistance 1 (RCW 9A.76.070)
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Sexually Violating Human Remains (RCW 9A.44.105)
Stalking (RCW 9A.46.110)
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)

IV Arson 2 (RCW 9A.48.030)
Assault 2 (RCW 9A.36.021)
Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Assault by Watercraft (RCW 79A.60.060)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Cheating 1 (RCW 9.46.1961)
Commercial Bribery (RCW 9A.68.060)
Counterfeiting (RCW 9.16.035(4))
Endangerment with a Controlled Substance (RCW 9A.42.100)
Escape 1 (RCW 9A.76.110)
Hit and Run—Injury (RCW 46.52.020(4)(b))
Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
Identity Theft 1 (RCW 9.35.020(2))
Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
Influencing Outcome of Sporting Event (RCW 9A.82.070)
Malicious Harassment (RCW 9A.36.080)
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
Residential Burglary (RCW 9A.52.025)
Robbery 2 (RCW 9A.56.210)
Theft of Livestock 1 (RCW 9A.56.080)
Threats to Bomb (RCW 9.61.160)
Trafficking in Stolen Property 1 (RCW 9A.82.050)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Unlawful transaction of insurance business (RCW 48.15.023(3))
Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Assault of a Child 3 (RCW 9A.36.140)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Burglary 2 (RCW 9A.52.030)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Criminal Gang Intimidation (RCW 9A.46.120)
Custodial Assault (RCW 9A.36.100)
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
Harassment (RCW 9A.46.020)
Intimidating a Public Servant (RCW 9A.76.180)
Introducing Contraband 2 (RCW 9A.76.150)
Malicious Injury to Railroad Property (RCW 81.60.070)
Mortgage Fraud (RCW 19.144.080)
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Organized Retail Theft 1 (RCW 9A.56.350(2))
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
Theft of Livestock 2 (RCW 9A.56.083)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Trafficking in Stolen Property 2 (RCW 9A.82.055)
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Unlawful Imprisonment (RCW 9A.40.040)
Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Computer Trespass 1 (RCW 9A.52.110)
Counterfeiting (RCW 9.16.035(3))
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
Escape from Community Custody (RCW 72.09.310)
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
Health Care False Claims (RCW 48.80.030)
Identity Theft 2 (RCW 9.35.020(3))
Improperly Obtaining Financial Information (RCW 9.35.010)
Malicious Mischief 1 (RCW 9A.48.070)
Organized Retail Theft 2 (RCW 9A.56.350(3))
Possession of Stolen Property 1 (RCW 9A.56.150)
Possession of a Stolen Vehicle (RCW 9A.56.068)
Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
Theft 1 (RCW 9A.56.030)
Theft of a Motor Vehicle (RCW 9A.56.065)
Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Trafficking in Insurance Claims (RCW 48.30A.015)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)
Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Voyeurism (RCW 9A.44.115)
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
False Verification for Welfare (RCW 74.08.055)
Forgery (RCW 9A.60.020)
Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
Malicious Mischief 2 (RCW 9A.48.080)
Mineral Trespass (RCW 78.44.330)
Possession of Stolen Property 2 (RCW 9A.56.160)
Reckless Burning 1 (RCW 9A.48.040)
Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
Theft 2 (RCW 9A.56.040)
Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))
Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
Unlawful Possession of Payment Instruments (RCW 9A.56.320)
Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
Unlawful Production of Payment Instruments (RCW 9A.56.320)
Unlawful ((~~Release of~~)) Releasing, planting, possessing, or placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))
Unlawful Trafficking in Food Stamps (RCW 9.91.142)
Unlawful Use of Food Stamps (RCW 9.91.144)
Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
Vehicle Prowl 1 (RCW 9A.52.095)
Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

Sec. 20. RCW 9.94A.030 and 2012 c 143 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within eight hundred eighty feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon.

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons,

whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20) "Domestic violence" has the same meaning as defined in RCW 10.99.020 and 26.50.010.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense other than a violent offense or a sex offense and who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(25) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(26) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(27) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(28) "Home detention" means a program of partial confinement available to offenders wherein the offender is confined in a private residence subject to electronic surveillance.

(29) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(30) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or

interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(31) "Minor child" means a biological or adopted child of the offender who is under age eighteen at the time of the offender's current offense.

(32) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age fourteen;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Robbery in the second degree;

(p) Sexual exploitation;

(q) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(r) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(s) Any other class B felony offense with a finding of sexual motivation;

(t) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(u) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(v)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(w) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(33) "Nonviolent offense" means an offense which is not a violent offense.

(34) "Offender" means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanant or gross misdemeanant probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(35) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, and a combination of work crew and home detention.

(36) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Malicious Harassment (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person eighteen years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(37) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (37)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was sixteen years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was eighteen years of age or older when the offender committed the offense.

(38) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(39) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(40) "Public school" has the same meaning as in RCW 28A.150.010.

(41) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.10, 26.26, or 26.50 RCW that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(42) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(43) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(44) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(45) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(46) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(47) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(48) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(49) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(50) "Stranger" means that the victim did not know the offender twenty-four hours before the offense.

(51) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(52) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(53) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(54) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(55) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(56) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(57) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 21. RCW 28A.300.147 and 2011 c 338 s 6 are each amended to read as follows:

The superintendent of public instruction shall publish on its web site, with a link to the safety center web page((~~,~~)):

(1) A revised and updated sample policy for schools to follow regarding students required to register as sex or kidnapping offenders; and

(2) Educational materials developed pursuant to RCW 28A.300.145.

Sec. 22. RCW 72.09.345 and 2011 c 338 s 5 are each amended to read as follows:

(1) In addition to any other information required to be released under this chapter, the department is authorized, pursuant to RCW 4.24.550, to release relevant information that is necessary to protect the public concerning offenders convicted of sex offenses.

(2) In order for ((~~public~~)) law enforcement agencies to have the information necessary to notify the public as authorized in RCW 4.24.550, the secretary shall establish and administer an end-of-sentence review committee for the purposes of assigning risk levels, reviewing available release plans, and making appropriate referrals for sex offenders.

(3) The committee shall assess, on a case-by-case basis, the public risk posed by:

(a) Offenders preparing for release from confinement for a sex offense or sexually violent offense committed on or after July 1, 1984;

(b) Sex offenders accepted from another state under a reciprocal agreement under the interstate corrections compact authorized in chapter 72.74 RCW;

(c) Juveniles preparing for release from confinement for a sex offense and releasing from the department of social and health services juvenile rehabilitation administration;

(d) Juveniles, following disposition, under the jurisdiction of a county juvenile court for a registerable sex offense; and

(e) Juveniles found to have committed a sex offense and accepted from another state under a reciprocal agreement under the interstate compact for juveniles authorized in chapter 13.24 RCW.

(4) Notwithstanding any other provision of law, the committee shall have access to all relevant records and information in the possession of public agencies relating to the offenders under review, including police reports; prosecutors' statements of

probable cause; presentence investigations and reports; complete judgments and sentences; current classification referrals; criminal history summaries; violation and disciplinary reports; all psychological evaluations and psychiatric hospital reports; sex offender treatment program reports; and juvenile records. Records and information obtained under this subsection shall not be disclosed outside the committee unless otherwise authorized by law.

(5) The committee shall review each sex offender under its authority before the offender's release from confinement or start of the offender's term of community custody in order to: (a) Classify the offender into a risk level for the purposes of public notification under RCW 4.24.550; (b) where available, review the offender's proposed release plan in accordance with the requirements of RCW 72.09.340; and (c) make appropriate referrals.

(6) The committee shall classify as risk level I those sex offenders whose risk assessments indicate ((~~a~~)) they are at a low risk ((~~of reoffense~~)) to sexually reoffend within the community at large. The committee shall classify as risk level II those offenders whose risk assessments indicate ((~~a~~)) they are at a moderate risk ((~~of reoffense~~)) to sexually reoffend within the community at large. The committee shall classify as risk level III those offenders whose risk assessments indicate ((~~a~~)) they are at a high risk ((~~of reoffense~~)) to sexually reoffend within the community at large.

(7) The committee shall issue to appropriate law enforcement agencies, for their use in making public notifications under RCW 4.24.550, narrative notices regarding the pending release of sex offenders from the department's facilities. The narrative notices shall, at a minimum, describe the identity and criminal history behavior of the offender and shall include the department's risk level classification for the offender. For sex offenders classified as either risk level II or III, the narrative notices shall also include the reasons underlying the classification.

NEW SECTION. **Sec. 23.** The attorney general shall evaluate the availability of data to determine the comparability of sex and kidnapping offenses among the states, federal government, and other jurisdictions as needed to facilitate the implementation of RCW 9A.44.128. The attorney general shall recommend whether the creation of such a database is advisable. The attorney general shall report his or her findings to the appropriate policy committees of the legislature by December 1, 2015.

NEW SECTION. **Sec. 16**. (1) The sex offender policy board must review and make findings and recommendations regarding the following:

(a) Disclosure to the public of information compiled and submitted for the purposes of sex offender and kidnapping offender registries that is currently held by public agencies, including the relationship between chapter 42.56 RCW and RCW 4.24.550;

(b) Any other best practices adopted by or under consideration in other states regarding public disclosure of information compiled and submitted for the purposes of sex offender and kidnapping offender registries;

(c) Ability of registered sex offenders and kidnapping offenders to petition for review of their assigned risk level classification and whether such a review process should be conducted according to a uniform statewide standard; and

(d) The guidelines established under RCW 4.24.5501 addressing sex offender community notification, including whether and how public access to the guidelines can be improved.

(2) The sex offender policy board must report its findings and recommendations pursuant to this section to the governor and to the appropriate committees of the legislature on or before December 1, 2015."

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the striking amendment.

Amendment (490) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5154, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5154, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5154, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5267, by Senate Committee on Government Operations & Security (originally sponsored by Senators Habib, Roach, Liias, Pearson, Keiser, Mullet and Chase)

Ordering development of processes to allow prerecorded video testimony and written testimony on pending legislation.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

Representative Van De Wege moved the adoption of amendment (485):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 23.1.1.** The legislature has a longstanding commitment to civic engagement and public participation in the legislative process and honors its commitment in numerous ways. To provide information about the legislative process and pending legislation, the legislature supports a robust web site and operates a vital information center. To facilitate communication between the

public and legislators, the legislature offers a toll-free hotline and an e-comment system that allow the public to provide written statements and other commentary on pending legislation.

The senate intends to further this commitment through a two-year pilot project to expand the e-comment system to allow the public to provide commentary on pending legislation through prerecorded videos.

NEW SECTION. **Sec. 24.** The senate shall modify the e-comment system to allow the public to provide commentary on pending legislation to the members of the senate through prerecorded videos and written statements. The senate may set up parameters for submission of prerecorded videos and written statements by the public. The senate may establish procedures for timely distribution of prerecorded videos and written statements to members of the senate, as well as restrictions on distribution of prerecorded videos and written statements containing inappropriate content.

NEW SECTION. **Sec. 25.** This act may be known and cited as the "accessible legislative commentary act."

NEW SECTION. **Sec. 25.1.1.** This act expires June 30, 2017."

Correct the title.

Representative Van De Wege spoke in favor of the adoption of the striking amendment.

Representative Holy spoke against the adoption of the striking amendment.

Amendment (485) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5267, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5267, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Cody and Sawyer.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5267, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5081, by Senate Committee on Ways & Means (originally sponsored by Senators Miloscia, Hill, Bailey, Becker and Dammeier)

Increasing transparency of state government expenditures related to state employees, state vendors and other public entities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

With the consent of the house, amendments (393) and (364) to the committee amendment were withdrawn.

Amendments (435), (459) and (471) to the committee amendment were ruled out of order.

Representative S. Hunt moved the adoption of amendment (486):

On page 1, line 17, after "(2)" strike all material through "(4)" on page 2, line 30

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 2, beginning on line 36, strike all of subsection (6)

On page 15, after line 4, insert the following:

"NEW SECTION. **Sec. 13.** A new section is added to chapter 39.26 RCW to read as follows:

In order to facilitate public understanding of state expenditures related to vendors, the following information must be posted on the department of enterprise services website:

(1) Changes to any existing contract that increase the scope of work or cost; and

(2) All cost and efficiency information leading to contracting pursuant to RCW 41.06.142 (1) (e)."

Correct the title.

Representatives S. Hunt and Holy spoke in favor of the adoption of the amendment.

Amendment (486) was adopted.

Representative Muri moved the adoption of amendment (466):

On page 3, at the beginning of line 1, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 41.59 RCW to read as follows:

Employee organizations representing educational public employees under this chapter shall submit a digital copy of their collective bargaining agreement to the commission within sixty days of the effective date of the collective bargaining agreement. The commission shall maintain a web site that allows the public to view and download the collective bargaining agreements submitted by employee organizations. The collective bargaining agreements shall be available in a uniform digital format. Expired collective

bargaining agreements shall be available on the web site for at least ten years following expiration."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

POINT OF ORDER

Representative Lytton requested a scope and object ruling on amendment (466) to Substitute Senate Bill No. 5081.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of Substitute Senate Bill 5081 is an act relating to "increasing transparency of state government expenditures related to state employees, state vendors and other public entities".

Amendment 466 relates to collective bargaining agreements between local school districts and their employees. These agreements include local funds in addition to state expenditures. The Speaker therefore finds and rules that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken."

Representative Haler moved the adoption of amendment (472):

On page 9, after line 7, insert the following:

"NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.10 RCW to read as follows:

Beginning October 1, 2015, the education data center, established in RCW 43.41.400, shall post on the education data center's data dashboard, established under RCW 28B.77.090, the actual expenditure records of each institution of higher education. "Actual expenditure records" means the college, school, or department-level records of actual expenditures made from general operating funds and designated operating funds. Each institution of higher education must submit to the education data center its actual expenditure records within ninety days of the adoption of its annual fiscal year budget."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Haler and S. Hunt spoke in favor of the adoption of the amendment.

Amendment (472) was adopted.

Representative Sells moved the adoption of amendment (458):

On page 15, after line 4, insert the following:

"NEW SECTION. **Sec. 13.** A new section is added to chapter 28B.50 RCW to read as follows:

(1) The legislature finds that transparency in community and technical college budgeting is essential to maintaining public trust in the community and technical college system. The legislature intends to require all nonappropriated local funds and corresponding fund balances to be posted on the colleges' web sites.

(2) Within thirty days of adopting their annual college budgets, each community and technical college district shall post on its web site the budgeted and nonbudgeted revenues and anticipated expenditures for all nonstate, nonappropriated funds including, but not limited to, revenue from tuition, parking, rentals, parking lot fees, bookstore sales, contract revenues such as international student fees, running start revenue, and all other nonappropriated accounts.

(3) Annually, within thirty days after fiscal closing, each community and technical college shall post on its web site: The actual revenues and expenditures for each nonstate, nonappropriated fund; and the ending fund balances for each nonstate, nonappropriated fund from the previous fiscal year. These balances must be reported as ending fund balances from the recently closed fiscal year and the projected beginning fund balances for the upcoming year where there is a difference between ending balance and beginning fund balance due to transfers of funds between accounts. The office of the state treasurer and the office of financial management are strongly encouraged to make all relevant data available to each community and technical college to ensure timely posting of the relevant information to the college web sites."

Correct the title.

POINT OF ORDER

Representative Manweller requested a scope and object ruling on amendment (458) to Substitute Senate Bill No. 5081.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of Substitute Senate Bill 5081 is an act relating to "increasing transparency of state government expenditures related to state employees, state vendors and other public entities".

Amendment 458 relates to nonappropriated local funds and is outside the scope of the bill as defined by its title.

The point of order is well taken."

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives S. Hunt and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5081, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5081, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick,

Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

SUBSTITUTE SENATE BILL NO. 5081, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179, by Senate Committee on Ways & Means (originally sponsored by Senators Hill, McAuliffe, Litzow, Mullet, Hobbs and Dammeier)

Concerning paraeducators.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

Representative Bergquist moved the adoption of amendment (480):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 26.** INTENT. Paraeducators provide the majority of instruction in programs designed by the legislature to reduce the opportunity gap. By setting common statewide standards, training, and career development for paraeducators, as well as training for teachers and principals who have paraeducators in their classrooms, students in these programs have a better chance of succeeding in the classroom.

NEW SECTION. **Sec. 27.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the professional educator standards board created in RCW 28A.410.200.

(2) "Committee" means the paraeducator professional practices committee established in section 4 of this act.

(3) "English language learner endorsement" means a credential earned by a paraeducator working with students in English language learner programs.

(4) "English language learner programs" means the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

(5) "Paraeducator" means a school district employee who works under the supervision of a certificated staff member to support and assist in providing instructional and other services to students and their families.

NEW SECTION. **Sec. 28.** EMPLOYMENT STANDARDS. Effective September 1, 2015, the minimum employment entry standards for a paraeducator who works in the learning assistance program, the federal disadvantaged programs, and the English language learner programs are as provided in this section. The paraeducator must:

(1) Be at least eighteen years of age, hold a high school diploma or its equivalent, and have received a passing grade on the education testing service paraeducator assessment;

(2) Hold an associate of arts degree; or

(3) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education.

NEW SECTION. **Sec. 29.** PARAEDUCATOR PROFESSIONAL PRACTICES COMMITTEE. (1) By September 1, 2015, the board shall establish a paraeducator professional practices committee to advise the board, the state board for community and technical colleges, and the office of the superintendent of public instruction on the training and development of paraeducators.

(2) Appointments to the committee must be made as follows:

(a) The superintendent of public instruction shall appoint a paraeducator, a teacher, a principal, and a human resource director;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community or technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The board shall oversee and administer the committee.

NEW SECTION. **Sec. 30.** STANDARDS AND COURSES OF STUDY. (1) The board shall adopt state standards of practice for paraeducators working in the learning assistance program, the federal disadvantaged programs, and the English language learner programs that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(a) Supporting instructional opportunities;

(b) Demonstrating professionalism and ethical practices;

(c) Supporting a positive and safe learning environment;

(d) Communicating effectively and participating in the team process; and

(e) Demonstrating cultural competency aligned with standards developed by the board under RCW 28A.410.270.

(2) The board shall adopt standards and rules for the issuance of an English language learner endorsement, based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(3) The committee shall propose that the board adopt standards and rules for the issuance of advanced paraeducator endorsement. These standards and the course of study necessary to meet the standards, as approved under subsection (4) of this section, must qualify an advanced paraeducator to fulfill the following responsibilities: Mentor or coach other paraeducators, assist in highly impacted classrooms, assist in specific specialized instruction support or technology applications, and substitute for teachers in short absence situations in districts with substitute teacher shortages.

(4)(a) The committee, in collaboration with the state board for community and technical colleges, the office of the superintendent of public instruction, and the educational service districts, must recommend to the board the course of study necessary to meet the state standards of practice and the endorsement standards adopted by the board under this section.

(b) The courses of study must be made available through various means to limit costs and improve access with providers including the community and technical colleges, the educational service districts, and the office of the superintendent of public instruction.

(c) The deadlines for the board to approve courses of study are as follows:

(i) July 1, 2016, for the course of study necessary to meet the state standards of practice and the English language learner endorsement; and

(ii) September 1, 2017, for the course of study necessary to meet the advanced paraeducator endorsement.

(5) To support the tasks in this section, the committee and the board may consult with experts.

(6) This section is subject to the availability of amounts appropriated for this specific purpose.

NEW SECTION. **Sec. 31.** PILOTS. (1) During the 2016-17 and 2017-18 school years, the board shall distribute grants, as funded by the legislature, to a diverse set of school districts that volunteer to participate in a collaborative process resulting in the development and piloting of the state paraeducator standards of practice and the English language learner endorsement standards adopted by the board under section 5 of this act.

(2) By September 1, 2017, and September 1, 2018, the volunteer districts must report to the committee and the board with the outcomes of year one of the pilot and any recommendations for implementing the paraeducator standards of practice statewide. The outcomes reported must include: An analysis of the costs to the district to implement the state standards of practice and the English language learner endorsement standards and the course of study necessary to meet these standards; any costs to paraeducators to meet the standards; the number of paraeducators in the district that meet the standards; and the impact on the size and assignment of the paraeducator workforce as a result of the pilot.

(3) By December 1, 2017, the committee and the board shall submit a report to the appropriate committees of the legislature that includes: (a) The outcomes of the pilot; (b) recommendations on whether the state should implement the standards of practice and the English language learner endorsement standards statewide with estimated costs of statewide implementation to the state and to districts; and (c) the effects of establishing a system of continuing education, licensure, endorsement, or alternative training verification processes and fees. In developing the report, the committee and the board shall collaborate with the office of the superintendent of public instruction, the educational service districts, the state board for community and technical colleges, and the school districts receiving grants under this section.

(4) The committee and the board shall include in the board's 2018 joint report to the legislature under RCW 28A.305.035 an update of the report required in subsection (3) of this section.

(5) This section is subject to the availability of amounts appropriated for this specific purpose.

NEW SECTION. **Sec. 32.** STATEWIDE IMPLEMENTATION. (1) No later than September 1, 2018, all school districts must begin implementing the state standards of practice for paraeducators working in the learning assistance program, the federal disadvantaged programs, and the English language learner programs, according to a phase-in schedule specified by the legislature.

(2) This section is subject to the availability of amounts appropriated for this specific purpose.

Sec. 33. RCW 28A.410.212 and 2009 c 531 s 1 are each amended to read as follows:

The professional educator standards board shall:

(1) Develop and maintain a research base of educator preparation best practices;

(2) Develop and coordinate initiatives for educator preparation in high-demand fields as well as outreach and recruitment initiatives for underrepresented populations;

(3) Provide program improvement technical assistance to providers of educator preparation programs;

(4) Assure educator preparation program compliance; ((~~and~~))

(5) Prepare and maintain a cohesive educator development policy framework; and

(6) Perform the duties related to paraeducators provided in chapter 28A.--- RCW (the new chapter created in section 11 of this act).

Sec. 34. RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each amended to read as follows:

(1) The professional educator standards board and the state board for community and technical colleges, in consultation with the superintendent of public instruction, the state apprenticeship training council, and community colleges, shall adopt rules as necessary under chapter 34.05 RCW to implement the paraeducator associate of arts degree.

(2) As used in this section, a "paraeducator" is an individual who has completed an associate of arts degree for a paraeducator. The paraeducator may be hired by a school district to assist certificated instructional staff in the direct instruction of children in small and large groups, individualized instruction, testing of children, recordkeeping, and preparation of materials. The paraeducator shall work under the direction of instructional certificated staff.

(3)(a) The training program for a paraeducator associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to children with disabilities, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(b) Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2016, the training program for a paraeducator associate of arts degree must incorporate the state paraeducator standards of practice adopted by the professional educator standards board under section 5 of this act.

(4) Consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

Sec. 35. RCW 28B.50.891 and 2014 c 136 s 4 are each amended to read as follows:

Beginning with the ((~~2015-16~~)) 2016-17 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferrable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2016, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the professional educator standards board under section 5 of this act.

NEW SECTION. **Sec. 36.** Sections 1 through 7 of this act constitute a new chapter in Title 28A RCW."

Correct the title.

Representative Santos moved the adoption of amendment (491) to amendment (480):

On page 1, at the beginning of line 18 of the striking amendment, strike "earned by a paraeducator working" and insert "to work"

Representatives Santos and Magendanz spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (491) to amendment (480) was adopted.

Representative Bergquist spoke in favor of the adoption of the striking amendment as amended.

Representative Magendanz spoke against the adoption of the striking amendment as amended.

Amendment (480), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Bergquist, Magendanz, Stambaugh and Johnson spoke in favor of the passage of the bill.

Representatives McCaslin and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5179, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5179, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Hayes, Klippert, McCaslin, Scott, Shea, Taylor and Young.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5004, by Senate Committee on Law & Justice (originally sponsored by Senators Angel and Rolfes)

Establishing the position and authority of warrant officers in first-class cities to enforce court orders and outstanding warrants. Revised for 1st Substitute: Establishing the position and authority of warrant officers.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 30, 2015).

Representative Stokesbary moved the adoption of amendment (487) to the committee amendment:

On page 1, line 3 of the striking amendment, after "chapter" strike "35.21" and insert "35.22"

On page 1, line 5 of the striking amendment, after "Any" strike "city or town" and insert "first-class city in a county with a population of four hundred thousand or fewer residents"

On page 1, line 7 of the striking amendment, after "city" strike "or town"

On page 1, line 8 of the striking amendment, after "city" strike "or town"

On page 1, line 9 of the striking amendment, after "city" strike "or town"

On page 1, line 11 of the striking amendment, after "by the city" strike "or town"

On page 1, beginning on line 11 of the striking amendment, after "of the city" strike "or town"

On page 1, line 13 of the striking amendment, after "city" strike "or town"

On page 1, beginning on line 25 of the striking amendment, strike all of sections 2 and 3

Representative Stokesbary spoke in favor of the adoption of the amendment to the committee amendment.

Representative Jinkins spoke against the adoption of the amendment to the committee amendment.

Amendment (487) to the committee amendment was not adopted.

Representative Jinkins moved the adoption of amendment (489) to the committee amendment:

On page 1, line 13 of the striking amendment, after "town." insert "Training requirements must be approved by the criminal justice training commission."

On page 2, line 2 of the striking amendment, after "city." insert "Training requirements must be approved by the criminal justice training commission."

Representatives Jinkins and Hayes spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (489) to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jinkins, Hayes and Manweller spoke in favor of the passage of the bill.

Representatives DeBolt and Holy spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5004, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5004, as amended by the House, and the bill passed the House by the following vote: Yeas, 70; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Clibborn, Cody, Dunshee, Fagan, Farrell, Fitzgibbon, Goodman, Gregerson, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Santos, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Carlyle, Chandler, Condotta, DeBolt, Dent, Fey, G. Hunt, Gregory, Haler, Hawkins, Holy, Hurst, Klippert, McCaslin, Parker, Peterson, Pettigrew, Pike, Pollet, Ryu, Sawyer, Scott, Shea, Stokesbary, Tarleton, Taylor, Vick and Wilson.

SUBSTITUTE SENATE BILL NO. 5004, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5288, by Senators Braun and Conway

Concerning expiration dates related to real estate broker provisions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government & Information Technology was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

With the consent of the house, amendment (356) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5288.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5288 and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt and Taylor.

SENATE BILL NO. 5288, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SENATE BILL NO. 5227
SENATE JOINT MEMORIAL NO. 8013

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2228 by Representatives Sawyer, Cody, Van De Wege and Riccelli

AN ACT Relating to fees for health information; amending RCW 70.02.010; creating a new section; and repealing 2014 c 225 s 70.

Referred to Committee on Appropriations.

HB 2229 by Representative Carlyle

AN ACT Relating to reforming Washington's excise tax structure to improve its fairness and to adequately fund education and essential public services.

Referred to Committee on Finance.

HB 2230 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system by narrowing or eliminating tax preferences, reinstating a previously expired surtax on certain business and occupation taxes while increasing the small business tax credit, and implementing marketplace fairness in Washington.

Referred to Committee on Finance.

HB 2231 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by implementing marketplace fairness in Washington.

Referred to Committee on Finance.

HB 2232 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system by reinstating a previously expired surtax on certain business and occupation taxes while increasing the small business tax credit and implementing marketplace fairness in Washington.

Referred to Committee on Finance.

HB 2233 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system by narrowing or eliminating tax preferences and reinstating a previously expired surtax on certain business and occupation taxes while increasing the small business tax credit.

Referred to Committee on Finance.

HB 2234 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system by narrowing or eliminating tax preferences and implementing marketplace fairness in Washington.

Referred to Committee on Finance.

HB 2235 by Representative Carlyle

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's excise tax system.

Referred to Committee on Finance.

HB 2236 by Representative Carlyle

AN ACT Relating to investing in education and essential public services while improving the fairness of Washington's excise tax system by reinstating a previously expired surtax on certain business and occupation taxes while increasing the small business tax credit.

Referred to Committee on Finance.

HB 2237 by Representative Carlyle

AN ACT Relating to investing in education and essential public services while improving the fairness of Washington's excise tax system by narrowing or eliminating tax preferences.

Referred to Committee on Finance.

HB 2238 by Representative Hunter

AN ACT Relating to the early childhood education and assistance program.

Referred to Committee on Appropriations.

HB 2239 by Representatives Hunter, Lytton, Sullivan and Carlyle

AN ACT Relating to implementation of a plan for fulfilling Article IX obligations; adding a new chapter to Title 28A RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 6080 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Keiser, Honeyford, Conway and Pedersen)

AN ACT Relating to financing public school facilities necessary to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade; adding a new section to chapter 28A.525 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

SB 6092 by Senator Roach

AN ACT Relating to providing funding for certain commissioned court marshals of county sheriff's offices to be added to the definition of uniformed personnel for the purposes of public employees' collective bargaining; and amending RCW 41.56.030 and 12.40.020.

Referred to Committee on Labor.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5888, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban and Miloscia)

Concerning near fatality incidents of children who have received services from the department of social and health services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 7, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5888, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5888, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND SUBSTITUTE SENATE BILL NO. 5888, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5593, by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Padden, Cleveland, O'Ban, Pedersen, Becker and Kohl-Welles)

Concerning delivery and payment for health care services by hospitals for inmates and persons detained by law enforcement.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5593, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5593, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5593, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5616, by Senators Benton, Hobbs, Angel, Keiser, Fain, Roach, Hatfield, Conway, Chase and Baumgartner

Concerning pawnbroker fees and interest rates.

The bill was read the second time.

Representative Kirby moved the adoption of amendment (496):

On page 5, after line 22, insert the following:
"NEW SECTION. **Sec. 2.** Section 1 expires July 1, 2018."
Correct the title.

Representative Kirby spoke in favor of the adoption of the amendment.

Representative Vick spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 50 - YEAS; 48 - NAYS.

Amendment (496) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5616, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5616, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar,

Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Peterson and Stanford.

ENGROSSED SENATE BILL NO. 5616, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5871, by Senators Angel, Liias, Roach, McCoy and Chase

Creating appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5871.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5871, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5871, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5207, by Senators Liias and King

Concerning office hours for registered tow truck operators.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Manweller and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5207.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5207, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SENATE BILL NO. 5207, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8013, by Senators Honeyford and Ranker

Concerning aquatic invasive species.

The joint memorial was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the joint memorial was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the memorial.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8013.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8013, and the joint memorial passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko,

Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SENATE JOINT MEMORIAL NO. 8013, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5534, by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Hill, Conway, Rivers, Rolfes, Hargrove and Chase)

Creating the certified public accounting scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tarleton and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5534, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5534, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5534, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5227, by Senators Baumgartner, O'Ban, Dammeier and Fain

Creating the international commercial arbitration act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5227.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5227, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SENATE BILL NO. 5227, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5419, by Senators Litzow, McAuliffe, Rivers, Fain, Mullet, Frockt, Hill, Dammeier, Rolfes, Kohl-Welles and Chase

Enacting the student user privacy in education rights act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reykdal and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5419.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5419, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Shea and Taylor.

ENGROSSED SENATE BILL NO. 5419, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 5419.
Representative G. Hunt, 2 District

SECOND READING

SENATE BILL NO. 5314, by Senators Benton, Cleveland and King

Modifying the use of local storm water charges paid by the department of transportation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5314.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5314, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Moeller, Scott, Stanford, Taylor and Wilcox.

SENATE BILL NO. 5314, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5550, by Senate Committee on Transportation (originally sponsored by Senators Habib and Fain)

Regulating providers of commercial transportation services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Business & Financial Services was not adopted. (For Committee amendment, see Journal, Day 80, April 1, 2015).

With the consent of the house, amendment (412) was withdrawn.

Representative Kirby moved the adoption of amendment (406):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 37.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commercial transportation services" or "services" means all times the driver is logged in to a commercial transportation services provider's digital network or software application or until the passenger has left the personal vehicle, whichever is later.

(2) "Commercial transportation services provider" means a corporation, partnership, sole proprietorship, or other entity, operating in Washington, that uses a digital network or software application to connect passengers to drivers for the purpose of providing a prearranged ride.

(3) "Driver" means an individual who uses a personal vehicle to provide services for passengers matched through a commercial transportation services provider's digital network or software application. A driver need not be an employee of a commercial transportation services provider.

(4) "Passenger" means a passenger in a personal vehicle for whom transport is provided, including:

(a) An individual who uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle for the individual and anyone in the individual's party; or

(b) Anyone for whom another individual uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle.

(5) "Personal vehicle" means a vehicle that is used by a driver in connection with providing services for a commercial transportation services provider.

(6) "Prearranged ride" means a route of travel between points chosen by the passenger and arranged with a driver through the use of a commercial transportation services provider's digital network or software application. The ride begins when a driver accepts a requested ride through a digital network or software application, continues while the driver transports the passenger in a personal vehicle, and ends when the passenger departs from the personal vehicle.

NEW SECTION. **Sec. 38.** (1)(a) Before being used to provide commercial transportation services, every personal vehicle must be covered by a primary automobile insurance policy that specifically covers commercial transportation services. However, the insurance coverage requirements of this section are alternatively satisfied by securing coverage pursuant to chapter 46.72 or 46.72A RCW that covers the personal vehicle being used to provide commercial transportation services and that is in effect twenty-four hours per day, seven days per week. Except as provided in subsection (2) of this section, a commercial transportation services provider must secure this policy for every personal vehicle used to provide

commercial transportation services. For purposes of this section, a "primary automobile insurance policy" is not a private passenger automobile insurance policy.

(b) The primary automobile insurance policy required under this section must provide coverage, as specified in this subsection (1)(b), at all times the driver is logged in to a commercial transportation services provider's digital network or software application and at all times a passenger is in the vehicle as part of a prearranged ride.

(i) The primary automobile insurance policy required under this subsection must provide the following coverage during commercial transportation services applicable during the period before a driver accepts a requested ride through a digital network or software application:

(A) Liability coverage in an amount no less than fifty thousand dollars per person for bodily injury, one hundred thousand dollars per accident for bodily injury of all persons, and thirty thousand dollars for damage to property;

(B) Underinsured motorist coverage to the extent required under RCW 48.22.030; and

(C) Personal injury protection coverage to the extent required under RCW 48.22.085 and 48.22.095.

(ii) The primary automobile insurance policy required under this subsection must provide the following coverage, applicable during the period of a prearranged ride:

(A) Combined single limit liability coverage in the amount of one million dollars for death, personal injury, and property damage;

(B) Underinsured motorist coverage in the amount of one million dollars; and

(C) Personal injury protection coverage to the extent required under RCW 48.22.085 and 48.22.095.

(2)(a) As an alternative to the provisions of subsection (1) of this section, if the office of the insurance commissioner approves the offering of an insurance policy that recognizes that a person is acting as a driver for a commercial transportation services provider and using a personal vehicle to provide commercial transportation services, a driver may secure a primary automobile insurance policy covering a personal vehicle and providing the same coverage as required in subsection (1) of this section. The policy coverage may be in the form of a rider to, or endorsement of, the driver's private passenger automobile insurance policy only if approved as such by the office of the insurance commissioner.

(b) If the primary automobile insurance policy maintained by a driver to meet the obligation of this section does not provide coverage for any reason, including that the policy lapsed or did not exist, the commercial transportation services provider must provide the coverage required under this section beginning with the first dollar of a claim.

(c) The primary automobile insurance policy required under this subsection and subsection (1) of this section may be secured by any of the following:

(i) The commercial transportation services provider as provided under subsection (1) of this section;

(ii) The driver as provided under (a) of this subsection; or

(iii) A combination of both the commercial transportation services provider and the driver.

(3) The insurer or insurers providing coverage under subsections (1) and (2) of this section are the only insurers having the duty to defend any liability claim from an accident occurring while commercial transportation services are being provided.

(4) In addition to the requirements in subsections (1) and (2) of this section, before allowing a person to provide commercial transportation services as a driver, a commercial transportation services provider must provide written proof to the driver that the driver is covered by a primary automobile insurance policy that meets the requirements of this section. Alternatively, if a driver purchases a primary automobile insurance policy as allowed under subsection (2) of this section, the commercial transportation services provider must verify that the driver has done so.

(5) A primary automobile insurance policy required under subsection (1) or (2) of this section may be placed with an insurer licensed under this title to provide insurance in the state of Washington or as an eligible surplus line insurance policy as described in RCW 48.15.040.

(6) Insurers that write automobile insurance in Washington may exclude any and all coverage afforded under a private passenger automobile insurance policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a driver for a commercial transportation services provider is logged in to a commercial transportation services provider's digital network or while a driver provides a prearranged ride. This right to exclude all coverage may apply to any coverage included in a private passenger automobile insurance policy including, but not limited to:

(a) Liability coverage for bodily injury and property damage;

(b) Personal injury protection coverage;

(c) Underinsured motorist coverage;

(d) Medical payments coverage;

(e) Comprehensive physical damage coverage; and

(f) Collision physical damage coverage.

(7) Nothing in this section shall be construed to require a private passenger automobile insurance policy to provide primary or excess coverage or a duty to defend for the period of time in which a driver is logged in to a commercial transportation services provider's digital network or software application or while the driver is engaged in a prearranged ride or the driver otherwise uses a vehicle to transport passengers for compensation.

(8) Insurers that exclude coverage under subsection (6) of this section have no duty to defend or indemnify any claim expressly excluded under subsection (6) of this section. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in Washington state before the effective date of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

(9) An exclusion exercised by an insurer in subsection (6) of this section applies to any coverage selected or rejected by a named insured under RCW 48.22.030 and 48.22.085. The purchase of a rider or endorsement by a driver under subsection (2)(a) of this section does not require a separate coverage rejection under RCW 48.22.030 or 48.22.085.

(10) If more than one insurance policy provides valid and collectible coverage for a loss arising out of an occurrence involving a motor vehicle operated by a driver, the responsibility for the claim must be divided as follows:

(a) Except as provided otherwise under subsection (2)(c) of this section, if the driver has been matched with a passenger and is traveling to pick up the passenger, or the driver is providing services to a passenger, the commercial transportation services provider that matched the driver and passenger must provide insurance coverage; or

(b) If the driver is logged in to the digital network or software application of more than one commercial transportation services provider but has not been matched with a passenger, the liability must be divided equally among all of the applicable insurance policies that specifically provide coverage for commercial transportation services.

(11) In an accident or claims coverage investigation, a commercial transportation services provider or its insurer must cooperate with a private passenger automobile insurance policy insurer and other insurers that are involved in the claims coverage investigation to facilitate the exchange of information, including the provision of (a) dates and times at which an accident occurred that

involved a participating driver and (b) within ten business days after receiving a request, a copy of the provider's electronic record showing the precise times that the participating driver logged on and off the provider's digital network or software application on the day the accident or other loss occurred. The commercial transportation services provider or its insurer must retain all data, communications, or documents related to insurance coverage or accident details for a period of not less than the applicable statutes of limitation, plus two years from the date of an accident to which those records pertain.

(12) This section does not modify or abrogate any otherwise applicable insurance requirement set forth in this title.

(13) After July 1, 2016, an insurance company regulated under this title may not deny an otherwise covered claim arising exclusively out of the personal use of the private passenger automobile solely on the basis that the insured, at other times, used the private passenger automobile covered by the policy to provide commercial transportation services.

(14) If an insurer for a commercial transportation services provider makes a payment for a claim covered under comprehensive coverage or collision coverage, the commercial transportation services provider must cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle.

(15)(a) To be eligible for securing a primary automobile insurance policy under this section, a commercial transportation services provider must make the following disclosures to a prospective driver in the prospective driver's terms of service:

WHILE OPERATING ON THE DIGITAL NETWORK OR SOFTWARE APPLICATION OF THE COMMERCIAL TRANSPORTATION SERVICES PROVIDER, YOUR PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICY MIGHT NOT AFFORD LIABILITY, UNDERINSURED MOTORIST, PERSONAL INJURY PROTECTION, COMPREHENSIVE, OR COLLISION COVERAGE, DEPENDING ON THE TERMS OF THE POLICY.

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE COMMERCIAL TRANSPORTATION SERVICES FOR OUR COMPANY HAS A LIEN AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE USING THE VEHICLE FOR COMMERCIAL TRANSPORTATION SERVICES THAT MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

(b) The prospective driver must acknowledge the terms of service electronically or by signature.

NEW SECTION. **Sec. 39.** A new section is added to chapter 46.72 RCW to read as follows:

RCW 46.72.040 and 46.72.050 do not apply to personal vehicles under chapter 48.--- RCW (the new chapter created in section 11 of this act).

Sec. 40. RCW 51.12.020 and 2013 c 141 s 3 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, or repair, in or about the private home of the employer. For the purposes of this subsection, "maintenance" means the work of keeping in proper condition, "repair" means to restore to sound condition after damage, and "private home" means a person's place of residence.

(3) A person whose employment is not in the course of the trade, business, or profession of his or her employer and is not in or about the private home of the employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors or partners.

(6) Any child under eighteen years of age employed by his or her parent or parents in agricultural activities on the family farm.

(7) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(8)(a) Except as otherwise provided in (b) of this subsection, any bona fide officer of a corporation voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation, who at all times during the period involved is also a bona fide director, and who is also a shareholder of the corporation. Only such officers who exercise substantial control in the daily management of the corporation and whose primary responsibilities do not include the performance of manual labor are included within this subsection.

(b) Alternatively, a corporation that is not a "public company" as defined in RCW 23B.01.400 may exempt eight or fewer bona fide officers, who are voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation and who exercise substantial control in the daily management of the corporation, from coverage under this title without regard to the officers' performance of manual labor if the exempted officer is a shareholder of the corporation, or may exempt any number of officers if all the exempted officers are related by blood within the third degree or marriage. If a corporation that is not a "public company" elects to be covered under subsection (8)(a) of this section, the corporation's election must be made on a form prescribed by the department and under such reasonable rules as the department may adopt.

(c) Determinations respecting the status of persons performing services for a corporation shall be made, in part, by reference to Title 23B RCW and to compliance by the corporation with its own articles of incorporation and bylaws. For the purpose of determining coverage under this title, substance shall control over form, and mandatory coverage under this title shall extend to all workers of this state, regardless of honorary titles conferred upon those actually serving as workers.

(d) A corporation may elect to cover officers who are exempted by this subsection in the manner provided by RCW 51.12.110.

(9) Services rendered by a musician or entertainer under a contract with a purchaser of the services, for a specific engagement or engagements when such musician or entertainer performs no other duties for the purchaser and is not regularly and continuously employed by the purchaser. A purchaser does not include the leader of a group or recognized entity who employs other than on a casual basis musicians or entertainers.

(10) Services performed by a newspaper vendor, carrier, or delivery person selling or distributing newspapers on the street, to offices, to businesses, or from house to house and any freelance news correspondent or "stringer" who, using his or her own equipment, chooses to submit material for publication for free or a fee when such material is published.

(11) Services performed by an insurance producer, as defined in RCW 48.17.010, or a surplus line broker licensed under chapter 48.15 RCW.

(12) Services performed by a booth renter. However, a person exempted under this subsection may elect coverage under RCW 51.32.030.

(13) Members of a limited liability company, if either:

(a) Management of the company is vested in its members, and the members for whom exemption is sought would qualify for exemption under subsection (5) of this section were the company a sole proprietorship or partnership; or

(b) Management of the company is vested in one or more managers, and the members for whom the exemption is sought are managers who would qualify for exemption under subsection (8) of this section were the company a corporation.

(14) A driver providing commercial transportation services as defined in section 1 of this act. The driver may elect coverage in the manner provided by RCW 51.32.030.

(15) For hire vehicle operators under chapter 46.72 RCW who own or lease the for hire vehicle, chauffeurs under chapter 46.72A RCW who own or lease the limousine, and operators of taxicabs under chapter 81.72 RCW who own or lease the taxicab. An owner or lessee may elect coverage in the manner provided by RCW 51.32.030.

Sec. 41. RCW 51.12.185 and 2011 c 190 s 4 are each amended to read as follows:

(1) ((~~In order to assist the department with controlling costs related to the self-monitoring of industrial insurance claims by independent owner-operated for hire vehicle, limousine, and taxicab businesses,~~)) The department may appoint a panel of individuals with for hire vehicle, limousine, or taxicab transportation industry experience and expertise to advise the department.

(2) The owner or lessee of any for hire, limousine, or taxicab vehicle ((~~subject to mandatory industrial insurance pursuant to RCW 51.12.183~~)) is eligible for inclusion in a retrospective rating program authorized and established pursuant to chapter 51.18 RCW.

NEW SECTION. **Sec. 42.** A new section is added to chapter 46.29 RCW to read as follows:

This chapter does not apply to the coverage exclusions under section 2(6) of this act.

Sec. 43. RCW 48.22.030 and 2009 c 549 s 7106 are each amended to read as follows:

(1) "Underinsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance, or use of which either no bodily injury or property damage liability bond or insurance policy applies at the time of an accident, or with respect to which the sum of the limits of liability under all bodily injury or property damage liability bonds and insurance policies applicable to a covered person after an accident is less than the applicable damages which the covered person is legally entitled to recover.

(2) No new policy or renewal of an existing policy insuring against loss resulting from liability imposed by law for bodily injury, death, or property damage, suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle shall be issued with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of underinsured motor vehicles, hit-and-run motor vehicles, and phantom vehicles because of bodily injury, death, or property damage, resulting therefrom, except while operating or occupying a motorcycle or motor-driven cycle, and except while operating or occupying a motor vehicle owned or available for the regular use by the named insured or any family member, and which is not insured under the liability coverage of the policy. The coverage required to be offered under this chapter is not applicable to general liability policies, commonly known as umbrella policies, or other policies which apply only as excess to the insurance directly applicable to the vehicle insured.

(3) Except as to property damage, coverage required under subsection (2) of this section shall be in the same amount as the insured's third party liability coverage unless the insured rejects all or part of the coverage as provided in subsection (4) of this section. Coverage for property damage need only be issued in conjunction with coverage for bodily injury or death. Property damage coverage required under subsection (2) of this section shall mean physical damage to the insured motor vehicle unless the policy specifically provides coverage for the contents thereof or other forms of property damage.

(4) A named insured or spouse may reject, in writing, underinsured coverage for bodily injury or death, or property damage, and the requirements of subsections (2) and (3) of this section shall not apply. If a named insured or spouse has rejected underinsured coverage, such coverage shall not be included in any supplemental or renewal policy unless a named insured or spouse subsequently requests such coverage in writing. The requirement of a written rejection under this subsection shall apply only to the original issuance of policies issued after July 24, 1983, and not to any renewal or replacement policy. When a named insured or spouse chooses a property damage coverage that is less than the insured's third party liability coverage for property damage, a written rejection is not required.

(5) The limit of liability under the policy coverage may be defined as the maximum limits of liability for all damages resulting from any one accident regardless of the number of covered persons, claims made, or vehicles or premiums shown on the policy, or premiums paid, or vehicles involved in an accident.

(6) The policy may provide that if an injured person has other similar insurance available to him or her under other policies, the total limits of liability of all coverages shall not exceed the higher of the applicable limits of the respective coverages.

(7)(a) The policy may provide for a deductible of not more than three hundred dollars for payment for property damage when the damage is caused by a hit-and-run driver or a phantom vehicle.

(b) In all other cases of underinsured property damage coverage, the policy may provide for a deductible of not more than one hundred dollars.

(8) For the purposes of this chapter, a "phantom vehicle" shall mean a motor vehicle which causes bodily injury, death, or property damage to an insured and has no physical contact with the insured or the vehicle which the insured is occupying at the time of the accident if:

(a) The facts of the accident can be corroborated by competent evidence other than the testimony of the insured or any person having an underinsured motorist claim resulting from the accident; and

(b) The accident has been reported to the appropriate law enforcement agency within seventy-two hours of the accident.

(9) An insurer who elects to write motorcycle or motor-driven cycle insurance in this state must provide information to prospective insureds about the coverage.

(10) An insurer who elects to write motorcycle or motor-driven cycle insurance in this state must provide an opportunity for named insureds, who have purchased liability coverage for a motorcycle or motor-driven cycle, to reject underinsured coverage for that motorcycle or motor-driven cycle in writing.

(11) If the covered person seeking underinsured motorist coverage under this section was the intended victim of the tort feasor, the incident must be reported to the appropriate law enforcement agency and the covered person must cooperate with any related law enforcement investigation.

(12) The purpose of this section is to protect innocent victims of motorists of underinsured motor vehicles. Covered persons are entitled to coverage without regard to whether an incident was intentionally caused. However, a person is not entitled to coverage if the insurer can demonstrate that the covered person intended to cause the event for which a claim is made under the coverage described in this section. As used in this section, and in the section of policies providing the underinsured motorist coverage described in this section, "accident" means an occurrence that is unexpected and unintended from the standpoint of the covered person.

(13) The coverage under this section may be excluded as provided for under section 2(6) of this act.

(14) "Underinsured coverage," for the purposes of this section, means coverage for "underinsured motor vehicles," as defined in subsection (1) of this section.

Sec. 44. RCW 48.22.085 and 2003 c 115 s 2 are each amended to read as follows:

(1) No new automobile liability insurance policy or renewal of such an existing policy may be issued unless personal injury protection coverage is offered as an optional coverage.

(2) A named insured may reject, in writing, personal injury protection coverage and the requirements of subsection (1) of this section shall not apply. If a named insured rejects personal injury protection coverage:

(a) That rejection is valid and binding as to all levels of coverage and on all persons who might have otherwise been insured under such coverage; and

(b) The insurer is not required to include personal injury protection coverage in any supplemental, renewal, or replacement policy unless a named insured subsequently requests such coverage in writing.

(3) The coverage under this section may be excluded as provided for under section 2(6) of this act.

Sec. 45. RCW 48.22.095 and 2003 c 115 s 4 are each amended to read as follows:

(1) Insurers providing automobile insurance policies must offer minimum personal injury protection coverage for each insured with benefit limits as follows:

(((~~(1)~~))) (a) Medical and hospital benefits of ten thousand dollars;

(((~~(2)~~))) (b) A funeral expense benefit of two thousand dollars;

(((~~(3)~~))) (c) Income continuation benefits of ten thousand dollars, subject to a limit of two hundred dollars per week; and

(((~~(4)~~))) (d) Loss of services benefits of five thousand dollars, subject to a limit of two hundred dollars per week.

(2) The coverage under this section may be excluded as provided for under section 2(6) of this act.

NEW SECTION. **Sec. 46.** The following acts or parts of acts are each repealed:

(1) RCW 46.72.073 (Certificate suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 5;

(2) RCW 46.72A.053 (Certificate suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 6;

(3) RCW 51.12.180 (For hire vehicle businesses and operators—Findings—Declaration) and 2011 c 190 s 1;

(4) RCW 51.12.183 (For hire vehicle businesses and operators—Mandatory coverage—Definitions) and 2011 c 190 s 2;

(5) RCW 51.16.240 (For hire vehicle businesses and operators—Basis for premiums—Rules) and 2011 c 190 s 3; and

(6) RCW 81.72.230 (License suspension or revocation—Failure to pay industrial insurance premiums—Rules—Cooperative agreements) and 2011 c 190 s 7.

NEW SECTION. **Sec. 47.** Sections 1 and 2 of this act constitute a new chapter in Title 48 RCW."

Correct the title.

Representative Kirby moved the adoption of amendment (477) to the striking amendment:

On page 1, beginning on line 3 of the striking amendment, strike all of section 1 and insert the following:

"NEW SECTION. **Sec. 48.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Personal vehicle" means a vehicle that is used by a commercial transportation services provider driver in connection with providing services for a commercial transportation services provider and that is authorized by the commercial transportation services provider.

(2) "Prearranged ride" means a route of travel between points chosen by the passenger and arranged with a driver through the use of a commercial transportation services provider's digital network or software application. The ride begins when a driver accepts a requested ride through a digital network or software application, continues while the driver transports the passenger in a personal vehicle, and ends when the passenger departs from the personal vehicle.

(3) "Commercial transportation services provider" means a corporation, partnership, sole proprietorship, or other entity, operating in Washington, that uses a digital network or software application to connect passengers to drivers for the purpose of providing a prearranged ride. However, a commercial transportation services provider is not a taxicab company under chapter 81.72 RCW, a charter party or excursion service carrier under chapter 81.70 RCW, an auto transportation company under chapter 81.68 RCW, a private, nonprofit transportation provider under chapter 81.66 RCW, or a limousine carrier under chapter 46.72A RCW. A commercial transportation services provider is not deemed to own, control, operate, or manage the personal vehicles used by commercial transportation services providers. A commercial transportation services provider does not include a political subdivision or other entity exempt from federal income tax under 26 U.S.C. Sec. 115 of the federal internal revenue code.

(4) "Commercial transportation services provider driver" or "driver" means an individual who uses a personal vehicle to provide services for passengers matched through a commercial transportation services provider's digital network or software application.

(5) "Commercial transportation services provider passenger" or "passenger" means a passenger in a personal vehicle for whom transport is provided, including:

(a) An individual who uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle for the individual and anyone in the individual's party; or

(b) Anyone for whom another individual uses a commercial transportation services provider's digital network or software application to connect with a driver to obtain services in the driver's vehicle.

(6) "Commercial transportation services" or "services" means all times the driver is logged in to a commercial transportation services provider's digital network or software application or until the passenger has left the personal vehicle, whichever is later. The term does not include services provided either directly or under contract with a political subdivision or other entity exempt from federal income tax under 26 U.S.C. Sec. 115 of the federal internal revenue code."

Representatives Kirby and Vick spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (477) to the striking amendment was adopted.

Representative Kirby spoke in favor of the adoption of the striking amendment as amended.

Amendment (406), as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5550, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5550, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, DeBolt, Dent, Dunshee, Fagan, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young and Zeiger.

Voting nay: Representatives Cody, Condotta, Farrell, Hudgins, Moeller, S. Hunt, Scott, Shea, Tarleton, Taylor, Walkinshaw and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5550, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5433, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Rolfes, Roach, Fain, Hasegawa, Dammeier, McCoy, Nelson, Frockt, McAuliffe, Rivers, Kohl-Welles, Chase, Jayapal, Conway and Habib)

Requiring Washington's tribal history, culture, and government to be taught in the common schools.

The bill was read the second time.

Representative Blake moved the adoption of amendment (378):

On page 2, at the beginning of line 11, strike "federally recognized Indian tribe or tribes," and insert "((~~federally recognized Indian tribe or tribes,~~)) Indian tribe or tribes that are federally recognized or seeking federal recognition,"

On page 2, beginning on line 26, after "any" strike "federally recognized Indian tribe" and insert "((~~federally recognized Indian tribe Indian tribe~~))Indian tribe, federally recognized or seeking federal recognition,"

On page 2, line 35, after "towards" strike "federally recognized Indian tribes" and insert "((~~federally recognized Indian tribes~~)) Indian tribes that are federally recognized or seeking federal recognition"

On page 2, line 38, after "identify" strike "federally recognized Indian tribes" and insert "((~~federally recognized Indian tribes~~)) Indian tribes that are federally recognized or seeking federal recognition"

Representatives Blake, Takko and Blake (again) spoke in favor of the adoption of the amendment.

Representatives Appleton and Johnson spoke against the adoption of the amendment.

Amendment (378) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Johnson spoke in favor of the passage of the bill.

Representative Takko spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5433.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5433 and the bill passed the House by the following vote: Yeas, 76; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, Goodman, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Chandler, DeBolt, Fey, G. Hunt, Gregory, Hargrove, Hawkins, Holy, Klippert, Kretz, McCaslin, Nealey, Orcutt, Schmick, Scott, Shea, Short, Takko, Taylor, Vick and Young.

SUBSTITUTE SENATE BILL NO. 5433, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the following bills were returned to the Committee on Rules:

HOUSE BILL NO. 1458
SENATE BILL NO. 5171
SENATE BILL NO. 5272
SUBSTITUTE SENATE BILL NO. 5397
HOUSE BILL NO. 1917
SUBSTITUTE SENATE BILL NO. 5028
SUBSTITUTE SENATE BILL NO. 5138
SUBSTITUTE SENATE BILL NO. 5145
SENATE BILL NO. 5174
SENATE BILL NO. 5143
SENATE BILL NO. 5155
SENATE BILL NO. 5164
SUBSTITUTE SENATE BILL NO. 5411
SENATE BILL NO. 5581
SENATE BILL NO. 5658
SENATE BILL NO. 5689
SENATE BILL NO. 5725
SENATE BILL NO. 5941
SUBSTITUTE SENATE BILL NO. 5972
HOUSE BILL NO. 2195
SENATE BILL NO. 5020

SENATE BILL NO. 5233
SENATE BILL NO. 5310
SENATE BILL NO. 5542
SENATE BILL NO. 5693
SENATE BILL NO. 5270
SENATE BILL NO. 5271
SUBSTITUTE SENATE BILL NO. 5350
SENATE BILL NO. 5442
SENATE BILL NO. 5491
SENATE BILL NO. 5499
ENGROSSED SENATE BILL NO. 5524
SENATE BILL NO. 5761

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 16, 2015, the 95th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY FIFTH DAY

House Chamber, Olympia, Thursday, April 16, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages John Drohman and Zepaniah Bravo. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Ric Fritz, Chaplain, Orting Soldier's Home, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4635, by Representatives Parker, Holy, Riccelli, Manweller, Ormsby, Fagan, Schmick, Dent, Smith, MacEwen, and S. Hunt

WHEREAS, Under the instruction, guidance, and leadership of Head Coach Jim Hayford and his staff, the 2014-15 Eastern Washington University men's basketball team joined the 2003-04 squad in advancing to the NCAA Tournament for the second time in the Division I era; and

WHEREAS, The Eagles finished 26-9 overall, the team's most victories in a season since becoming an NCAA Division I member in the 1983-84 season; and

WHEREAS, In beating the University of Montana 69-65 in the Big Sky Conference Tournament Championship game, Eastern won the title game for the first time since 2004; and

WHEREAS, The Eagles finished 4-0 in the 2014-15 season in Missoula, including going 3-0 in the 2015 Big Sky Conference Tournament; and

WHEREAS, In sharing the league title with the University of Montana, Eastern won its third regular season league title in 28 years as a member of the Big Sky Conference; and

WHEREAS, The 14-4 league mark for Eastern Washington University exceeded the school record for Big Sky wins in a season, breaking the previous mark set in the 1999-00 season when the Eagles were 12-4; and

WHEREAS, Junior Tyler Harvey became the first Eagle to ever lead the NCAA Division I in scoring, with an average of 23.1 points per game, closed the year with Big Sky and Eastern Washington University single season records for season 3-pointers with 128, and made a school record and ranked fourth in league history with his 738 points; and

WHEREAS, Eastern Washington University's heart-stopping 88-86 victory at Big Ten Conference member Indiana University on November 24, 2014, will go down as one of the greatest victories in school history after the Eagles snapped the nation's third-longest non-conference home court winning streak at 43 in front of 11,636 Hoosier fans at Assembly Hall in Bloomington, Indiana; and

WHEREAS, In addition to their success on the court, the Eagles team attained a 3.20 grade point average during winter quarter, while also being honored by the Spokane City Council for their involvement as mentors for 5th graders at Whitman Elementary School; and

WHEREAS, These extraordinary achievements would not have been possible without the unequivocal support of Eastern Washington University's Board of Trustees, presidential leadership from Dr. Mary Cullinan, and the encouragement of the Eastern Washington University student body, faculty, staff, alumni, family, friends, community members, benefactors, and fans;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the highest level of excellence in achievement shown by the Eastern Washington University men's basketball team and the shining example of inspiration such achievements have set for others; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of student athletes; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the President of Eastern Washington University, the Athletic Director of Eastern Washington University, the coach of the Eastern Washington University Eagles, and to each Eastern Washington University men's basketball team member.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4635.

HOUSE RESOLUTION NO. 4635 was adopted.

MESSAGES FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5449

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 15, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1045
HOUSE BILL NO. 1047
HOUSE BILL NO. 1077
SUBSTITUTE HOUSE BILL NO. 1223
HOUSE BILL NO. 1279
HOUSE BILL NO. 1977
SECOND SUBSTITUTE HOUSE BILL NO. 2063

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 15, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1168
SUBSTITUTE HOUSE BILL NO. 1564
HOUSE BILL NO. 1779
SUBSTITUTE HOUSE BILL NO. 1851
SUBSTITUTE HOUSE BILL NO. 1919

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 16, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5075
SENATE BILL NO. 5101
SENATE BILL NO. 5104
SENATE BILL NO. 5120
SENATE BILL NO. 5122
SENATE BILL NO. 5210
SUBSTITUTE SENATE BILL NO. 5275
SENATE BILL NO. 5302
SENATE BILL NO. 5466
ENGROSSED SENATE BILL NO. 5577
SENATE BILL NO. 5717
SUBSTITUTE SENATE BILL NO. 5795
SENATE BILL NO. 5805
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810
SUBSTITUTE SENATE BILL NO. 5933

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MESSAGE FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1088, with the following amendment(s)

On page 1, beginning on line 7, after "may" strike all material through "section," on line 8

On page 2, at the beginning of line 15, strike all material through "effect." on line 30

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SHB 1088 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 13, 2015

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1240, with the following amendment(s):

On page 5, after line 26, insert the following:

"(8) Each school district shall provide at least one support staff member when providing pupil transportation for students who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 if at least one of the students poses a likelihood of serious harm as defined in RCW 70.96B.010."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

POINT OF ORDER

Representative Bergquist requested a scope and object ruling on the Senate amendment to Substitute House Bill No. 1240.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "Substitute House Bill No. 1240 sets standards for the restraint or isolation of students, including students with disabilities, in public schools. Senate amendment #394 addresses the transportation of students, which is a completely unrelated subject matter. The Speaker therefore finds and rules that amendment #394 changes the scope and object of the bill. The point of order is well taken."

There being no objection, the House refused to concur in the Senate amendment to Substitute House Bill No. 1240 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1283, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"**Sec. 49.** RCW 18.28.010 and 2012 c 56 s 1 are each reenacted and amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Debt adjuster," which includes any person known as a debt pooler, debt manager, debt consolidator, debt prorater, or credit counselor, is any person engaging in or holding himself or herself out as engaging in the business of debt adjusting for compensation. The term shall not include:

(a) Attorneys-at-law, escrow agents, accountants, broker-dealers in securities, or investment advisors in securities, while performing services solely incidental to the practice of their professions;

(b) Any person, partnership, association, or corporation doing business under and as permitted by any law of this state or of the United States relating to banks, consumer finance businesses, consumer loan companies, trust companies, mutual savings banks, savings and loan associations, building and loan associations, credit unions, crop credit associations, development credit corporations, industrial development corporations, title insurance companies, insurance companies, or third-party account administrators;

(c) Persons who, as employees on a regular salary or wage of an employer not engaged in the business of debt adjusting, perform credit services for their employer;

(d) Public officers while acting in their official capacities and persons acting under court order;

(e) Any person while performing services incidental to the dissolution, winding up or liquidation of a partnership, corporation, or other business enterprise;

(f) Nonprofit organizations dealing exclusively with debts owing from commercial enterprises to business creditors;

(g) Nonprofit organizations engaged in debt adjusting and which do not assess against the debtor a service charge in excess of fifteen dollars per month.

(2) "Debt adjusting" means the managing, counseling, settling, adjusting, prorating, or liquidating of the indebtedness of a debtor, or receiving funds for the purpose of distributing said funds among creditors in payment or partial payment of obligations of a debtor.

(3) "Debt adjusting agency" is any partnership, corporation, or association engaging in or holding itself out as engaging in the business of debt adjusting.

(4) "Financial institution" means any person doing business under the laws of any state or the United States relating to commercial banks, bank holding companies, savings banks, savings and loan associations, trust companies, or credit unions.

(5) "Third-party account administrator" means an independent entity that holds or administers a dedicated bank account for fees and payments to creditors, debt collectors, debt adjusters, or debt adjusting agencies in connection with the renegotiation, settlement, reduction, or other alteration of the terms of payment or other terms of a debt.

(6) "Fair share" means the creditor contributions paid to debt adjusters by the creditors whose consumers receive debt adjusting services from the debt adjusters and pay down their debt accordingly. "Fair share" does not include grants received by debt adjusters for services unrelated to debt adjusting.

Sec. 50. RCW 18.28.080 and 2012 c 56 s 2 are each amended to read as follows:

(1) By contract a debt adjuster may charge a reasonable fee for debt adjusting services. The total fee for debt adjusting services, including, but not limited to, any fee charged by a financial institution or a third-party account administrator, may not exceed fifteen percent of the total debt listed by the debtor on the contract. The fee retained by the debt adjuster from any one payment made by or on behalf of the debtor may not exceed fifteen percent of the payment not including fair share. The debt adjuster may make an initial charge of up to twenty-five dollars which shall be considered part of the total fee. If an initial charge is made, no additional fee may be retained which will bring the total fee retained to date to more than fifteen percent of the total payments made to date. No fee whatsoever shall be applied against rent and utility payments for housing.

In the event of cancellation or default on performance of the contract by the debtor prior to its successful completion, the debt adjuster may collect in addition to fees previously received, six percent of that portion of the remaining indebtedness listed on said contract which was due when the contract was entered into, but not to exceed twenty-five dollars.

(2) A debt adjuster who receives fair share must disclose this in writing, along with an explanation of fair share, to the debtor prior to accepting any fair share.

(3) A debt adjuster shall not be entitled to retain any fee until notifying all creditors listed by the debtor that the debtor has engaged the debt adjuster in a program of debt adjusting.

((~~(3)~~)) (4) The department of financial institutions has authority to enforce compliance with this section.

Sec. 51. RCW 18.28.120 and 1999 c 151 s 106 are each amended to read as follows:

A debt adjuster shall not:

(1) Take any contract, or other instrument which has any blank spaces when signed by the debtor;

(2) Receive or charge any fee in the form of a promissory note or other promise to pay or receive or accept any mortgage or other security for any fee, whether as to real or personal property;

(3) Lend money or credit;

(4) Take any confession of judgment or power of attorney to confess judgment against the debtor or appear as the debtor in any judicial proceedings;

(5) Take, concurrent with the signing of the contract or as a part of the contract or as part of the application for the contract, a release of any obligation to be performed on the part of the debt adjuster;

(6) Advertise services, display, distribute, broadcast or televise, or permit services to be displayed, advertised, distributed, broadcasted or televised in any manner whatsoever wherein any false, misleading or deceptive statement or representation with regard to the services to be performed by the debt adjuster, or the charges to be made therefor, is made;

(7) Offer, pay, or give any cash, fee, gift, bonus, premiums, reward, or other compensation to any person for referring any prospective customer to the debt adjuster;

(8) Receive any cash, fee, gift, bonus, premium, reward, or other compensation, other than fair share, from any person other than the debtor or a person in the debtor's behalf in connection with his or her activities as a debt adjuster; or

(9) Disclose to anyone the debtors who have contracted with the debt adjuster; nor shall the debt adjuster disclose the creditors of a debtor to anyone other than: (a) The debtor; or (b) another creditor of the debtor and then only to the extent necessary to secure the cooperation of such a creditor in a debt adjusting plan."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "debt adjusters; amending RCW 18.28.080 and 18.28.120; and reenacting and amending RCW 18.28.010."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

POINT OF ORDER

Representative Bergquist requested a scope and object ruling on the Senate amendment to Substitute House Bill No. 1283.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of Substitute House Bill No. 1283, as passed by the House, was an act relating to "nonprofit organizations involved in debt adjusting." The Senate amended the bill and its title to include all debt adjusters, both nonprofit and for-profit. The Speaker therefore finds and rules that the Senate amendment changes the scope and object of the bill. The point of order is well taken."

There being no objection, the House refused to concur in the Senate amendment to Substitute House Bill No. 1283 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1316, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"**Sec. 52.** RCW 26.50.110 and 2013 c 84 s 31 are each amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, any temporary order for protection granted under chapter 7.40 RCW pursuant to chapter 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court may require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, any temporary order for protection granted under chapter 7.40 RCW pursuant to chapter 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for violating the provisions of an order issued under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation."

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On page 1, line 1 of the title, after "order" strike the remainder of the title and insert "for vulnerable adults; and amending RCW 26.50.110."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

POINT OF ORDER

Representative Bergquist requested a scope and object ruling on the Senate amendment to Substitute House Bill No. 1316.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of Substitute House Bill No. 1316, as passed by the House, was an act relating to "violations of a temporary protection order. The Senate amended the title to add the words 'for vulnerable adults'. The Speaker finds and rules that the Senate amendment changes the scope of the bill as defined by its title. The point of order is well taken."

There being no objection, the House refused to concur in the Senate amendment to Substitute House Bill No. 1316 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 9, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1013 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 53.** RCW 36.32.080 and 1989 c 16 s 1 are each amended to read as follows:

(1) Except as provided otherwise by this section, the county legislative authority of each county shall hold regular meetings at the county seat to transact any business required or permitted by law.

(2) As an alternative option that may be exercised no more than once per calendar quarter, regular meetings may be held at a location outside of the county seat but within the county if the county legislative authority determines that holding a meeting at an alternate location would be in the interest of supporting greater citizen engagement in local government.

(3) The county legislative authority must give notice of any regular meeting held outside of the county seat. Notice must be given at least thirty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(a) Posted on the county's web site;

(b) Published in a newspaper of general circulation in the county; and

(c) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail address."

On page 1, line 3 of the title, after "county;" strike the remainder of the title and insert "and amending RCW 36.32.080."

and the same is herewith transmitted.

Pablo G. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1013 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Appleton spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1013, as amended by the Senate.

MOTIONS

On motion of Representative Riccelli, Representative McBride was excused. On motion of Representative Harris, Representative Rodne was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1013, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, DeBolt, G. Hunt, Harmsworth, MacEwen, McCaslin, Pike, Scott, Shea, Taylor, Van De Wege, Van Werven, Vick, Wilcox and Young.

Excused: Representatives Gregory and Rodne.

HOUSE BILL NO. 1013, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1124 with the following amendment:

On page 1, line 13, after "maximum of" strike "six" and insert "four"

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1124 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Takko and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1124, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1124, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris, Ryu and Smith.

Excused: Representatives Gregory and Rodne.

HOUSE BILL NO. 1124, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1183 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 54.** (1) Any radiology benefit manager that is owned by a carrier as defined in RCW 48.43.005 or acts as a subcontractor for a carrier must be registered with the department of

revenue's business licensing service and annually renew the registration.

(2)(a) For purposes of this section, a "radiology benefit manager" means a person that contracts with, or is owned by, a carrier or a third-party payor to:

(i) Process claims for services and procedures performed by a licensed radiologist or advanced diagnostic imaging service provider; or

(ii) Pay or authorize payment to radiology clinics, radiologists, or advanced diagnostic imaging service providers for services or procedures;

(b) "Radiology benefit manager" does not include a health care service contractor as defined in RCW 48.44.010, a health maintenance organization as defined in RCW 48.46.020, or an issuer as defined in RCW 48.01.053.

(3) To register under this section, a radiology benefit manager must:

(a) Submit an application requiring the following information:

(i) The identity of the radiology benefit manager;

(ii) The name, business address, phone number, and medical director for the radiology benefit manager; and

(iii) Where applicable, the federal tax employer identification number for the entity; and

(b) Pay a registration fee of two hundred dollars.

(4) To renew a registration under this section, a radiology benefit manager must pay a renewal fee of two hundred dollars.

(5) All receipts from registrations and renewals collected by the department of revenue must be deposited into the business license account created in RCW 19.02.210.

NEW SECTION. **Sec. 55.** Section 1 of this act constitutes a new chapter in Title 19 RCW."

On page 1, line 1 of the title, after "managers;" strike the remainder of the title and insert "and adding a new chapter to Title 19 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1183 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Harris and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent, G. Hunt, MacEwen, Magendanz, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1183, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1422 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 56.** RCW 19.160.010 and 1999 c 156 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Local telephone directory" means a publication listing telephone numbers for various businesses in a certain geographic area and distributed free of charge to some or all telephone subscribers in that area.

(2) "Local telephone number" means a ((~~telephone number that can be dialed without incurring long distance charges from telephones located within the area covered by the local telephone directory in which the number is listed. The term does not include long distance numbers, toll-free numbers, or 900 exchange numbers listed in a local telephone directory~~)) specific telephone number, area code and prefix, assigned for the purpose of completing local calls between a calling party or station and any other party or station within a designated exchange or all of its designated local calling areas. The term "local telephone number" does not include long distance telephone numbers or any toll-free telephone numbers listed in a local telephone directory.

(3) "Person" means an individual, partnership, limited liability partnership, corporation, or limited liability corporation.

Sec. 57. RCW 19.160.030 and 1999 c 156 s 2 are each amended to read as follows:

((~~No person engaged in the selling, delivery, or solicitation of cut flowers, flower arrangements, or floral products may misrepresent his, her, or its geographic location by:~~

~~(1) Listing a local telephone number in a local telephone directory if:~~

~~(a) Calls to the telephone number are routinely forwarded or otherwise transferred to a business location that is outside the calling area covered by the local telephone directory; and~~

~~(b) The listing fails to conspicuously disclose the locality and state in which the business is located; or~~

~~(2) Listing a business name in a local telephone directory if:~~

~~(a) The name misrepresents the business's geographic location; and~~

~~(b) The listing fails to disclose the locality and state in which the business is located.~~)) (1) For purposes of this section, "floral or ornamental products or services" means floral arrangements, cut flowers, floral bouquets, potted plants, balloons, floral designs, and related products and services.

(2) It is a violation for a provider or vendor of floral or ornamental products or services to misrepresent the geographic location of its business by doing either of the following:

(a) Listing a local telephone number in any advertisement or listing, unless the advertisement or listing identifies the true physical address, including the city, of the provider's or vendor's business; or

(b) Listing a fictitious business name or an assumed business name in any advertisement or listing if both of the following criteria are met:

(i) The name of the business misrepresents the provider's or vendor's geographic location; and

(ii) The advertisement or listing does not identify the true physical address, including the city and state, of the provider's or vendor's business.

(3) A violation of this section is punishable, exclusively, by a fine not to exceed two hundred fifty dollars.

(4) This section does not create or impose any duty or obligation on a person other than a vendor or provider of floral or ornamental products or services.

(5) This section does not apply to any of the following:

(a) A publisher of a telephone directory or other publication or a provider of a directory assistance service publishing or providing information about another business.

(b) An internet web site that aggregates and provides information about other businesses.

(c) An owner or publisher of a print advertising medium providing information about other businesses.

(d) An internet service provider.

(e) An internet service that displays or distributes advertisements for other businesses."

On page 1, line 2 of the title, after "businesses;" strike the remainder of the title and insert "amending RCW 19.160.010 and 19.160.030; and prescribing penalties."

and the same is herewith transmitted.

Hunter G. Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1422 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Scott and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1422, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1422, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

ENGROSSED HOUSE BILL NO. 1422, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 58.** RCW 43.70.442 and 2014 c 71 s 2 are each amended to read as follows:

(1)(a) Each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete training in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

(i) An adviser or counselor certified under chapter 18.19 RCW;

(ii) A chemical dependency professional licensed under chapter 18.205 RCW;

(iii) A marriage and family therapist licensed under chapter 18.225 RCW;

(iv) A mental health counselor licensed under chapter 18.225 RCW;

(v) An occupational therapy practitioner licensed under chapter 18.59 RCW;

(vi) A psychologist licensed under chapter 18.83 RCW;

(vii) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(viii) A social worker associate—advanced or social worker associate—independent clinical licensed under chapter 18.225 RCW.

(b) The requirements in (a) of this subsection apply to a person holding a retired active license for one of the professions in (a) of this subsection.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (9)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (1)(d) affects the validity of training completed prior to July 1, 2017.

(2)(a) Except as provided in (b) of this subsection, a professional listed in subsection (1)(a) of this section must complete the first training required by this section ((~~during~~)) by the end of the first full continuing education reporting period after January 1, 2014, or during the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(b) A professional listed in subsection (1)(a) of this section applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training

required in subsection (1) of this section no more than six years prior to the application for initial licensure.

(3) The hours spent completing training in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt ((~~a~~)) an individual professional from the training requirements in subsections (1) and (5) of this section. Nothing in this subsection (4)(a) allows a disciplining authority to provide blanket exemptions to broad categories or specialties within a profession.

(b) A disciplining authority may exempt a professional from the training requirements of subsections (1) and (5) of this section if the professional has only brief or limited patient contact.

(5)(a) Beginning January 1, 2016, each of the following professionals credentialed under Title 18 RCW shall complete a one-time training in suicide assessment, treatment, and management that is approved by the relevant disciplining authority:

(i) A chiropractor licensed under chapter 18.25 RCW;

(ii) A naturopath licensed under chapter 18.36A RCW;

(iii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner, other than a certified registered nurse anesthetist, licensed under chapter 18.79 RCW;

(iv) An osteopathic physician and surgeon licensed under chapter 18.57 RCW, other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035;

(v) An osteopathic physician assistant licensed under chapter 18.57A RCW;

(vi) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;

(vii) A physician licensed under chapter 18.71 RCW, other than a resident holding a limited license issued under RCW 18.71.095(3);

(viii) A physician assistant licensed under chapter 18.71A RCW; and

(ix) A person holding a retired active license for one of the professions listed in (a)(i) through (viii) of this subsection.

(b) A professional listed in (a) of this subsection must complete the one-time training ((~~during~~)) by the end of the first full continuing education reporting period after ((~~June 12, 2014~~)) January 1, 2016, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between June 12, 2014, and January 1, 2016, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (9)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (5)(d) affects the validity of training completed prior to July 1, 2017.

(6)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management.

(b) ((~~When developing the model list, the secretary and the disciplining authorities shall:~~

~~(i) Consider suicide assessment, treatment, and management training programs of at least six hours in length listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center; and~~

~~(ii) Consult with public and private institutions of higher education, experts in suicide assessment, treatment, and management, and affected professional associations.~~

~~(c) The secretary and the disciplining authorities shall report the model list of training programs to the appropriate committees of the legislature no later than December 15, 2013.~~

~~(d)~~)) The secretary and the disciplining authorities shall update the list at least once every two years. ((~~When updating the list, the secretary and the disciplining authorities shall, to the extent practicable, endeavor to include training on the model list that includes content specific to veterans. When identifying veteran-specific content under this subsection, the secretary and the disciplining authorities shall consult with the Washington department of veterans affairs.~~))

(c) By June 30, 2016, the department shall adopt rules establishing minimum standards for the training programs included on the model list. The minimum standards must require that six-hour trainings include content specific to veterans and the assessment of issues related to imminent harm via lethal means or self-injurious behaviors. When adopting the rules required under this subsection (6)(c), the department shall:

(i) Consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations; and

(ii) Consider standards related to the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(d) Beginning January 1, 2017:

(i) The model list must include only trainings that meet the minimum standards established in the rules adopted under (c) of this subsection and any three-hour trainings that met the requirements of this section on or before the effective date of this section;

(ii) The model list must include six-hour trainings in suicide assessment, treatment, and management, and three-hour trainings that include only screening and referral elements; and

(iii) A person or entity providing the training required in this section may petition the department for inclusion on the model list. The department shall add the training to the list only if the department determines that the training meets the minimum standards established in the rules adopted under (c) of this subsection.

(7) The department shall provide the health profession training standards created in this section to the professional education standards board as a model in meeting the requirements of RCW 28A.410.226 and provide technical assistance, as requested, in the review and evaluation of educator training programs. The educator training programs approved by the professional educator standards board may be included in the department's model list.

(8) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(((~~(8)~~))) (9) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(((~~(9)~~))) (10) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training in suicide assessment, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: Suicide assessment, including screening and referral, suicide treatment, and suicide management. However, the

disciplining authority may approve training that includes only screening and referral elements if appropriate for the profession in question based on the profession's scope of practice. The board of occupational therapy may also approve training that includes only screening and referral elements if appropriate for occupational therapy practitioners based on practice setting.

(((~~(10)~~))) (11) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(((~~(11)~~))) (12) An employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion."

On page 1, line 1 of the title, after "prevention;" strike the remainder of the title and insert "and amending RCW 43.70.442."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1424, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1424, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 59.** A new section is added to chapter 9.73 RCW to read as follows:

The state and its political subdivisions shall not, by means of a cell site simulator device, collect or use a person's electronic data or metadata without (1) that person's informed consent, (2) a warrant, based upon probable cause, that describes with particularity the person, place, or thing to be searched or seized, or (3) acting in accordance with a legally recognized exception to the warrant requirements.

Sec. 60. RCW 9.73.260 and 1998 c 217 s 1 are each amended to read as follows:

(1) As used in this section:

(a) "Wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception, including the use of such connection in a switching station, furnished or operated by any person engaged in providing or operating such facilities for the transmission of intrastate, interstate, or foreign communications, and such term includes any electronic storage of such communication.

(b) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system, but does not include:

(i) Any wire or oral communication;

(ii) Any communication made through a tone-only paging device; or

(iii) Any communication from a tracking device, but solely to the extent the tracking device is owned by the applicable law enforcement agency.

(c) "Electronic communication service" means any service that provides to users thereof the ability to send or receive wire or electronic communications.

(d) "Pen register" means a device that records or decodes electronic or other impulses that identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached, but such term does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by such provider or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business.

(e) "Trap and trace device" means a device that captures the incoming electronic or other impulses that identify the originating number of an instrument or device from which a wire or electronic communication was transmitted.

(f) "Cell site simulator device" means a device that transmits or receives radio waves for the purpose of conducting one or more of the following operations: (i) Identifying, locating, or tracking the movements of a communications device; (ii) intercepting, obtaining, accessing, or forwarding the communications, stored data, or

metadata of a communications device; (iii) affecting the hardware or software operations or functions of a communications device; (iv) forcing transmissions from or connections to a communications device; (v) denying a communications device access to other communications devices, communications protocols, or services; or (vi) spoofing or simulating a communications device, cell tower, cell site, or service, including, but not limited to, an international mobile subscriber identity catcher or other invasive cell phone or telephone surveillance or eavesdropping device that mimics a cell phone tower and sends out signals to cause cell phones in the area to transmit their locations, identifying information, and communications content, or a passive interception device or digital analyzer that does not send signals to a communications device under surveillance. A cell site simulator device does not include any device used or installed by an electric utility, as defined in RCW 19.280.020, solely to the extent such device is used by that utility to measure electrical usage, to provide services to customers, or to operate the electric grid.

(2) No person may install or use a pen register ((~~or~~)), trap and trace device, or cell site simulator device without a prior court order issued under this section except as provided under subsection (6) of this section or RCW 9.73.070.

(3) A law enforcement officer may apply for and the superior court may issue orders and extensions of orders authorizing the installation and use of pen registers ((~~and~~)), trap and trace devices, and cell site simulator devices as provided in this section. The application shall be under oath and shall include the identity of the officer making the application and the identity of the law enforcement agency conducting the investigation. The applicant must certify that the information likely to be obtained is relevant to an ongoing criminal investigation being conducted by that agency.

(4) If the court finds that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation and finds that there is probable cause to believe that the pen register ((~~or~~)), trap and trace device, or cell site simulator device will lead to obtaining evidence of a crime, contraband, fruits of crime, things criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed, or will lead to learning the location of a person who is unlawfully restrained or reasonably believed to be a witness in a criminal investigation or for whose arrest there is probable cause, the court shall enter an ex parte order authorizing the installation and use of a pen register ((~~or a~~)), trap and trace device, or cell site simulator device. The order shall specify:

(a)(i) In the case of a pen register or trap and trace device, the identity, if known, of the person to whom is leased or in whose name is listed the telephone line to which the pen register or trap and trace device is to be attached; or

(ii) In the case of a cell site simulator device, the identity, if known, of (A) the person to whom is subscribed or in whose name is subscribed the electronic communications service utilized by the device to which the cell site simulator device is to be used and (B) the person who possesses the device to which the cell site simulator device is to be used;

(b) The identity, if known, of the person who is the subject of the criminal investigation;

(c)(i) In the case of a pen register or trap and trace device, the number and, if known, physical location of the telephone line to which the pen register or trap and trace device is to be attached and, in the case of a trap and trace device, the geographic limits of the trap and trace order; or

(ii) In the case of a cell site simulator device: (A) The telephone number or other unique subscriber account number identifying the wire or electronic communications service account used by the device to which the cell site simulator device is to be attached or used; (B) if known, the physical location of the device to which the cell site simulator device is to be attached or used; (C) the type of device, and the communications protocols being used by the device, to which the cell site simulator device is to be attached or used; (D) the geographic area that will be covered by the cell site simulator device; (E) all categories of metadata, data, or information to be collected by the cell site simulator device from the targeted device including, but not limited to, call records and geolocation information; (F) whether or not the cell site simulator device will incidentally collect metadata, data, or information from any parties or devices not specified in the court order, and if so, what categories of information or metadata will be collected; and (G) any disruptions to access or use of a communications or internet access network that may be created by use of the device; and

(d) A statement of the offense to which the information likely to be obtained by the pen register ((~~or~~)), trap and trace device, or cell site simulator device relates.

The order shall direct, if the applicant has requested, the furnishing of information, facilities, and technical assistance necessary to accomplish the installation of the pen register ((~~or~~)), trap and trace device, or cell site simulator device. An order issued under this section shall authorize the installation and use of a: (i) Pen register or a trap and trace device for a period not to exceed sixty days; and (ii) a cell site simulator device for sixty days. An extension of the original order may only be granted upon: A new application for an order under subsection (3) of this section; and a showing that there is a probability that the information or items sought under this subsection are more likely to be obtained under the extension than under the original order. No extension beyond the first extension shall be granted unless: There is a showing that there is a high probability that the information or items sought under this subsection are much more likely to be obtained under the second or subsequent extension than under the original order; and there are extraordinary circumstances such as a direct and immediate danger of death or serious bodily injury to a law enforcement officer. The period of extension shall be for a period not to exceed sixty days.

An order authorizing or approving the installation and use of a pen register ((~~or a~~)), trap and trace device, or cell site simulator device shall direct that the order be sealed until otherwise ordered by the court and that the person owning or leasing the line to which the pen register ((~~or~~)), trap and trace device, and cell site simulator devices is attached or used, or who has been ordered by the court to provide assistance to the applicant, not disclose the existence of the pen register ((~~or~~)), trap and trace device, or cell site simulator device or the existence of the investigation to the listed subscriber or to any other person, unless or until otherwise ordered by the court.

(5) Upon the presentation of an order, entered under subsection (4) of this section, by an officer of a law enforcement agency authorized to install and use a pen register under this chapter, a provider of wire or electronic communication service, landlord, custodian, or other person shall furnish such law enforcement officer forthwith all information, facilities, and technical assistance necessary to accomplish the installation of the pen register unobtrusively and with a minimum of interference with the services that the person so ordered by the court accords the party with respect to whom the installation and use is to take place, if such assistance is directed by a court order as provided in subsection (4) of this section.

Upon the request of an officer of a law enforcement agency authorized to receive the results of a trap and trace device under this chapter, a provider of a wire or electronic communication service, landlord, custodian, or other person shall install such device forthwith on the appropriate line and shall furnish such law enforcement officer all additional information, facilities, and technical assistance including installation and operation of the device unobtrusively and with a minimum of interference with the services that the person so ordered by the court accords the party

with respect to whom the installation and use is to take place, if such installation and assistance is directed by a court order as provided in subsection (4) of this section. Unless otherwise ordered by the court, the results of the trap and trace device shall be furnished to the officer of a law enforcement agency, designated in the court order, at reasonable intervals during regular business hours for the duration of the order.

A provider of a wire or electronic communication service, landlord, custodian, or other person who furnishes facilities or technical assistance pursuant to this subsection shall be reasonably compensated by the law enforcement agency that requests the facilities or assistance for such reasonable expenses incurred in providing such facilities and assistance.

No cause of action shall lie in any court against any provider of a wire or electronic communication service, its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a court order under this section. A good faith reliance on a court order under this section, a request pursuant to this section, a legislative authorization, or a statutory authorization is a complete defense against any civil or criminal action brought under this chapter or any other law.

(6)(a) Notwithstanding any other provision of this chapter, a law enforcement officer and a prosecuting attorney or deputy prosecuting attorney who jointly and reasonably determine that there is probable cause to believe that an emergency situation exists that involves immediate danger of death or serious bodily injury to any person that requires the installation and use of a pen register ((~~or a~~)), trap and trace device, or cell site simulator device before an order authorizing such installation and use can, with due diligence, be obtained, and there are grounds upon which an order could be entered under this chapter to authorize such installation and use, may have installed and use a pen register ((~~or~~)), trap and trace device, or cell site simulator device if, within forty-eight hours after the installation has occurred, or begins to occur, an order approving the installation or use is issued in accordance with subsection (4) of this section. In the absence of an authorizing order, such use shall immediately terminate when the information sought is obtained, when the application for the order is denied or when forty-eight hours have lapsed since the installation of the pen register ((~~or~~)), trap and trace device, or cell site simulator device, whichever is earlier. If an order approving the installation or use is not obtained within forty-eight hours, any information obtained is not admissible as evidence in any legal proceeding. The knowing installation or use by any law enforcement officer of a pen register ((~~or~~)), trap and trace device, or cell site simulator device pursuant to this subsection without application for the authorizing order within forty-eight hours of the installation shall constitute a violation of this chapter and be punishable as a gross misdemeanor. A provider of a wire or electronic service, landlord, custodian, or other person who furnished facilities or technical assistance pursuant to this subsection shall be reasonably compensated by the law enforcement agency that requests the facilities or assistance for such reasonable expenses incurred in providing such facilities and assistance.

(b) A law enforcement agency that authorizes the installation of a pen register ((~~or~~)), trap and trace device, or cell site simulator device under this subsection (6) shall file a monthly report with the administrator for the courts. The report shall indicate the number of authorizations made, the date and time of each authorization, whether a court authorization was sought within forty-eight hours, and whether a subsequent court authorization was granted.

(c) A law enforcement agency authorized to use a cell site simulator device in accordance with this section must: (i) Take all steps necessary to limit the collection of any information or metadata to the target specified in the applicable court order; (ii) take all steps necessary to permanently delete any information or metadata collected from any party not specified in the applicable court order immediately following such collection and must not transmit, use, or retain such information or metadata for any purpose whatsoever; and (iii) must delete any information or metadata collected from the target specified in the court order within thirty days if there is no longer probable cause to support the belief that such information or metadata is evidence of a crime.

NEW SECTION. **Sec. 61.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 62.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "warrant;" strike the remainder of the title and insert "amending RCW 9.73.260; adding a new section to chapter 9.73 RCW; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Taylor and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1440, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1440, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1480 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 63.** A new section is added to chapter 46.16A RCW to read as follows:

(1) A trailer in good working order that has a scale weight of two thousand pounds or less and is used only for participation in club activities, exhibitions, tours, and parades, and for occasional pleasure use, is considered an intermittent-use trailer and may be issued a permanent registration. To be eligible to receive a permanent registration, the registered owner of the intermittent-use trailer must:

(a) Apply for a permanent registration with the department, county auditor or other agent, or subagent appointed by the director; and

(b) Pay the fee required under section 2 of this act.

(2) A trailer with a permanent registration under this section is exempt from annual registration renewal under RCW 46.16A.110.

(3) The permanent registration under this section expires when the trailer changes ownership, is permanently removed from the state, or is otherwise disposed of.

(4) A person in violation of this section is subject to a traffic infraction with a maximum fine of one hundred fifty dollars including all other applicable assessments and fees.

(5) An intermittent-use trailer:

(a) Must display a standard license plate;

(b) Is not eligible for personalization; and

(c) May not display a special license plate.

(6) In lieu of displaying a standard issue license plate required in subsection (5)(a) of this section, a person applying for a permanent registration under this section may apply to the department to display a license plate that was issued by the department the year that the intermittent-use trailer was manufactured.

(7) For purposes of this section, "occasional pleasure use" means use that is not general or daily, but seasonal or sporadic and not more than once per week on average. "Occasional pleasure use" does not mean (a) being held for rent to the public or (b) use for commercial or business purposes.

(8) The department may adopt rules to implement this section.

NEW SECTION. **Sec. 64.** A new section is added to chapter 46.17 RCW to read as follows:

Before accepting an application for a permanent registration authorized under section 1 of this act, the department, county auditor or other agent, or subagent appointed by the director must require an applicant to pay a one hundred eighty-seven dollar and fifty cent fee, which must be deposited and distributed under RCW 46.68.030.

Sec. 65. RCW 46.18.220 and 2011 c 243 s 1 and 2011 c 171 s 70 are each reenacted and amended to read as follows:

(1) A registered owner may apply to the department, county auditor or other agent, or subagent appointed by the director for a collector vehicle license plate for a motor vehicle or travel trailer that is at least thirty years old. The motor vehicle must be operated primarily as a collector vehicle and be in good running order. The applicant for the collector vehicle license plate shall:

(a) Purchase a registration for the motor vehicle or travel trailer as required under chapters 46.16A and 46.17 RCW; and

(b) Pay the special license plate fee established under RCW 46.17.220(1)(((~~(d)~~)) (f), in addition to any other fees or taxes required by law.

(2) A person applying for a collector vehicle license plate may:

(a) Receive a collector vehicle license plate assigned by the department; or

(b) Provide an actual Washington state issued license plate designated for general use in the year of the vehicle's manufacture.

(3) Collector vehicle license plates:

(a) Are valid for the life of the motor vehicle or travel trailer;

(b) Are not required to be renewed; and

(c) Must be displayed on the rear of the motor vehicle or travel trailer.

(4) A collector vehicle registered under this section may only be used for participation in club activities, exhibitions, tours, parades, and occasional pleasure driving.

(5) Collector vehicle license plates under subsection (2)(b) of this section may be transferred from one ((~~motor~~)) vehicle to another ((~~motor~~)) vehicle described in subsection (1) of this section upon application to the department, county auditor or other agent, or subagent appointed by the director.

(6) Any person who knowingly provides a false or facsimile license plate under subsection (2)(b) of this section is subject to a traffic infraction and fine in an amount equal to the monetary penalty for a violation of RCW 46.16A.200(7)(b). Additionally, the person must pay for the cost of a collector vehicle license plate as listed in RCW 46.17.220(1)(((~~(d)~~)) (f), unless already paid.

Sec. 66. RCW 46.04.126 and 2009 c 142 s 2 are each amended to read as follows:

"Collector vehicle" means any motor vehicle or travel trailer that is ((~~more than~~)) at least thirty years old.

NEW SECTION. **Sec. 67.** This act takes effect January 1, 2017."

On page 1, line 1 of the title after "Relating to" strike the remainder of the title and insert "intermittent-use trailers; amending RCW 46.04.126; reenacting and amending RCW 46.18.220; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.17 RCW; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1480 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Holy and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1480, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1480, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson,

Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1480, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 8, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1527 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 68.** RCW 15.58.233 and 2003 c 212 s 7 are each amended to read as follows:

(1) The director may renew any license issued under this chapter subject to the recertification standards identified in subsection (2) of this section or an examination requiring new knowledge that may be required to perform in those areas licensed.

(2) Except as provided in subsection (3) of this section, all individuals licensed under this chapter shall meet the recertification standards identified in (a) or (b) of this subsection, every five years, in order to qualify for continuing licensure.

(a) Individuals licensed under this chapter may qualify for continued licensure through accumulation of recertification credits. Individuals licensed under this chapter shall accumulate a minimum of forty department-approved credits every five years with no more than fifteen credits allowed per year.

(b) Individuals licensed under this chapter may qualify for continued licensure through meeting the examination requirements necessary to become licensed in those areas in which the licensee operates.

(3) At the termination of a licensee's five-year recertification period, the director ((~~may~~)) shall waive the recertification requirements if the licensee can demonstrate that he or she is meeting comparable recertification standards through:

(a) Another state or jurisdiction ((~~or through a federal environmental protection agency-approved government agency plan~~));

(b) A government agency plan that has been approved by the federal environmental protection agency; or

(c) A private entity that has been approved by the department. The department shall confer with private entities offering continuing education programs that include pest management credit accreditation and accumulation to develop an effective and efficient system to coordinate pest management credit accounting. The pest management credit accounting system must accord with the goals and other requirements of the department's pesticide license recertification program and this chapter. If the department and the private entity or entities agree on the substantive provisions of the system, the department shall develop an implementation strategy for private entities pursuing pesticide credit reciprocity. The department shall submit a report to the legislature on its collaborative efforts, pest management credit accounting system, and implementation strategy by December 31, 2015."

On page 1, line 4 of the title, after "act;" strike the remainder of the title and insert "and amending RCW 15.58.233."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1527 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dent and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1527, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1527, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1527, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1586 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 69.** A new section is added to chapter 47.76 RCW to read as follows:

(1) The department must transfer, at no cost, to the Port of Royal Slope the Royal Slope railroad right-of-way, and any materials, equipment, and supplies purchased as a part of the Royal Slope rehabilitation project (L1000053).

(2) The Port of Royal Slope must maintain the Royal Slope railroad right-of-way and contract with an operator to provide service.

(3)(a) If the Port of Royal Slope is unable to secure an operator for any continuous five-year period, the right-of-way and any materials, equipment, and remaining supplies revert to the department.

(b) If ownership of the right-of-way reverts to the department under this subsection, the property must be in at least substantially the same condition as when the right-of-way was initially transferred under this section.

(4) Any operator agreement entered into under this section must not limit the state's ability to enter into a franchise agreement on the rail line. If the state enters into such a franchise agreement, the agreement must allow any person operating on that rail line pursuant to a valid contract to continue to operate under the terms of the contract.

Sec. 70. RCW 47.76.290 and 2011 c 161 s 2 are each amended to read as follows:

(1) If real property acquired by the department under this chapter that is essential for the operation of the rail service contemplated in RCW 47.76.280 is not sold or leased to a public or private entity authorized to operate rail service within six years of its acquisition by the department, the department may sell or lease the property at fair market value, except as provided in section 1 of this act, to any of the following governmental entities or persons:

(a) Any other state agency;

(b) The city or county in which the property is situated;

(c) Any other municipal corporation;

(d) The former owner, heir, or successor of the property from whom the property was acquired; or

(e) Any abutting private owner or owners.

(2)(a) Real property acquired by the department under this chapter that is not essential for the operation of the rail service contemplated in RCW 47.76.280 may be leased or sold at fair market value, at any time following acquisition, to any entity or person in the following priority order:

(i) The current tenant or lessee of the real property or real property abutting the property being sold;

(ii) An abutting private owner, but only after each other abutting private owner, if any, as shown in the records of the county assessor, is notified in writing of the proposed sale. If more than one abutting private owner requests in writing the right to purchase the real property within fifteen days after receiving notice of the proposed sale, the real property must be sold at public auction in the manner provided in RCW 47.76.320 (2) through (4);

(iii) Any other state agency;

(iv) The city or county in which the real property is situated;

(v) Any other municipal corporation; or

(vi) The former owner, heir, or successor of the real property from whom the real property was acquired.

(b) If the department intends to sell or lease property under this subsection to an entity or person that is not the entity or person with the highest priority status under this subsection, the department must give written notice to each entity or person with higher priority status under this subsection that is reasonably considered to have an interest in the property. The entity with the highest priority status, willing to enter into a sale or lease at fair market value, must be given right of first refusal to buy or lease the property.

(3) Notice of intention to sell under this section shall be given by publication in one or more newspapers of general circulation in the area in which the property is situated not less than thirty days prior to the intended date of sale.

(4) Sales to purchasers under this section may, at the department's option, be for cash or by real estate contract, except that any such property of the Palouse River and Coulee City rail lines that was purchased with bond proceeds in November 2004 may be sold only for cash at fair market value.

(5) Conveyances made under this section shall be by deed executed by the secretary of transportation and shall be duly acknowledged.

(6) All moneys received under this section shall be deposited in the essential rail assistance account created in RCW 47.76.250. Any moneys deposited under this subsection from sales or leases of property that are related, in any way, to the Palouse River and Coulee City rail lines must be used and, in the case of moneys received from sales, expended within two years of receipt, only for the refurbishment or improvement of the Palouse River and Coulee City rail lines.

NEW SECTION. **Sec. 71.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "railroad;" strike the remainder of the title and insert "amending RCW 47.76.290; adding a new section to chapter 47.76 RCW; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1586 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Manweller and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1586, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1586, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1586, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 8, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1625 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 72.** A new section is added to chapter 18.64 RCW to read as follows:

A pharmacy that is licensed under this chapter and operated by a hospital that is licensed under chapter 70.41 RCW may provide drugs to ambulance or aid services that are licensed under RCW 18.73.130 for use associated with providing emergency medical services to patients if the following conditions are met:

(1) The hospital is located in the same or an adjacent county to the county in which the ambulance or aid service operates;

(2) A medical program director of an ambulance or aid service has requested drugs from the hospital per agreed protocol. A medical program director may only request drugs that:

(a) Are relevant to the level of service provided by the ambulance or aid service and the training of its emergency medical personnel; and

(b) Are approved as part of the ambulance or aid service prehospital patient care protocols for use by emergency medical personnel in the county in which the ambulance or aid service is located; and

(3) The provision of the drugs by the pharmacy is not contingent upon arrangements for the transport of patients to the hospital that operates the pharmacy for reasons other than the consideration of patients' medical needs and any patient care procedures.

NEW SECTION. **Sec. 73.** A new section is added to chapter 70.168 RCW to read as follows:

(1) The emergency medical services and trauma care steering committee established in RCW 70.168.020 shall consider the use of the following medications by emergency medical technicians certified under chapter 18.73 RCW:

(a) Hydrocortisone sodium succinate or similar medications for the treatment of adrenal insufficiency; and

(b) Glucagon emergency kits.

(2) The review shall consider:

(a) The adequacy of current training for emergency medical technicians to administer the medications in subsection (1) of this section;

(b) The feasibility of supplementing the training of emergency medical technicians on either a statewide basis or a local basis to administer the medications in subsection (1) of this section;

(c) The costs and the likely utilization of stocking ambulances with the medications in subsection (1) of this section; and

(d) Options for localized solutions to specific community needs for the medications in subsection (1) of this section where only basic life support services are available, including needs that may arise in a school setting.

(3) The steering committee may appoint a work group to develop a draft report to present to the full steering committee, prior to the full steering committee adopting its report.

(4) By December 15, 2015, the steering committee shall report to the governor and the appropriate committees of the legislature. The report shall summarize the review of the topics in subsection (2) of this section and any policy recommendations related to the review. The report shall include any available data related to the frequency of incidents requiring the administration of medications in subsection (1) of this section.

(5) This section expires June 30, 2016."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "adding a new section to chapter 18.64 RCW; adding a new section to chapter 70.168 RCW; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1625 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1625, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1625, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1625, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1636 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 74.** This act may be known and cited as the state disability employment parity act.

NEW SECTION. **Sec. 75.** The legislature finds that eleven percent of working age adults and thirteen percent of the state's total population consists of persons with disabilities, that persons with disabilities suffer significantly higher rates of unemployment and underemployment than in the general population, and that representation of disabled persons in the state workforce has declined in recent years, but has increased during the last year. The

legislature further finds that there is no policy similar to Schedule A in the federal civil service system for priority hiring of persons with disabilities. Therefore, the legislature intends to increase the hiring of persons with disabilities in the state workforce.

NEW SECTION. **Sec. 76.** A new section is added to chapter 43.41 RCW to read as follows:

(1) By January 31st of each year, state agencies employing one hundred or more people must submit the report described in subsection (2) of this section to the human resources director, with copies to the director of the department of social and health services' division of vocational rehabilitation and the governor's disability employment task force.

(2) The report must include the following information:

(a) The number of employees from the previous calendar year;

(b) The number of employees classified as individuals with disabilities;

(c) The number of employees that separated from the state agency the previous year;

(d) The number of employees that were hired by the state agency the previous year;

(e) The number of employees hired from the division of vocational rehabilitation services and from the department of the services for the blind the previous year;

(f) The number of planned hires for the current year; and

(g) Opportunities for internships for the department of social and health services' division of vocational rehabilitation and developmental disabilities administration, and the department of the services for the blind client placement, leading to an entry-level position placement upon successful completion for the current year."

On page 1, line 2 of the title, after "agencies;" strike the remainder of the title and insert "adding a new section to chapter 43.41 RCW; and creating new sections."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1636 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives MacEwen and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1636, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1636, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1636, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1898 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 77.** (1) The legislature finds that RCW 9A.44.150, which allows testimony of child victims by closed-circuit television in certain cases, helps protect certain child witnesses. During the prosecution of many child abuse cases, child victims may suffer serious emotional and mental trauma from exposure to the abuser. Some of these child victims are unable to testify at all in the presence of the abuser. For these reasons, the legislature found it a compelling state interest to allow for remote testimony in certain cases to enhance the truth-seeking process and to shield child victims from trauma.

(2) The legislature further finds that while there is a possibility for certain child victims to testify remotely in some cases, this procedure is rarely used. The legislature intends to raise awareness regarding this procedure by including it in training materials for investigating and prosecuting sexual assault cases.

Sec. 78. RCW 43.101.270 and 1991 c 267 s 2 are each amended to read as follows:

(1) Each year the criminal justice training commission shall offer an intensive, integrated training session on investigating and prosecuting sexual assault cases. The training shall place particular emphasis on the development of professionalism and sensitivity towards the victim and the victim's family.

(2) The commission shall seek advice from the Washington association of prosecuting attorneys, the Washington defender association, the Washington association of sheriffs and police chiefs, and the Washington coalition of sexual assault programs.

(3) The training shall be an integrated approach to sexual assault cases so that prosecutors, law enforcement, defenders, and victim advocates can all benefit from the training.

(4) The training shall be self-supporting through fees charged to the participants of the training.

(5) The training shall include a reference to the possibility that a court may allow children under the age of fourteen to testify in a room outside the presence of the defendant and the jury pursuant to RCW 9A.44.150.

NEW SECTION. **Sec. 79.** A new section is added to chapter 43.101 RCW to read as follows:

The criminal justice training commission shall annually survey law enforcement and prosecuting agencies regarding, with respect to the preceding year: (1) The frequency of cases where children under the age of fourteen have elected not to testify, including the reasons for the election not to testify; (2) the number of cases where remote testimony pursuant to RCW 9A.44.150 was used and whether those cases resulted in conviction; and (3) the total number

of child sexual abuse cases referred for prosecution and the number of those cases that were prosecuted. The results of the survey described in this section must be reported every other year to the appropriate committees of the legislature with an initial reporting date of December 1, 2015."

On page 1, line 1 of the title, after "victims;" strike the remainder of the title and insert "amending RCW 43.101.270; adding a new section to chapter 43.101 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1898 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Ortiz-Self and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1898, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1898, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

SUBSTITUTE HOUSE BILL NO. 1898, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 25, 2015

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1989 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 80.** A new section is added to chapter 35.21 RCW to read as follows:

(1) Any municipality may elect to contract for asset management service of its water storage assets in accordance with this section. If a municipality elects to contract under this subsection for all, some, or one component of water storage asset management services for its water storage assets, each municipality shall publish notice of its requirements to procure asset management service of its water storage assets. The announcement must concisely state the scope and nature of the water storage asset management service for which a contract is required and encourage firms to submit proposals to meet these requirements. If a municipality chooses to negotiate a water storage asset management service contract under this section, no otherwise applicable statutory procurement requirement applies.

(2) The municipality may negotiate a fair and reasonable water storage asset management service contract with the firm that submits the best proposal based on criteria that is established by the municipality.

(3) If the municipality is unable to negotiate a satisfactory water storage asset management service contract with the firm that submits the best proposal, negotiations with that firm must formally be terminated and the municipality may select another firm in accordance with this section and continue negotiation until a water storage asset management service contract is reached or the selection process is terminated.

(4) For the purposes of this section:

(a) "Water storage asset management services" means the financing, designing, improving, operating, maintaining, repairing, testing, inspecting, cleaning, administering, or managing, or any combination thereof, of a water storage asset.

(b) "Water storage asset" means water storage structures and associated distribution systems, such as the water tank, tower, well, meter, or water filter."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "and adding a new section to chapter 35.21 RCW."

and the same is herewith transmitted.

Pablo G. Campos, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1989 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dent and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1989, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1989, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen,

Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

ENGROSSED HOUSE BILL NO. 1989, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 2055 with the following amendment:

On page 4, line 12, after "arguments" insert "including arguments from persons advocating and opposing the measure"

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2055 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Johnson and S. Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2055, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2055, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Gregory and Rodne.

HOUSE BILL NO. 2055, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SENATE BILL NO. 5032
SUBSTITUTE SENATE BILL NO. 5059
SUBSTITUTE SENATE BILL NO. 5156
SECOND SUBSTITUTE SENATE BILL NO. 5215
SUBSTITUTE SENATE BILL NO. 5268
SUBSTITUTE SENATE BILL NO. 5293
SECOND SUBSTITUTE SENATE BILL NO. 5311
SUBSTITUTE SENATE BILL NO. 5322
SENATE BILL NO. 5464
SENATE BILL NO. 5482
SECOND SUBSTITUTE SENATE BILL NO. 5486
SUBSTITUTE SENATE BILL NO. 5488
SENATE BILL NO. 5793
SENATE BILL NO. 5881
SUBSTITUTE SENATE BILL NO. 5897
SENATE BILL NO. 5974
SUBSTITUTE SENATE BILL NO. 5999
HOUSE BILL NO. 1004
SUBSTITUTE HOUSE BILL NO. 1063
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1078
HOUSE BILL NO. 1090
SUBSTITUTE HOUSE BILL NO. 1127
SUBSTITUTE HOUSE BILL NO. 1132
SUBSTITUTE HOUSE BILL NO. 1138
SUBSTITUTE HOUSE BILL NO. 1145
SUBSTITUTE HOUSE BILL NO. 1184
SUBSTITUTE HOUSE BILL NO. 1194
HOUSE BILL NO. 1232
HOUSE BILL NO. 1259
HOUSE BILL NO. 1263
HOUSE BILL NO. 1268
HOUSE BILL NO. 1282
HOUSE BILL NO. 1308
HOUSE BILL NO. 1309
SUBSTITUTE HOUSE BILL NO. 1319
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1410
SUBSTITUTE HOUSE BILL NO. 1496
HOUSE BILL NO. 1531
HOUSE BILL NO. 1601
SUBSTITUTE HOUSE BILL NO. 1604
SUBSTITUTE HOUSE BILL NO. 1617
HOUSE BILL NO. 1627
ENGROSSED HOUSE BILL NO. 1633
HOUSE BILL NO. 1641
HOUSE BILL NO. 1674
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1695
HOUSE BILL NO. 1706
SUBSTITUTE HOUSE BILL NO. 1721
SUBSTITUTE HOUSE BILL NO. 1727
ENGROSSED HOUSE BILL NO. 1890
HOUSE BILL NO. 2007
SUBSTITUTE HOUSE BILL NO. 2021
ENGROSSED HOUSE BILL NO. 2190
HOUSE BILL NO. 1179
SUBSTITUTE HOUSE BILL NO. 1337
HOUSE BILL NO. 1431
SUBSTITUTE HOUSE BILL NO. 1516
SUBSTITUTE HOUSE BILL NO. 1575
HOUSE BILL NO. 1817

HOUSE BILL NO. 1884
SUBSTITUTE HOUSE BILL NO. 1045
HOUSE BILL NO. 1047
HOUSE BILL NO. 1077
HOUSE BILL NO. 1168
SUBSTITUTE HOUSE BILL NO. 1223
HOUSE BILL NO. 1279
SUBSTITUTE HOUSE BILL NO. 1564
HOUSE BILL NO. 1779
SUBSTITUTE HOUSE BILL NO. 1851
SUBSTITUTE HOUSE BILL NO. 1919
HOUSE BILL NO. 1977
SECOND SUBSTITUTE HOUSE BILL NO. 2063
SENATE BILL NO. 5075
SENATE BILL NO. 5101
SENATE BILL NO. 5104
SENATE BILL NO. 5120
SENATE BILL NO. 5122
SENATE BILL NO. 5210
SUBSTITUTE SENATE BILL NO. 5275
SENATE BILL NO. 5302
SENATE BILL NO. 5466
ENGROSSED SENATE BILL NO. 5577
SENATE BILL NO. 5717
SUBSTITUTE SENATE BILL NO. 5795
SENATE BILL NO. 5805
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810
SUBSTITUTE SENATE BILL NO. 5933
SECOND SUBSTITUTE SENATE BILL NO. 5052
SENATE BILL NO. 5300
SUBSTITUTE SENATE BILL NO. 5591
SENATE BILL NO. 5606
SENATE BILL NO. 5638
SENATE BILL NO. 5662
SENATE BILL NO. 5757
SENATE BILL NO. 5760
ENGROSSED SUBSTITUTE SENATE BILL NO. 5803
SUBSTITUTE SENATE BILL NO. 5824
SUBSTITUTE SENATE BILL NO. 5887
SENATE JOINT MEMORIAL NO. 8012
SENATE BILL NO. 5119
SENATE BILL NO. 5121
SENATE BILL NO. 5249
SECOND SUBSTITUTE SENATE BILL NO. 5404
SUBSTITUTE SENATE BILL NO. 5448
SUBSTITUTE SENATE BILL NO. 5518
SENATE BILL NO. 5768

The Speaker called upon Representative Springer to preside.

MESSAGE FROM THE SENATE

April 8, 2015

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 81.** (1) The legislature intends to reduce the number of lives lost to drug overdoses by encouraging the prescription, dispensing, and administration of opioid overdose medications.

(2) Overdoses of opioids, such as heroin and prescription painkillers, cause brain injury and death by slowing and eventually stopping a person's breathing. Since 2012, drug poisoning deaths in the United States have risen six percent, and deaths involving heroin have increased a staggering thirty-nine percent. In Washington state, the annual number of deaths involving heroin or prescription opiates increased from two hundred fifty-eight in 1995 to six hundred fifty-one in 2013. Over this period, a total of nine thousand four hundred thirty-nine people died from opioid-related drug overdoses. Opioid-related drug overdoses are a statewide phenomenon.

(3) When administered to a person experiencing an opioid-related drug overdose, an opioid overdose medication can save the person's life by restoring respiration. Increased access to opioid overdose medications reduced the time between when a victim is discovered and when he or she receives lifesaving assistance. Between 1996 and 2010, lay people across the country reversed over ten thousand overdoses.

(4) The legislature intends to increase access to opioid overdose medications by permitting health care practitioners to administer, prescribe, and dispense, directly or by collaborative drug therapy agreement or standing order, opioid overdose medication to any person who may be present at an overdose - law enforcement, emergency medical technicians, family members, or service providers - and to permit those individuals to possess and administer opioid overdose medications prescribed by an authorized health care provider.

NEW SECTION. **Sec. 82.** A new section is added to chapter 69.41 RCW to read as follows:

(1)(a) A practitioner may prescribe, dispense, distribute, and deliver an opioid overdose medication: (i) Directly to a person at risk of experiencing an opioid-related overdose; or (ii) by collaborative drug therapy agreement, standing order, or protocol to a first responder, family member, or other person or entity in a position to assist a person at risk of experiencing an opioid-related overdose. Any such prescription or protocol order is issued for a legitimate medical purpose in the usual course of professional practice.

(b) At the time of prescribing, dispensing, distributing, or delivering the opioid overdose medication, the practitioner shall inform the recipient that as soon as possible after administration of the opioid overdose medication, the person at risk of experiencing an opioid-related overdose should be transported to a hospital or a first responder should be summoned.

(2) A pharmacist may dispense an opioid overdose medication pursuant to a prescription issued in accordance with this section and may administer an opioid overdose medication to a person at risk of experiencing an opioid-related overdose. At the time of dispensing an opioid overdose medication, a pharmacist shall provide written instructions on the proper response to an opioid-related overdose, including instructions for seeking immediate medical attention.

(3) Any person or entity may lawfully possess, store, deliver, distribute, or administer an opioid overdose medication pursuant to a prescription or order issued by a practitioner in accordance with this section.

(4) The following individuals, if acting in good faith and with reasonable care, are not subject to criminal or civil liability or disciplinary action under chapter 18.130 RCW for any actions authorized by this section or the outcomes of any actions authorized by this section:

(a) A practitioner who prescribes, dispenses, distributes, or delivers an opioid overdose medication pursuant to subsection (1) of this section;

(b) A pharmacist who dispenses an opioid overdose medication pursuant to subsection (2) of this section;

(c) A person who possesses, stores, distributes, or administers an opioid overdose medication pursuant to subsection (3) of this section.

(5) For purposes of this section, the following terms have the following meanings unless the context clearly requires otherwise:

(a) "First responder" means: (i) A career or volunteer firefighter, law enforcement officer, paramedic as defined in RCW 18.71.200, or first responder or emergency medical technician as defined in RCW 18.73.030; and (ii) an entity that employs or supervises an individual listed in (a)(i) of this subsection, including a volunteer fire department.

(b) "Opioid overdose medication" means any drug used to reverse an opioid overdose that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors. It does not include intentional administration via the intravenous route.

(c) "Opioid-related overdose" means a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death that: (i) Results from the consumption or use of an opioid or another substance with which an opioid was combined; or (ii) a lay person would reasonably believe to be an opioid-related overdose requiring medical assistance.

(d) "Practitioner" means a health care practitioner who is authorized under RCW 69.41.030 to prescribe legend drugs.

(e) "Standing order" or "protocol" means written or electronically recorded instructions, prepared by a prescriber, for distribution and administration of a drug by designated and trained staff or volunteers of an organization or entity, as well as other actions and interventions to be used upon the occurrence of clearly defined clinical events in order to improve patients' timely access to treatment.

Sec. 83. RCW 69.41.040 and 2003 c 53 s 324 are each amended to read as follows:

(1) A prescription, in order to be effective in legalizing the possession of legend drugs, must be issued for a legitimate medical purpose by one authorized to prescribe the use of such legend drugs. Except as provided in section 2 of this act, an order purporting to be a prescription issued to a drug abuser or habitual user of legend drugs, not in the course of professional treatment, is not a prescription within the meaning and intent of this section; and the person who knows or should know that he or she is filling such an order, as well as the person issuing it, may be charged with violation of this chapter. A legitimate medical purpose shall include use in the course of a bona fide research program in conjunction with a hospital or university.

(2) A violation of this section is a class B felony punishable according to chapter 9A.20 RCW.

Sec. 84. RCW 69.50.315 and 2010 c 9 s 2 are each amended to read as follows:

(1)(((~~(a)~~))) A person acting in good faith who seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the person seeking medical assistance.

(((~~(b) A person acting in good faith may receive a naloxone prescription, possess naloxone, and administer naloxone to an individual suffering from an apparent opiate-related overdose.~~)))

(2) A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

(3) The protection in this section from prosecution for possession crimes under RCW 69.50.4013 shall not be grounds for suppression of evidence in other criminal charges.

NEW SECTION. **Sec. 85.** (1)(a) A legislative task force on opioid addiction is established, with members as provided in this subsection.

(i) The secretary of the senate shall appoint two members from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives;

(iii) The secretary of the senate and the speaker of the house of representatives shall appoint two members of the public who have experience or training relating to opioid addiction issues, this may include a person or persons with personal or family experience relating to opioid addiction;

(iv) The governor shall appoint one member from the department of social and health services' behavioral health services integration administration;

(v) The governor shall appoint one member from the University of Washington's alcohol and drug abuse institute; and

(vi) The governor shall appoint one member from the division of secondary education within the office of the superintendent of public instruction.

(b) The task force shall choose its chair or cochairs from among its legislative membership. The person appointed to represent the department of social and health services' behavioral health services integration administration shall convene the initial meeting of the task force.

(2) The task force shall review the following:

(a) Ways to increase access to opioid antagonists to prevent opioid-related overdose deaths throughout the state;

(b) Issues related to addiction, including causes of addiction, stigma related to addiction, and access to treatment for addiction;

(c) Educational efforts to reduce and to ultimately end minor use of opioids; and

(d) Other addiction issues deemed appropriate by the task force.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) This section expires August 1, 2017.

NEW SECTION. **Sec. 86.** RCW 18.130.345 (Naloxone—Administering, dispensing, prescribing, purchasing, acquisition, possession, or use—Opiate-related overdose) and 2010 c 9 s 3 are each repealed."

On page 1, line 2 of the title, after "deaths;" strike the remainder of the title and insert "amending RCW 69.41.040 and 69.50.315; adding a new section to chapter 69.41 RCW; creating new sections; repealing RCW 18.130.345; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ESHB 1671 and asked the Senate to recede therefrom.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 17, 2015, the 96th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY SIXTH DAY

House Chamber, Olympia, Friday, April 17, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 16, 2015

MR. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5052

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 16, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SENATE BILL NO. 5011
SUBSTITUTE SENATE BILL NO. 5027
SUBSTITUTE SENATE BILL NO. 5030
SENATE BILL NO. 5070
SENATE BILL NO. 5085
SENATE BILL NO. 5100
SUBSTITUTE SENATE BILL NO. 5147
SUBSTITUTE SENATE BILL NO. 5163
SUBSTITUTE SENATE BILL NO. 5166
SUBSTITUTE SENATE BILL NO. 5202
SUBSTITUTE SENATE BILL NO. 5276
SUBSTITUTE SENATE BILL NO. 5292
SUBSTITUTE SENATE BILL NO. 5299
SENATE BILL NO. 5307
SUBSTITUTE SENATE BILL NO. 5328
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353
SUBSTITUTE SENATE BILL NO. 5362
ENGROSSED SUBSTITUTE SENATE BILL NO. 5441
ENGROSSED SUBSTITUTE SENATE BILL NO. 5460
SUBSTITUTE SENATE BILL NO. 5481
SUBSTITUTE SENATE BILL NO. 5501
SUBSTITUTE SENATE BILL NO. 5534
SUBSTITUTE SENATE BILL NO. 5538
ENGROSSED SUBSTITUTE SENATE BILL NO. 5550
ENGROSSED SUBSTITUTE SENATE BILL NO. 5557
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564
SUBSTITUTE SENATE BILL NO. 5596
SUBSTITUTE SENATE BILL NO. 5600
SUBSTITUTE SENATE BILL NO. 5633
SENATE BILL NO. 5647
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649
SENATE BILL NO. 5650
SENATE BILL NO. 5692
SUBSTITUTE SENATE BILL NO. 5740
SECOND SUBSTITUTE SENATE BILL NO. 5851
SUBSTITUTE SENATE BILL NO. 5877
SECOND SUBSTITUTE SENATE BILL NO. 5888
ENGROSSED SENATE BILL NO. 5893
ENGROSSED SENATE BILL NO. 5923
ENGROSSED SENATE BILL NO. 5935
SUBSTITUTE SENATE BILL NO. 5957
SENATE BILL NO. 5958

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 16, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5004
SENATE BILL NO. 5024
ENGROSSED SUBSTITUTE SENATE BILL NO. 5084
SENATE BILL NO. 5107
SUBSTITUTE SENATE BILL NO. 5280
SENATE BILL NO. 5297
SUBSTITUTE SENATE BILL NO. 5381
ENGROSSED SENATE BILL NO. 5471
ENGROSSED SENATE BILL NO. 5510
SUBSTITUTE SENATE BILL NO. 5719
ENGROSSED SENATE BILL NO. 5863

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 16, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5139
SENATE BILL NO. 5207
SENATE BILL NO. 5227
SENATE BILL NO. 5288
SENATE BILL NO. 5314
SUBSTITUTE SENATE BILL NO. 5348
ENGROSSED SENATE BILL NO. 5419
SUBSTITUTE SENATE BILL NO. 5433
SENATE BILL NO. 5468
ENGROSSED SUBSTITUTE SENATE BILL NO. 5743
SENATE BILL NO. 5746
ENGROSSED SENATE BILL NO. 5871
SENATE JOINT MEMORIAL NO. 8008
SENATE JOINT MEMORIAL NO. 8013

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

2SSB 5449 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Rivers, Brown, Hobbs, Dammeier, Becker, Mullet, Sheldon, Warnick, Fain, Honeyford, Hewitt and Frockt)

AN ACT Relating to creating a tax division of the court of appeals; amending RCW 2.06.020, 2.06.030, 2.06.040, 2.06.050, 2.06.070, 2.06.150, 34.05.030, 39.88.060, 42.17A.705, 79.125.450, 82.01.090, 82.29A.060, 82.32.160, 82.32.170, 82.32.180, 82.49.060, 84.08.060, 84.08.130, 84.33.091, 84.34.065, 84.36.850, 84.39.020, 84.40.038, 84.48.080, 84.52.018, 84.56.290, 84.69.020, 84.69.030, and 84.69.180; reenacting and amending RCW 34.12.020; adding new sections to chapter 2.06 RCW; creating new sections; repealing RCW 82.03.010, 82.03.020, 82.03.030, 82.03.040, 82.03.050, 82.03.060, 82.03.070, 82.03.080, 82.03.090, 82.03.100, 82.03.110, 82.03.120, 82.03.130, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 82.03.180, 82.03.190, 82.03.200, and 82.32.150; and providing effective dates.

Referred to Committee on Judiciary.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 14, 2015

HB 1298 Prime Sponsor, Representative Clibborn: Authorizing bonds for the financing of transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Rodne; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Pike; Shea; Wilson and Young.

Passed to Committee on Rules for second reading.

April 15, 2015

HB 2194 Prime Sponsor, Representative Hunter: Creating a funding stream and program for cancer research, prevention, and care. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Fey; Hudgins; Magendanz; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Harmsworth; Nealey and Young.

Referred to Committee on Finance.

April 14, 2015

ESSB 5988 Prime Sponsor, Committee on Transportation: Concerning additive transportation funding and appropriations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

FORMATTING CHANGED TO ACCOMMODATE TEXT

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 87.** (1) An additive transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2017.

(2) It is the intent of the legislature that the funding levels specified in LEAP Transportation Documents 2015 NLH-1, NLH-2, and NLH-3 as developed April 12, 2015, represents a commitment to provide appropriations to the agencies, programs, and activities at the amounts identified therein through fiscal year 2031.

(3) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2016" or "FY 2016" means the fiscal year ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the fiscal year ending June 30, 2017.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

(h) "TEIS" means the transportation executive information system.

2015-2017 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. **Sec. 101. FOR THE STATE PARKS AND RECREATION COMMISSION**

Snowmobile Account—State Appropriation $398,000

NEW SECTION. **Sec. 102. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreation Resource Account—State Appropriation $3,528,000

NEW SECTION. **Sec. 103. FOR THE DEPARTMENT OF NATURAL RESOURCES**

ORV and Nonhighway Vehicle Account—State Appropriation $1,399,000

Nonhighway and Off-Road Vehicle Activities Program Account—State Appropriation $1,972,000

TOTAL APPROPRIATION $3,371,000

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. **Sec. 201. FOR THE JOINT TRANSPORTATION COMMITTEE**

Motor Vehicle Account—State Appropriation $450,000

The appropriation in this section is subject to the following conditions and limitations: $450,000 of the motor vehicle account—state appropriation is for the joint transportation committee for the design-build contracting review panel established in chapter ... (Engrossed Substitute Senate Bill No. 5997), Laws of 2015. The department of transportation must provide technical assistance, as necessary. If chapter ... (Engrossed Substitute Senate Bill No. 5997), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

NEW SECTION. **Sec. 202. FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation $50,000

The appropriation in this section is subject to the following conditions and limitations: $50,000 of the motor vehicle account—state appropriation is provided for a disadvantaged business entity advisory committee that is formed and administered by the transportation commission. The intent of the advisory committee is to provide accountability and transparency regarding disadvantaged business entity spending levels and participation on state funded transportation projects. The advisory committee shall create a mission, vision, goals, and a work plan to complete goals and issue a report with recommendations to the house and senate transportation committees by December 31, 2016. The state department of transportation, office of minority and women's business enterprises, department of labor, and other relevant state agencies shall be available to assist in supplying necessary data and information to fulfill the advisory committee's purpose. The fifteen-member advisory committee shall meet at least four times in the 2015-2017 biennium. The members shall jointly be appointed by the speaker of the house and the president of the senate and shall receive input on nominees from the commission on Hispanic affairs, commission on African affairs, commission on Asian Pacific affairs, and office of Indian affairs with at least one member from each commission or office being appointed. One member from each caucus in the house of representatives and senate shall also be appointed to the advisory committee. Up to fifty thousand dollars shall be provided to the transportation commission for the purpose of assisting the advisory committee and reimbursement costs for member participation.

NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF LICENSING**

Motor Vehicle Account—State Appropriation $4,000,000

The appropriation in this section is subject to the following conditions and limitations: $4,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter ... (Engrossed Substitute Senate Bill No. 5987) (transportation revenue), Laws of 2015.

NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

Connecting Washington Account—State Appropriation $6,250,000

NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q**

Connecting Washington Account—State Appropriation $3,125,000

NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Multimodal Transportation Account—State Appropriation $1,500,000

The appropriation in this section is subject to the following conditions and limitations: $1,500,000 of the multimodal transportation account—state appropriation is provided solely for a grant program that makes awards for the following: (1) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (2) preapprenticeship training; and (3) transportation and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2015, and annually thereafter.

NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

Regional Mobility Grant Program Account—State Appropriation $15,000,000
Rural Mobility Grant Program Account—State Appropriation $9,000,000
Multimodal Transportation Account—State Appropriation $27,000,000
TOTAL APPROPRIATION $51,000,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $7,000,000 of the multimodal transportation account—state appropriation is for the projects listed in LEAP Transportation Document 2015 NLH-3 TRANSIT PROJECTS as developed April 12, 2015; and for King county metro transit: $3,000,000 for Route 40 Northgate to downtown via Ballard for speed and reliability improvements along the corridor, $3,000,000 for Route 48N University Link Station to Loyal Heights for speed and reliability improvements along the corridor, $3,000,000 for 67th to Fremont Transit Corridor for speed and reliability improvements along the corridor, and $3,000,000 for Route 43 and Route 44 Ballard to University District for speed and reliability improvements along the corridor.

(2) $3,740,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost-effectiveness of trips provided.

(3) $13,260,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(4) $9,000,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(5) $2,000,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies must cover capital costs only. Operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department must encourage grant applicants and recipients to leverage funds other than state funds.

(6)(a) $1,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies located in counties with a population of seven hundred thousand or more that border Puget Sound to fund projects that further integration and coordination between two or more such agencies.

(b) The projects selected must involve one or more of the following criteria:

(i) Aligning fare structures;

(ii) Integrating service planning;

(iii) Coordinating long-range planning, including capital projects planning and implementation;

(iv) Integrating administrative functions and internal business practices; or

(v) Integrating customer-focused tools and initiatives.

(c) The transit agencies selected by the department to receive a grant must match the grant amount on at least a dollar for dollar basis.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State Appropriation..... $8,300,000

NEW SECTION. **Sec. 302. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State Appropriation..... $3,600,000
Connecting Washington Account—State Appropriation..... $10,000,000
TOTAL APPROPRIATION $13,600,000

The appropriations in this section are subject to the following conditions and limitations: $10,000,000 of the connecting Washington account—state appropriation is provided solely for the complete streets program.

NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation..... $1,800,000
County Arterial Preservation Account—State Appropriation..... $1,800,000
TOTAL APPROPRIATION $3,600,000

NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

Connecting Washington Account—State Appropriation..... $145,325,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account appropriation is for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2015 NLH-1 as developed April 12, 2015, Program - Highway Improvements Program (I); for the Interstate 5 Marine View Drive to State Route 528 project; for the Interstate 5/116th Street Interchange project; for the Interstate 90/Front Street Interchange justification report; for the State Route 520/148th Ave NE Overlake Access Ramp project in the 2017-2019 biennium; for design work on the State Route 522/Paradise Lake Road Interchange project; and for design work for the US Highway 2 Trestle project.

(2) The connecting Washington account—state appropriation includes up to $15,515,000 in proceeds from the sale of bonds authorized by chapter . . . (House Bill No. 1298), Laws of 2015.

(3) In making budget allocations to the Puget Sound Gateway project (M00600R), the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

Connecting Washington Account—State Appropriation $87,333,000

The appropriation in this section is subject to the following conditions and limitations: The entire connecting Washington account appropriation in this section is for the projects and activities as listed in LEAP Transportation Document 2015 NLH-1 as developed April 12, 2015, Program – Highway Preservation Program (P).

NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

Connecting Washington Account—State Appropriation $32,177,000
Multimodal Transportation Account—State Appropriation $9,028,000
TOTAL APPROPRIATION $41,205,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire connecting Washington account appropriation in this section is for the projects and activities as listed in LEAP Transportation Document 2015 NLH-1 as developed April 12, 2015, Program - Washington State Ferries Capital Program (W).

(2) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route. The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(3) $96,502,000 in state funds is to be provided over the life of the project for completion of the Seattle terminal replacement project, including: (a) Design work and selection of a preferred plan; (b) replacing timber pilings with pilings sufficient to support a selected terminal design; (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock; and (d) other staging and construction work as the amount allows.

(4) $99,000,000 in state funds is to be provided over the life of the project for the acquisition of a 144-car vessel.

(5) $68,600,000 in state funds is to be provided over the life of the project for the completion of the Mukilteo terminal replacement project.

NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y**

Multimodal Transportation Account—State Appropriation $4,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is for the projects and activities as listed in LEAP Transportation Document 2015 NLH-1 as developed April 12, 2015, Program – Rail Program (Y).

NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z**

Multimodal Transportation Account—State Appropriation $15,000,000
Connecting Washington Account—State Appropriation $14,725,000
TOTAL APPROPRIATION $29,725,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account appropriation is for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2015 NLH-1 as developed April 12, 2015, Program - Local Programs (Z); for design, right-of-way purchase, and funds for matching grants to fund construction on the SR 523 145th Street project; for the SR 99 Revitalization in Edmonds project; for the Harbour Reach Extension project; for the Covington Connector project; for the 41st Street Rucker Ave Freight Corridor Phase 2 project; $5,000,000 for the Community Facilities District Improvements (Redmond) project in the 2015-2017 biennium; $1,500,000 for the 41st Street Rucker Ave Freight Corridor in Everett project in the 2015-2017 biennium; and except for the SR 509 Bridge Connection to 28th/24th Ave S. project.

(2) $5,000,000 of the multimodal transportation account—state appropriation is provided solely for the pedestrian and bicycle safety program.

(3) $3,000,000 of the multimodal transportation account—state appropriation is provided solely for newly selected safe routes to schools projects. The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(4) $7,000,000 of the multimodal transportation account—state appropriation is for the projects listed in LEAP Transportation Document 2015 NLH-2 PEDESTRIAN AND BICYCLE SAFETY PROJECTS as developed April 12, 2015.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Connecting Washington Account—State Appropriation $78,000

NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Connecting Washington Account—State Appropriation $16,000

NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax distributions to cities and counties $53,156,000

NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers $27,150,000

NEW SECTION. **Sec. 405. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

(1) State Patrol Highway Account—State Appropriation: For transfer to the Connecting Washington Account—State $9,700,000

(2) Transportation Partnership Account—State Appropriation: For transfer to the Connecting Washington Account—State $5,000,000

(3) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State $5,831,000

(4) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Connecting Washington Account—State $600,000

(5) Transportation 2003 Transportation (Nickel) Account—State Appropriation: For transfer to the Connecting Washington Account—State $2,270,000

(6) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State $1,900,000

(7) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State $3,600,000

(8) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State $1,800,000

(9) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State $1,800,000

(10) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State $15,000,000

(11) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State $9,000,000

MISCELLANEOUS

Sec. 501. RCW 46.68.030 and 2011 c 171 s 85 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) $20.35 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) $2.02 of each initial vehicle license fee and $0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

Sec. 502. RCW 46.68.280 and 2003 c 361 s 601 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements,

moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) The "nickel account" means the transportation 2003 account.

Sec. 503. RCW 46.68.290 and 2006 c 337 s 5 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the state treasury. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of $4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

Sec. 504. RCW 47.60.530 and 2011 1st sp.s. c 16 s 1 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle fund.

(2) The following funds must be deposited into the account:

(a) All moneys directed by law;

(b) All revenues generated from ferry fares; and

(c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the 2015-2017 fiscal biennium, the legislature may transfer from the Puget Sound ferry operations account to the connecting Washington account such amounts as reflect the excess fund balance of the Puget Sound ferry operations account.

NEW SECTION. **Sec. 505.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 506.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Rodne; Sells; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Pike; Shea; Wilson and Young.

MINORITY recommendation: Without recommendation. Signed by Representative Takko.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on State Government was relieved of SENATE BILL NO. 5978, and the bill was referred to the Committee on Appropriations.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 20, 2015, the 99th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY NINTH DAY

House Chamber, Olympia, Monday, April 20, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Faith Torres and Arun Solanky. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The morning invocation was offered by Washington State Poet Laureate Elizabeth Austin, Seattle Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

April 17, 2015

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1004
SUBSTITUTE HOUSE BILL NO. 1045
HOUSE BILL NO. 1047
SUBSTITUTE HOUSE BILL NO. 1063
HOUSE BILL NO. 1077
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1078
HOUSE BILL NO. 1090
SUBSTITUTE HOUSE BILL NO. 1127
SUBSTITUTE HOUSE BILL NO. 1132
SUBSTITUTE HOUSE BILL NO. 1138
SUBSTITUTE HOUSE BILL NO. 1145
HOUSE BILL NO. 1168
HOUSE BILL NO. 1179
SUBSTITUTE HOUSE BILL NO. 1184
SUBSTITUTE HOUSE BILL NO. 1194
SUBSTITUTE HOUSE BILL NO. 1223
HOUSE BILL NO. 1232
HOUSE BILL NO. 1259
HOUSE BILL NO. 1263
HOUSE BILL NO. 1268
HOUSE BILL NO. 1279
HOUSE BILL NO. 1282
HOUSE BILL NO. 1308
HOUSE BILL NO. 1309
SUBSTITUTE HOUSE BILL NO. 1319
SUBSTITUTE HOUSE BILL NO. 1337
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1410
HOUSE BILL NO. 1431
SUBSTITUTE HOUSE BILL NO. 1496
SUBSTITUTE HOUSE BILL NO. 1516
HOUSE BILL NO. 1531
SUBSTITUTE HOUSE BILL NO. 1564
SUBSTITUTE HOUSE BILL NO. 1575
HOUSE BILL NO. 1601
SUBSTITUTE HOUSE BILL NO. 1604
SUBSTITUTE HOUSE BILL NO. 1617
HOUSE BILL NO. 1627
ENGROSSED HOUSE BILL NO. 1633
HOUSE BILL NO. 1641
HOUSE BILL NO. 1674
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1695
HOUSE BILL NO. 1706
SUBSTITUTE HOUSE BILL NO. 1721
SUBSTITUTE HOUSE BILL NO. 1727
HOUSE BILL NO. 1779
HOUSE BILL NO. 1817
SUBSTITUTE HOUSE BILL NO. 1851
HOUSE BILL NO. 1884
ENGROSSED HOUSE BILL NO. 1890
SUBSTITUTE HOUSE BILL NO. 1919
HOUSE BILL NO. 1977
HOUSE BILL NO. 2007
SUBSTITUTE HOUSE BILL NO. 2021
SECOND SUBSTITUTE HOUSE BILL NO. 2063
ENGROSSED HOUSE BILL NO. 2190

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2240 by Representatives Orcutt and Young

AN ACT Relating to the bidding process for the construction of ferry vessels; amending RCW 47.60.814; repealing RCW 47.56.780; and declaring an emergency.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committees so designated.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 14, 2015

HB 1396 Prime Sponsor, Representative Clibborn: Incentivizing the use of alternative fuel commercial use vehicles with tax preferences. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Gregerson; Harmsworth; Hayes; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Pike; Riccelli; Rodne; Sells; Shea; Takko; Tarleton; Wilson; Young and Zeiger.

Passed to Committee on Rules for second reading.

April 14, 2015

ESSB 5987 Prime Sponsor, Committee on Transportation: Concerning transportation revenue. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PART I
MOTOR VEHICLE AND SPECIAL FUEL TAXES

Sec. 101. RCW 82.36.025 and 2007 c 515 s 3 are each amended to read as follows:

(1) A motor vehicle fuel tax rate of twenty-three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(2) Beginning July 1, 2003, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(4) Beginning July 1, 2006, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(5) Beginning July 1, 2007, an additional and cumulative motor vehicle fuel tax rate of two cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(6) Beginning July 1, 2008, an additional and cumulative motor vehicle fuel tax rate of one and one-half cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(7) Beginning July 1, 2015, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

Sec. 102. RCW 82.38.030 and 2014 c 216 s 201 are each amended to read as follows:

(1) There is levied and imposed upon fuel licensees a tax at the rate of twenty-three cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)).

(2) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)) is imposed on fuel licensees. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)) is imposed on fuel licensees.

(4) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)) is imposed on fuel licensees.

(5) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)) is imposed on fuel licensees.

(6) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per ((~~each~~)) gallon of fuel((~~, measured at standard pressure and temperature~~)) is imposed on fuel licensees.

(7) Beginning July 1, 2015, an additional and cumulative tax rate of five cents per gallon of fuel is imposed on fuel licensees.

(8) Taxes are imposed when:

(a) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(b) Fuel is removed in this state from a refinery if either of the following applies:

(i) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier; or

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(c) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(i) The entry is by bulk transfer and the importer is not a licensed supplier; or

(ii) The entry is not by bulk transfer;

(d) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(e) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(f) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(g) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(h) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(i) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(j) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

Sec. 103. RCW 82.38.030 and 2015 c ... s 102 (section 102 of this act) are each amended to read as follows:

(1) There is levied and imposed upon fuel licensees a tax at the rate of twenty-three cents per gallon of fuel.

(2) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per gallon of fuel is imposed on fuel licensees. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per gallon of fuel is imposed on fuel licensees.

(4) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per gallon of fuel is imposed on fuel licensees.

(5) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per gallon of fuel is imposed on fuel licensees.

(6) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per gallon of fuel is imposed on fuel licensees.

(7) Beginning July 1, 2015, an additional and cumulative tax rate of five cents per gallon of fuel is imposed on fuel licensees.

(8) Beginning July 1, 2016, an additional and cumulative tax rate of four and two-tenths cents per gallon of fuel is imposed on fuel licensees.

(9) Beginning July 1, 2017, an additional and cumulative tax rate of two and one-half cents per gallon of fuel is imposed on fuel licensees.

(10) Taxes are imposed when:

(a) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(b) Fuel is removed in this state from a refinery if either of the following applies:

(i) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier; or

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(c) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(i) The entry is by bulk transfer and the importer is not a licensed supplier; or

(ii) The entry is not by bulk transfer;

(d) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(e) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(f) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(g) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(h) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(i) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(j) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

Sec. 104. RCW 46.68.090 and 2011 c 120 s 4 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax shall be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount shall be distributed monthly by the state treasurer in accordance with subsections (2) through (((~~(7)~~))) (8) of this section.

(a) For payment of refunds of motor vehicle fuel tax and special fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, which sums shall be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

The following criteria, listed in order of priority, shall be used in determining which special category C projects have the highest priority:

(i) Accident experience;

(ii) Fatal accident experience;

(iii) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(iv) Continuity of development of the highway transportation network.

Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there shall be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds shall be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and shall be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board shall adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.36.025(2) and 82.38.030(2) shall be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.36.025(3) and 82.38.030(3) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.36.025(4) and 82.38.030(4) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.36.025 (5) and (6) and 82.38.030 (5) and (6) shall be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.36.025(7) and 82.38.030(7) shall be distributed as follows:

(a) Ten percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) Ten percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the connecting Washington account created in section 106 of this act.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on ((~~motor vehicle fuel and special~~)) fuel((~~s~~)).

Sec. 105. RCW 46.68.090 and 2013 c 225 s 645 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the ((~~motor vehicle fuel tax and special~~)) fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through ((~~(7)~~)) (8) of this section.

(a) For payment of refunds of ((~~motor vehicle fuel tax and special~~)) fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the ((~~motor vehicle fuel tax and the special~~)) fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030(1) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b)(i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030(2) must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030(3) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030(4) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 (5) and (6) must be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.38.030(7) must be distributed as follows:

(a) Ten percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) Ten percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the connecting Washington account created in section 106 of this act.

(8) The remaining net tax amount collected under RCW 82.38.030 (8) and (9) must be distributed to the connecting Washington account created in section 106 of this act.

(9) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on ((~~motor vehicle fuel and special~~)) fuel((~~s~~)).

NEW SECTION. **Sec. 106.** A new section is added to chapter 46.68 RCW to read as follows:

The connecting Washington account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

Sec. 107. RCW 43.84.092 and 2014 c 112 s 106, 2014 c 74 s 5, and 2014 c 32 s 6 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the

Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 108. RCW 43.84.092 and 2014 c 112 s 107, 2014 c 74 s 6, and 2014 c 32 s 7 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system

combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Nonhighway Refunds

Sec. 109. RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c 161 s 222 are each reenacted and amended to read as follows:

(1) From time to time, but at least once each year, the state treasurer shall refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.36 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (e) twenty-three cents per gallon of motor vehicle fuel ((~~beginning~~)) from July 1, 2011, through June 30, 2015; and (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer shall place these funds in the general fund as follows:

(a) Thirty-six percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent shall be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent shall be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection shall be expended in accordance with the following limitations:

(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.68.045, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.68.045, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

Sec. 110. RCW 46.09.520 and 2015 c ... s 109 (section 109 of this act) and 2013 c 225 s 608 are each reenacted and amended to read as follows:

(1) From time to time, but at least once each year, the state treasurer must refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.38 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per

gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of motor vehicle fuel from July 1, 2011, through June 30, 2015; ((~~and~~)) (f) twenty-eight cents per gallon of motor vehicle fuel ((~~beginning~~)) from July 1, 2015, through June 30, 2016; (g) thirty-two and two-tenths cents per gallon of motor vehicle fuel from July 1, 2016, through June 30, 2017; and (h) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer must place these funds in the general fund as follows:

(a) Thirty-six percent must be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent must be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent must be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent must be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection must be expended in accordance with the following limitations:

(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.68.045, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) are known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.68.045, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

Sec. 111. RCW 46.10.530 and 2003 c 361 s 408 are each amended to read as follows:

From time to time, but at least once each four years, the department shall determine the amount of moneys paid to it as motor vehicle fuel tax that is tax on snowmobile fuel. Such determination shall use one hundred thirty-five gallons as the average yearly fuel usage per snowmobile, the number of registered snowmobiles during the calendar year under determination, and a fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (5) twenty-three cents per gallon of motor vehicle fuel ((~~beginning~~)) from July 1, 2011, through June 30, 2015; (6) twenty-eight cents per gallon of motor vehicle fuel from July 1, 2015, through June 30, 2016; (7) thirty-two and two-tenths cents per gallon of motor vehicle fuel from July 1, 2016, through June 30, 2017; and (8) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter.

Sec. 112. RCW 79A.25.070 and 2010 c 23 s 3 are each amended to read as follows:

Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel, the state of Washington shall succeed to the right to such refunds. The director of licensing, after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account, shall request the state treasurer to transfer monthly from the marine fuel tax refund account an amount equal to the proportion of the moneys in the account representing a motor vehicle fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (5) twenty-three cents per gallon of motor vehicle fuel ((~~beginning~~)) from July 1, 2011, through June 30, 2015; (6) twenty-eight cents per gallon of motor vehicle fuel from July 1, 2015, through June 30, 2016; (7) thirty-two and two-tenths cents per gallon of motor vehicle fuel from July 1, 2016, through June 30, 2017; and (8) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, to the recreation resource account and the remainder to the motor vehicle fund.

PART II
FEES
License Fees By Weight & Freight Project Fee

Sec. 201. RCW 46.17.355 and 2011 c 171 s 61 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the

department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 pounds	(($ 38.00)) $ 53.00	(($ 38.00)) $ 53.00
6,000 pounds	(($ 48.00)) $ 73.00	(($ 48.00)) $ 73.00
8,000 pounds	(($ 58.00)) $ 93.00	(($ 58.00)) $ 93.00
10,000 pounds	(($ 60.00)) $ 93.00	(($ 60.00)) $ 93.00
12,000 pounds	(($ 77.00)) $ 81.00	(($ 77.00)) $ 81.00
14,000 pounds	$ 88.00	$ 88.00
16,000 pounds	$ 100.00	$ 100.00
18,000 pounds	$ 152.00	$ 152.00
20,000 pounds	$ 169.00	$ 169.00
22,000 pounds	$ 183.00	$ 183.00
24,000 pounds	$ 198.00	$ 198.00
26,000 pounds	$ 209.00	$ 209.00
28,000 pounds	$ 247.00	$ 247.00
30,000 pounds	$ 285.00	$ 285.00
32,000 pounds	$ 344.00	$ 344.00
34,000 pounds	$ 366.00	$ 366.00
36,000 pounds	$ 397.00	$ 397.00
38,000 pounds	$ 436.00	$ 436.00
40,000 pounds	$ 499.00	$ 499.00
42,000 pounds	$ 519.00	$ 609.00
44,000 pounds	$ 530.00	$ 620.00
46,000 pounds	$ 570.00	$ 660.00
48,000 pounds	$ 594.00	$ 684.00
50,000 pounds	$ 645.00	$ 735.00
52,000 pounds	$ 678.00	$ 768.00
54,000 pounds	$ 732.00	$ 822.00
56,000 pounds	$ 773.00	$ 863.00
58,000 pounds	$ 804.00	$ 894.00
60,000 pounds	$ 857.00	$ 947.00
62,000 pounds	$ 919.00	$ 1,009.00
64,000 pounds	$ 939.00	$ 1,029.00
66,000 pounds	$ 1,046.00	$ 1,136.00
68,000 pounds	$ 1,091.00	$ 1,181.00
70,000 pounds	$ 1,175.00	$ 1,265.00
72,000 pounds	$ 1,257.00	$ 1,347.00
74,000 pounds	$ 1,366.00	$ 1,456.00
76,000 pounds	$ 1,476.00	$ 1,566.00
78,000 pounds	$ 1,612.00	$ 1,702.00
80,000 pounds	$ 1,740.00	$ 1,830.00
82,000 pounds	$ 1,861.00	$ 1,951.00
84,000 pounds	$ 1,981.00	$ 2,071.00
86,000 pounds	$ 2,102.00	$ 2,192.00
88,000 pounds	$ 2,223.00	$ 2,313.00
90,000 pounds	$ 2,344.00	$ 2,434.00
92,000 pounds	$ 2,464.00	$ 2,554.00
94,000 pounds	$ 2,585.00	$ 2,675.00
96,000 pounds	$ 2,706.00	$ 2,796.00
98,000 pounds	$ 2,827.00	$ 2,917.00
100,000 pounds	$ 2,947.00	$ 3,037.00
102,000 pounds	$ 3,068.00	$ 3,158.00
104,000 pounds	$ 3,189.00	$ 3,279.00
105,500 pounds	$ 3,310.00	$ 3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section and the freight project fee provided in subsection (6) of this section are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

(6) In addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of more than 10,000 pounds, unless specifically exempt, to pay a freight project fee equal to fifteen percent of the license fee provided in subsection (1) of this section, rounded to the nearest whole dollar, which must be distributed under RCW 46.68.035.

(7) Beginning July 1, 2022, in addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of less than or equal to 12,000 pounds, unless specifically exempt, to pay an additional weight fee of eight dollars, which must be distributed under RCW 46.68.035.

Sec. 202. RCW 46.68.035 and 2010 c 161 s 804 are each amended to read as follows:

The director shall forward all proceeds from vehicle license fees received by the director for vehicles registered under RCW 46.17.350(1) (c) and (k), 46.17.355, and 46.17.400(1)(c) to the state treasurer to be distributed into accounts according to the following method:

(1) 22.36 percent must be deposited into the state patrol highway account of the motor vehicle fund;

(2) 1.375 percent must be deposited into the Puget Sound ferry operations account of the motor vehicle fund;

(3) 5.237 percent must be deposited into the transportation 2003 account (nickel account);

(4) 11.533 percent must be deposited into the transportation partnership account created in RCW 46.68.290; and

(5) The remaining proceeds must be deposited into the motor vehicle fund, except that up to eight million three hundred thousand dollars must be deposited into the freight mobility investment account created in RCW 46.68.300 every July 1st, beginning July 1, 2016.

Passenger Vehicle Weight Fees

Sec. 203. RCW 46.17.365 and 2010 c 161 s 533 are each amended to read as follows:

(1) A person applying for a motor vehicle registration and paying the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e), (h), (j), (n), and (o) shall pay a motor vehicle weight fee in addition to all other fees and taxes required by law. The motor vehicle weight fee:

(a) Must be based on the motor vehicle scale weight as follows:

WEIGHT	FEE
4,000 pounds	$ 25.00
6,000 pounds	$ 45.00
8,000 pounds	$ 65.00
16,000 pounds and over	$ 72.00;

(b) ((Is the difference determined by subtracting the vehicle license fee required in RCW 46.17.350 from the license fee in Schedule B of RCW 46.17.355, plus two dollars)) If the resultant motor vehicle scale weight is not listed in the table provided in (a) of this subsection, must be increased to the next highest weight; and

(c) Must be distributed under RCW 46.68.415.

(2) A person applying for a motor home vehicle registration shall, in lieu of the motor vehicle weight fee required in subsection (1) of this section, pay a motor home vehicle weight fee of seventy-five dollars in addition to all other fees and taxes required by law. The motor home vehicle weight fee must be distributed under RCW 46.68.415.

(3) Beginning July 1, 2022, in addition to the motor vehicle weight fee as provided in subsection (1) of this section, the

department, county auditor or other agent, or subagent appointed by the director must require an applicant to pay an additional weight fee of eight dollars, which must be distributed to the multimodal transportation account under RCW 47.66.070.

(4) The department shall:

(a) Rely on motor vehicle empty scale weights provided by vehicle manufacturers, or other sources defined by the department, to determine the weight of each motor vehicle; and

(b) Adopt rules for determining weight for vehicles without manufacturer empty scale weights.

NEW SECTION. **Sec. 204.** Sections 201 and 203 of this act apply to vehicle registrations that are due or become due on or after July 1, 2016.

Commercial Driver's License Fees

Sec. 205. RCW 46.25.052 and 2013 c 224 s 5 are each amended to read as follows:

(1) The department may issue a CLP to an applicant who is at least eighteen years of age and holds a valid Washington state driver's license and who has:

(a) Submitted an application on a form or in a format provided by the department;

(b) Passed the general knowledge examination required for issuance of a CDL under RCW 46.25.060 for the commercial motor vehicle classification in which the applicant operates or expects to operate; and

(c) Paid the appropriate examination fee or fees and an application fee of ((~~ten~~)) forty dollars.

(2) A CLP must be marked "commercial learner's permit" or "CLP," and must be, to the maximum extent practicable, tamperproof. Other than a photograph of the applicant, it must include, but not be limited to, the information required on a CDL under RCW 46.25.080(1).

(3) The holder of a CLP may drive a commercial motor vehicle on a highway only when in possession of a valid driver's license and accompanied by the holder of a valid CDL who has the proper CDL classification and endorsement or endorsements necessary to operate the commercial motor vehicle. The CDL holder must at all times be physically present in the front seat of the vehicle next to the CLP holder or, in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision.

(4) A CLP may be classified in the same manner as a CDL under RCW 46.25.080(2)(a).

(5) CLPs may be issued with only P, S, or N endorsements as described in RCW 46.25.080(2)(b).

(a) The holder of a CLP with a P endorsement must have taken and passed the P endorsement knowledge examination. The holder of a CLP with a P endorsement is prohibited from operating a commercial motor vehicle carrying passengers other than authorized employees or representatives of the department and the federal motor carrier safety administration, examiners, other trainees, and the CDL holder accompanying the CLP holder as required under subsection (2) of this section. The P endorsement must be class specific.

(b) The holder of a CLP with an S endorsement must have taken and passed the S endorsement knowledge examination. The holder of a CLP with an S endorsement is prohibited from operating a school bus with passengers other than authorized employees or representatives of the department and the federal motor carrier safety administration, examiners, other trainees, and the CDL holder accompanying the CLP holder as required under subsection (2) of this section.

(c) The holder of a CLP with an N endorsement must have taken and passed the N endorsement knowledge examination. The holder of a CLP with an N endorsement may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous materials and has not been purged of any residue.

(6) A CLP may be issued with appropriate restrictions as described in RCW 46.25.080(2)(c). In addition, a CLP may be issued with the following restrictions:

(a) "P" restricts the driver from operating a bus with passengers;

(b) "X" restricts the driver from operating a tank vehicle that contains cargo; and

(c) Any restriction as established by rule of the department.

(7) The holder of a CLP is not authorized to operate a commercial motor vehicle transporting hazardous materials.

(8) A CLP may not be issued for a period to exceed one hundred eighty days. The department may renew the CLP for one additional one hundred eighty-day period without requiring the CLP holder to retake the general and endorsement knowledge examinations.

(9) The department must transmit the fees collected for CLPs to the state treasurer for deposit in the highway safety fund.

Sec. 206. RCW 46.25.060 and 2013 c 224 s 6 are each amended to read as follows:

(1)(a) No person may be issued a commercial driver's license unless that person:

(i) Is a resident of this state;

(ii) Has successfully completed a course of instruction in the operation of a commercial motor vehicle that has been approved by the director or has been certified by an employer as having the skills and training necessary to operate a commercial motor vehicle safely;

(iii) If he or she does not hold a valid commercial driver's license of the appropriate classification, has been issued a commercial learner's permit under RCW 46.25.052; and

(iv) Has passed a knowledge and skills examination for driving a commercial motor vehicle that complies with minimum federal standards established by federal regulation enumerated in 49 C.F.R. Part 383, subparts F, G, and H, in addition to other requirements imposed by state law or federal regulation. The department may not allow the person to take the skills examination during the first fourteen days after initial issuance of the person's commercial learner's permit. The examinations must be prescribed and conducted by the department.

(b) In addition to the fee charged for issuance or renewal of any license, the applicant shall pay a fee of no more than ((~~ten~~)) thirty-five dollars for ((~~each~~)) the classified knowledge examination, classified endorsement knowledge examination, or any combination of classified license and endorsement knowledge examinations. The applicant shall pay a fee of no more than ((~~one~~)) two hundred fifty dollars for each classified skill examination or combination of classified skill examinations conducted by the department.

(c) The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility, or other private institution, or a department, agency, or instrumentality of local government, to administer the skills examination specified by this section under the following conditions:

(i) The examination is the same which would otherwise be administered by the state;

(ii) The third party has entered into an agreement with the state that complies with the requirements of 49 C.F.R. Sec. 383.75; and

(iii) The director has adopted rules as to the third party testing program and the development and justification for fees charged by any third party.

(d) If the applicant's primary use of a commercial driver's license is for any of the following, then the applicant shall pay a fee of no more than ((~~seventy-five~~)) two hundred twenty-five dollars for ((~~each~~)) the classified skill examination or combination of classified

skill examinations whether conducted by the department or a third-party tester:

(i) Public benefit not-for-profit corporations that are federally supported head start programs; or

(ii) Public benefit not-for-profit corporations that support early childhood education and assistance programs as described in RCW 43.215.405(2).

(e) If the applicant's primary use of a commercial driver's license is to drive a school bus, the applicant shall pay a fee of no more than one hundred dollars for the classified skill examination or combination of classified skill examinations conducted by the department.

(f) Payment of the examination fees under this subsection entitles the applicant to take the examination up to two times in order to pass.

(2)(a) The department may waive the skills examination and the requirement for completion of a course of instruction in the operation of a commercial motor vehicle specified in this section for a commercial driver's license applicant who meets the requirements of 49 C.F.R. Sec. 383.77.

(b) An applicant who operates a commercial motor vehicle for agribusiness purposes is exempt from the course of instruction completion and employer skills and training certification requirements under this section. By January 1, 2010, the department shall submit recommendations regarding the continuance of this exemption to the transportation committees of the legislature. For purposes of this subsection (2)(b), "agribusiness" means a private carrier who in the normal course of business primarily transports:

(i) Farm machinery, farm equipment, implements of husbandry, farm supplies, and materials used in farming;

(ii) Agricultural inputs, such as seed, feed, fertilizer, and crop protection products;

(iii) Unprocessed agricultural commodities, as defined in RCW 17.21.020, where such commodities are produced by farmers, ranchers, vineyardists, or orchardists; or

(iv) Any combination of (b)(i) through (iii) of this subsection.

The department shall notify the transportation committees of the legislature if the federal government takes action affecting the exemption provided in this subsection (2)(b).

(3) A commercial driver's license or commercial learner's permit may not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or while the person's driver's license is suspended, revoked, or canceled in any state, nor may a commercial driver's license be issued to a person who has a commercial driver's license issued by any other state unless the person first surrenders all such licenses, which must be returned to the issuing state for cancellation.

Sec. 207. RCW 46.25.100 and 2013 c 224 s 12 are each amended to read as follows:

When a person has been disqualified from operating a commercial motor vehicle, the person is not entitled to have the commercial driver's license or commercial learner's permit restored until after the expiration of the appropriate disqualification period required under RCW 46.25.090 or until the department has received a drug and alcohol assessment and evidence is presented of satisfactory participation in or completion of any required drug or alcohol treatment program for ending the disqualification under RCW 46.25.090(7). After expiration of the appropriate period and upon payment of a requalification fee of ((~~twenty~~)) thirty-five dollars, or one hundred fifty dollars if the person has been disqualified under RCW 46.25.090(7), the person may apply for a new, duplicate, or renewal commercial driver's license or commercial learner's permit as provided by law. If the person has been disqualified for a period of one year or more, the person shall demonstrate that he or she meets the commercial driver's license or commercial learner's permit qualification standards specified in RCW 46.25.060.

Enhanced Driver's License & Identicard Fees

Sec. 208. RCW 46.20.202 and 2007 c 7 s 1 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border-crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4) ((~~The department may set a fee for the issuance of enhanced drivers' licenses and identicards under this section.~~)) The fee for an enhanced driver's license or enhanced identicard is fifty-four dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is nine dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

Report of Sale & Transitional Ownership Fees

Sec. 209. RCW 46.17.050 and 2014 c 59 s 3 are each amended to read as follows:

(1) Before accepting a report of sale filed under RCW 46.12.650(2), the department, county auditor or other agent, or

subagent appointed by the director shall require the applicant to pay((~~:~~

~~(1)~~)) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ((~~and~~)) the license service fee under RCW 46.17.025 ((~~to the county auditor or other agent; and~~

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

(2) Services fees collected under this section by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

Sec. 210. RCW 46.17.060 and 2014 c 59 s 4 are each amended to read as follows:

(1) Before accepting a transitional ownership record filed under RCW 46.12.660, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay((~~:~~

~~(1)~~)) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ((~~and~~)) the license service fee under RCW 46.17.025 ((~~to the county auditor or other agent; and~~

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

(2) Services fees collected under this section by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

Sec. 211. RCW 46.17.100 and 2012 c 74 s 1 are each amended to read as follows:

Before accepting an application for a certificate of title as required in this title, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay a fifteen dollar application fee in addition to any other fees and taxes required by law.

(1) Five dollars of the certificate of title application fee must be distributed under RCW 46.68.020.

(2) ((~~Ten~~)) Five dollars of the certificate of title application fee must be credited to the transportation 2003 account (nickel account) created in RCW 46.68.280.

(3) Five dollars of the certificate of title application fee must be credited to the Puget Sound capital construction account created in RCW 47.60.505.

Sec. 212. RCW 47.60.322 and 2014 c 59 s 1 are each amended to read as follows:

(((~~(1)~~))) The capital vessel replacement account is created in the motor vehicle fund. All revenues generated from the vessel replacement surcharge under RCW 47.60.315(7) and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. However, expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.

(((~~(2) The state treasurer may not transfer any moneys from the capital vessel replacement account except to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.~~)))

Sec. 213. RCW 46.12.650 and 2010 c 161 s 309 are each amended to read as follows:

(1) **Releasing interest.** An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) **Report of sale.** An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within ((~~five~~)) twenty-one business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

(c) Traded, either privately or to a dealership;

(d) Donated to charity;

(e) Turned over to an insurance company or wrecking yard; or

(f) Disposed of.

(3) **Report of sale properly filed.** A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within ((~~five~~)) twenty-one business days after the date of sale or transfer and it includes:

(a) The date of sale or transfer;

(b) The owner's name and address;

(c) The name and address of the person acquiring the vehicle;

(d) The vehicle identification number and license plate number;

(e) A date or stamp by the department showing it was received on or before the ((~~fifth~~)) twenty-first business day after the date of sale or transfer; and

(f) Payment of the fees required under RCW 46.17.050 ((~~if the report of sale is processed by a county auditor or other agent or subagent appointed by the director~~)).

(4) **Report of sale - administration.** (a) The department shall:

(((~~(a)~~))) (i) Provide or approve reports of sale forms;

(((~~(b)~~))) (ii) Provide a system enabling an owner to submit reports of sale electronically;

(((~~(c)~~))) (iii) Immediately update the department's vehicle record when a report of sale has been filed;

(((~~(d)~~))) (iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW ((~~30.22.040~~)) 30A.22.040, releases its lien on the vehicle; and

(((~~(e)~~))) (v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no transfer of ownership has taken place. The department shall send the report once each quarter.

(b) A report of sale that is received by the department, county auditor or other agent, or subagent appointed by the director after the twenty-first day becomes effective on the day it is received by the department, county auditor or other agent, or subagent appointed by the director.

(5)(a) **Transferring ownership.** A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within fifteen days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

(i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or

(ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(6) **Certificate of title delivered to secured party.** The certificate of title must be kept by or delivered to the person who becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(7) **Penalty for late transfer.** A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

(8) **Penalty for late transfer - exceptions.** The penalty is not charged if the delay in application is due to at least one of the following:

(a) The department requests additional supporting documents;

(b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;

(c) The owner is prevented from applying due to an illness or extended hospitalization;

(d) The legal owner fails or neglects to release interest;

(e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or

(f) The department finds other conditions exist that adequately explain the delay.

(9) **Review and issue.** The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have been complied with.

(10) **Rules.** The department may adopt rules as necessary to implement this section.

PART III
LOCAL REVENUE OPTIONS
Transportation Benefit Districts

Sec. 301. RCW 36.73.065 and 2012 c 152 s 3 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, taxes, fees, charges, and tolls may not be imposed by a district without approval of a majority of the voters in the district voting on a proposition at a general or special election. The proposition must include a specific description of: (a) The transportation improvement or improvements proposed by the district; (b) any rebate program proposed to be established under RCW 36.73.067; and (c) the proposed taxes, fees, charges, and the range of tolls imposed by the district to raise revenue to fund the improvement or improvements or rebate program, as applicable.

(2) Voter approval under this section must be accorded substantial weight regarding the validity of a transportation improvement as defined in RCW 36.73.015.

(3) A district may not increase any taxes, fees, charges, or range of tolls imposed or change a rebate program under this chapter once the taxes, fees, charges, tolls, or rebate program takes effect, ((~~unless~~)) except:

(a) If authorized by the district voters pursuant to RCW 36.73.160 or, with respect to a change in a rebate program, a material change policy adopted pursuant to RCW 36.73.160 is followed; or

(b) For up to fifty dollars of the vehicle fee authorized in RCW 82.80.140 by the governing board of the district if a vehicle fee of twenty dollars has been imposed for at least twenty-four months.

(4)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district the following fees and charges:

(i) Up to twenty dollars of the vehicle fee authorized in RCW 82.80.140; ((~~or~~))

(ii) Up to fifty dollars of the vehicle fee authorized in RCW 82.80.140 if a vehicle fee of twenty dollars has been imposed for at least twenty-four months; or

(iii) A fee or charge in accordance with RCW 36.73.120.

(b) The vehicle fee authorized in (a) of this subsection may only be imposed for a passenger-only ferry transportation improvement if the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district.

(c)(i) A district solely comprised of a city or cities ((~~shall~~)) may not impose the fees or charges identified in (a) of this subsection within one hundred eighty days after July 22, 2007, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection within the one hundred eighty-day period; or

(ii) A district solely comprised of a city or cities identified in RCW 36.73.020(6)(b) may not impose the fees or charges until after May 22, 2008, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection through May 22, 2008.

(5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be reached, a district that includes only the unincorporated territory of a county may impose by a majority vote of the governing body of the district up to: (a) Twenty dollars of the vehicle fee authorized in RCW 82.80.140; or (b) fifty dollars of the vehicle fee authorized in RCW 82.80.140 if a fee of twenty dollars has been imposed for at least twenty-four months.

Sec. 302. RCW 82.80.140 and 2010 c 161 s 917 are each amended to read as follows:

(1) Subject to the provisions of RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose an annual vehicle fee, not to exceed one hundred dollars per vehicle registered in the district, for each vehicle subject to vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with a scale weight of six thousand pounds or less.

(2)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district up to twenty dollars of the vehicle fee authorized in subsection (1) of this section or up to fifty dollars of the vehicle fee authorized in subsection (1) of this section if a twenty dollar vehicle fee has been imposed for at least twenty-four months.

If the district is countywide, the revenues of the fee ((~~shall~~)) must be distributed to each city within the ((~~county~~)) district by interlocal agreement. The interlocal agreement is effective when approved by the ((~~county~~)) district and sixty percent of the cities representing seventy-five percent of the population of the cities within the ((~~county~~)) district in which the countywide fee is collected.

(b) A district may not impose a fee under this subsection (2):

(i) For a passenger-only ferry transportation improvement unless the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district; or

(ii) That, if combined with the fees previously imposed by another district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds ((~~twenty~~)) fifty dollars.

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds ((~~twenty~~)) fifty dollars, the district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed ((~~twenty~~)) fifty dollars.

(3) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by it. The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the district on a monthly basis.

(4) No fee under this section may be collected until six months after approval under RCW 36.73.065.

(5) The vehicle fee under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(6) The following vehicles are exempt from the fee under this section:

(a) Campers, as defined in RCW 46.04.085;

(b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;

(c) Mopeds, as defined in RCW 46.04.304;

(d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;

(e) Private use single-axle trailer, as defined in RCW 46.04.422;

(f) Snowmobiles, as defined in RCW 46.04.546; and

(g) Vehicles registered under chapter 46.87 RCW and the international registration plan.

Sec. 303. RCW 36.73.015 and 2012 c 152 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "City" means a city or town.

(2) "District" means a transportation benefit district created under this chapter.

(3) "Low-income" means household income set by the district creating the rebate program that is at or below ((~~forty-five~~)) seventy-five percent of the median household income, adjusted for household size, for the district in which the fees, taxes, or tolls were imposed.

(4) "Rebate program" means an optional program established by a transportation benefit district that includes a city with a population of five hundred thousand persons or more for the purpose of providing rebates to low-income individuals for fees, taxes, and/or tolls imposed by such transportation benefit district for: (a) Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

(5) "Supplemental transportation improvement" or "supplemental improvement" means any project, work, or undertaking to provide public transportation service, in addition to a district's existing or planned voter-approved transportation improvements, proposed by a participating city member of the district under RCW 36.73.180.

(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs.

Community Transit Sales Tax

Sec. 304. RCW 82.14.045 and 2008 c 86 s 102 are each amended to read as follows:

(1) The legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090, of any county transportation authority established pursuant to chapter 36.57 RCW, and of any metropolitan municipal corporation within a county with a population of one million or more pursuant to chapter 35.58 RCW, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance, or capital needs of public transportation systems or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and in lieu of the excise taxes authorized by RCW 35.95.040, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and if approved by a majority of persons voting thereon, impose a sales and use tax in accordance with the terms of this chapter. Where an authorizing proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57.070 and the voters of such county have authorized the imposition of a sales and use tax pursuant to the provisions of section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section.

The tax authorized by this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, or metropolitan municipal corporation as the case may be. The rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths, seven-tenths, eight-tenths, or nine-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

(2)(a) In the event a metropolitan municipal corporation imposes a sales and use tax pursuant to this chapter no city, county which has created an unincorporated transportation benefit area, public transportation benefit area authority, or county transportation authority wholly within such metropolitan municipal corporation shall be empowered to impose and/or collect taxes under RCW 35.95.040 or this section, but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization.

(b) In the event a county transportation authority imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(c) In the event a public transportation benefit area imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, or metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit area, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(3) The legislative body of a public transportation benefit area located in a county with either a population of two hundred thirty thousand or more that borders Puget Sound that also contains two or more cities with a population greater than forty thousand or a population of seven hundred thousand or more that also contains a city with a population of seventy-five thousand or more operating a transit system pursuant to chapter 35.95 RCW may submit an authorizing proposition to the voters and, if approved by a majority of persons voting on the proposition, impose a sales and use tax in accordance with the terms of this chapter of one-tenth, two-tenths, or three-tenths of one percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax, in addition to the rate in subsection (1) of this section.

Passenger-Only Ferry Service Districts

NEW SECTION. **Sec. 305.** A new section is added to chapter 36.57A RCW to read as follows:

(1) A governing body of a public transportation benefit area, located in a county that only borders the western side of Puget Sound with a population of more than two hundred thousand and contains one or more Washington state ferries terminals, may establish one or more passenger-only ferry service districts within all or a portion of the boundaries of the public transportation benefit area establishing the passenger-only ferry service district. A passenger-only ferry service district may include all or a portion of a city or town as long as all or a portion of the city or town boundaries are within the boundaries of the establishing public transportation benefit area. The members of the public transportation benefit area governing body proposing to establish the passenger-only ferry service district, acting ex officio and independently, constitutes the governing body of the passenger-only ferry service district.

(2) A passenger-only ferry service district may establish, finance, and provide passenger-only ferry service, and associated services to support and augment passenger-only ferry service operation, within its boundaries in the same manner as authorized for public transportation benefit areas under this chapter.

(3) A passenger-only ferry service district constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may be conferred by statute including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the public transportation benefit area that established the passenger-only ferry service district apply to the district. For purposes of this section, "passenger-only ferry service district" means a quasi-municipal corporation and independent taxing authority within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, created by the legislative body of a public transportation benefit area.

(4) Before a passenger-only ferry service district may provide passenger-only ferry service, it must develop a passenger-only ferry investment plan, including elements: To operate or contract for the operation of passenger-only ferry services; to purchase, lease, or rent ferry vessels and dock facilities for the provision of transit service; and to identify other activities necessary to implement the plan. The plan must set forth terminal locations to be served, projected costs of providing services, and revenues to be generated from tolls, locally collected tax revenues, and other revenue sources. The plan must ensure that services provided under the plan are for the benefit of the residents of the passenger-only ferry service district. The passenger-only ferry service district may use any of its powers to carry out this purpose, unless otherwise prohibited by law. In addition, the passenger-only ferry service district may enter into: Contracts and agreements to operate passenger-only ferry service; public-private partnerships; and design-build, general contractor/construction management, or other alternative procurement processes substantially consistent with chapter 39.10 RCW.

(5) A passenger-only ferry service district may be dissolved by a majority vote of the governing body when all obligations under any general obligation bonds issued by the passenger-only ferry service district have been discharged and any other contractual obligations of the passenger-only ferry service district have either been discharged or assumed by another governmental entity.

NEW SECTION. **Sec. 306.** A new section is added to chapter 36.57A RCW to read as follows:

(1) A passenger-only ferry service district may, as part of a passenger-only ferry investment plan, recommend some or all of the following revenue sources as provided in this chapter:

(a) A sales and use tax, as authorized in section 307 of this act;

(b) A parking tax, as authorized in section 308 of this act;

(c) Tolls for passengers, packages, and, where applicable, parking; and

(d) Charges or licensing fees for advertising, leasing space for services to ferry passengers, and other revenue generating activities.

(2) Taxes may not be imposed without an affirmative vote of the majority of the voters within the boundaries of the passenger-only ferry service district voting on a single ballot proposition to both approve a passenger-only ferry investment plan and to approve taxes to implement the plan. Revenues from these taxes and fees may be used only to implement the plan and must be used for the benefit of the residents of the passenger-only ferry service district. A district must contract with the department of revenue for the administration and collection of a sales and use tax as authorized in section 307 of this act. A district may contract with other appropriate entities for the administration and collection of any of the other taxes or charges authorized in this section.

NEW SECTION. **Sec. 307.** A new section is added to chapter 82.14 RCW to read as follows:

(1) Passenger-only ferry service districts providing passenger-only ferry service as provided in section 305 of this act may submit an authorizing proposition to the voters and, if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing passenger-only ferry service and associated services to support and augment passenger-only ferry service operation.

(2) The tax authorized under this section is in addition to other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of a taxable event within the taxing district. The maximum rate of the tax must be approved by the voters and may not exceed three-tenths of one percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

NEW SECTION. **Sec. 308.** A new section is added to chapter 82.80 RCW to read as follows:

(1) Subject to the conditions of this section, a passenger-only ferry service district located in a county with a population of one million or less as of January 1, 2016, may fix and impose a parking tax on all persons engaged in a commercial parking business within its respective jurisdiction.

(2) In lieu of the tax in subsection (1) of this section, a passenger-only ferry service district located in a county with a population of one million or less as of January 1, 2016, may fix and impose a tax for the act or privilege of parking a motor vehicle in a facility operated by a commercial parking business. The passenger-only ferry service district may provide that:

(a) The tax is paid by the operator or owner of the motor vehicle;

(b) The tax applies to all parking for which a fee is paid, whether paid or leased, including parking supplied with a lease of nonresidential space;

(c) The tax is collected by the operator of the facility and remitted to the city, county, or passenger-only ferry service district;

(d) The tax is a fee per vehicle or is measured by the parking charge;

(e) The tax rate varies with zoning or location of the facility, the duration of the parking, the time of entry or exit, the type or use of the vehicle, or other reasonable factors; and

(f) Tax exempt carpools, vehicles with special license plates and parking placards for persons with disabilities, or government vehicles are exempt from the tax.

(3) The rate of the tax under subsection (1) of this section may be based either upon gross proceeds or the number of vehicle stalls available for commercial parking use. The rates charged must be uniform for the same class or type of commercial parking business.

(4) The passenger-only ferry service district levying the tax provided for in subsection (1) or (2) of this section may provide for its payment on a monthly, quarterly, or annual basis.

(5) The proceeds of the parking tax imposed by a passenger-only ferry service district under subsection (1) or (2) of this section must be used as provided in section 306 of this act.

(6) "Commercial parking business" as used in this section, means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged. "Commercial parking lot" means a covered or uncovered area with stalls for the purpose of parking motor vehicles.

NEW SECTION. **Sec. 309.** A new section is added to chapter 36.57A RCW to read as follows:

(1) To carry out the purposes of this chapter, a passenger-only ferry service district may issue general obligation bonds, not to exceed an amount, together with any other outstanding nonvoter-approved general obligation indebtedness, equal to one and one-half percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015. A passenger-only ferry service district may also issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to five percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015, when authorized by the voters of the area pursuant to Article VIII, section 6 of the state Constitution.

(2) General obligation bonds with a maturity in excess of twenty-five years may not be issued. The governing body of the passenger-only ferry service district must by resolution determine for each general obligation bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, callable provisions, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued, or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and any coupons. Refunding general obligation bonds may be issued in the same manner as general obligation bonds are issued.

(3) Whenever general obligation bonds are issued to fund specific projects or enterprises that generate revenues, charges, user fees, or special assessments, the passenger-only ferry service district may specifically pledge all or a portion of the revenues, charges, user fees, or special assessments to refund the general obligation bonds. The passenger-only ferry service district may also pledge any other revenues that may be available to the district.

(4) In addition to general obligation bonds, a passenger-only ferry service district may issue revenue bonds to be issued and sold in accordance with chapter 39.46 RCW.

Sound Transit Funding - ST3

Sec. 310. RCW 81.104.140 and 2002 c 56 s 202 are each amended to read as follows:

(1) Agencies authorized to provide high capacity transportation service, including transit agencies and regional transit authorities, and regional transportation investment districts acting with the agreement of an agency, are hereby granted dedicated funding sources for such systems. These dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170, and section 313 of this act, are authorized only for agencies located in (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under (a) of this subsection. In any county with a population of one million or more or in any county having a population of four hundred thousand or more bordering a county with a population of one million or more, these funding sources may be imposed only by a regional transit authority or a regional transportation investment district. Regional transportation investment districts may, with the approval of the regional transit authority within its boundaries, impose the taxes authorized under this chapter, but only upon approval of the voters and to the extent that the maximum amount of taxes authorized under this chapter have not been imposed.

(2) Agencies planning to construct and operate a high capacity transportation system should also seek other funds, including federal, state, local, and private sector assistance.

(3) Funding sources should satisfy each of the following criteria to the greatest extent possible:

(a) Acceptability;

(b) Ease of administration;

(c) Equity;

(d) Implementation feasibility;

(e) Revenue reliability; and

(f) Revenue yield.

(4)(a) Agencies participating in regional high capacity transportation system development are authorized to levy and collect the following voter-approved local option funding sources:

((~~(a)~~)) (i) Employer tax as provided in RCW 81.104.150, other than by regional transportation investment districts;

((~~(b)~~)) (ii) Special motor vehicle excise tax as provided in RCW 81.104.160; ((~~and~~

~~(c)~~)) (iii) Regular property tax as provided in section 313 of this act; and

(iv) Sales and use tax as provided in RCW 81.104.170.

(b) Revenues from these taxes may be used only to support those purposes prescribed in subsection (10) of this section. Before the date of an election authorizing an agency to impose any of the taxes enumerated in this section and authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170, and section 313 of this act, the agency must comply with the process prescribed in RCW 81.104.100 (1) and (2), section 314 of this act, and 81.104.110. No construction on exclusive right-of-way may occur before the requirements of RCW 81.104.100(3) are met.

(5) Except for the regular property tax authorized in section 313 of this act, the authorization in subsection (4) of this section ((~~shall~~)) may not adversely affect the funding authority of transit agencies not provided for in this chapter. Local option funds may be used to support implementation of interlocal agreements with respect to the establishment of regional high capacity transportation service. Except when a regional transit authority exists, local jurisdictions ((~~shall~~)) must retain control over moneys generated within their

boundaries, although funds may be commingled with those generated in other areas for planning, construction, and operation of high capacity transportation systems as set forth in the agreements.

(6) Except for the regular property tax authorized in section 313 of this act, agencies planning to construct and operate high capacity transportation systems may contract with the state for collection and transference of voter-approved local option revenue.

(7) Dedicated high capacity transportation funding sources authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170 ((~~shall be~~)), and section 313 of this act are subject to voter approval by a simple majority. A single ballot proposition may seek approval for one or more of the authorized taxing sources. The ballot title ((~~shall~~)) must reference the document identified in subsection (8) of this section.

(8) Agencies ((~~shall~~)) must provide to the registered voters in the area a document describing the systems plan and the financing plan set forth in RCW 81.104.100. It ((~~shall~~)) must also describe the relationship of the system to regional issues such as development density at station locations and activity centers, and the interrelationship of the system to adopted land use and transportation demand management goals within the region. This document ((~~shall~~)) must be provided to the voters at least twenty days prior to the date of the election.

(9) For any election in which voter approval is sought for a high capacity transportation system plan and financing plan pursuant to RCW 81.104.040, a local voter's pamphlet ((~~shall~~)) must be produced as provided in chapter ((~~29.81A~~)) 29A.32 RCW.

(10)(a) Agencies providing high capacity transportation service ((~~shall~~)) must retain responsibility for revenue encumbrance, disbursement, and bonding. Funds may be used for any purpose relating to planning, construction, and operation of high capacity transportation systems and commuter rail systems, personal rapid transit, busways, bus sets, and entrained and linked buses.

(b) A regional transit authority that imposes a motor vehicle excise tax after the effective date of this section, imposes a property tax, or increases a sales and use tax to more than nine-tenths of one percent may use the revenues from such taxes or tax increases to provide regional trails that directly connect to the systems described in this subsection.

(c) A regional transit authority that imposes a motor vehicle excise tax after the effective date of this section, imposes a property tax, or increases a sales and use tax to more than nine-tenths of one percent must undertake a process in which the authority's board formally considers inclusion of the name, Scott White, in the naming convention associated with either the University of Washington or Roosevelt stations.

Sec. 311. RCW 81.104.160 and 2010 c 161 s 903 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eighty one-hundredths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before the effective date of this section if the tax will terminate on the date bond debt to which the tax is pledged is repaid. In any county imposing a motor vehicle excise tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under this section must be reduced to a rate equal to eighty one-hundredths of one percent on the value less the equivalent motor vehicle excise tax rate of the surcharge imposed pursuant to RCW 81.100.060. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after the effective date of this section must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax ((~~shall~~)) may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this section. The base of the tax ((~~shall be~~)) is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

((~~Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006).~~)) (3) In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

Sec. 312. RCW 81.104.170 and 2009 c 469 s 106 and 2009 c 280 s 5 are each reenacted and amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

(2) The tax authorized pursuant to this section ((~~shall be~~)) is in addition to the tax authorized by RCW 82.14.030 and ((~~shall~~)) must be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district.

(a) Except for the tax imposed under (b) of this subsection by regional transit authorities that include a county with a population of more than one million five hundred thousand, the maximum rate of such tax ((~~shall~~)) must be approved by the voters and ((~~shall~~)) may not exceed one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The maximum rate of such tax that may be imposed ((~~shall~~)) may not exceed nine-tenths of one percent in any county that imposes a tax under RCW 82.14.340, or within a regional transit authority if any county within the authority imposes a tax under RCW 82.14.340.

(b) The maximum rate of such tax that may be imposed by a regional transit authority that includes a county with a population of more than one million five hundred thousand must be approved by the voters and may not exceed 1.4 percent.

(3)(a) The exemptions in RCW 82.08.820 and 82.12.820 are for the state portion of the sales and use tax and do not extend to the tax authorized in this section.

(b) The exemptions in RCW 82.08.962 and 82.12.962 are for the state and local sales and use taxes and include the tax authorized by this section.

NEW SECTION. **Sec. 313.** A new section is added to chapter 81.104 RCW to read as follows:

(1) A regional transit authority that includes a county with a population of more than one million five hundred thousand may impose a regular property tax levy in an amount not to exceed twenty-five cents per thousand dollars of the assessed value of property in the regional transit authority district in accordance with the terms of this section.

(2) Any tax imposed under this section must be used for the purpose of providing high capacity transportation service, as set forth in a proposition that is approved by a majority of the registered voters that vote on the proposition.

(3) Property taxes imposed under this section may be imposed for the period of time required to pay the cost to plan, design, construct, operate, and maintain the transit facilities set forth in the approved proposition. Property taxes pledged to repay bonds may be imposed at the pledged amount until the bonds are retired. After the bonds are retired, property taxes authorized under this section must be:

(a) Reduced to the level required to operate and maintain the regional transit authority's transit facilities; or

(b) Terminated, unless the taxes have been extended by public vote.

(4) The limitations in RCW 84.52.043 do not apply to the tax authorized in this section.

(5) The limitation in RCW 84.55.010 does not apply to the first levy imposed under this section.

NEW SECTION. **Sec. 314.** A new section is added to chapter 81.104 RCW to read as follows:

A regional transit authority that includes a county with a population of more than one million five hundred thousand must develop and approve a plan, which meets the requirements of any transportation subarea equity element utilized by the authority, to implement a regional transit-oriented development strategy for diverse, vibrant, mixed-use communities consistent with transit-oriented development plans approved by any regional transportation planning organization within the regional transit authority boundaries. This plan must include the following:

(1) The authority must agree to contribute a minimum of two million five hundred dollars to a revolving loan fund to support affordable housing development for transit-oriented development.

(2) The authority must provide a first right of refusal, eighty percent of developable surplus property, and air rights to local governments and nonprofit developers at a discount for long-term affordable housing, which may be part of a mixed-income or mixed-use development, provided that a regional transit authority is not required to comply with a requirement imposed by this subsection if the requirement is in conflict with the federal requirements necessary to establish or maintain eligibility for a federal grant program or would result in a loss of federal funds to the regional transit authority.

(3) The authority, when disposing of property for transit-oriented development, must require a minimum of eighty percent of housing units to be dedicated to long-term affordable housing for persons, families, or unrelated persons living together whose adjusted income is below eighty percent of the median income, adjusted for household size, for the county where the housing is located, provided that a regional transit authority is not required to comply with a requirement imposed by this subsection if the requirement is in conflict with the federal requirements necessary to establish or maintain eligibility for a federal grant program or would result in a loss of federal funds to the regional transit authority.

Sec. 315. RCW 84.52.043 and 2011 c 275 s 2 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; ((~~and~~)) (k) the protected portion of the levies imposed under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county; and (l) levies imposed by a regional transit authority under section 313 of this act.

Sec. 316. RCW 84.52.043 and 2009 c 551 s 6 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named ((~~shall be~~)) are as follows:

(1) Levies of the senior taxing districts ((~~shall be~~)) are as follows: (a) The levy by the state ((~~shall~~)) may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county ((~~shall~~)) may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district ((~~shall~~)) may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town ((~~shall~~)) may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is

hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, ((~~shall~~)) may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection ((~~shall~~)) do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; ((~~and~~)) (j) levies by counties for transit-related purposes under RCW 84.52.140; and (k) levies imposed by a regional transit authority under section 313 of this act.

Sec. 317. RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 318. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes ((~~shall~~)) must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor ((~~shall~~)) must recompute and establish a consolidated levy in the following manner:

(((~~(1)~~))) (a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes ((~~shall~~)) must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy ((~~shall~~)) takes precedence over all other levies and ((~~shall~~)) may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies ((~~shall~~)) must be reduced as follows:

(((~~(a)~~))) (i) The levy imposed by a county under RCW 84.52.140 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(b)~~))) (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(c)~~))) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(d)~~))) (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(e)~~))) (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(f)~~))) (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, ((~~shall~~)) must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated; and

(((~~(g)~~))) (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(((~~(2)~~))) (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property ((~~shall~~)) must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(((~~(a)~~))) (i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(b)~~))) (ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(c)~~))) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(d)~~))) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(e)~~))) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) ((~~shall~~)) must be reduced on a pro rata basis or eliminated; and

(((~~(f)~~))) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, ((~~shall~~)) must be reduced on a pro rata basis or eliminated.

Sec. 319. RCW 84.04.120 and 1999 c 153 s 69 are each amended to read as follows:

"Taxing district" ((~~shall be held and construed to mean and include~~)) means the state and any county, city, town, port district, school district, road district, metropolitan park district, regional transit authority, water-sewer district, or other municipal corporation, now or hereafter existing, having the power or authorized by law to impose burdens upon property within the district in proportion to the value thereof, for the purpose of obtaining revenue for public purposes, as distinguished from municipal corporations authorized to impose burdens, or for which burdens may be imposed, for such purposes, upon property in proportion to the benefits accruing thereto.

Sec. 320. RCW 81.104.180 and 2009 c 280 s 6 are each amended to read as follows:

Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities are authorized to pledge revenues from the employer tax authorized by RCW 81.104.150, the taxes authorized by RCW 81.104.160, ((~~and~~)) the sales and use tax authorized by RCW 81.104.170, and the property tax authorized by section 313 of this act, to retire bonds issued solely for the purpose of providing high capacity transportation service.

Sec. 321. RCW 81.112.050 and 2010 c 19 s 3 are each amended to read as follows:

(1) At the time of formation, the area to be included within the boundary of the authority shall be that area set forth in the system plan adopted by the joint regional policy committee. Prior to submitting the system and financing plan to the voters, the authority may make adjustments to the boundaries as deemed appropriate but must assure that, to the extent possible, the boundaries: (a) Include the largest-population urban growth area designated by each county under chapter 36.70A RCW; and (b) follow election precinct boundaries. If a portion of any city is determined to be within the service area, the entire city must be included within the boundaries of the authority. Subsequent to formation, when territory is annexed to a city located within the boundaries of the authority, the territory is simultaneously included within the boundaries of the authority and subject to all taxes and other liabilities and obligations applicable within the city with respect to the authority as provided in RCW 35.13.500 and 35A.14.475, subject to RCW 84.09.030 and 82.14.055, and notwithstanding any other provision of law.

(2) After voters within the authority boundaries have approved the system and financing plan, elections to add areas contiguous to the authority boundaries may be called by resolution of the regional transit authority, after consultation with affected transit agencies and with the concurrence of the legislative authority of the city or town if the area is incorporated, or with the concurrence of the county legislative authority if the area is unincorporated. Only those areas that would benefit from the services provided by the authority may be included and services or projects proposed for the area must be consistent with the regional transportation plan. The election may include a single ballot proposition providing for annexation to the authority boundaries and imposition of the taxes at rates already imposed within the authority boundaries, subject to RCW 84.09.030 and 82.14.055.

(((~~(3) Upon receipt of a resolution requesting exclusion from the boundaries of the authority from a city whose municipal boundaries cross the boundaries of an authority and thereby result in only a portion of the city being subject to local option taxes imposed by the authority under chapters 81.104 and 81.112 RCW in order to implement a high capacity transit plan, and where the vote to approve the city's incorporation occurred simultaneously with an election approving the local option taxes, then upon a two-thirds majority vote of the governing board of the authority, the governing board shall redraw the boundaries of the authority to exclude that portion of the city that is located within the authority's boundaries, and the excluded area is no longer subject to local option taxes imposed by the authority. This subsection expires December 31, 1998.~~)))

PART IV
MISCELLANEOUS

Sec. 401. RCW 47.04.320 and 2011 c 257 s 2 are each amended to read as follows:

(1) The department shall establish a complete streets grant program ((~~within the department's highways and local programs division, or its successor~~)). During program development, the department shall include, at a minimum, the department of archaeology and historic preservation, local governments, and other organizations or groups that are interested in the complete streets grant program. The purpose of the grant program is to encourage local governments to adopt urban arterial retrofit street ordinances designed to provide safe access to all users, including bicyclists, pedestrians, motorists, and public transportation users, with the goals of:

(a) Promoting healthy communities by encouraging walking, bicycling, and using public transportation;

(b) Improving safety by designing major arterials to include features such as wider sidewalks, dedicated bicycle facilities, medians, and pedestrian streetscape features, including trees where appropriate;

(c) Protecting the environment and reducing congestion by providing safe alternatives to single-occupancy driving; and

(d) Preserving community character by involving local citizens and stakeholders to participate in planning and design decisions.

(2) For purposes of this section:

(a) "Eligible project" means (i) a local government street retrofit project that includes the addition of, or significant repair to, facilities that provide street access with all users in mind, including pedestrians, bicyclists, and public transportation users; or (ii) a retrofit project on city streets that are part of a state highway that include the addition of, or significant repair to, facilities that provide ((~~street~~)) access with all users in mind, including pedestrians, bicyclists, and public transportation users.

(b) "Local government" means incorporated cities and towns that have adopted a jurisdiction-wide complete streets ordinance that plans for the needs of all users and is consistent with sound engineering principles.

(c) "Sound engineering principles" means peer-reviewed, context sensitive solutions guides, reports, and publications, consistent with the purposes of this section.

(3) In carrying out the purposes of this section, the department may award funding, subject to the availability of amounts appropriated for this specific purpose, only to eligible projects that are designed consistent with sound engineering principles.

(4) The department must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

Sec. 402. RCW 81.77.170 and 1989 c 431 s 36 are each amended to read as follows:

For rate-making purposes, a fee, charge, or tax on the collection or disposal of solid waste ((~~shall be~~)) is considered a normal operating expense of the solid waste collection company, including all taxes and fees imposed or increased under this act. Filing for pass-through of any such fee, charge, or tax is not considered a general rate proceeding.

Effective Dates and Other Miscellaneous Provisions

Sec. 403. 2013 c 225 s 650 (uncodified) is amended to read as follows:

((~~This act takes effect July 1, 2015.~~)) Section 110 of this act takes effect July 1, 2015. Sections 101 through 109, 111 through 304, and 306 through 647 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 404.** 2013 c 225 s 305 is repealed.

NEW SECTION. **Sec. 405.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 406.** Sections 101, 102, 104, 109, 111, 112, 304, 403, and 404 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015.

NEW SECTION. **Sec. 407.** Sections 103, 105, 110, 201 through 203, and 205 through 208 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 408.** Section 107 of this act expires on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 409.** Section 108 of this act takes effect on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 410.** Sections 101, 102, 104, and 109 of this act expire July 1, 2016.

NEW SECTION. **Sec. 411.** Sections 209 through 213 of this act take effect July 1, 2017.

NEW SECTION. **Sec. 412.** Sections 315 and 317 of this act expire January 1, 2018.

NEW SECTION. **Sec. 413.** Sections 316 and 318 of this act take effect January 1, 2018."

Correct the title.

Signed by Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist; Gregerson; Kochmar; McBride; Moeller; Morris; Ortiz-Self; Riccelli; Rodne; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth; Hayes; Pike; Shea; Wilson and Young.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1059 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 414.** RCW 71.09.070 and 2011 2nd sp.s. c 7 s 1 are each amended to read as follows:

(1) Each person committed under this chapter shall have a current examination of his or her mental condition made by the department ((~~of social and health services~~)) at least once every year. ((~~The annual report shall include~~))

(2) The evaluator must prepare a report that includes consideration of whether:

(a) The committed person currently meets the definition of a sexually violent predator ((~~and whether~~));

(b) Conditional release to a less restrictive alternative is in the best interest of the person; and

(c) Conditions can be imposed that would adequately protect the community.

(3) The department, on request of the committed person, shall allow a record of the annual review interview to be preserved by audio recording and made available to the committed person.

(4) The evaluator must indicate in the report whether the committed person participated in the interview and examination.

(5) The department ((~~of social and health services~~)) shall file ((~~this periodic~~)) the report with the court that committed the person under this chapter. The report shall be in the form of a declaration or certification in compliance with the requirements of RCW 9A.72.085 and shall be prepared by a professionally qualified person as defined by rules adopted by the secretary. A copy of the report shall be served on the prosecuting agency involved in the initial commitment and upon the committed person and his or her counsel.

(6)(a) The committed person may retain, or if he or she is indigent and so requests, the court may appoint a qualified expert or a professional person to examine him or her, and such expert or professional person shall have access to all records concerning the person.

(((~~(2)~~))) (b) Any report prepared by the expert or professional person and any expert testimony on the committed person's behalf is not admissible in a proceeding pursuant to RCW 71.09.090, unless the committed person participated in the most recent interview and evaluation completed by the department.

(7) If an unconditional release trial is ordered pursuant to RCW 71.09.090, this section is suspended until the completion of that trial. If the individual is found either by jury or the court to continue to meet the definition of a sexually violent predator, the department must conduct an examination pursuant to this section no later than one year after the date of the order finding that the individual continues to be a sexually violent predator. The examination must comply with the requirements of this section.

(8) During any period of confinement pursuant to a criminal conviction, or for any period of detention awaiting trial on criminal charges, this section is suspended. Upon the return of the person committed under this chapter to the custody of the department, the department shall initiate an examination of the person's mental

condition. The examination must comply with the requirements of subsection (1) of this section.

Sec. 415. RCW 71.09.020 and 2009 c 409 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of social and health services.

(2) "Health care facility" means any hospital, hospice care center, licensed or certified health care facility, health maintenance organization regulated under chapter 48.46 RCW, federally qualified health maintenance organization, federally approved renal dialysis center or facility, or federally approved blood bank.

(3) "Health care practitioner" means an individual or firm licensed or certified to engage actively in a regulated health profession.

(4) "Health care services" means those services provided by health professionals licensed pursuant to RCW 18.120.020(4).

(5) "Health profession" means those licensed or regulated professions set forth in RCW 18.120.020(4).

(6) "Less restrictive alternative" means court-ordered treatment in a setting less restrictive than total confinement which satisfies the conditions set forth in RCW 71.09.092. A less restrictive alternative may not include placement in the community protection program as pursuant to RCW 71A.12.230.

(7) "Likely to engage in predatory acts of sexual violence if not confined in a secure facility" means that the person more probably than not will engage in such acts if released unconditionally from detention on the sexually violent predator petition. Such likelihood must be evidenced by a recent overt act if the person is not totally confined at the time the petition is filed under RCW 71.09.030.

(8) "Mental abnormality" means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.

(9) "Personality disorder" means an enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual's culture, is pervasive and inflexible, has onset in adolescence or early adulthood, is stable over time and leads to distress or impairment. Purported evidence of a personality disorder must be supported by testimony of a licensed forensic psychologist or psychiatrist.

(10) "Predatory" means acts directed towards: (a) Strangers; (b) individuals with whom a relationship has been established or promoted for the primary purpose of victimization; or (c) persons of casual acquaintance with whom no substantial personal relationship exists.

(11) "Prosecuting agency" means the prosecuting attorney of the county where the person was convicted or charged or the attorney general if requested by the prosecuting attorney, as provided in RCW 71.09.030.

(12) "Recent overt act" means any act, threat, or combination thereof that has either caused harm of a sexually violent nature or creates a reasonable apprehension of such harm in the mind of an objective person who knows of the history and mental condition of the person engaging in the act or behaviors.

(13) "Risk potential activity" or "risk potential facility" means an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center. Risk potential activities and facilities include: Public and private schools, school bus stops, licensed day care and licensed preschool facilities, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and others identified by the department following the hearings on a potential site required in RCW 71.09.315. For purposes of this chapter, "school bus stops" does not include bus stops established primarily for public transit.

(14) "Secretary" means the secretary of social and health services or the secretary's designee.

(15) "Secure facility" means a residential facility for persons civilly confined under the provisions of this chapter that includes security measures sufficient to protect the community. Such facilities include total confinement facilities, secure community transition facilities, and any residence used as a court-ordered placement under RCW 71.09.096.

(16) "Secure community transition facility" means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under this chapter. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facility established pursuant to RCW 71.09.250(1)(a)(i) and any community-based facilities established under this chapter and operated by the secretary or under contract with the secretary.

(17) "Sexually violent offense" means an act committed on, before, or after July 1, 1990, that is: (a) An act defined in Title 9A RCW as rape in the first degree, rape in the second degree by forcible compulsion, rape of a child in the first or second degree, statutory rape in the first or second degree, indecent liberties by forcible compulsion, indecent liberties against a child under age fourteen, incest against a child under age fourteen, or child molestation in the first or second degree; (b) a felony offense in effect at any time prior to July 1, 1990, that is comparable to a sexually violent offense as defined in (a) of this subsection, or any federal or out-of-state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this subsection; (c) an act of murder in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, kidnapping in the first or second degree, burglary in the first degree, residential burglary, or unlawful imprisonment, which act, either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this chapter, has been determined beyond a reasonable doubt to have been sexually motivated, as that term is defined in RCW 9.94A.030; or (d) an act as described in chapter 9A.28 RCW, that is an attempt, criminal solicitation, or criminal conspiracy to commit one of the felonies designated in (a), (b), or (c) of this subsection.

(18) "Sexually violent predator" means any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.

(19) "Total confinement facility" means a secure facility that provides supervision and sex offender treatment services in a total confinement setting. Total confinement facilities include the special commitment center and any similar facility designated as a total confinement facility by the secretary.

(20) "Treatment" means the sex offender specific treatment program at the special commitment center or a specific course of sex offender treatment pursuant to RCW 71.09.092 (1) and (2).

Sec. 416. RCW 71.09.096 and 2009 c 409 s 10 are each amended to read as follows:

(1) If the court or jury determines that conditional release to a less restrictive alternative is in the best interest of the person and includes conditions that would adequately protect the community, and the court determines that the minimum conditions set forth in RCW 71.09.092 and in this section are met, the court shall enter judgment and direct a conditional release.

(2) The court shall impose any additional conditions necessary to ensure compliance with treatment and to protect the community.

If the court finds that conditions do not exist that will both ensure the person's compliance with treatment and protect the community, then the person shall be remanded to the custody of the department of social and health services for control, care, and treatment in a secure facility as designated in RCW 71.09.060(1).

(3) If the service provider designated by the court to provide inpatient or outpatient treatment or to monitor or supervise any other terms and conditions of a person's placement in a less restrictive alternative is other than the department of social and health services or the department of corrections, then the service provider so designated must agree in writing to provide such treatment, monitoring, or supervision in accord with this section. Any person providing or agreeing to provide treatment, monitoring, or supervision services pursuant to this chapter may be compelled to testify and any privilege with regard to such person's testimony is deemed waived.

(4) Prior to authorizing any release to a less restrictive alternative, the court shall impose such conditions upon the person as are necessary to ensure the safety of the community. The court shall order the department of corrections to investigate the less restrictive alternative and recommend any additional conditions to the court. These conditions shall include, but are not limited to the following: Specification of residence, prohibition of contact with potential or past victims, prohibition of alcohol and other drug use, participation in a specific course of inpatient or outpatient treatment that may include monitoring by the use of polygraph and plethysmograph, monitoring through the use of global positioning satellite technology, supervision by a department of corrections community corrections officer, a requirement that the person remain within the state unless the person receives prior authorization by the court, and any other conditions that the court determines are in the best interest of the person or others. A copy of the conditions of release shall be given to the person and to any designated service providers.

(5)(a) Prior to authorizing release to a less restrictive alternative, the court shall consider whether it is appropriate to release the person to the person's county of commitment. To ensure equitable distribution of releases, and prevent the disproportionate grouping of persons subject to less restrictive orders in any one county, or in any one jurisdiction or community within a county, the legislature finds it is appropriate for releases to a less restrictive alternative to occur in the person's county of commitment, unless the court determines that the person's return to his or her county of commitment would be inappropriate considering any court-issued protection orders, victim safety concerns, the availability of appropriate treatment or facilities that would adequately protect the community, negative influences on the person, or the location of family or other persons or organizations offering support to the person. When the department or court assists in developing a placement under this section which is outside of the county of commitment, and there are two or more options for placement, it shall endeavor to develop the placement in a manner that does not have a disproportionate effect on a single county.

(b) If the committed person is not conditionally released to his or her county of commitment, the department shall provide the law and justice council of the county in which the person is conditionally released with notice and a written explanation.

(c) For purposes of this section, the person's county of commitment means the county of the court which ordered the person's commitment.

(d) This subsection (5) does not apply to releases to a secure community transition facility under RCW 71.09.250.

(6) Any service provider designated to provide inpatient or outpatient treatment shall monthly, or as otherwise directed by the court, submit to the court, to the department of social and health services facility from which the person was released, to the prosecuting agency, and to the supervising community corrections officer, a report stating whether the person is complying with the terms and conditions of the conditional release to a less restrictive alternative.

(((~~(6)~~))) (7) Each person released to a less restrictive alternative shall have his or her case reviewed by the court that released him or her no later than one year after such release and annually thereafter until the person is unconditionally discharged. Review may occur in a shorter time or more frequently, if the court, in its discretion on its own motion, or on motion of the person, the secretary, or the prosecuting agency so determines. The sole question to be determined by the court is whether the person shall continue to be conditionally released to a less restrictive alternative. The court in making its determination shall be aided by the periodic reports filed pursuant to subsection (((~~(5)~~))) (6) of this section and the opinions of the secretary and other experts or professional persons.

NEW SECTION. **Sec. 417.** Sections 1 and 2 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015."

On page 1, line 1 of the title, after "predators;" strike the remainder of the title and insert "amending RCW 71.09.070, 71.09.020, and 71.09.096; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1059 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Fagan, Goodman and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1059, as amended by the Senate.

MOTIONS

On motion of Representative Van De Wege, Representative Morris was excused. On motion of Representative Harris, Representative Rodne was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1059, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton,

Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Orcutt, Scott, Shea and Taylor.

Excused: Representatives Farrell, Fey, Hurst, Morris and Rodne.

HOUSE BILL NO. 1059, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 8, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1069 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 418.** (1) In any felony case initially charged as a violent or sex offense, as defined in RCW 9.94A.030, a governmental entity shall preserve any DNA work product that has been secured in connection with the criminal case according to the following guidelines:

(a) Except as provided in (b) of this subsection, where a defendant has been charged and convicted in connection with the case, the DNA work product must be maintained throughout the length of the sentence, including any period of community custody extending through final discharge;

(b) Where a defendant has been convicted and sentenced under RCW 9.94A.507 in connection with the case, the DNA work product must be maintained for ninety-nine years or until the death of the defendant, whichever is sooner; and

(c) Where no conviction has been made in connection with the case, the DNA work product must be maintained for ninety-nine years or throughout the period of the statute of limitations pursuant to RCW 9A.04.080, whichever is sooner.

(2) Notwithstanding subsection (1) of this section, in any felony case regardless of whether the identity of the offender is known and law enforcement has probable cause sufficient to believe the elements of a violent or sex offense as defined in RCW 9.94A.030 have been committed, a governmental entity shall preserve any DNA work product, including a sexual assault examination kit, secured in connection with the criminal case for ninety-nine years or throughout the period of the statute of limitations pursuant to RCW 9A.04.080, whichever is sooner.

(3) For purposes of this section:

(a) "Amplified DNA" means DNA generated during scientific analysis using a polymerase chain reaction.

(b) "DNA work product" means (i) product generated during the process of scientific analysis of such material, except amplified DNA, material that had been subjected to DNA extraction, and DNA extracts from reference samples; or (ii) any material contained on a microscope slide, swab, in a sample tube, cutting, DNA extract, or some other similar retention method used to isolate potential biological evidence that has been collected by law enforcement as part of its investigation and prepared for scientific analysis, whether or not it is submitted for scientific analysis and derived from:

(A) The contents of a sexual assault examination kit;

(B) Blood;

(C) Semen;

(D) Hair;

(E) Saliva;

(F) Skin tissue;

(G) Fingerprints;

(H) Bones;

(I) Teeth; or

(J) Any other identifiable human biological material or physical evidence.

Notwithstanding the foregoing, "DNA work product" does not include a reference sample collected unless it has been shown through DNA comparison to associate the source of the sample with the criminal case for which it was collected.

(c) "Governmental entity" means any general law enforcement agency or any person or organization officially acting on behalf of the state or any political subdivision of the state involved in the collection, examination, tracking, packaging, storing, or disposition of biological material collected in connection with a criminal investigation relating to a felony offense.

(d) "Reference sample" means a known sample collected from an individual by a governmental entity for the purpose of comparison to DNA profiles developed in a criminal case.

(4) The failure of a law enforcement agency to preserve DNA work product does not constitute grounds in any criminal proceeding for challenging the admissibility of other DNA work product that was preserved in a case, and any evidence offered may not be excluded by a court on those grounds. The court may not set aside the conviction or sentence or order the reversal of a conviction under this section on the grounds that the DNA work product is no longer available. Unless the court finds that DNA work product was destroyed with malicious intent to violate this section, a person accused of committing a crime against a person has no cause of action against a law enforcement agency for failure to comply with the requirements of this section. If the court finds that DNA work product was destroyed with malicious intent to violate this section, the court may impose appropriate sanctions. Nothing in this section may be construed to create a private right of action on the part of any individual or entity against any law enforcement agency or any contractor of a law enforcement agency.

NEW SECTION. **Sec. 419.** (1) Nothing in this chapter precludes the trial court from ordering the destruction of DNA reference samples contributed by a defendant who was charged and acquitted or whose conviction was overturned in connection with a violent or sex offense as defined in RCW 9.94A.030.

(2)(a) A person may submit an application to the Washington state patrol to have his or her DNA reference sample data expunged from the Washington state patrol's DNA identification system in cases where: (i) The person's DNA reference sample was collected and entered into the system and (ii) the charges against the person were dismissed with prejudice or the person was found not guilty.

(b) The Washington state patrol must expunge the person's DNA reference sample data if he or she meets the criteria established in law or by rule.

NEW SECTION. **Sec. 420.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 421.** Sections 1 and 2 of this act constitute a new chapter in Title 5 RCW."

On page 1, line 1 of the title, after "product;" strike the remainder of the title and insert "and adding a new chapter to Title 5 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1069 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1069, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1069, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; Nays, 3; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Santos, Scott and Taylor.

Excused: Representatives Fey, Hurst, Morris and Rodne.

SUBSTITUTE HOUSE BILL NO. 1069, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 8, 2015

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1091 with the following amendment:

On page 3, line 9, after "knows" insert "or should know"

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1091 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Van De Wege and Young spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1091, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1091, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Magendanz.

Excused: Representatives Fey, Hurst and Rodne.

ENGROSSED HOUSE BILL NO. 1091, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1281 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 422.** The legislature finds that sexual abuse and exploitation of children robs victims of their childhood and irrevocably interferes with their emotional and psychological development. Victims of child pornography often experience severe and lasting harm from the permanent memorialization of the crimes committed against them. Child victims endure depression, withdrawal, anger, and other psychological disorders. Victims also experience feelings of guilt and responsibility for the sexual abuse as well as feelings of betrayal, powerlessness, worthlessness, and low self-esteem. Each and every time such an image is viewed, traded, printed, or downloaded, the child in that image is victimized again.

The legislature finds that the expansion of the internet and computer-related technologies have led to a dramatic increase in the availability of child pornography by simplifying how it can be created, distributed, and collected. Investigators and prosecutors report dramatic increases in the number and violent character of the sexually abusive images of children being trafficked through the internet. Between 2005 and 2009, the national center for missing and exploited children's child victim identification program has seen a four hundred thirty-two percent increase in child pornography films and files submitted for identification of the children depicted. The United States department of justice estimates that pornographers have recorded the abuse of more than one million children in the United States alone. Furthermore, a well-known study conducted by crimes against children research center for the national center for missing and exploited children concluded that an estimated forty percent of those who possess child pornography have also directly victimized a child and fifteen percent have attempted to entice a child over the internet.

The legislature finds that due to a lack of dedicated resources, only two percent of known child exploitation offenders are being investigated. The legislature finds that additional funding sources are needed to ensure that law enforcement agencies can adequately investigate and prosecute offenders and victims can receive necessary services, including mental health treatment. Finally, the legislature finds that offenders convicted of crimes relating to child pornography should bear the high cost of investigations and prosecutions of these crimes and also the cost of providing services to victims.

NEW SECTION. **Sec. 423.** A new section is added to chapter 9.68A RCW to read as follows:

(1) In addition to penalties set forth in RCW 9.68A.070, a person who is convicted of violating RCW 9.68A.070 shall be assessed a fee of one thousand dollars for each depiction or image of visual or printed matter that constitutes a separate conviction.

(2) Fees assessed under this section shall be collected by the clerk of the court and remitted to the state treasurer for deposit into the child rescue fund created in section 3 of this act.

NEW SECTION. **Sec. 424.** A new section is added to chapter 9.68A RCW to read as follows:

(1) The child rescue fund is created in the custody of the state treasurer. All receipts from fees collected under section 2 of this act must be deposited into the fund.

(2) Only the attorney general for the state of Washington or the attorney general's designee may authorize expenditures from the fund.

(3) The attorney general or his or her designee must make any expenditures from the fund according to the following schedule:

(a) Twenty-five percent of receipts for grants to child advocacy centers, as defined in RCW 26.44.020; and

(b) Seventy-five percent of receipts for grants to the Washington internet crimes against children task force for use in investigations and prosecutions of crimes against children.

(4) The fund is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures."

On page 1, line 1 of the title, after "minors;" strike the remainder of the title and insert "adding new sections to chapter 9.68A RCW; creating a new section; and prescribing penalties."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1281 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Sawyer and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1281, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1281, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fey, Hurst and Rodne.

SECOND SUBSTITUTE HOUSE BILL NO. 1281, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 425. RCW 71.05.020 and 2011 c 148 s 1 and 2011 c 89 s 14 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310

to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the regional support network to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020((~~(3)~~)) (5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(22) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(23) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(24) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(25) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(30) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(31) "Professional person" means a mental health professional and shall also mean a physician, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be

defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(32) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(34) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(36) "Registration records" include all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(37) "Release" means legal termination of the commitment under the provisions of this chapter;

(38) "Resource management services" has the meaning given in chapter 71.24 RCW;

(39) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(40) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(41) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(42) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(43) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(44) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others;

(45) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

(46) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation.

(47) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting that includes the services described in section 16 of this act.

Sec. 426. RCW 71.05.020 and 2014 c 225 s 79 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the behavioral health organization to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020(((~~(4)~~))) (5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(22) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(23) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(24) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(25) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(26) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(27) "Mental health professional" means a psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(28) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(30) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(31) "Professional person" means a mental health professional and shall also mean a physician, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(32) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(34) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(36) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(37) "Release" means legal termination of the commitment under the provisions of this chapter;

(38) "Resource management services" has the meaning given in chapter 71.24 RCW;

(39) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(40) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(41) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(42) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(43) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(44) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(45) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

(46) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation.

(47) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in section 16 of this act.

Sec. 427. RCW 71.05.150 and 2011 c 148 s 5 are each amended to read as follows:

(1)(a) When a designated mental health professional receives information alleging that a person, as a result of a mental disorder: (i) Presents a likelihood of serious harm; ((~~or~~)) (ii) is gravely disabled; or (iii) is in need of assisted outpatient mental health treatment; the designated mental health professional may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient evaluation, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention or involuntary outpatient evaluation. If the petition is filed solely on the grounds that the person is in need of assisted outpatient mental health treatment, the petition may only be for an involuntary outpatient evaluation. An involuntary outpatient evaluation may be conducted by any combination of licensed professionals authorized to petition for involuntary commitment under RCW 71.05.230 and must include involvement or consultation with the agency or facility which will provide monitoring or services under the proposed less restrictive alternative treatment order. If the petition is for an involuntary outpatient evaluation and the person is being held in a hospital emergency department, the person may be released once the hospital has satisfied federal and state legal requirements for appropriate screening and stabilization of patients.

(b) Before filing the petition, the designated mental health professional must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, or triage facility.

(2)(a) An order to detain to a designated evaluation and treatment facility for not more than a seventy-two-hour evaluation and treatment period, or an order for an involuntary outpatient evaluation, may be issued by a judge of the superior court upon request of a designated mental health professional, whenever it appears to the satisfaction of a judge of the superior court:

(i) That there is probable cause to support the petition; and

(ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention or involuntary outpatient evaluation, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(3) The designated mental health professional shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention or involuntary outpatient evaluation. After service on such person the designated mental health professional shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility and the designated attorney. The designated mental health professional shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated mental health professional may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 428. RCW 71.05.156 and 2013 c 334 s 2 are each amended to read as follows:

A designated mental health professional who conducts an evaluation for imminent likelihood of serious harm or imminent danger because of being gravely disabled under RCW 71.05.153 must also evaluate the person under RCW 71.05.150 for likelihood of serious harm or grave disability that does not meet the imminent standard for emergency detention, and to determine whether the person is in need of assisted outpatient mental health treatment.

Sec. 429. RCW 71.05.212 and 2010 c 280 s 2 are each amended to read as follows:

(1) Whenever a designated mental health professional or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated mental health professional relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated mental health professional or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient mental health treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated mental health professional or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

Sec. 430. RCW 71.05.230 and 2011 c 343 s 9 are each amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment or for an outpatient evaluation for the purpose of filing a petition for a less restrictive alternative treatment order may be ((~~detained~~)) committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder and ((~~either~~)) results in a likelihood of serious harm, ((~~or~~)) results in the ((~~detained~~)) person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The agency or facility providing intensive treatment or which proposes to supervise the less restrictive alternative is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated mental health professional has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative ((~~with the court~~)). The petition must be signed either by:

(a) Two physicians;

(b) One physician and a mental health professional;

(c) Two psychiatric advanced registered nurse practitioners;

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(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated mental health professional may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide ((~~outpatient~~)) less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 431. RCW 71.05.240 and 2009 c 293 s 4 are each amended to read as follows:

(1) If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention or involuntary outpatient evaluation of such person as determined in RCW 71.05.180. If requested by the ((~~detained~~)) person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.

(2) The court at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) At the conclusion of the probable cause hearing((~~, if the court finds by a preponderance of the evidence that~~)):

(a) If the court finds by a preponderance of the evidence that such person, as the result of mental disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility certified to provide treatment by the department. If the court finds that such person, as the result of a mental disorder, presents a likelihood of serious harm, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for not to exceed ninety days;

(b) If the court finds by a preponderance of the evidence that such person, as the result of a mental disorder, is in need of assisted outpatient mental health treatment, and that the person does not present a likelihood of serious harm or grave disability, the court shall order an appropriate less restrictive alternative course of treatment not to exceed ninety days, and may not order inpatient treatment.

(c) An order for less restrictive alternative treatment must identify the services the person will receive, in accordance with section 16 of this act. The court may order additional evaluation of the person if necessary to identify appropriate services.

(4) The court shall specifically state to such person and give such person notice in writing that if involuntary treatment beyond the fourteen day period or beyond the ninety days of less restrictive treatment is to be sought, such person will have the right to a full hearing or jury trial as required by RCW 71.05.310. The court shall also state to the person and provide written notice that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 432. RCW 71.05.245 and 2010 c 280 s 3 are each amended to read as follows:

(1) In making a determination of whether a person is gravely disabled ((~~or~~)), presents a likelihood of serious harm, or is in need of assisted outpatient mental health treatment in a hearing conducted under RCW 71.05.240 or 71.05.320, the court must consider the symptoms and behavior of the respondent in light of all available evidence concerning the respondent's historical behavior.

(2) Symptoms or behavior which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient mental health treatment, when: (a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration, or one or more violent acts; (b) these symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and (c) without treatment, the continued deterioration of the respondent is probable.

(3) In making a determination of whether there is a likelihood of serious harm in a hearing conducted under RCW 71.05.240 or 71.05.320, the court shall give great weight to any evidence before the court regarding whether the person has: (a) A recent history of one or more violent acts; or (b) a recent history of one or more commitments under this chapter or its equivalent provisions under the laws of another state which were based on a likelihood of serious harm. The existence of prior violent acts or commitments under this chapter or its equivalent shall not be the sole basis for determining whether a person presents a likelihood of serious harm.

For the purposes of this subsection "recent" refers to the period of time not exceeding three years prior to the current hearing.

Sec. 433. RCW 71.05.280 and 2013 c 289 s 4 are each amended to read as follows:

At the expiration of the fourteen-day period of intensive treatment, a person may be ((~~confined~~)) committed for further treatment pursuant to RCW 71.05.320 if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself or herself, or substantial damage upon the property of another, and (b) as a result of mental disorder presents a likelihood of serious harm; or

(2) Such person was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm upon the person of another or himself or herself, or substantial damage upon the property of others, and continues to present, as a result of mental disorder, a likelihood of serious harm; or

(3) Such person has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.086(4), and has committed acts constituting a felony, and as a result of a mental disorder, presents a substantial likelihood of repeating similar acts.

(a) In any proceeding pursuant to this subsection it shall not be necessary to show intent, willfulness, or state of mind as an element of the crime;

(b) For any person subject to commitment under this subsection where the charge underlying the finding of incompetence is for a felony classified as violent under RCW 9.94A.030, the court shall determine whether the acts the person committed constitute a violent offense under RCW 9.94A.030; or

(4) Such person is gravely disabled; or

(5) Such person is in need of assisted outpatient mental health treatment.

Sec. 434. RCW 71.05.290 and 2009 c 217 s 3 are each amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated mental health professional may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2) The petition shall summarize the facts which support the need for further ((~~confinement~~)) commitment and shall be supported by affidavits signed by:

(a) Two examining physicians;

(b) One examining physician and examining mental health professional;

(c) Two psychiatric advanced registered nurse practitioners;

(d) One psychiatric advanced registered nurse practitioner and a mental health professional; or

(e) An examining physician and an examining psychiatric advanced registered nurse practitioner. The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth a proposed plan for less restrictive alternative treatment in accordance with section 16 of this act.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated mental health professional may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 435. RCW 71.05.320 and 2013 c 289 s 5 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment in a facility certified for one hundred eighty day treatment by the department.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment. If the court or jury finds that the grounds set forth in RCW 71.05.280(5) have been proven, and provide the only basis for commitment, the court must enter an order for less restrictive alternative treatment for up to ninety days from the date of judgment and may not order inpatient treatment.

(3) An order for less restrictive alternative treatment entered under subsection (2) of this section must identify the services the person will receive, in accordance with section 16 of this act. The court may order additional evaluation of the person if necessary to identify appropriate services.

(4) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated mental health professional, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of mental disorder or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder or developmental disability a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty day period whenever the petition presents prima facie evidence that the person continues to suffer from a mental disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the mental disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient mental health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

(((~~(4) For a person committed under subsection (2) of this section who has been remanded to a period of less restrictive treatment, in addition to the grounds specified in subsection (3) of this section, the designated mental health professional may file a new petition for continued less restrictive treatment if:~~

~~(a) The person was previously committed by a court to detention for involuntary mental health treatment during the thirty-six months that preceded the person's initial detention date during the current involuntary commitment cycle, excluding any time spent in a mental health facility or in confinement as a result of a criminal conviction;~~

~~(b) In view of the person's treatment history or current behavior, the person is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment; and~~

~~(c) Outpatient treatment that would be provided under a less restrictive treatment order is necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.~~)) If less restrictive alternative treatment is sought, the petition shall set forth a proposed plan for less restrictive alternative services in accordance with section 16 of this act.

(5) A new petition for involuntary treatment filed under subsection (((~~(3) or~~)) (4) of this section shall be filed and heard in the

superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must identify the services the person will receive, in accordance with section 16 of this act. The court may order additional evaluation of the person if necessary to identify appropriate services.

(b) At the end of the one hundred eighty day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for ((~~another~~)) an additional one hundred eighty day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment. ((~~However, a commitment is not permissible under subsection (4) of this section if thirty-six months have passed since the last date of discharge from detention for inpatient treatment that preceded the current less restrictive alternative order, nor shall a commitment under subsection (4) of this section be permissible if the likelihood of serious harm in subsection (4)(c) of this section is based solely on harm to the property of others.~~))

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 436. RCW 71.05.340 and 2009 c 322 s 1 are each amended to read as follows:

(1)(a) When, in the opinion of the superintendent or the professional person in charge of the hospital or facility providing involuntary treatment, the committed person can be appropriately served by outpatient treatment prior to or at the expiration of the period of commitment, then such outpatient care may be required as a term of conditional release for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment. If the ((~~hospital or~~)) facility or agency designated to provide outpatient treatment is other than the facility providing involuntary treatment, the outpatient facility so designated must agree in writing to assume such responsibility. A copy of the terms of conditional release shall be given to the patient, the designated mental health professional in the county in which the patient is to receive outpatient treatment, and to the court of original commitment.

(b) Before a person committed under grounds set forth in RCW 71.05.280(3) or 71.05.320(((~~(3)~~))) (4)(c) is conditionally released under (a) of this subsection, the superintendent or professional person in charge of the hospital or facility providing involuntary treatment shall in writing notify the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision to conditionally release the person. Notice and a copy of the terms of conditional release shall be provided at least thirty days before the person is released from inpatient care. Within twenty days after receiving notice, the prosecuting attorney may petition the court in the county that issued the commitment order to hold a hearing to determine whether the person may be conditionally released and the terms of the conditional release. The prosecuting attorney shall provide a copy of the petition to the superintendent or professional person in charge of the hospital or facility providing involuntary treatment, the attorney, if any, and guardian or conservator of the committed person, and the court of original commitment. If the county in which the committed person is to receive outpatient treatment is the same county in whi

~~(c) A person detained under this subsection (3) shall be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been conditionally released. The designated mental health professional or the secretary may modify or rescind such order at any time prior to commencement of the court hearing.~~

~~(d) The court that originally ordered commitment shall be notified within two judicial days of a person's detention under the provisions of this section, and the designated mental health professional or the secretary shall file his or her petition and order of apprehension and detention with the court that originally ordered commitment or with the court in the county in which the person is detained and serve them upon the person detained. His or her attorney, if any, and his or her guardian or conservator, if any, shall receive a copy of such papers as soon as possible. Such person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as specifically set forth in this section and except that there shall be no right to jury trial. The venue for proceedings regarding a petition for modification or revocation of an order for conditional release shall be in the county in which the petition was filed. The issues to be determined shall be: (i) Whether the conditionally released person did or did not adhere to the terms and conditions of his or her conditional release; (ii) that substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the conditions listed in this subsection (3)(d) have occurred, whether the terms of conditional release should be modified or the person should be returned to the facility.~~

~~(e) Pursuant to the determination of the court upon such hearing, the conditionally released person shall either continue to be conditionally released on the same or modified conditions or shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he or she was committed for involuntary treatment, or otherwise in accordance with the provisions of this chapter. Such hearing may be waived by the person and his or her counsel and his or her guardian or conservator, if any, but shall not be waivable unless all such persons agree to waive, and upon such waiver the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions.~~

~~(4) The proceedings set forth in subsection (3) of this section may be initiated by the designated mental health professional or the secretary on the same basis set forth therein without requiring or ordering the apprehension and detention of the conditionally released person, in which case the court hearing shall take place in not less than five days from the date of service of the petition upon the conditionally released person. The petition may be filed in the court that originally ordered commitment or with the court in the county in which the person is present. The venue for the proceedings regarding the petition for modification or revocation of an order for conditional release shall be in the county in which the petition was filed.~~

~~Upon expiration of the period of commitment, or when the person is released from outpatient care, notice in writing to the court which committed the person for treatment shall be provided.~~

~~(5) The grounds and procedures for revocation of less restrictive alternative treatment shall be the same as those set forth in this section for conditional releases.~~

~~(6) In the event of a revocation of a conditional release, the subsequent treatment period may be for no longer than the actual period authorized in the original court order.~~))

NEW SECTION. **Sec. 437.** A new section is added to chapter 71.05 RCW to read as follows:

(1) An agency or facility designated to monitor or provide services under a less restrictive alternative or conditional release order or a designated mental health professional may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order if the agency, facility, or designated mental health professional determines that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel, advise, or admonish the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated mental health professional, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency department, or evaluation and treatment facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated mental health professional or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary or designated mental health professional when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) A designated mental health professional or the secretary may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this section to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility in or near the county in which he or she is receiving outpatient treatment, or initiate proceedings under this subsection (4) without ordering the apprehension and detention of the person.

(b) A person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated mental health professional or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated mental health professional or secretary shall notify the court that originally ordered commitment within two judicial days of a person's detention and file a revocation petition and order of apprehension and detention with the court and serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings regarding a petition for modification or revocation must be in the county in which the petition was filed.

(d) The issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period may be for no longer than the period authorized in the original court order.

(e) Revocation proceedings under this subsection (4) are not allowable if the current commitment is solely based on the person being in need of assisted outpatient mental health treatment. In order to obtain a court order for detention for inpatient treatment under this circumstance, a petition must be filed under RCW 71.05.150 or 71.05.153.

(5) In determining whether or not to take action under this section the designated mental health professional, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

Sec. 438. RCW 71.05.730 and 2011 c 343 s 2 are each amended to read as follows:

(1) A county may apply to its regional support network on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. The regional support network shall in turn be entitled to reimbursement from the regional support network that serves the county of residence of the individual who is the subject of the civil commitment case. Reimbursements under this section shall be paid out of the regional support network's nonmedicaid appropriation.

(2) Reimbursement for judicial services shall be provided per civil commitment case at a rate to be determined based on an independent assessment of the county's actual direct costs. This assessment must be based on an average of the expenditures for judicial services within the county over the past three years. In the event that a baseline cannot be established because there is no significant history of similar cases within the county, the reimbursement rate shall be equal to eighty percent of the median reimbursement rate of counties included in the independent assessment.

(3) For the purposes of this section:

(a) "Civil commitment case" includes all judicial hearings related to a single episode of hospitalization((~~,~~)) or less restrictive alternative ((~~detention in lieu of hospitalization~~)) treatment, except that the filing of a petition for a one hundred eighty-day commitment under this chapter or a petition for a successive one hundred eighty-day commitment under chapter 71.34 RCW shall be considered to be a new case regardless of whether there has been a break in detention. "Civil commitment case" does not include the filing of a petition for a one hundred eighty-day commitment under this chapter on behalf of a patient at a state psychiatric hospital.

(b) "Judicial services" means a county's reasonable direct costs in providing prosecutor services, assigned counsel and defense services, court services, and court clerk services for civil commitment cases under this chapter and chapter 71.34 RCW.

(4) To the extent that resources have shared purpose, the regional support network may only reimburse counties to the extent such resources are necessary for and devoted to judicial services as described in this section.

(5) No filing fee may be charged or collected for any civil commitment case subject to reimbursement under this section.

Sec. 439. RCW 71.05.730 and 2014 c 225 s 87 are each amended to read as follows:

(1) A county may apply to its behavioral health organization on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. The behavioral health organization shall in turn be entitled to reimbursement from the behavioral health organization that serves the county of residence of the individual who is the subject of the civil commitment case. Reimbursements under this section shall be paid out of the behavioral health organization's nonmedicaid appropriation.

(2) Reimbursement for judicial services shall be provided per civil commitment case at a rate to be determined based on an independent assessment of the county's actual direct costs. This assessment must be based on an average of the expenditures for judicial services within the county over the past three years. In the event that a baseline cannot be established because there is no significant history of similar cases within the county, the reimbursement rate shall be equal to eighty percent of the median reimbursement rate of counties included in the independent assessment.

(3) For the purposes of this section:

(a) "Civil commitment case" includes all judicial hearings related to a single episode of hospitalization((~~,~~)) or less restrictive alternative ((~~detention in lieu of hospitalization~~)) treatment, except that the filing of a petition for a one hundred eighty-day commitment under this chapter or a petition for a successive one hundred eighty-day commitment under chapter 71.34 RCW shall be considered to be a new case regardless of whether there has been a break in detention. "Civil commitment case" does not include the filing of a petition for a one hundred eighty-day commitment under this chapter on behalf of a patient at a state psychiatric hospital.

(b) "Judicial services" means a county's reasonable direct costs in providing prosecutor services, assigned counsel and defense services, court services, and court clerk services for civil commitment cases under this chapter and chapter 71.34 RCW.

(4) To the extent that resources have shared purpose, the behavioral health organization may only reimburse counties to the

extent such resources are necessary for and devoted to judicial services as described in this section.

(5) No filing fee may be charged or collected for any civil commitment case subject to reimbursement under this section.

NEW SECTION. **Sec. 440.** A new section is added to chapter 71.05 RCW to read as follows:

(1) Less restrictive alternative treatment, at a minimum, includes the following services:

(a) Assignment of a care coordinator;

(b) An intake evaluation with the provider of the less restrictive alternative treatment;

(c) A psychiatric evaluation;

(d) Medication management;

(e) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;

(f) A transition plan addressing access to continued services at the expiration of the order; and

(g) An individual crisis plan.

(2) Less restrictive alternative treatment may additionally include requirements to participate in the following services:

(a) Psychotherapy;

(b) Nursing;

(c) Substance abuse counseling;

(d) Residential treatment; and

(e) Support for housing, benefits, education, and employment.

(3) Less restrictive alternative treatment must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

(4) For the purpose of this section, "care coordinator" means a clinical practitioner who coordinates the activities of less restrictive alternative treatment. The care coordinator coordinates activities with the designated mental health professionals necessary for enforcement and continuation of less restrictive alternative orders and is responsible for coordinating service activities with other agencies and establishing and maintaining a therapeutic relationship with the individual on a continuing basis.

NEW SECTION. **Sec. 441.** A new section is added to chapter 71.05 RCW to read as follows:

A court order for less restrictive alternative treatment for a person found to be in need of assisted outpatient mental health treatment must be terminated prior to the expiration of the order when, in the opinion of the professional person in charge of the less restrictive alternative treatment provider, (1) the person is prepared to accept voluntary treatment, or (2) the outpatient treatment ordered is no longer necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.

Sec. 442. RCW 71.24.330 and 2013 c 320 s 9 are each amended to read as follows:

(1)(a) Contracts between a regional support network and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and reprocurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with regional support networks as provided in chapter 70.320 RCW.

(2) The regional support network procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery systems, and maximization of the use of available funds for services versus profits. However, a regional support network selected through the procurement process is not required to contract for services with any county-owned or operated facility. The regional support network procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the regional support network does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated mental health professionals;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require regional support networks to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; ((~~and~~))

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a regional support network. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to serve as a regional support network they shall provide ninety days' advance notice in writing to the other party;

(h) Require regional support networks to provide services as identified in section 16 of this act to individuals committed for involuntary commitment under less restrictive alternative court orders when:

(i) The individual is enrolled in the medicaid program and meets regional support network access to care standards; or

(ii) The individual is not enrolled in medicaid, does not have other insurance which can pay for the services, and the regional support network has adequate available resources to provide the services; and

(i) Establish caseload guidelines for care coordinators who supervise less restrictive alternative orders and guidelines for response times during and immediately following periods of hospitalization or incarceration.

Sec. 443. RCW 71.24.330 and 2014 c 225 s 51 are each amended to read as follows:

(1)(a) Contracts between a behavioral health organization and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and reprocurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with behavioral health organizations as provided in chapter 70.320 RCW.

(2) The behavioral health organization procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery

systems, and maximization of the use of available funds for services versus profits. However, a behavioral health organization selected through the procurement process is not required to contract for services with any county-owned or operated facility. The behavioral health organization procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the behavioral health organization does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated mental health professionals;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require behavioral health organizations to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; ((~~and~~))

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a behavioral health organization. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to serve as a behavioral health organization they shall provide ninety days' advance notice in writing to the other party;

(h) Require behavioral health organizations to provide services as identified in section 16 of this act to individuals committed for involuntary commitment under less restrictive alternative court orders when:

(i) The individual is enrolled in the medicaid program and meets behavioral health organization access to care standards; or

(ii) The individual is not enrolled in medicaid, does not have other insurance which can pay for the services, and the behavioral health organization has adequate available resources to provide the services; and

(i) Establish caseload guidelines for care coordinators who supervise less restrictive alternative orders and guidelines for response times during and immediately following periods of hospitalization or incarceration.

Sec. 444. RCW 71.05.210 and 2009 c 217 s 1 are each amended to read as follows:

Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility (1) shall, within twenty-four hours of his or her admission or acceptance at the facility, be examined and evaluated by (a) a licensed physician who may be assisted by a physician assistant according to chapter 18.71A RCW and a mental health professional, (b) an advanced registered nurse practitioner according to chapter 18.79 RCW and a mental health professional, or (c) a licensed physician and a psychiatric advanced registered nurse practitioner and (2) shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, ((~~71.05.340~~)) section 13 of this act, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: (a) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (b) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

If, after examination and evaluation, the mental health professional and licensed physician or psychiatric advanced registered nurse practitioner determine that the initial needs of the person would be better served by placement in a chemical dependency treatment facility, then the person shall be referred to an approved treatment program defined under RCW 70.96A.020.

An evaluation and treatment center admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated mental health professional and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 445. 2009 c 323 s 1 (uncodified) is amended to read as follows:

(1) The legislature finds that many persons who are released from involuntary mental health treatment in an inpatient setting would benefit from an order for less restrictive treatment in order to provide the structure and support necessary to facilitate long-term stability and success in the community.

(2) The legislature intends to make it easier to renew orders for less restrictive treatment following a period of inpatient commitment in cases in which a person has been involuntarily committed more than once and is likely to benefit from a renewed order for less restrictive treatment.

(3) The legislature finds that public safety is enhanced when a designated mental health professional is able to file a petition to revoke an order for less restrictive treatment under ((~~RCW 71.05.340~~)) section 13 of this act before a person who is the subject of the petition becomes ill enough to present a likelihood of serious harm.

NEW SECTION. **Sec. 446.** Sections 1, 14, and 18 of this act expire April 1, 2016.

NEW SECTION. **Sec. 447.** Sections 2, 15, and 19 of this act take effect April 1, 2016.

NEW SECTION. **Sec. 448.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "treatment;" strike the remainder of the title and insert "amending RCW 71.05.150, 71.05.156, 71.05.212, 71.05.230, 71.05.240, 71.05.245, 71.05.280, 71.05.290, 71.05.320, 71.05.340, 71.05.730, 71.05.730, 71.24.330, 71.24.330, and 71.05.210; amending 2009 c 323 s 1 (uncodified); reenacting and amending RCW 71.05.020 and 71.05.020; adding new sections to chapter 71.05 RCW; creating a new section; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Jinkins spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1450, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1450, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; Nays, 9; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, G. Hunt, Holy, McCaslin, Scott, Shea, Taylor and Van Werven.

Excused: Representatives Fey, Hurst and Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 449.** A new section is added to chapter 41.05 RCW to read as follows:

(1) A health plan offered to public employees and their covered dependents under this chapter that imposes different prior authorization standards and criteria for a covered service among tiers of contracting providers of the same licensed profession in the same health plan shall inform an enrollee which tier an individual provider or group of providers is in by posting the information on its web site in a manner accessible to both enrollees and providers.

(2) The health plan may not require prior authorization for an evaluation and management visit or an initial treatment visit with a contracting provider in a new episode of chiropractic, physical therapy, occupational therapy, East Asian medicine, massage therapy, or speech and hearing therapies. Notwithstanding RCW 48.43.515(5) this section may not be interpreted to limit the ability of a health plan to require a referral or prescription for the therapies listed in this section.

(3) The health care authority shall post on its web site and provide upon the request of a covered person or contracting provider any prior authorization standards, criteria, or information the health plan uses for medical necessity decisions.

(4) A health care provider with whom the administrator of the health plan consults regarding a decision to deny, limit, or terminate a person's covered health care services must hold a license, certification, or registration, in good standing and must be in the same or related health field as the health care provider being reviewed or of a specialty whose practice entails the same or similar covered health care service.

(5) The health plan may not require a provider to provide a discount from usual and customary rates for health care services not covered under the health plan, policy, or other agreement, to which the provider is a party.

(6) For purposes of this section:

(a) "New episode of care" means treatment for a new or recurrent condition for which the enrollee has not been treated by the provider within the previous ninety days and is not currently undergoing any active treatment.

(b) "Contracting provider" does not include providers employed within an integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW.

NEW SECTION. **Sec. 450.** A new section is added to chapter 48.43 RCW to read as follows:

(1) A health carrier that imposes different prior authorization standards and criteria for a covered service among tiers of contracting providers of the same licensed profession in the same health plan shall inform an enrollee which tier an individual provider or group of providers is in by posting the information on its web site in a manner accessible to both enrollees and providers.

(2) A health carrier may not require prior authorization for an evaluation and management visit or an initial treatment visit with a contracting provider in a new episode of chiropractic, physical therapy, occupational therapy, East Asian medicine, massage therapy, or speech and hearing therapies. Notwithstanding RCW 48.43.515(5) this section may not be interpreted to limit the ability of a health plan to require a referral or prescription for the therapies listed in this section.

(3) A health carrier shall post on its web site and provide upon the request of a covered person or contracting provider any prior authorization standards, criteria, or information the carrier uses for medical necessity decisions.

(4) A health care provider with whom a health carrier consults regarding a decision to deny, limit, or terminate a person's covered health care services must hold a license, certification, or registration, in good standing and must be in the same or related health field as the health care provider being reviewed or of a specialty whose practice entails the same or similar covered health care service.

(5) A health carrier may not require a provider to provide a discount from usual and customary rates for health care services not covered under a health plan, policy, or other agreement, to which the provider is a party.

(6) For purposes of this section:

(a) "New episode of care" means treatment for a new or recurrent condition for which the enrollee has not been treated by the provider within the previous ninety days and is not currently undergoing any active treatment.

(b) "Contracting provider" does not include providers employed within an integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW.

NEW SECTION. **Sec. 451.** This act takes effect January 1, 2017."

On page 1, line 2 of the title, after "practices;" strike the remainder of the title and insert "adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; and providing an effective date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1471, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1471, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fey, Hurst and Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 452.** It is the intent of the legislature to increase the number of family medicine physicians in shortage areas in the state by providing a fiscal incentive for hospitals and clinics to develop or expand residency programs in these areas. The legislature also intends to encourage family medicine residents to work in shortage areas by funding the health professional loan repayment and scholarship program.

NEW SECTION. **Sec. 453.** A new section is added to chapter 70.112 RCW to read as follows:

(1) Each family medicine residency program shall annually report the following information to the department of health:

(a) The location of the residency program and whether the program, or any portion of the program, is located in a health professional shortage area as defined in RCW 70.112.010;

(b) The number of residents in the program and the number who attended an in-state versus an out-of-state medical school; and

(c) The number of graduates of the residency program who work within health professional shortage areas.

(2) The department of health shall aggregate the information received under subsection (1) of this section and report it to the appropriate legislative committees of the house of representatives and the senate by November 1, 2016, and November 1st every even year thereafter. The report must also include information on how the geographic distribution of family residency programs changes over time and, if information on the number of residents in specialty areas is readily available, a comparison of the number of residents in family medicine versus specialty areas.

Sec. 454. RCW 70.112.010 and 2010 1st sp.s. c 7 s 41 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory board" means the family medicine education advisory board created in section 6 of this act.

(2) "Affiliated" means established or developed in cooperation with the schools of medicine.

((~~(2) "Family practice unit" means the community facility or classroom used for training of ambulatory health skills within a residency training program.~~))

(3) "Health professional shortage areas" has the same definition as in RCW 28B.115.020.

(4) "Residency programs" ((~~mean[s]~~)) means community-based ((~~family practice~~)) residency educational programs in family medicine, either in existence or established under this chapter and that are certified by the accreditation council for graduate medical education or by the American osteopathic association.

(((~~(4)~~))) (5) "Schools of medicine" means the University of Washington school of medicine located in Seattle, Washington; the Pacific Northwest University of Health Sciences located in Yakima, Washington; and any other such medical schools that are accredited by the liaison committee on medical education or the American osteopathic association's commission on osteopathic college accreditation, and that locate their entire four-year medical program in Washington.

Sec. 455. RCW 70.112.020 and 2012 c 117 s 426 are each amended to read as follows:

(1) There is established a statewide medical education system for the purpose of training resident physicians in family ((~~practice~~)) medicine.

(2) The deans of the schools of medicine shall be responsible for implementing the development and expansion of residency programs in cooperation with the medical profession, hospitals, and clinics located throughout the state. The ((~~chair of the department of family medicine in the~~)) schools of medicine shall ((~~determine where affiliated residency programs shall exist;~~)) support development of high quality, accredited, affiliated residency programs, giving consideration to communities in the state where the population, hospital facilities, number of physicians, and interest in medical education indicate the potential success of the residency program and prioritizing support for health professional shortage areas in the state.

(3) The medical education system shall provide financial support for residents in training for those programs which are affiliated with the schools of medicine and shall establish positions for appropriate faculty to staff these programs.

(4) The schools of medicine shall coordinate with the office of student financial assistance to notify prospective family medicine students and residents of their eligibility for the health professional loan repayment and scholarship program under chapter 28B.115 RCW.

(5) The number of programs shall be determined by the board and be in keeping with the needs of the state.

Sec. 456. RCW 70.112.060 and 1975 1st ex.s. c 108 s 6 are each amended to read as follows:

(1) The moneys appropriated for these statewide family medicine residency programs shall be in addition to all the income of the ((~~University of Washington and its~~)) schools of medicine and shall not be used to supplant funds for other programs under the administration of the schools of medicine.

(2) The allocation of state funds for the residency programs shall not exceed fifty percent of the total cost of the program.

(3) No more than twenty-five percent of the appropriation for each fiscal year for the affiliated programs shall be authorized for expenditures made in support of the faculty and staff of the schools of medicine who are associated with the affiliated residency programs and are located at the schools of medicine.

(4) No funds for the purposes of this chapter shall be used to subsidize the cost of care incurred by patients.

(5) No more than ten percent of the state funds appropriated for the purposes of this chapter may be used for administrative or overhead costs to administer the statewide family medicine residency programs.

(6) The family medicine residency network at the University of Washington shall, in collaboration with the schools of medicine, administer the state funds appropriated for the purposes of this chapter.

NEW SECTION. **Sec. 457.** A new section is added to chapter 70.112 RCW to read as follows:

(1) There is created a family medicine education advisory board, which must consist of the following eleven members:

(a) One member appointed by the dean of the school of medicine at the University of Washington school of medicine;

(b) One member appointed by the dean of the school of medicine at the Pacific Northwest University of Health Sciences;

(c) Two citizen members, one from west of the crest of the Cascade mountains and one from east of the crest of the Cascade mountains, to be appointed by the governor;

(d) One member appointed by the Washington state medical association;

(e) One member appointed by the Washington osteopathic medical association;

(f) One member appointed by the Washington state academy of family physicians;

(g) One hospital administrator representing those Washington hospitals with family medicine residency programs, appointed by the Washington state hospital association;

(h) One director representing the directors of community-based family medicine residency programs, appointed by the family medicine residency network;

(i) One member of the house of representatives appointed by the speaker of the house; and

(j) One member of the senate appointed by the president of the senate.

(2) The two members of the advisory board appointed by the deans of the schools of medicine shall serve as chairs of the advisory board.

(3) The cochairs of the advisory board, appointed by the deans of the schools of medicine, shall serve as permanent members of the advisory board without specified term limits. The deans of the schools of medicine have the authority to replace the chair representing their school. The deans of the schools of medicine shall appoint a new member in the event that the member representing their school vacates his or her position.

(4) Other members must be initially appointed as follows: Terms of the two public members must be two years; terms of the members appointed by the medical association and the hospital association must be three years; and the remaining members must be four years. Thereafter, terms for the nonpermanent members must be four years. Members may serve two consecutive terms. New appointments must be filled in the same manner as for original appointments. Vacancies must be filled for an unexpired term in the manner of the original appointment.

NEW SECTION. **Sec. 458.** A new section is added to chapter 70.112 RCW to read as follows:

The advisory board shall consider and provide recommendations on the selection of the areas within the state where affiliate residency programs could exist, the allocation of funds appropriated under this chapter, and the procedures for review and evaluation of the residency programs.

Sec. 459. RCW 18.71.080 and 2011 c 178 s 1 are each amended to read as follows:

(1)(a) Every person licensed to practice medicine in this state shall pay licensing fees and renew his or her license in accordance with administrative procedures and administrative requirements adopted as provided in RCW 43.70.250 and 43.70.280.

(b) The commission shall request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the commission.

(c) A physician who resides and practices in Washington and obtains or renews a retired active license shall be exempt from licensing fees imposed under this section. The commission may establish rules governing mandatory continuing education requirements which shall be met by physicians applying for renewal of licenses. The rules shall provide that mandatory continuing education requirements may be met in part by physicians showing evidence of the completion of approved activities relating to professional liability risk management. The number of hours of continuing education for a physician holding a retired active license shall not exceed fifty hours per year.

(2) The office of crime victims advocacy shall supply the commission with information on methods of recognizing victims of human trafficking, what services are available for these victims, and where to report potential trafficking situations. The information supplied must be culturally sensitive and must include information relating to minor victims. The commission shall disseminate this information to licensees by: Providing the information on the commission's web site; including the information in newsletters; holding trainings at meetings attended by organization members; or another distribution method determined by the commission. The commission shall report to the office of crime victims advocacy on the method or methods it uses to distribute information under this subsection.

(3) The commission, in its sole discretion, may permit an applicant who has not renewed his or her license to be licensed without examination if it is satisfied that such applicant meets all the requirements for licensure in this state, and is competent to engage in the practice of medicine.

Sec. 460. RCW 18.71A.020 and 2011 c 178 s 2 are each amended to read as follows:

(1) The commission shall adopt rules fixing the qualifications and the educational and training requirements for licensure as a physician assistant or for those enrolled in any physician assistant training program. The requirements shall include completion of an accredited physician assistant training program approved by the commission and within one year successfully take and pass an examination approved by the commission, if the examination tests subjects substantially equivalent to the curriculum of an accredited physician assistant training program. An interim permit may be granted by the department of health for one year provided the applicant meets all other requirements. Physician assistants licensed by the board of medical examiners, or the medical quality assurance commission as of July 1, 1999, shall continue to be licensed.

(2)(a) The commission shall adopt rules governing the extent to which:

(i) Physician assistant students may practice medicine during training; and

(ii) Physician assistants may practice after successful completion of a physician assistant training course.

(b) Such rules shall provide:

(i) That the practice of a physician assistant shall be limited to the performance of those services for which he or she is trained; and

(ii) That each physician assistant shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physician or physicians at the place where services are rendered.

(3) Applicants for licensure shall file an application with the commission on a form prepared by the secretary with the approval of the commission, detailing the education, training, and experience of the physician assistant and such other information as the commission may require. The application shall be accompanied by a fee determined by the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge of fifty dollars per year shall be charged on each license renewal or issuance of a new license to be collected by the department and deposited into the impaired physician account for physician assistant participation in the impaired physician program. Each applicant shall furnish proof satisfactory to the commission of the following:

(a) That the applicant has completed an accredited physician assistant program approved by the commission and is eligible to take the examination approved by the commission;

(b) That the applicant is of good moral character; and

(c) That the applicant is physically and mentally capable of practicing medicine as a physician assistant with reasonable skill and safety. The commission may require an applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical or mental capability, or both, to safely practice as a physician assistant.

(4)(a) The commission may approve, deny, or take other disciplinary action upon the application for license as provided in the Uniform Disciplinary Act, chapter 18.130 RCW.

(b) The license shall be renewed as determined under RCW 43.70.250 and 43.70.280. The commission shall request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, or other relevant data determined by the commission.

(c) The commission may authorize the use of alternative supervisors who are licensed either under chapter 18.57 or 18.71 RCW.

(5) All funds in the impaired physician account shall be paid to the contract entity within sixty days of deposit.

Sec. 461. RCW 18.57.050 and 1996 c 191 s 36 are each amended to read as follows:

(1) The board may establish rules and regulations governing mandatory continuing education requirements which shall be met by physicians applying for renewal of licenses. Administrative procedures, administrative requirements, and fees for applications and renewals shall be established as provided in RCW 43.70.250 and 43.70.280. The board shall determine prerequisites for relicensing.

(2) The board must request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the board.

Sec. 462. RCW 18.57A.020 and 1999 c 127 s 2 are each amended to read as follows:

(1) The board shall adopt rules fixing the qualifications and the educational and training requirements for licensure as an osteopathic physician assistant or for those enrolled in any physician assistant training program. The requirements shall include completion of an accredited physician assistant training program approved by the board and within one year successfully take and pass an examination approved by the board, providing such examination tests subjects substantially equivalent to the curriculum of an accredited physician assistant training program. An interim permit may be granted by the department of health for one year provided the applicant meets all other requirements. Physician assistants licensed by the board of osteopathic medicine as of July 1, 1999, shall continue to be licensed.

(2)(a) The board shall adopt rules governing the extent to which:

(i) Physician assistant students may practice medicine during training; and

(ii) Physician assistants may practice after successful completion of a training course.

(b) Such rules shall provide:

(i) That the practice of an osteopathic physician assistant shall be limited to the performance of those services for which he or she is trained; and

(ii) That each osteopathic physician assistant shall practice osteopathic medicine only under the supervision and control of an osteopathic physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physicians at the place where services are rendered. The board may authorize the use of alternative supervisors who are licensed either under chapter 18.57 or 18.71 RCW.

(3) Applicants for licensure shall file an application with the board on a form prepared by the secretary with the approval of the board, detailing the education, training, and experience of the physician assistant and such other information as the board may require. The application shall be accompanied by a fee determined by the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge of twenty-five dollars per year may be charged on each license renewal or issuance of a new license to be collected by the department of health for physician assistant participation in an impaired practitioner program. Each applicant shall furnish proof satisfactory to the board of the following:

(a) That the applicant has completed an accredited physician assistant program approved by the board and is eligible to take the examination approved by the board;

(b) That the applicant is of good moral character; and

(c) That the applicant is physically and mentally capable of practicing osteopathic medicine as an osteopathic physician assistant with reasonable skill and safety. The board may require any applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical and/or mental capability to safely practice as an osteopathic physician assistant.

(4) The board may approve, deny, or take other disciplinary action upon the application for a license as provided in the uniform disciplinary act, chapter 18.130 RCW. The license shall be renewed as determined under RCW 43.70.250 and 43.70.280.

(5) The board must request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the board."

On page 1, line 2 of the title, after "areas;" strike the remainder of the title and insert "amending RCW 70.112.020, 70.112.060, 18.71.080, 18.71A.020, 18.57.050, and 18.57A.020; reenacting and amending RCW 70.112.010; adding new sections to chapter 70.112 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Haler and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1485, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1485, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fey, Hurst and Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1622 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 463.** RCW 69.22.010 and 2011 c 281 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Cottage food operation" means a person who produces cottage food products only in the home kitchen of that person's primary domestic residence in Washington and only for sale directly to the consumer.

(2) "Cottage food products" means nonpotentially hazardous baked goods; baked candies and candies made on a stovetop; jams, jellies, preserves, and fruit butters as defined in 21 C.F.R. Sec. 150 as it existed on July 22, 2011; and other nonpotentially hazardous foods identified by the director in rule. No ingredient containing a tetrahydrocannabinol concentration of 0.3 percent or greater may be included as an ingredient in any cottage food product.

(3) "Department" means the department of agriculture.

(4) "Director" means the director of the department.

(5) "Domestic residence" means a single-family dwelling or an area within a rental unit where a single person or family actually resides. Domestic residence does not include:

(a) A group or communal residential setting within any type of structure; or

(b) An outbuilding, shed, barn, or other similar structure.

(6) "Home kitchen" means a kitchen primarily intended for use by the residents of a home. It may contain one or more stoves or ovens, which may be a double oven, designed for residential use.

(7) "Permitted area" means the portion of a domestic residence housing a home kitchen where the preparation, packaging, storage, or handling of cottage food products occurs.

(8) "Potentially hazardous food" means foods requiring temperature control for safety because they are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms, or the growth and toxin production of Clostridium botulinum."

On page 1, line 2 of the title, after "operations;" strike the remainder of the title and insert "and amending RCW 69.22.010."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1622 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Young and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1622, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1622, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fey, Hurst and Rodne.

HOUSE BILL NO. 1622, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 3, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1652 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 464.** RCW 74.09.522 and 2014 c 225 s 55 are each amended to read as follows:

(1) For the purposes of this section:

(a) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(b) "Nonparticipating provider" means a person, health care provider, practitioner, facility, or entity, acting within their scope of practice, that does not have a written contract to participate in a managed health care system's provider network, but provides health care services to enrollees of programs authorized under this chapter whose health care services are provided by the managed health care system.

(2) The authority shall enter into agreements with managed health care systems to provide health care services to recipients of temporary assistance for needy families under the following conditions:

(a) Agreements shall be made for at least thirty thousand recipients statewide;

(b) Agreements in at least one county shall include enrollment of all recipients of temporary assistance for needy families;

(c) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act, recipients shall have a choice of systems in which to enroll and shall have the right to terminate their enrollment in a system: PROVIDED, That the authority may limit recipient termination of enrollment without cause to the first month of a period of enrollment, which period shall not exceed twelve months: AND PROVIDED FURTHER, That the authority shall not restrict a recipient's right to terminate enrollment in a system for good cause as established by the authority by rule;

(d) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act, participating managed health care systems shall not enroll a disproportionate number of medical assistance recipients within the total numbers of persons served by the managed health care systems, except as authorized by the authority under federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(e)(i) In negotiating with managed health care systems the authority shall adopt a uniform procedure to enter into contractual arrangements, to be included in contracts issued or renewed on or after January 1, 2015, including:

(A) Standards regarding the quality of services to be provided;

(B) The financial integrity of the responding system;

(C) Provider reimbursement methods that incentivize chronic care management within health homes, including comprehensive medication management services for patients with multiple chronic conditions consistent with the findings and goals established in RCW 74.09.5223;

(D) Provider reimbursement methods that reward health homes that, by using chronic care management, reduce emergency department and inpatient use;

(E) Promoting provider participation in the program of training and technical assistance regarding care of people with chronic conditions described in RCW 43.70.533, including allocation of funds to support provider participation in the training, unless the managed care system is an integrated health delivery system that has programs in place for chronic care management;

(F) Provider reimbursement methods within the medical billing processes that incentivize pharmacists or other qualified providers licensed in Washington state to provide comprehensive medication management services consistent with the findings and goals established in RCW 74.09.5223;

(G) Evaluation and reporting on the impact of comprehensive medication management services on patient clinical outcomes and total health care costs, including reductions in emergency department utilization, hospitalization, and drug costs; and

(H) Established consistent processes to incentivize integration of behavioral health services in the primary care setting, promoting care that is integrated, collaborative, colocated, and preventive.

(ii)(A) Health home services contracted for under this subsection may be prioritized to enrollees with complex, high cost, or multiple chronic conditions.

(B) Contracts that include the items in (e)(i)(C) through (G) of this subsection must not exceed the rates that would be paid in the absence of these provisions;

(f) The authority shall seek waivers from federal requirements as necessary to implement this chapter;

(g) The authority shall, wherever possible, enter into prepaid capitation contracts that include inpatient care. However, if this is not possible or feasible, the authority may enter into prepaid capitation contracts that do not include inpatient care;

(h) The authority shall define those circumstances under which a managed health care system is responsible for out-of-plan services and assure that recipients shall not be charged for such services;

(i) Nothing in this section prevents the authority from entering into similar agreements for other groups of people eligible to receive services under this chapter; and

(j) The authority must consult with the federal center for medicare and medicaid innovation and seek funding opportunities to support health homes.

(3) The authority shall ensure that publicly supported community health centers and providers in rural areas, who show serious intent and apparent capability to participate as managed

health care systems are seriously considered as contractors. The authority shall coordinate its managed care activities with activities under chapter 70.47 RCW.

(4) The authority shall work jointly with the state of Oregon and other states in this geographical region in order to develop recommendations to be presented to the appropriate federal agencies and the United States congress for improving health care of the poor, while controlling related costs.

(5) The legislature finds that competition in the managed health care marketplace is enhanced, in the long term, by the existence of a large number of managed health care system options for medicaid clients. In a managed care delivery system, whose goal is to focus on prevention, primary care, and improved enrollee health status, continuity in care relationships is of substantial importance, and disruption to clients and health care providers should be minimized. To help ensure these goals are met, the following principles shall guide the authority in its healthy options managed health care purchasing efforts:

(a) All managed health care systems should have an opportunity to contract with the authority to the extent that minimum contracting requirements defined by the authority are met, at payment rates that enable the authority to operate as far below appropriated spending levels as possible, consistent with the principles established in this section.

(b) Managed health care systems should compete for the award of contracts and assignment of medicaid beneficiaries who do not voluntarily select a contracting system, based upon:

(i) Demonstrated commitment to or experience in serving low-income populations;

(ii) Quality of services provided to enrollees;

(iii) Accessibility, including appropriate utilization, of services offered to enrollees;

(iv) Demonstrated capability to perform contracted services, including ability to supply an adequate provider network;

(v) Payment rates; and

(vi) The ability to meet other specifically defined contract requirements established by the authority, including consideration of past and current performance and participation in other state or federal health programs as a contractor.

(c) Consideration should be given to using multiple year contracting periods.

(d) Quality, accessibility, and demonstrated commitment to serving low-income populations shall be given significant weight in the contracting, evaluation, and assignment process.

(e) All contractors that are regulated health carriers must meet state minimum net worth requirements as defined in applicable state laws. The authority shall adopt rules establishing the minimum net worth requirements for contractors that are not regulated health carriers. This subsection does not limit the authority of the Washington state health care authority to take action under a contract upon finding that a contractor's financial status seriously jeopardizes the contractor's ability to meet its contract obligations.

(f) Procedures for resolution of disputes between the authority and contract bidders or the authority and contracting carriers related to the award of, or failure to award, a managed care contract must be clearly set out in the procurement document.

(6) The authority may apply the principles set forth in subsection (5) of this section to its managed health care purchasing efforts on behalf of clients receiving supplemental security income benefits to the extent appropriate.

(7) By April 1, 2016, any contract with a managed health care system to provide services to medical assistance enrollees shall require that managed health care systems offer contracts to behavioral health organizations, mental health providers, or chemical dependency treatment providers to provide access to primary care services integrated into behavioral health clinical settings, for individuals with behavioral health and medical comorbidities.

(8) Managed health care system contracts effective on or after April 1, 2016, shall serve geographic areas that correspond to the regional service areas established in RCW 43.20A.893.

(9) A managed health care system shall pay a nonparticipating provider that provides a service covered under this chapter to the system's enrollee no more than the lowest amount paid for that service under the managed health care system's contracts with similar providers in the state if the managed health care system has made good faith efforts to contract with the nonparticipating provider.

(10) For services covered under this chapter to medical assistance or medical care services enrollees and provided on or after August 24, 2011, nonparticipating providers must accept as payment in full the amount paid by the managed health care system under subsection ((~~(7)~~)) (9) of this section in addition to any deductible, coinsurance, or copayment that is due from the enrollee for the service provided. An enrollee is not liable to any nonparticipating provider for covered services, except for amounts due for any deductible, coinsurance, or copayment under the terms and conditions set forth in the managed health care system contract to provide services under this section.

(11) Pursuant to federal managed care access standards, 42 C.F.R. Sec. 438, managed health care systems must maintain a network of appropriate providers that is supported by written agreements sufficient to provide adequate access to all services covered under the contract with the authority, including hospital-based physician services. The authority will monitor and periodically report on the proportion of services provided by contracted providers and nonparticipating providers, by county, for each managed health care system to ensure that managed health care systems are meeting network adequacy requirements. No later than January 1st of each year, the authority will review and report its findings to the appropriate policy and fiscal committees of the legislature for the preceding state fiscal year.

(12) Payments under RCW 74.60.130 are exempt from this section.

(13) Subsections (9) through (11) of this section expire July 1, ((~~2016~~)) 2021."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "and amending RCW 74.09.522."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1652 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1652, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1652, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fey, Hurst and Rodne.

HOUSE BILL NO. 1652, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1896 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 465.** RCW 19.29A.010 and 2000 c 213 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Biomass generation" means electricity derived from burning solid organic fuels from wood, forest, or field residue, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) "Bonneville power administration system mix" means a generation mix sold by the Bonneville power administration that is net of any resource specific sales and that is net of any electricity sold to direct service industrial customers, as defined in section 3(8) of the Pacific Northwest electric power planning and conservation act (16 U.S.C. Sec. 839(a)(8)).

(3) "Coal generation" means the electricity produced by a generating facility that burns coal as the primary fuel source.

(4) "Commission" means the utilities and transportation commission.

(5) "Conservation" means an increase in efficiency in the use of energy use that yields a decrease in energy consumption while providing the same or higher levels of service. Conservation includes low-income weatherization programs.

(6) "Consumer-owned utility" means a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual corporation or association formed under chapter 24.06 RCW, that is engaged in the business of distributing electricity to more than one retail electric customer in the state.

(7) "Declared resource" means an electricity source specifically identified by a retail supplier to serve retail electric customers. A declared resource includes a stated quantity of electricity tied directly to a specified generation facility or set of facilities either through ownership or contract purchase, or a contractual right to a stated quantity of electricity from a specified generation facility or set of facilities.

(8) "Department" means the department of ((~~community, trade, and economic development~~)) commerce.

(9) "Electricity information coordinator" means the organization selected by the department under RCW 19.29A.080 to: (a) Compile generation data in the Northwest power pool by generating project and by resource category; (b) compare the quantity of electricity from declared resources reported by retail suppliers with available generation from such resources; (c) calculate the net system power mix; and (d) coordinate with other comparable organizations in the western interconnection.

(10) "Electric meters in service" means those meters that record in at least nine of twelve calendar months in any calendar year not less than two hundred fifty kilowatt-hours per month.

(11) "Electricity product" means the electrical energy produced by a generating facility or facilities that a retail supplier sells or offers to sell to retail electric customers in the state of Washington, provided that nothing in this title shall be construed to mean that electricity is a good or product for the purposes of Title 62A RCW, or any other purpose. It does not include electrical energy generated on-site at a retail electric customer's premises.

(12) "Electric utility" means a consumer-owned or investor-owned utility as defined in this section.

(13) "Electricity" means electric energy measured in kilowatt-hours, or electric capacity measured in kilowatts, or both.

(14) "Fuel mix" means the actual or imputed sources of electricity sold to retail electric customers, expressed in terms of percentage contribution by resource category. The total fuel mix included in each disclosure shall total one hundred percent.

(15) "Geothermal generation" means electricity derived from thermal energy naturally produced within the earth.

(16) "Governing body" means the council of a city or town, the commissioners of an irrigation district, municipal electric utility, or public utility district, or the board of directors of an electric cooperative or mutual association that has the authority to set and approve rates.

(17) "High efficiency cogeneration" means electricity produced by equipment, such as heat or steam used for industrial, commercial, heating, or cooling purposes, that meets the federal energy regulatory commission standards for qualifying facilities under the public utility regulatory policies act of 1978.

(18) "Hydroelectric generation" means a power source created when water flows from a higher elevation to a lower elevation and the flow is converted to electricity in one or more generators at a single facility.

(19) "Investor-owned utility" means a company owned by investors that meets the definition of RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(20) "Landfill gas generation" means electricity produced by a generating facility that uses waste gases produced by the decomposition of organic materials in landfills.

(21) "Natural gas generation" means electricity produced by a generating facility that burns natural gas as the primary fuel source.

(22) "Northwest power pool" means the generating resources included in the United States portion of the Northwest power pool area as defined by the western systems coordinating council.

(23) "Net system power mix" means the fuel mix in the Northwest power pool, net of: (a) Any declared resources in the Northwest power pool identified by in-state retail suppliers or out-of-state entities that offer electricity for sale to retail electric customers; (b) any electricity sold by the Bonneville power administration to direct service industrial customers; and (c) any resource specific sales made by the Bonneville power administration.

(24) "Oil generation" means electricity produced by a generating facility that burns oil as the primary fuel source.

(25) "Proprietary customer information" means: (a) Information that relates to the source, technical configuration, destination, and amount of electricity used by a retail electric customer, a retail electric customer's payment history, and household data that is made available by the customer solely by virtue of the utility-customer relationship; and (b) information contained in a retail electric customer's bill.

(26) "Renewable resources" means electricity generation facilities fueled by: (a) Water; (b) wind; (c) solar energy; (d) geothermal energy; (e) landfill gas; or (f) biomass energy based on solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(27) "Resale" means the purchase and subsequent sale of electricity for profit, but does not include the purchase and the subsequent sale of electricity at the same rate at which the electricity was purchased.

(28) "Retail electric customer" means a person or entity that purchases electricity for ultimate consumption and not for resale.

(29) "Retail supplier" means an electric utility that offers an electricity product for sale to retail electric customers in the state.

(30) "Small utility" means any consumer-owned utility with twenty-five thousand or fewer electric meters in service, or that has an average of seven or fewer customers per mile of distribution line.

(31) "Solar generation" means electricity derived from radiation from the sun that is directly or indirectly converted to electrical energy.

(32) "State" means the state of Washington.

(33) "Waste incineration generation" means electricity derived from burning solid or liquid wastes from businesses, households, municipalities, or waste treatment operations.

(34) "Wind generation" means electricity created by movement of air that is converted to electrical energy.

(35) "Private customer information" includes a retail electric customer's name, address, telephone number, and other personally identifying information.

Sec. 466. RCW 19.29A.020 and 1998 c 300 s 3 are each amended to read as follows:

Except as otherwise provided in RCW 19.29A.040, each electric utility must provide its retail electric customers with the following disclosures in accordance with RCW 19.29A.030:

(1) An explanation of any applicable credit and deposit requirements, including the means by which credit may be established, the conditions under which a deposit may be required, the amount of any deposit, interest paid on the deposit, and the circumstances under which the deposit will be returned or forfeited.

(2) A complete, itemized listing of all rates and charges for which the customer is responsible, including charges, if any, to terminate service, the identity of the entity responsible for setting rates, and an explanation of how to receive notice of public hearings where changes in rates will be considered or approved.

(3) An explanation of the metering or measurement policies and procedures, including the process for verifying the reliability of the meters or measurements and adjusting bills upon discovery of errors in the meters or measurements.

(4) An explanation of bill payment policies and procedures, including due dates, applicable late fees, and the interest rate charged, if any, on unpaid balances.

(5) An explanation of the payment arrangement options available to customers, including budget payment plans and the availability of home heating assistance from government and private sector organizations.

(6) An explanation of the method by which customers must give notice of their intent to discontinue service, the circumstances under which service may be discontinued by the utility, the conditions that must be met by the utility prior to discontinuing service, and how to avoid disconnection.

(7) An explanation of the utility's policies governing the confidentiality of private and proprietary customer information, including the circumstances under which the information may be disclosed and ways in which customers can control access to the information.

(8) An explanation of the methods by which customers may make inquiries to and file complaints with the utility, and the utility's procedures for responding to and resolving complaints and disputes, including a customer's right to complain about an investor-owned utility to the commission and appeal a decision by a consumer-owned utility to the governing body of the consumer-owned utility.

(9) An annual report containing the following information for the previous calendar year:

(a) A general description of the electric utility's customers, including the number of residential, commercial, and industrial customers served by the electric utility, and the amount of electricity consumed by each customer class in which there are at least three customers, stated as a percentage of the total utility load;

(b) A summary of the average electricity rates for each customer class in which there are at least three customers, stated in cents per kilowatt-hour, the date of the electric utility's last general rate increase or decrease, the identity of the entity responsible for setting rates, and an explanation of how to receive notice of public hearings where changes in rates will be considered or approved;

(c) An explanation of the amount invested by the electric utility in conservation, nonhydrorenewable resources, and low-income energy assistance programs, and the source of funding for the investments; and

(d) An explanation of the amount of federal, state, and local taxes collected and paid by the electric utility, including the amounts collected by the electric utility but paid directly by retail electric customers.

NEW SECTION. **Sec. 467.** A new section is added to chapter 19.29A RCW to read as follows:

(1) An electric utility may not sell private or proprietary customer information.

(2) An electric utility may not disclose private or proprietary customer information with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing services or product offerings to a retail electric customer who does not already subscribe to that service or product, unless the utility has first obtained the customer's written or electronic permission to do so.

(3) The utility must:

(a) Obtain a retail electric customer's prior permission for each instance of disclosure of his or her private or proprietary customer information to an affiliate, subsidiary, or other third party for purposes of marketing services or products that the customer does not already subscribe to; and

(b) Maintain a record for each instance of permission for disclosing a retail electric customer's private or proprietary customer information.

(4) An electric utility must retain the following information for each instance of a retail electric customer's consent for disclosure of his or her private or proprietary customer information if provided electronically:

(a) The confirmation of consent for the disclosure of private customer information;

(b) A list of the date of the consent and the affiliates, subsidiaries, or third parties to which the customer has authorized disclosure of his or her private or proprietary customer information; and

(c) A confirmation that the name, service address, and account number exactly matches the utility record for such account.

(5) This section does not require customer permission for or prevent disclosure of private or proprietary customer information by an electric utility to a third party with which the utility has a contract where such contract is directly related to conduct of the utility's business, provided that the contract prohibits the third party from further disclosing any private or proprietary customer information obtained from the utility to a party that is not the utility and not a party to the contract with the utility.

(6) This section does not prevent disclosure of the essential terms and conditions of special contracts.

(7) This section does not prevent the electric utility from inserting any marketing information into the retail electric customer's billing package.

(8) An electric utility may collect and release retail electric customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.

(9) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(10) The statewide minimum privacy policy established in subsections (1) through (8) of this section must, in the case of an investor-owned utility, be enforced by the commission by rule or order.

NEW SECTION. **Sec. 468.** A new section is added to chapter 19.29A RCW to read as follows:

(1) A person may not capture or obtain private or proprietary customer information for a commercial purpose unless the person:

(a) Informs the retail electric customer before capturing or obtaining private or proprietary customer information; and

(b) Receives the retail electric customer's written or electronic permission to capture or obtain private or proprietary customer information.

(2) A person who legally possesses private or proprietary customer information that is captured or obtained for a commercial purpose may not sell, lease, or otherwise disclose the private or proprietary customer information to another person unless:

(a) The retail electric customer consents to the disclosure;

(b) The private or proprietary customer information is disclosed to an electric utility or other third party as necessary to effect, administer, enforce, or complete a financial transaction that the retail electric customer requested, initiated, or authorized, provided that the electric utility or third party maintains confidentiality of the private or proprietary customer information and does not further disclose the information except as permitted under this subsection (2); or

(c) The disclosure is required or expressly permitted by a federal statute or by a state statute.

(3) For the purposes of this section, "person" means any individual, partnership, corporation, limited liability company, or other organization or commercial entity, except that "person" does not include an electric utility.

(4) Except as provided in section 5 of this act, the legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. **Sec. 469.** A new section is added to chapter 19.29A RCW to read as follows:

This chapter does not apply to energy benchmarking programs authorized by: (1) Federal law; (2) state law; or (3) local laws that are consistent with the personally identifying information requirements of RCW 19.27A.170."

On page 1, line 2 of the title, after "information;" strike the remainder of the title and insert "amending RCW 19.29A.010 and 19.29A.020; and adding new sections to chapter 19.29A RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1896 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1896, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1896, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Senn.

Excused: Representatives Fey, Hurst and Rodne.

SUBSTITUTE HOUSE BILL NO. 1896, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1940 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 470.** The legislature finds that flooding is a critical problem in Washington. The legislature further finds that flooding can result in loss of human life, damage to property, destruction of infrastructure, and bring economic activity to a standstill. The legislature further finds that flood control zone districts offer critical services that protect our state by mitigating the devastating impacts of flooding. It is the legislature's public policy objective to maximize available financing tools to flood control zone districts to continue their important work. Therefore, it is the legislature's intent to exempt levies imposed by a qualifying flood control zone district from certain limitations upon regular property tax levies.

Sec. 471. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes ((~~shall~~)) must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor ((~~shall~~)) must recompute and establish a consolidated levy in the following manner:

(((~~(1)~~))) (a) The full certified rates of tax levy for state, county, county road district, and city or town purposes ((~~shall~~)) must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy ((~~shall~~)) takes precedence over all other levies and ((~~shall~~)) may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, and the portion of the levy by a flood control zone district that was protected under section 3 of this act, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies ((~~shall~~)) must be reduced as follows:

(((~~(a)~~))) (i) The portion of the levy by a flood control zone district that was protected under section 3 of this act must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(b)~~))) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(c)~~))) (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(d)~~))) (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(((~~(e)~~))) (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

(((~~(f)~~))) (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, ((~~shall~~)) must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated; and

(((~~(g)~~))) (viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(((~~(2)~~))) (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property ((~~shall~~)) must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(((~~(a)~~))) (i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(b)~~))) (ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts ((~~shall~~)) other than the portion of a levy protected under section 3 of this act must be reduced on a pro rata basis or eliminated;

(((~~(c)~~))) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(d)~~))) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

(((~~(e)~~))) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) ((~~shall~~)) must be reduced on a pro rata basis or eliminated; and

(((f))) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, ((shall)) must be reduced on a pro rata basis or eliminated.

NEW SECTION. **Sec. 472.** A new section is added to chapter 84.52 RCW to read as follows:

A flood control zone district in a county with a population of seven hundred seventy-five thousand or more, or a county within the Chehalis river basin, that is coextensive with a county may protect the levy under RCW 86.15.160 from prorationing under RCW 84.52.010(3)(b)(ii) by imposing up to a total of twenty-five cents per thousand dollars of assessed value of the tax levy authorized under RCW 86.15.160 outside of the five dollars and ninety cents per thousand dollars of assessed value limitation under RCW 84.52.043(2), if those taxes otherwise would be prorated under RCW 84.52.010(3)(b)(ii).

Sec. 473. RCW 84.52.043 and 2009 c 551 s 6 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named ((shall be)) are as follows:

(1) Levies of the senior taxing districts ((shall be)) are as follows: (a) The levy by the state ((shall)) may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county ((shall)) may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district ((shall)) may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town ((shall)) may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, ((shall)) may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection ((shall)) do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; ((and)) (j) levies by counties for transit-related purposes under RCW 84.52.140; and (k) the portion of the levy by flood control zone districts that are protected under section 3 of this act.

NEW SECTION. **Sec. 474.** This act applies to taxes levied for collection in 2018 and thereafter.

NEW SECTION. **Sec. 475.** This act takes effect January 1, 2018.

NEW SECTION. **Sec. 476.** This act expires January 1, 2023."

On page 1, line 3 of the title, after "levies;" strike the remainder of the title and insert "amending RCW 84.52.010 and 84.52.043; adding a new section to chapter 84.52 RCW; creating new sections; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1940 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stokesbary, Orcutt and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1940, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1940, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Harmsworth, Hawkins, Kretz, McCaslin, Muri, Scott, Shea, Short, Taylor, Van Werven and Vick.

Excused: Representatives Fey, Hurst and Rodne.

HOUSE BILL NO. 1940, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Robinson to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 21, 2015, the 100th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDREDTH DAY

House Chamber, Olympia, Tuesday, April 21, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Salai Menta and Aliyah Peterson. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Joe Beal, Christ the Servant Lutheran Church, Lacey, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 21, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5048
ENGROSSED SUBSTITUTE SENATE BILL NO. 5158
SENATE BILL NO. 5203
ENGROSSED SENATE BILL NO. 5262
SENATE BILL NO. 5387
ENGROSSED SUBSTITUTE SENATE BILL NO. 5498
SUBSTITUTE SENATE BILL NO. 5593
SENATE BILL NO. 5603
SUBSTITUTE SENATE BILL NO. 5733
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
ENGROSSED SUBSTITUTE SENATE BILL NO. 5826

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5481
SUBSTITUTE SENATE BILL NO. 5501
ENGROSSED SENATE BILL NO. 5510
SUBSTITUTE SENATE BILL NO. 5534
SUBSTITUTE SENATE BILL NO. 5538
ENGROSSED SUBSTITUTE SENATE BILL NO. 5550
ENGROSSED SUBSTITUTE SENATE BILL NO. 5557
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564
SUBSTITUTE SENATE BILL NO. 5596
SUBSTITUTE SENATE BILL NO. 5600
SUBSTITUTE SENATE BILL NO. 5633
SENATE BILL NO. 5647
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649
SENATE BILL NO. 5650
SENATE BILL NO. 5692
SUBSTITUTE SENATE BILL NO. 5719
SUBSTITUTE SENATE BILL NO. 5740
SECOND SUBSTITUTE SENATE BILL NO. 5851
ENGROSSED SENATE BILL NO. 5863
SUBSTITUTE SENATE BILL NO. 5877
SECOND SUBSTITUTE SENATE BILL NO. 5888
ENGROSSED SENATE BILL NO. 5893
ENGROSSED SENATE BILL NO. 5923
ENGROSSED SENATE BILL NO. 5935
SUBSTITUTE SENATE BILL NO. 5957
SENATE BILL NO. 5958

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 21, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5004
SENATE BILL NO. 5011
SENATE BILL NO. 5024
SUBSTITUTE SENATE BILL NO. 5027
SUBSTITUTE SENATE BILL NO. 5030
SENATE BILL NO. 5070
ENGROSSED SUBSTITUTE SENATE BILL NO. 5084
SENATE BILL NO. 5085
SENATE BILL NO. 5100
SENATE BILL NO. 5107
SUBSTITUTE SENATE BILL NO. 5147
SUBSTITUTE SENATE BILL NO. 5163
SUBSTITUTE SENATE BILL NO. 5166
SUBSTITUTE SENATE BILL NO. 5202
SUBSTITUTE SENATE BILL NO. 5276
SUBSTITUTE SENATE BILL NO. 5280
SUBSTITUTE SENATE BILL NO. 5292
SENATE BILL NO. 5297
SUBSTITUTE SENATE BILL NO. 5299
SENATE BILL NO. 5307
SUBSTITUTE SENATE BILL NO. 5328
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353
SUBSTITUTE SENATE BILL NO. 5362
SUBSTITUTE SENATE BILL NO. 5381
ENGROSSED SUBSTITUTE SENATE BILL NO. 5441
ENGROSSED SUBSTITUTE SENATE BILL NO. 5460
ENGROSSED SENATE BILL NO. 5471

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 477.** (1) In 2014, the legislature required the integration of the treatment systems for chemical dependency and mental health into behavioral health organizations beginning April 1, 2016. There currently exists involuntary treatment for mental health and limited involuntary treatment for chemical dependency. With the integration of mental health and chemical dependency into a behavioral health treatment system, it is the intention of the legislature to determine the best course of action for integration of the two involuntary treatment systems into one integrated system.

(2) The Washington state institute for public policy shall complete an evaluation of involuntary treatment systems for chemical dependency and shall submit a report to the appropriate committees of the legislature by December 31, 2015. To the extent it is not duplicative of other studies, the report must study how other states have implemented involuntary chemical dependency treatment with respect to emergency and nonemergency detentions. The study must include, but not be limited to:

(a) Court processes for referral for involuntary chemical dependency treatment;

(b) Statutory lengths of stay;

(c) Types of professionals providing evaluation and referral for treatment;

(d) Required qualifications of professionals providing evaluation and referral for treatment;

(e) Number of beds per one thousand residents;

(f) Less restrictive alternatives to detention; and

(g) Integration of involuntary mental health and chemical dependency treatment processes.

(3) The Washington state institute for public policy shall update its analyses of Washington's integrated crisis response pilots published in 2007, 2008, and 2011 using the institute's most recent cost benefit analysis methodology.

Sec. 478. RCW 71.24.025 and 2014 c 225 s 10 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Available resources" means funds appropriated for the purpose of providing community mental health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other mental health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(3) "Behavioral health organization" means any county authority or group of county authorities or other entity recognized by the secretary in contract in a defined region.

(4) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and ((~~chemical dependency~~)) substance use disorder treatment services as described in this chapter and chapter 70.96A RCW.

(5) "Child" means a person under the age of eighteen years.

(6) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(7) "Clubhouse" means a community-based program that provides rehabilitation services and is certified by the department of social and health services.

(8) ((~~"Community mental health program" means all mental health services, activities, or programs using available resources.~~

(~~9~~))) "Community mental health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders as defined under RCW 71.05.020 and receive funding from public sources.

(((~~10~~))) (9) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health organizations.

(((~~11~~))) (10) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(((~~12~~))) (11) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(((~~13~~))) (12) "Department" means the department of social and health services.

(((~~14~~))) (13) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(((~~15~~))) (14) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (((~~16~~))) (15) of this section.

(((~~16~~))) (15) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled

evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(((~~(17)~~))) (16) "Licensed service provider" means an entity licensed according to this chapter or chapter 71.05 or 70.96A RCW or an entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department, or tribal attestation that meets state minimum standards, or persons licensed under chapter 18.57, 18.71, 18.83, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(((~~(18)~~))) (17) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(((~~(19)~~))) (18) "Mental health services" means all services provided by behavioral health organizations and other services provided by the state for persons who are mentally ill.

(((~~(20)~~))) (19) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (6), (27), and (28)((~~, and (29)~~)) of this section.

(((~~(21)~~))) (20) "Recovery" means the process in which people are able to live, work, learn, and participate fully in their communities.

(((~~(22)~~))) (21) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(((~~(23)~~))) (22) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (((~~(16)~~))) (15) of this section but does not meet the full criteria for evidence-based.

(((~~(24)~~))) (23) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(((~~(25)~~))) (24) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(((~~(26)~~))) (25) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined solely by a behavioral health organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated mental health professionals, evaluation and treatment facilities, and others as determined by the behavioral health organization.

(((~~(27)~~))) (26) "Secretary" means the secretary of social and health services.

(((~~(28)~~))) (27) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(((~~(29)~~))) (28) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health organization to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(((~~(30)~~))) (29) "State minimum standards" means minimum requirements established by rules adopted by the secretary and necessary to implement this chapter for: (a) Delivery of mental health services; (b) licensed service providers for the provision of mental health services; (c) residential services; and (d) community support services and resource management services.

(((~~(31)~~))) (30) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(((~~(32)~~))) (31) "Tribal authority," for the purposes of this section and RCW 71.24.300 only, means: The federally recognized Indian tribes and the major Indian organizations recognized by the secretary insofar as these organizations do not have a financial relationship with any behavioral health organization that would present a conflict of interest.

(32) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(33) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department of social and health services as meeting standards adopted under this chapter.

(34) "Behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat chemical dependency and mental illness.

(35) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(36) "Designated chemical dependency specialist" means a person designated by the behavioral health organization or by the county alcoholism and other drug addiction program coordinator designated by the behavioral health organization to perform the commitment duties described in RCW 70.96A.140 and qualified to do so by meeting standards adopted by the department.

(37) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(38) "Early adopter" means a regional service area for which all of the county authorities have requested that the department and the health care authority jointly purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(6).

(39) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

Sec. 479. RCW 71.24.035 and 2014 c 225 s 11 are each amended to read as follows:

(1) The department is designated as the state ((~~mental~~)) behavioral health authority which includes recognition as the single state authority for substance use disorders and state mental health authority.

(2) The secretary shall provide for public, client, tribal, and licensed service provider participation in developing the state ((~~mental~~)) behavioral health program, developing contracts with behavioral health organizations, and any waiver request to the federal government under medicaid.

(3) The secretary shall provide for participation in developing the state ((~~mental~~)) behavioral health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state ((~~mental~~)) behavioral health program.

(4) The secretary shall be designated as the behavioral health organization if the behavioral health organization fails to meet state minimum standards or refuses to exercise responsibilities under its contract or RCW 71.24.045, until such time as a new behavioral health organization is designated.

(5) The secretary shall:

(a) Develop a biennial state ((~~mental~~)) behavioral health program that incorporates regional biennial needs assessments and regional mental health service plans and state services for adults and children with mental ((~~illness~~)) disorders or substance use disorders or both;

(b) Assure that any behavioral health organization or county community ((~~mental~~)) behavioral health program provides medically necessary services to medicaid recipients consistent with the state's medicaid state plan or federal waiver authorities, and nonmedicaid services consistent with priorities established by the department;

(c) Develop and adopt rules establishing state minimum standards for the delivery of ((~~mental~~)) behavioral health services pursuant to RCW 71.24.037 including, but not limited to:

(i) Licensed service providers. These rules shall permit a county-operated ((~~mental~~)) behavioral health program to be licensed as a service provider subject to compliance with applicable statutes and rules. The secretary shall provide for deeming of compliance with state minimum standards for those entities accredited by recognized behavioral health accrediting bodies recognized and having a current agreement with the department;

(ii) Inpatient services, evaluation and treatment services and facilities under chapter 71.05 RCW, resource management services, and community support services;

(d) Assure that the special needs of persons who are minorities, elderly, disabled, children, low-income, and parents who are respondents in dependency cases are met within the priorities established in this section;

(e) Establish a standard contract or contracts, consistent with state minimum standards which shall be used in contracting with behavioral health organizations. The standard contract shall include a maximum fund balance, which shall be consistent with that required by federal regulations or waiver stipulations;

(f) Make contracts necessary or incidental to the performance of its duties and the execution of its powers, including managed care contracts for behavioral health services, contracts entered into under RCW 74.09.522, and contracts with public and private agencies, organizations, and individuals to pay them for behavioral health services;

(g) Establish, to the extent possible, a standardized auditing procedure which is designed to assure compliance with contractual agreements authorized by this chapter and minimizes paperwork requirements of behavioral health organizations and licensed service providers. The audit procedure shall focus on the outcomes of service as provided in RCW 43.20A.895, 70.320.020, and 71.36.025;

(((~~(g)~~))) (h) Develop and maintain an information system to be used by the state and behavioral health organizations that includes a tracking method which allows the department and behavioral health organizations to identify ((~~mental~~)) behavioral health clients' participation in any ((~~mental~~)) behavioral health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and chapter 70.02 RCW;

(((~~(h)~~))) (i) License service providers who meet state minimum standards;

(((~~(i)~~))) (j) Periodically monitor the compliance of behavioral health organizations and their network of licensed service providers for compliance with the contract between the department, the behavioral health organization, and federal and state rules at reasonable times and in a reasonable manner;

(((~~(j)~~))) (k) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections;

(((~~(k)~~))) (l) Monitor and audit behavioral health organizations and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;

(((~~(l)~~))) (m) Adopt such rules as are necessary to implement the department's responsibilities under this chapter;

(((~~(m)~~))) (n) License or certify crisis stabilization units that meet state minimum standards;

(((~~(n)~~))) (o) License or certify clubhouses that meet state minimum standards; ((~~and~~

~~(o)~~))) (p) License or certify triage facilities that meet state minimum standards; and

(q) Administer or supervise the administration of the provisions relating to persons with substance use disorders and intoxicated persons of any state plan submitted for federal funding pursuant to federal health, welfare, or treatment legislation.

(6) The secretary shall use available resources only for behavioral health organizations, except:

(a) To the extent authorized, and in accordance with any priorities or conditions specified, in the biennial appropriations act; or

(b) To incentivize improved performance with respect to the client outcomes established in RCW 43.20A.895, 70.320.020, and 71.36.025, integration of behavioral health and medical services at the clinical level, and improved care coordination for individuals with complex care needs.

(7) Each behavioral health organization and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A behavioral health organization or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may be subject to the behavioral health organization contractual remedies in RCW 43.20A.894 or may have its service provider certification or license revoked or suspended.

(8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to: (a) The law; (b) applicable rules and regulations; (c) applicable standards; or (d) state minimum standards.

(9) The superior court may restrain any behavioral health organization or service provider from operating without a contract, certification, or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.

(10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any behavioral health organization((~~s [organization]~~)) or service provider refusing to consent to inspection or examination by the authority.

(11) Notwithstanding the existence or pursuit of any other remedy, the secretary may file an action for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a behavioral health organization or service provider without a contract, certification, or a license under this chapter.

(12) ((~~The standards for certification or licensure of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapters 71.05 and 71.34 RCW, and shall otherwise assure the effectuation of the purposes of these chapters.~~

~~(13) The standards for certification or licensure of crisis stabilization units shall include standards that:~~

~~(a) Permit location of the units at a jail facility if the unit is physically separate from the general population of the jail;~~

~~(b) Require administration of the unit by mental health professionals who direct the stabilization and rehabilitation efforts; and~~

~~(c) Provide an environment affording security appropriate with the alleged criminal behavior and necessary to protect the public safety.~~

~~(14) The standards for certification or licensure of a clubhouse shall at a minimum include:~~

~~(a) The facilities may be peer operated and must be recovery focused;~~

~~(b) Members and employees must work together;~~

~~(c) Members must have the opportunity to participate in all the work of the clubhouse, including administration, research, intake and orientation, outreach, hiring, training and evaluation of staff, public relations, advocacy, and evaluation of clubhouse effectiveness;~~

~~(d) Members and staff and ultimately the clubhouse director must be responsible for the operation of the clubhouse, central to this responsibility is the engagement of members and staff in all aspects of clubhouse operations;~~

~~(e) Clubhouse programs must be comprised of structured activities including but not limited to social skills training, vocational rehabilitation, employment training and job placement, and community resource development;~~

~~(f) Clubhouse programs must provide in-house educational programs that significantly utilize the teaching and tutoring skills of members and assist members by helping them to take advantage of adult education opportunities in the community;~~

~~(g) Clubhouse programs must focus on strengths, talents, and abilities of its members;~~

~~(h) The work ordered day may not include medication clinics, day treatment, or other therapy programs within the clubhouse.~~

~~(15)~~)) The department shall distribute appropriated state and federal funds in accordance with any priorities, terms, or conditions specified in the appropriations act.

(((~~(16)~~))) (13) The secretary shall assume all duties assigned to the nonparticipating behavioral health organizations under chapters 71.05 and 71.34 RCW and this chapter. Such responsibilities shall include those which would have been assigned to the nonparticipating counties in regions where there are not participating behavioral health organizations.

The behavioral health organizations, or the secretary's assumption of all responsibilities under chapters 71.05 and 71.34 RCW and this chapter, shall be included in all state and federal plans affecting the state ((~~mental~~)) behavioral health program including at least those required by this chapter, the medicaid program, and P.L. 99-660. Nothing in these plans shall be inconsistent with the intent and requirements of this chapter.

(((~~(17)~~))) (14) The secretary shall:

(a) Disburse funds for the behavioral health organizations within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with behavioral health organizations. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; and (iii) emergency response systems.

(c) Notify behavioral health organizations of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(d) Deny all or part of the funding allocations to behavioral health organizations based solely upon formal findings of noncompliance with the terms of the behavioral health organization's contract with the department. Behavioral health organizations disputing the decision of the secretary to withhold funding allocations are limited to the remedies provided in the department's contracts with the behavioral health organizations.

((~~(18)~~)) (15) The department, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for services provided by freestanding evaluation and treatment facilities certified under chapter 71.05 RCW. The department shall periodically report its efforts to the appropriate committees of the senate and the house of representatives.

(16) The department may:

(a) Plan, establish, and maintain substance use disorder prevention and substance use disorder treatment programs as necessary or desirable;

(b) Coordinate its activities and cooperate with behavioral programs in this and other states, and make contracts and other joint or cooperative arrangements with state, local, or private agencies in this and other states for behavioral health services and for the common advancement of substance use disorder programs;

(c) Solicit and accept for use any gift of money or property made by will or otherwise, and any grant of money, services, or property from the federal government, the state, or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant;

(d) Keep records and engage in research and the gathering of relevant statistics; and

(e) Acquire, hold, or dispose of real property or any interest therein, and construct, lease, or otherwise provide substance use disorder treatment programs.

Sec. 480. RCW 70.96A.050 and 2014 c 225 s 23 are each amended to read as follows:

The department shall:

(1) Develop, encourage, and foster statewide, regional, and local plans and programs for the prevention of alcoholism and other drug addiction, treatment of persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons in cooperation with public and private agencies, organizations, and individuals and provide technical assistance and consultation services for these purposes;

(2) Assure that any behavioral health organization managed care contract, or managed care contract under RCW 74.09.522 for behavioral health services or programs for the treatment of persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons provides medically necessary services to medicaid recipients. This must include a continuum of mental health and ((~~chemical dependency~~)) substance use disorder services consistent with the state's medicaid plan or federal waiver authorities, and nonmedicaid services consistent with priorities established by the department;

(3) Coordinate the efforts and enlist the assistance of all public and private agencies, organizations, and individuals interested in prevention of alcoholism and drug addiction, and treatment of persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons;

(4) Cooperate with public and private agencies in establishing and conducting programs to provide treatment for persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons who are clients of the correctional system;

(5) Cooperate with the superintendent of public instruction, state board of education, schools, police departments, courts, and other public and private agencies, organizations and individuals in establishing programs for the prevention of ((~~alcoholism and other drug addiction~~)) substance use disorders, treatment of persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons, and preparing curriculum materials thereon for use at all levels of school education;

(6) Prepare, publish, evaluate, and disseminate educational material dealing with the nature and effects of alcohol and other psychoactive chemicals and the consequences of their use;

(7) Develop and implement, as an integral part of substance use disorder treatment programs, an educational program for use in the treatment of persons with substance use disorders, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons, which program shall include the dissemination of information concerning the nature and effects of alcohol and other psychoactive chemicals, the consequences of their use, the principles of recovery, and HIV and AIDS;

(8) Organize and foster training programs for persons engaged in treatment of persons with substance use disorders, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons;

(9) Sponsor and encourage research into the causes and nature of ((~~alcoholism and other drug addiction~~)) substance use disorders, treatment of persons with substance use disorders, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons, and serve as a clearinghouse for information relating to ((~~alcoholism or other drug addiction~~)) substance use disorders;

(10) Specify uniform methods for keeping statistical information by public and private agencies, organizations, and individuals, and collect and make available relevant statistical information, including number of persons treated, frequency of admission and readmission, and frequency and duration of treatment;

(11) Advise the governor in the preparation of a comprehensive plan for treatment of persons with substance use disorders, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons for inclusion in the state's comprehensive health plan;

(12) Review all state health, welfare, and treatment plans to be submitted for federal funding under federal legislation, and advise the governor on provisions to be included relating to substance use disorders;

(13) Assist in the development of, and cooperate with, programs for alcohol and other psychoactive chemical education and treatment for employees of state and local governments and businesses and industries in the state;

(14) Use the support and assistance of interested persons in the community to encourage persons with substance use disorders voluntarily to undergo treatment;

(15) Cooperate with public and private agencies in establishing and conducting programs designed to deal with the problem of persons operating motor vehicles while intoxicated;

(16) Encourage general hospitals and other appropriate health facilities to admit without discrimination persons with substance use disorders, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons and to provide them with adequate and appropriate treatment;

(17) Encourage all health and disability insurance programs to include ((~~alcoholism and other drug addiction~~)) substance use disorders as a covered illness; and

(18) Organize and sponsor a statewide program to help court personnel, including judges, better understand ((~~the disease of alcoholism and other drug addiction~~)) substance use disorders and the uses of ((~~chemical dependency~~)) substance use disorder treatment programs.

Sec. 481. RCW 71.24.037 and 2001 c 323 s 11 are each amended to read as follows:

(1) The secretary shall by rule establish state minimum standards for licensed behavioral health service providers and services, whether those service providers and services are licensed to provide solely mental health services, substance use disorder treatment services, or services to persons with co-occurring disorders.

(2) Minimum standards for licensed behavioral health service providers shall, at a minimum, establish: Qualifications for staff providing services directly to ((~~mentally ill~~)) persons with mental disorders, substance use disorders, or both, the intended result of each service, and the rights and responsibilities of persons receiving ((~~mental~~)) behavioral health services pursuant to this chapter. The secretary shall provide for deeming of licensed behavioral health service providers as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

(3) Minimum standards for community support services and resource management services shall include at least qualifications for resource management services, client tracking systems, and the transfer of patient information between behavioral health service providers.

(4) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.20A.205 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.

(5) No licensed behavioral health service provider may advertise or represent itself as a licensed behavioral health service provider if approval has not been granted, has been denied, suspended, revoked, or canceled.

(6) Licensure as a behavioral health service provider is effective for one calendar year from the date of issuance of the license. The license must specify the types of services provided by the behavioral health service provider that meet the standards adopted under this chapter. Renewal of a license must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(7) Licensure as a licensed behavioral health service provider must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.

(8) Licensed behavioral health service providers may not provide types of services for which the licensed behavioral health service provider has not been certified. Licensed behavioral health service providers may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.

(9) The department periodically shall inspect licensed behavioral health service providers at reasonable times and in a reasonable manner.

(10) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed behavioral health service provider refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.

(11) The department shall maintain and periodically publish a current list of licensed behavioral health service providers.

(12) Each licensed behavioral health service provider shall file with the department upon request, data, statistics, schedules, and information the department reasonably requires. A licensed behavioral health service provider that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license revoked or suspended.

(13) The department shall use the data provided in subsection (12) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the department shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

Sec. 482. RCW 70.96A.090 and 2005 c 70 s 2 are each amended to read as follows:

(1) ((~~The department shall adopt rules establishing standards for approved treatment programs, the process for the review and inspection program applying to the department for certification as an approved treatment program, and fixing the fees to be charged by the department for the required inspections. The standards may concern the health standards to be met and standards of services and treatment to be afforded patients.~~

~~(2) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.20A.205 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.~~

~~(3) No treatment program may advertise or represent itself as an approved treatment program if approval has not been granted, has been denied, suspended, revoked, or canceled.~~

~~(4) Certification as an approved treatment program is effective for one calendar year from the date of issuance of the certificate. The certification shall specify the types of services provided by the approved treatment program that meet the standards adopted under this chapter. Renewal of certification shall be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.~~

~~(5) Approved treatment programs shall not provide alcoholism or other drug addiction treatment services for which the approved treatment program has not been certified. Approved treatment programs may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.~~

~~(6) The department periodically shall inspect approved public and private treatment programs at reasonable times and in a reasonable manner.~~

~~(7) The department shall maintain and periodically publish a current list of approved treatment programs.~~

~~(8) Each approved treatment program shall file with the department on request, data, statistics, schedules, and information the department reasonably requires. An approved treatment program that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may be removed from the list of approved treatment programs, and its certification revoked or suspended.~~

~~(9) The department shall use the data provided in subsection (8) of this section to evaluate each program that admits children to inpatient treatment upon application of their parents. The evaluation shall be done at least once every twelve months. In addition, the department shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.~~

~~(10) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any approved public or private treatment program refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.~~

~~(11)(a)~~)) All approved opiate substitution treatment programs that provide services to women who are pregnant are required to disseminate up-to-date and accurate health education information to all their pregnant clients concerning the possible addiction and health risks that their opiate substitution treatment may have on their baby. All pregnant clients must also be advised of the risks to both them and their baby associated with not remaining on the opiate substitute program. The information must be provided to these clients both verbally and in writing. The health education information provided to the pregnant clients must include referral options for the addicted baby.

(((~~(b)~~))) (2) The department shall adopt rules that require all opiate treatment programs to educate all pregnant women in their program on the benefits and risks of methadone treatment to their fetus before they are provided these medications, as part of their addiction treatment. The department shall meet the requirements under this subsection within the appropriations provided for opiate treatment programs. The department, working with treatment providers and medical experts, shall develop and disseminate the educational materials to all certified opiate treatment programs.

NEW SECTION. **Sec. 483.** A new section is added to chapter 71.24 RCW to read as follows:

The standards for certification or licensure of evaluation and treatment facilities must include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapters 71.05 and 71.34 RCW, and must otherwise assure the effectuation of the purposes of these chapters.

NEW SECTION. **Sec. 484.** A new section is added to chapter 71.24 RCW to read as follows:

The standards for certification or licensure of crisis stabilization units must include standards that:

(1) Permit location of the units at a jail facility if the unit is physically separate from the general population of the jail;

(2) Require administration of the unit by mental health professionals who direct the stabilization and rehabilitation efforts; and

(3) Provide an environment affording security appropriate with the alleged criminal behavior and necessary to protect the public safety.

NEW SECTION. **Sec. 485.** A new section is added to chapter 71.24 RCW to read as follows:

The standards for certification or licensure of a clubhouse must at a minimum include:

(1) The facilities may be peer-operated and must be recovery-focused;

(2) Members and employees must work together;

(3) Members must have the opportunity to participate in all the work of the clubhouse, including administration, research, intake and orientation, outreach, hiring, training and evaluation of staff, public relations, advocacy, and evaluation of clubhouse effectiveness;

(4) Members and staff and ultimately the clubhouse director must be responsible for the operation of the clubhouse, central to this responsibility is the engagement of members and staff in all aspects of clubhouse operations;

(5) Clubhouse programs must be comprised of structured activities including but not limited to social skills training, vocational rehabilitation, employment training and job placement, and community resource development;

(6) Clubhouse programs must provide in-house educational programs that significantly utilize the teaching and tutoring skills of members and assist members by helping them to take advantage of adult education opportunities in the community;

(7) Clubhouse programs must focus on strengths, talents, and abilities of its members;

(8) The work-ordered day may not include medication clinics, day treatment, or other therapy programs within the clubhouse.

Sec. 486. RCW 71.24.385 and 2014 c 225 s 9 are each amended to read as follows:

(1) Within funds appropriated by the legislature for this purpose, behavioral health organizations shall develop the means to serve the needs of people:

(a) With mental disorders residing within the boundaries of their regional service area. Elements of the program may include:

(((~~(a)~~))) (i) Crisis diversion services;

(((~~(b)~~))) (ii) Evaluation and treatment and community hospital beds;

(((~~(c)~~))) (iii) Residential treatment;

(((~~(d)~~))) (iv) Programs for intensive community treatment;

(((~~(e)~~))) (v) Outpatient services;

(((~~(f)~~))) (vi) Peer support services;

(((~~(g)~~))) (vii) Community support services;

(((~~(h)~~))) (viii) Resource management services; and

(((~~(i)~~))) (ix) Supported housing and supported employment services.

(b) With substance use disorders and their families, people incapacitated by alcohol or other psychoactive chemicals, and intoxicated people.

(i) Elements of the program shall include, but not necessarily be limited to, a continuum of substance use disorder treatment services that includes:

(A) Withdrawal management;

(B) Residential treatment; and

(C) Outpatient treatment.

(ii) The program may include peer support, supported housing, supported employment, crisis diversion, or recovery support services.

(iii) The department may contract for the use of an approved substance use disorder treatment program or other individual or organization if the secretary considers this to be an effective and economical course to follow.

(2) The behavioral health organization shall have the flexibility, within the funds appropriated by the legislature for this purpose and the terms of their contract, to design the mix of services that will be most effective within their service area of meeting the

needs of people with ((~~mental~~)) behavioral health disorders and avoiding placement of such individuals at the state mental hospital. Behavioral health organizations are encouraged to maximize the use of evidence-based practices and alternative resources with the goal of substantially reducing and potentially eliminating the use of institutions for mental diseases.

(3)(a) Treatment provided under this chapter must be purchased primarily through managed care contracts.

(b) Consistent with RCW 70.96A.350 (as recodified by this act), services and funding provided through the criminal justice treatment account are intended to be exempted from managed care contracting.

Sec. 487. RCW 70.96A.350 and 2013 2nd sp.s. c 4 s 990 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance ((~~abuse~~)) use disorder treatment and treatment support services for offenders with ((~~an addiction or a substance abuse problem~~)) a substance use disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of ((~~drug and alcohol~~)) substance use disorder treatment services and treatment support services for nonviolent offenders within a drug court program; and (c) the administrative and overhead costs associated with the operation of a drug court((~~; and (d) during the 2011-2013 biennium, the legislature may appropriate up to three million dollars from the account in order to offset reductions in the state general fund for treatment services provided by counties. This amount is not subject to the requirements of subsections (5) through (9) of this section. During the 2013-2015 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act~~)). Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance ((~~abuse~~)) use disorder treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance ((~~abuse~~)) use disorder treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) ((~~For the fiscal biennium beginning July 1, 2003, the state treasurer shall transfer eight million nine hundred fifty thousand dollars from the general fund into the criminal justice treatment account, divided into eight equal quarterly payments.~~)) For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the ((~~division of alcohol and substance abuse~~)) department for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the ((~~division of alcohol and substance abuse~~)) department from the criminal justice treatment account shall be distributed as specified in this subsection. The department ((~~shall serve as the fiscal agent for purposes of distribution. Until July 1, 2004, the department may not use moneys appropriated from the criminal justice treatment account for administrative expenses and shall distribute all amounts appropriated under subsection (4)(b) of this section in accordance with this subsection. Beginning in July 1, 2004, the department~~)) may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the ((~~division~~)) department from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance ((~~abuse~~)) use disorder treatment providers, and any other person deemed by the ((~~division~~)) department to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the ((~~division~~)) department from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The ((~~division~~)) department shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance ((~~abuse~~)) use disorder treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090 (as recodified by this act), treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.28.170(3)(b).

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, 2015.

Sec. 488. RCW 70.96A.035 and 2005 c 504 s 302 are each amended to read as follows:

(1) ((~~Not later than January 1, 2007,~~)) All persons providing treatment under this chapter shall also implement the integrated comprehensive screening and assessment process for chemical dependency and mental disorders adopted pursuant to RCW 70.96C.010 and shall document the numbers of clients with co-occurring mental and substance abuse disorders based on a quadrant system of low and high needs.

(2) Treatment providers contracted to provide treatment under this chapter who fail to implement the integrated comprehensive screening and assessment process for chemical dependency and mental disorders ((~~by July 1, 2007,~~)) are subject to contractual penalties established under RCW 70.96C.010 (as recodified by this act).

Sec. 489. RCW 70.96C.010 and 2014 c 225 s 77 are each amended to read as follows:

(1) The department of social and health services((~~, in consultation with the members of the team charged with developing the state plan for co-occurring mental and substance abuse disorders, shall adopt, not later than January 1, 2006,~~)) shall maintain an integrated and comprehensive screening and assessment process for ((~~chemical dependency~~)) substance use and mental disorders and co-occurring ((~~chemical dependency~~)) substance use and mental disorders.

(a) The process adopted shall include, at a minimum:

(i) An initial screening tool that can be used by intake personnel system-wide and which will identify the most common types of co-occurring disorders;

(ii) An assessment process for those cases in which assessment is indicated that provides an appropriate degree of assessment for most situations, which can be expanded for complex situations;

(iii) Identification of triggers in the screening that indicate the need to begin an assessment;

(iv) Identification of triggers after or outside the screening that indicate a need to begin or resume an assessment;

(v) The components of an assessment process and a protocol for determining whether part or all of the assessment is necessary, and at what point; and

(vi) Emphasis that the process adopted under this section is to replace and not to duplicate existing intake, screening, and assessment tools and processes.

(b) The department shall consider existing models, including those already adopted by other states, and to the extent possible, adopt an established, proven model.

(c) The integrated, comprehensive screening and assessment process shall be implemented statewide by all ((~~chemical dependency~~)) substance use disorder and mental health treatment providers as well as all designated mental health professionals, designated chemical dependency specialists, and designated crisis responders ((~~not later than January 1, 2007~~)).

(2) The department shall provide adequate training to effect statewide implementation by the dates designated in this section and shall report the rates of co-occurring disorders and the stage of screening or assessment at which the co-occurring disorder was identified to the appropriate committees of the legislature.

(3) The department shall establish contractual penalties to contracted treatment providers, the behavioral health organizations, and their contracted providers for failure to implement the integrated screening and assessment process ((~~by July 1, 2007~~)).

Sec. 490. RCW 70.96A.037 and 2011 c 89 s 9 are each amended to read as follows:

(1) The department of social and health services shall contract for chemical dependency specialist services at division of children and family services offices to enhance the timeliness and quality of child protective services assessments and to better connect families to needed treatment services.

(2) The chemical dependency specialist's duties may include, but are not limited to: Conducting on-site ((~~chemical dependency~~)) substance use disorder screening and assessment, facilitating progress reports to department employees, in-service training of department employees and staff on substance ((~~abuse~~)) use disorder issues, referring clients from the department to treatment providers, and providing consultation on cases to department employees.

(3) The department of social and health services shall provide training in and ensure that each case-carrying employee is trained in uniform screening for mental health and ((~~chemical dependency~~)) substance use disorder.

Sec. 491. RCW 70.96A.047 and 1989 c 270 s 11 are each amended to read as follows:

Except as provided in this chapter, the secretary shall not approve any substance use disorder facility, plan, or program for financial assistance under RCW 70.96A.040 (as recodified by this act) unless at least ten percent of the amount spent for the facility, plan, or program is provided from local public or private sources. When deemed necessary to maintain public standards of care in the substance use disorder facility, plan, or program, the secretary may require the substance use disorder facility, plan, or program to provide up to fifty percent of the total spent for the program through fees, gifts, contributions, or volunteer services. The secretary shall determine the value of the gifts, contributions, and volunteer services.

Sec. 492. RCW 70.96A.055 and 1999 c 197 s 10 are each amended to read as follows:

The department shall contract with counties operating drug courts and counties in the process of implementing new drug courts for the provision of ((~~drug and alcohol~~)) substance use disorder treatment services.

Sec. 493. RCW 70.96A.087 and 1989 c 270 s 13 are each amended to read as follows:

To be eligible to receive its share of liquor taxes and profits, each city and county shall devote no less than two percent of its share of liquor taxes and profits to the support of a substance use disorder program ((~~of alcoholism and other drug addiction~~)) approved by the ((~~alcoholism and other drug addiction board authorized by RCW 70.96A.300~~)) behavioral health organization and the secretary.

Sec. 494. RCW 70.96A.170 and 1989 c 270 s 30 are each amended to read as follows:

(1) The state and counties, cities, and other municipalities may establish or contract for emergency service patrols which are to be under the administration of the appropriate jurisdiction. A patrol consists of persons trained to give assistance in the streets and in other public places to persons who are intoxicated. Members of an emergency service patrol shall be capable of providing first aid in emergency situations and may transport intoxicated persons to their homes and to and from substance use disorder treatment programs.

(2) The secretary shall adopt rules pursuant to chapter 34.05 RCW for the establishment, training, and conduct of emergency service patrols.

Sec. 495. RCW 70.96A.180 and 2012 c 117 s 413 are each amended to read as follows:

(1) If substance use disorder treatment is provided by an approved substance use disorder treatment program and the patient has not paid or is unable to pay the charge therefor, the program is entitled to any payment (a) received by the patient or to which he or she may be entitled because of the services rendered, and (b) from any public or private source available to the program because of the treatment provided to the patient.

(2) A patient in a substance use disorder program, or the estate of the patient, or a person obligated to provide for the cost of treatment and having sufficient financial ability, is liable to the program for cost of maintenance and treatment of the patient therein in accordance with rates established.

(3) The secretary shall adopt rules governing financial ability that take into consideration the income, savings, and other personal and real property of the person required to pay, and any support being furnished by him or her to any person he or she is required by law to support.

Sec. 496. RCW 70.96A.095 and 1998 c 296 s 23 are each amended to read as follows:

Any person thirteen years of age or older may give consent for himself or herself to the furnishing of outpatient treatment by a ((~~chemical dependency~~)) substance use disorder treatment program certified by the department. Parental authorization is required for any treatment of a minor under the age of thirteen.

Sec. 497. RCW 70.96A.096 and 1996 c 133 s 5 are each amended to read as follows:

School district personnel who contact a ((~~chemical dependency~~)) substance use disorder inpatient treatment program or provider for the purpose of referring a student to inpatient treatment shall provide the parents with notice of the contact within forty-eight hours.

Sec. 498. RCW 70.96A.097 and 1998 c 296 s 28 are each amended to read as follows:

(1) The department shall ensure that, for any minor admitted to inpatient treatment under RCW 70.96A.245 (as recodified by this act), a review is conducted by a physician or chemical dependency counselor, as defined in rule by the department, who is employed by the department or an agency under contract with the department and who neither has a financial interest in continued inpatient treatment of the minor nor is affiliated with the program providing the treatment. The physician or chemical dependency counselor shall conduct the review not less than seven nor more than fourteen days following the date the minor was brought to the facility under RCW 70.96A.245(1) (as recodified by this act) to determine whether it is a medical necessity to continue the minor's treatment on an inpatient basis.

(2) In making a determination under subsection (1) of this section whether it is a medical necessity to release the minor from inpatient treatment, the department shall consider the opinion of the treatment provider, the safety of the minor, the likelihood the minor's ((~~chemical dependency~~)) substance use disorder recovery will deteriorate if released from inpatient treatment, and the wishes of the parent.

(3) If, after any review conducted by the department under this section, the department determines it is no longer a medical necessity for a minor to receive inpatient treatment, the department shall immediately notify the parents and the professional person in charge. The professional person in charge shall release the minor to the parents within twenty-four hours of receiving notice. If the professional person in charge and the parent believe that it is a medical necessity for the minor to remain in inpatient treatment, the minor shall be released to the parent on the second judicial day following the department's determination in order to allow the parent time to file an at-risk youth petition under chapter 13.32A RCW. If the department determines it is a medical necessity for the minor to receive outpatient treatment and the minor declines to obtain such treatment, such refusal shall be grounds for the parent to file an at-risk youth petition.

(4) The department may, subject to available funds, contract with other governmental agencies for the conduct of the reviews conducted under this section and may seek reimbursement from the parents, their insurance, or medicaid for the expense of any review conducted by an agency under contract.

(5) In addition to the review required under this section, the department may periodically determine and redetermine the medical necessity of treatment for purposes of payment with public funds.

Sec. 499. RCW 70.96A.235 and 1998 c 296 s 25 are each amended to read as follows:

Parental consent is required for inpatient ((~~chemical dependency~~)) substance use disorder treatment of a minor, unless the child meets the definition of a child in need of services in RCW 13.32A.030(((~~(4)~~))) (5)(c) as determined by the department((~~: PROVIDED~~)), except that parental consent is required for any treatment of a minor under the age of thirteen.

This section does not apply to petitions filed under this chapter.

Sec. 500. RCW 70.96A.240 and 1998 c 296 s 26 are each amended to read as follows:

(1) The parent of a minor is not liable for payment of inpatient or outpatient ((~~chemical dependency~~)) substance use disorder treatment unless the parent has joined in the consent to the treatment.

(2) The ability of a parent to apply to a certified treatment program for the admission of his or her minor child does not create a right to obtain or benefit from any funds or resources of the state. However, the state may provide services for indigent minors to the extent that funds are available therefor.

Sec. 501. RCW 70.96A.245 and 1998 c 296 s 27 are each amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her minor child to a certified treatment program and request that a ((~~chemical dependency~~)) substance use disorder assessment be conducted by a professional person to determine whether the minor ((~~is chemically dependent~~)) has a substance use disorder and in need of inpatient treatment.

(2) The consent of the minor is not required for admission, evaluation, and treatment if the parent brings the minor to the program.

(3) An appropriately trained professional person may evaluate whether the minor ((~~is chemically dependent~~)) has a substance use disorder. The evaluation shall be completed within twenty-four hours of the time the minor was brought to the program, unless the professional person determines that the condition of the minor necessitates additional time for evaluation. In no event shall a minor be held longer than seventy-two hours for evaluation. If, in the judgment of the professional person, it is determined it is a medical necessity for the minor to receive inpatient treatment, the minor may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the minor's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the department if the child is held for treatment and of the date of admission.

(4) No provider is obligated to provide treatment to a minor under the provisions of this section. No provider may admit a minor to treatment under this section unless it is medically necessary.

(5) No minor receiving inpatient treatment under this section may be discharged from the program based solely on his or her request.

Sec. 502. RCW 70.96A.250 and 1998 c 296 s 29 are each amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her minor child to a provider of outpatient ((~~chemical dependency~~)) substance use disorder treatment and request that an appropriately trained professional person examine the minor to determine whether the minor has a ((~~chemical dependency~~)) substance use disorder and is in need of outpatient treatment.

(2) The consent of the minor is not required for evaluation if the parent brings the minor to the provider.

(3) The professional person in charge of the program may evaluate whether the minor has a ((~~chemical dependency~~)) substance use disorder and is in need of outpatient treatment.

(4) Any minor admitted to inpatient treatment under RCW 70.96A.245 (as recodified by this act) shall be discharged immediately from inpatient treatment upon written request of the parent.

Sec. 503. RCW 70.96A.265 and 1998 c 296 s 32 are each amended to read as follows:

For purposes of eligibility for medical assistance under chapter 74.09 RCW, minors in inpatient ((~~chemical dependency~~)) substance use disorder treatment shall be considered to be part of their parent's or legal guardian's household, unless the minor has been assessed by the department or its designee as likely to require such treatment for at least ninety consecutive days, or is in out-of-home care in accordance with chapter 13.34 RCW, or the parents are found to not be exercising responsibility for care and control of the minor. Payment for such care by the department shall be made only in accordance with rules, guidelines, and clinical criteria applicable to inpatient treatment of minors established by the department.

Sec. 504. RCW 70.96A.400 and 2001 c 242 s 1 are each amended to read as follows:

The state of Washington declares that there is no fundamental right to opiate substitution treatment. The state of Washington further declares that while opiate substitution drugs used in the treatment of opiate dependency are addictive substances, that they nevertheless have several legal, important, and justified uses and that one of their appropriate and legal uses is, in conjunction with other required therapeutic procedures, in the treatment of persons addicted to or habituated to opioids. Opiate substitution treatment should only be used for participants who are deemed appropriate to need this level of intervention and should not be the first treatment intervention for all opiate addicts.

Because opiate substitution drugs, used in the treatment of opiate dependency are addictive and are listed as a schedule II controlled substance in chapter 69.50 RCW, the state of Washington has the legal obligation and right to regulate the use of opiate substitution treatment. The state of Washington declares its authority to control and regulate carefully, in consultation with counties and cities, all clinical uses of opiate substitution drugs used in the treatment of opiate addiction.

Further, the state declares that the primary goal of opiate substitution treatment is total abstinence from ((~~chemical dependency~~)) substance use for the individuals who participate in the treatment program. The state recognizes that a small percentage of persons who participate in opiate substitution treatment programs require treatment for an extended period of time. Opiate substitution treatment programs shall provide a comprehensive transition program to eliminate ((~~chemical dependency~~)) substance use, including opiate and opiate substitute addiction of program participants.

Sec. 505. RCW 70.96A.800 and 2014 c 225 s 33 are each amended to read as follows:

(1) Subject to funds appropriated for this specific purpose, the secretary shall select and contract with ((~~counties~~)) behavioral health organizations to provide intensive case management for ((~~chemically dependent~~)) persons with substance use disorders and histories of high utilization of crisis services at two sites. In selecting the two sites, the secretary shall endeavor to site one in an urban county, and one in a rural county; and to site them in counties other than those selected pursuant to RCW 70.96B.020, to the extent necessary to facilitate evaluation of pilot project results. Subject to funds appropriated for this specific purpose, the secretary may contract with additional counties to provide intensive case management.

(2) The contracted sites shall implement the pilot programs by providing intensive case management to persons with a primary ((~~chemical dependency~~)) substance use disorder diagnosis or dual primary ((~~chemical dependency~~)) substance use disorder and mental health diagnoses, through the employment of ((~~chemical dependency~~)) substance use disorder case managers. The ((~~chemical dependency~~)) substance use disorder case managers shall:

(a) Be trained in and use the integrated, comprehensive screening and assessment process adopted under RCW 70.96C.010;

(b) Reduce the use of crisis medical, ((~~chemical dependency~~)) substance use disorder treatment and mental health services, including but not limited to, emergency room admissions, hospitalizations, withdrawal management programs, inpatient psychiatric admissions, involuntary treatment petitions, emergency medical services, and ambulance services;

(c) Reduce the use of emergency first responder services including police, fire, emergency medical, and ambulance services;

(d) Reduce the number of criminal justice interventions including arrests, violations of conditions of supervision, bookings, jail days, prison sanction day for violations, court appearances, and prosecutor and defense costs;

(e) Where appropriate and available, work with therapeutic courts including drug courts and mental health courts to maximize the outcomes for the individual and reduce the likelihood of reoffense;

(f) Coordinate with local offices of the economic services administration to assist the person in accessing and remaining enrolled in those programs to which the person may be entitled;

(g) Where appropriate and available, coordinate with primary care and other programs operated through the federal government including federally qualified health centers, Indian health programs, and veterans' health programs for which the person is eligible to reduce duplication of services and conflicts in case approach;

(h) Where appropriate, advocate for the client's needs to assist the person in achieving and maintaining stability and progress toward recovery;

(i) Document the numbers of persons with co-occurring mental and substance ((~~abuse~~)) use disorders and the point of determination of the co-occurring disorder by quadrant of intensity of need; and

(j) Where a program participant is under supervision by the department of corrections, collaborate with the department of corrections to maximize treatment outcomes and reduce the likelihood of reoffense.

(3) The pilot programs established by this section shall begin providing services by March 1, 2006.

Sec. 506. RCW 70.96A.905 and 1992 c 205 s 306 are each amended to read as follows:

The department shall ensure that the provisions of this chapter are applied by the ((~~counties~~)) behavioral health organizations in a consistent and uniform manner. The department shall also ensure that, to the extent possible within available funds, the ((~~county-designated~~)) behavioral health organization-designated chemical dependency specialists are specifically trained in adolescent chemical dependency issues, the chemical dependency commitment laws, and the criteria for commitment, as specified in this chapter and chapter 70.96A RCW.

Sec. 507. RCW 71.24.300 and 2014 c 225 s 39 are each amended to read as follows:

(1) Upon the request of a tribal authority or authorities within a behavioral health organization the joint operating agreement or the county authority shall allow for the inclusion of the tribal authority to be represented as a party to the behavioral health organization.

(2) The roles and responsibilities of the county and tribal authorities shall be determined by the terms of that agreement including a determination of membership on the governing board and advisory committees, the number of tribal representatives to be party to the agreement, and the provisions of law and shall assure the provision of culturally competent services to the tribes served.

(3) The state ((~~mental~~)) behavioral health authority may not determine the roles and responsibilities of county authorities as to each other under behavioral health organizations by rule, except to assure that all duties required of behavioral health organizations are assigned and that counties and the behavioral health organization do not duplicate functions and that a single authority has final responsibility for all available resources and performance under the behavioral health organization's contract with the secretary.

(4) If a behavioral health organization is a private entity, the department shall allow for the inclusion of the tribal authority to be represented as a party to the behavioral health organization.

(5) The roles and responsibilities of the private entity and the tribal authorities shall be determined by the department, through negotiation with the tribal authority.

(6) Behavioral health organizations shall submit an overall six-year operating and capital plan, timeline, and budget and submit progress reports and an updated two-year plan biennially thereafter, to assume within available resources all of the following duties:

(a) Administer and provide for the availability of all resource management services, residential services, and community support services.

(b) Administer and provide for the availability of all investigation, transportation, court-related, and other services provided by the state or counties pursuant to chapter 71.05 RCW.

(c) Provide within the boundaries of each behavioral health organization evaluation and treatment services for at least ninety percent of persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. Behavioral health organizations may contract to purchase evaluation and treatment services from other organizations if they are unable to provide for appropriate resources within their boundaries. Insofar as the original intent of serving persons in the community is maintained, the secretary is authorized to approve exceptions on a case-by-case basis to the requirement to provide evaluation and treatment services within the boundaries of each behavioral health organization. Such exceptions are limited to:

(i) Contracts with neighboring or contiguous regions; or

(ii) Individuals detained or committed for periods up to seventeen days at the state hospitals at the discretion of the secretary.

(d) Administer and provide for the availability of all other mental health services, which shall include patient counseling, day treatment, consultation, education services, employment services as described in RCW 71.24.035, and mental health services to children.

(e) Establish standards and procedures for reviewing individual service plans and determining when that person may be discharged from resource management services.

(7) A behavioral health organization may request that any state-owned land, building, facility, or other capital asset which was ever purchased, deeded, given, or placed in trust for the care of the persons with mental illness and which is within the boundaries of a behavioral health organization be made available to support the operations of the behavioral health organization. State agencies managing such capital assets shall give first priority to requests for their use pursuant to this chapter.

(8) Each behavioral health organization shall appoint a ((~~mental~~)) behavioral health advisory board which shall review and provide comments on plans and policies developed under this chapter, provide local oversight regarding the activities of the behavioral health organization, and work with the behavioral health organization to resolve significant concerns regarding service delivery and outcomes. The department shall establish statewide procedures for the operation of regional advisory committees including mechanisms for advisory board feedback to the department regarding behavioral health organization performance. The composition of the board shall be broadly representative of the demographic character of the region and shall include, but not be limited to, representatives of consumers of substance use disorder and mental health services and their families, law enforcement, and, where the county is not the behavioral health organization, county elected officials. Composition and length of terms of board members may differ between behavioral health organizations but shall be included in each behavioral health organization's contract and approved by the secretary.

(9) Behavioral health organizations shall assume all duties specified in their plans and joint operating agreements through biennial contractual agreements with the secretary.

(10) Behavioral health organizations may receive technical assistance from the housing trust fund and may identify and submit projects for housing and housing support services to the housing trust fund established under chapter 43.185 RCW. Projects identified or submitted under this subsection must be fully integrated with the behavioral health organization six-year operating and capital plan, timeline, and budget required by subsection (6) of this section.

Sec. 508. RCW 71.24.350 and 2014 c 225 s 41 are each amended to read as follows:

The department shall require each behavioral health organization to provide for a separately funded ((~~mental~~)) behavioral health ombuds office in each behavioral health organization that is independent of the behavioral health organization. The ombuds office shall maximize the use of consumer advocates.

Sec. 509. RCW 70.96A.020 and 2014 c 225 s 20 are each reenacted and amended to read as follows:

For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(2) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department of social and health services as meeting standards adopted under this chapter.

(3) "Behavioral health organization" means a county authority or group of county authorities or other entity recognized by the secretary in contract in a defined regional service area.

(4) "Behavioral health program" has the same meaning as in RCW 71.24.025.

(5) "Behavioral health services" means mental health services as described in chapters 71.24 and 71.36 RCW and ((~~chemical dependency~~)) substance use disorder treatment services as described in this chapter.

(((~~(5)~~))) (6) "Chemical dependency" means: (a) Alcoholism; (b) drug addiction; or (c) dependence on alcohol and one or more other psychoactive chemicals, as the context requires.

(((~~(6) "Chemical dependency program" means expenditures and activities of the department designed and conducted to prevent or~~

~~treat alcoholism and other drug addiction, including reasonable administration and overhead.~~))

(7) "Department" means the department of social and health services.

(8) "Designated chemical dependency specialist" or "specialist" means a person designated by the behavioral health organization or by the county ((~~alcoholism and other drug addiction~~)) substance use disorder treatment program coordinator designated ((~~under RCW 70.96A.310~~)) by the behavioral health organization to perform the commitment duties described in RCW 70.96A.140 and qualified to do so by meeting standards adopted by the department.

(9) ((~~"Director" means the person administering the substance use disorder program within the department.~~

~~(10)~~)) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(((~~(11) "Emergency service patrol" means a patrol established under RCW 70.96A.170.~~

~~(12)~~)) (10) "Gravely disabled by alcohol or other psychoactive chemicals" or "gravely disabled" means that a person, as a result of the use of alcohol or other psychoactive chemicals: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by a repeated and escalating loss of cognition or volitional control over his or her actions and is not receiving care as essential for his or her health or safety.

(((~~(13)~~)) (11) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility, or a long-term alcoholism or drug treatment facility, or in confinement.

(((~~(14)~~)) (12) "Incapacitated by alcohol or other psychoactive chemicals" means that a person, as a result of the use of alcohol or other psychoactive chemicals, is gravely disabled or presents a likelihood of serious harm to himself or herself, to any other person, or to property.

(((~~(15)~~)) (13) "Incompetent person" means a person who has been adjudged incompetent by the superior court.

(((~~(16)~~)) (14) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

(((~~(17)~~)) (15) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(((~~(18)~~)) (16) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on one's self; (ii) physical harm will be inflicted by an individual upon another, as evidenced by behavior that has caused the harm or that places another person or persons in reasonable fear of sustaining the harm; or (iii) physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

(b) The individual has threatened the physical safety of another and has a history of one or more violent acts.

(((~~(19)~~)) (17) "Medical necessity" for inpatient care of a minor means a requested certified inpatient service that is reasonably calculated to: (a) Diagnose, arrest, or alleviate a chemical dependency; or (b) prevent the progression of substance use disorders that endanger life or cause suffering and pain, or result in illness or infirmity or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(((~~(20)~~)) (18) "Minor" means a person less than eighteen years of age.

(((~~(21)~~)) (19) "Parent" means the parent or parents who have the legal right to custody of the child. Parent includes custodian or guardian.

(((~~(22)~~)) (20) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(((~~(23)~~)) (21) "Person" means an individual, including a minor.

(((~~(24)~~)) (22) "Professional person in charge" or "professional person" means a physician or chemical dependency counselor as defined in rule by the department, who is empowered by a certified treatment program with authority to make assessment, admission, continuing care, and discharge decisions on behalf of the certified program.

(((~~(25)~~)) (23) "Secretary" means the secretary of the department of social and health services.

(((~~(26)~~)) (24) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(((~~(27)~~)) (25) "Treatment" means the broad range of emergency, withdrawal management, residential, and outpatient services and care, including diagnostic evaluation, ((~~chemical dependency~~)) substance use disorder education and counseling, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to persons with substance use disorders and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons.

(((~~(28)~~)) (26) "Substance use disorder treatment program" means an organization, institution, or corporation, public or private, engaged in the care, treatment, or rehabilitation of persons with substance use ((~~disorder[s]~~)) disorders.

(((~~(29)~~)) (27) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 510. RCW 2.28.170 and 2013 2nd sp.s. c 4 s 952 are each amended to read as follows:

(1) Jurisdictions may establish and operate drug courts.

(2) For the purposes of this section, "drug court" means a court that has special calendars or dockets designed to achieve a reduction in recidivism and substance abuse among nonviolent, substance abusing felony and nonfelony offenders, whether adult or juvenile, by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic drug testing; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a drug court program must first:

(i) Exhaust all federal funding that is available to support the operations of its drug court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for drug court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not

as designated in chapter ((~~70.96A~~)) 71.24 RCW if the petition alleges ((~~alcoholism, an approved drug program as designated in chapter 71.24 RCW if the petition alleges drug addiction,~~)) a substance use disorder or by an approved mental health center if the petition alleges a mental problem.

(2) In the case of a petitioner charged with a misdemeanor or gross misdemeanor under chapter 9A.42 RCW, the petitioner shall allege under oath in the petition that the petitioner is the natural or adoptive parent of the alleged victim; that the wrongful conduct charged is the result of parenting problems for which the petitioner is in need of services; that the petitioner is in need of child welfare services under chapter 74.13 RCW to improve his or her parenting skills in order to better provide his or her child or children with the basic necessities of life; that the petitioner wants to correct his or her conduct to reduce the likelihood of harm to his or her minor children; that in the absence of child welfare services the petitioner may be unable to reduce the likelihood of harm to his or her minor children; and that the petitioner has cooperated with the department of social and health services to develop a plan to receive appropriate child welfare services; along with a statement that the person agrees to pay the cost of the services if he or she is financially able to do so. The petition shall also contain a case history and a written service plan from the department of social and health services.

(3) Before entry of an order deferring prosecution, a petitioner shall be advised of his or her rights as an accused and execute, as a condition of receiving treatment, a statement that contains: (a) An acknowledgment of his or her rights; (b) an acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; (c) a stipulation to the admissibility and sufficiency of the facts contained in the written police report; and (d) an acknowledgment that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution. The petitioner shall also be advised that he or she may, if he or she proceeds to trial and is found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that he or she seek treatment and, further, that he or she may seek treatment from public and private agencies at any time without regard to whether or not he or she is found guilty of the offense charged. He or she shall also be advised that the court will not accept a petition for deferred prosecution from a person who: (i) Sincerely believes that he or she is innocent of the charges; (ii) sincerely believes that he or she does not, in fact, suffer from alcoholism, drug addiction, or mental problems; or (iii) in the case of a petitioner charged under chapter 9A.42 RCW, sincerely believes that he or she does not need child welfare services.

(4) Before entering an order deferring prosecution, the court shall make specific findings that: (a) The petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report; (b) the petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution; (c) the petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; and (d) the petitioner's statements were made knowingly and voluntarily. Such findings shall be included in the order granting deferred prosecution.

Sec. 513. RCW 10.05.030 and 2002 c 219 s 8 are each amended to read as follows:

The arraigning judge upon consideration of the petition and with the concurrence of the prosecuting attorney may continue the arraignment and refer such person for a diagnostic investigation and evaluation to an approved ((~~alcoholism~~)) substance use disorder treatment program as designated in chapter ((~~70.96A~~)) 71.24 RCW, if the petition alleges ((~~an alcohol problem, an approved drug treatment center as designated in chapter 71.24 RCW, if the petition alleges a drug problem~~)) a substance use disorder, to an approved mental health center, if the petition alleges a mental problem, or the department of social and health services if the petition is brought under RCW 10.05.020(2).

Sec. 514. RCW 10.05.150 and 1999 c 143 s 43 are each amended to read as follows:

A deferred prosecution program for alcoholism shall be for a two-year period and shall include, but not be limited to, the following requirements:

(1) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

(2) Participation in an intensive inpatient or intensive outpatient program in a state-approved ((~~alcoholism~~)) substance use disorder treatment program;

(3) Participation in a minimum of two meetings per week of an alcoholism self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program;

(4) Participation in an alcoholism self-help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;

(5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;

(6) Not less than monthly outpatient contact, group or individual, for the remainder of the two-year deferred prosecution period;

(7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;

(8) All treatment within the purview of this section shall occur within or be approved by a state-approved ((~~alcoholism~~)) substance use disorder treatment program as described in chapter 70.96A RCW;

(9) Signature of the petitioner agreeing to the terms and conditions of the treatment program.

NEW SECTION. **Sec. 515.** RCW 43.135.03901 is decodified.

Sec. 516. RCW 46.61.5055 and 2014 c 100 s 1 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the

offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory minimum term of sixty days electronic home monitoring, the court may order at least an additional four days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ninety days electronic home monitoring, the court may order at least an additional six days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two or three prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two or three prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Four or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.**

(a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **Ignition interlock device substituted for 24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive and proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (ii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; and (iii) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), or (iii) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(3).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040 or an equivalent local ordinance;

(v) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(vii) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(viii) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ix) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(x) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xi) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (viii), (ix), or (x) of this subsection if committed in this state;

(xii) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xiii) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiv) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xv) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means ((~~alcohol or drug~~)) substance use disorder treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

Sec. 517. RCW 46.61.5056 and 2011 c 293 s 13 are each amended to read as follows:

(1) A person subject to alcohol assessment and treatment under RCW 46.61.5055 shall be required by the court to complete a course in an alcohol information school approved by the department of social and health services or to complete more intensive treatment in a substance use disorder treatment program approved by the department of social and health services, as determined by the court. The court shall notify the department of licensing whenever it orders a person to complete a course or treatment program under this section.

(2) A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the court and the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the person shall be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a substance use disorder treatment program approved by the department of social and health services.

(3) Standards for approval for alcohol treatment programs shall be prescribed by the department of social and health services. The department of social and health services shall periodically review the costs of alcohol information schools and treatment programs.

(4) Any agency that provides treatment ordered under RCW 46.61.5055, shall immediately report to the appropriate probation department where applicable, otherwise to the court, and to the department of licensing any noncompliance by a person with the conditions of his or her ordered treatment. The court shall notify the department of licensing and the department of social and health services of any failure by an agency to so report noncompliance. Any agency with knowledge of noncompliance that fails to so report shall be fined two hundred fifty dollars by the department of social and health services. Upon three such failures by an agency within one year, the department of social and health services shall revoke the agency's approval under this section.

(5) The department of licensing and the department of social and health services may adopt such rules as are necessary to carry out this section.

Sec. 518. RCW 82.04.4277 and 2014 c 225 s 104 are each amended to read as follows:

(1) A health or social welfare organization may deduct from the measure of tax amounts received as compensation for providing mental health services and chemical dependency services under a government-funded program.

(2) A behavioral health organization may deduct from the measure of tax amounts received from the state of Washington for distribution to a health or social welfare organization that is eligible to deduct the distribution under subsection (1) of this section.

(3) A person claiming a deduction under this section must file a complete annual report with the department under RCW 82.32.534.

(4) The definitions in this subsection apply ((~~to this section~~)) throughout this section unless the context clearly requires otherwise.

(a) "Chemical dependency" has the same meaning as provided in RCW 70.96A.020.

(b) "Health or social welfare organization" has the meaning provided in RCW 82.04.431.

(((~~(b)~~))) (c) "Mental health services" and "behavioral health organization" have the meanings provided in RCW 71.24.025.

(5) This section expires ((~~August 1, 2016~~)) January 1, 2020.

NEW SECTION. **Sec. 519.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective April 1, 2016:

(1)RCW 70.96A.030 (Substance use disorder program) and 2014 c 225 s 21, 1989 c 270 s 4, & 1972 ex.s. c 122 s 3;

(2)RCW 70.96A.045 (Funding prerequisites, facilities, plans, or programs receiving financial assistance) and 1989 c 270 s 10;

(3)RCW 70.96A.060 (Interdepartmental coordinating committee) and 2014 c 225 s 24, 1989 c 270 s 8, 1979 c 158 s 220, & 1972 ex.s. c 122 s 6;

(4)RCW 70.96A.150 (Records of persons treated for alcoholism and drug addiction) and 1990 c 151 s 1, 1989 c 162 s 1, & 1972 ex.s. c 122 s 15;

(5)RCW 70.96A.300 (Counties may create alcoholism and other drug addiction board—Generally) and 2014 c 225 s 31 & 1989 c 270 s 15;

(6)RCW 70.96A.310 (County alcoholism and other drug addiction program—Chief executive officer of program to be program coordinator) and 1989 c 270 s 16;

(7)RCW 70.96A.320 (Alcoholism and other drug addiction program—Generally) and 2014 c 225 s 32, 2013 c 320 s 8, 1990 c 151 s 9, & 1989 c 270 s 17; and

(8)RCW 70.96A.325 (Methamphetamine addiction programs—Counties authorized to seek state funding) and 2006 c 339 s 101.

NEW SECTION. **Sec. 520.** RCW 70.96A.035, RCW 70.96A.037, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, RCW 70.96A.055, 70.96A.080, 70.96A.085, 70.96A.090, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.170, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430, 70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, and 70.96C.010 are each recodified as sections in chapter 71.24 RCW.

NEW SECTION. **Sec. 521.** This act takes effect April 1, 2016.

On page 1, line 2 of the title, after "dependency;" strike the remainder of the title and insert "amending RCW 71.24.035, 70.96A.050, 71.24.037, 70.96A.090, 71.24.385, 70.96A.350, 70.96A.035, 70.96C.010, 70.96A.037, 70.96A.047, 70.96A.055, 70.96A.087, 70.96A.170, 70.96A.180, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.265, 70.96A.400, 70.96A.800, 70.96A.905, 71.24.300, 71.24.350, 2.28.170, 9.94A.660, 10.05.020, 10.05.030, 10.05.150, 46.61.5055, 46.61.5056, and 82.04.4277; reenacting and amending RCW 71.24.025 and 70.96A.020; adding new sections to chapter 71.24 RCW; creating a new section; recodifying RCW 70.96A.035, 70.96A.037, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, 70.96A.055, 70.96A.080, 70.96A.085, 70.96A.090, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.170, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430, 70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, and 70.96C.010; decodifying RCW 43.135.03901; repealing RCW 70.96A.030, 70.96A.045, 70.96A.060, 70.96A.150, 70.96A.300, 70.96A.310, 70.96A.320, and 70.96A.325; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ESHB 1713 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2000, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 522.** A new section is added to chapter 43.06 RCW to read as follows:

The legislature intends to further the government-to-government relationship between the state of Washington and federally recognized Indian tribes in the state of Washington by authorizing the governor to enter into agreements concerning the regulation of marijuana. Such agreements may include provisions pertaining to: The lawful commercial production, processing, sale, and possession of marijuana for both recreational and medical purposes; marijuana-related research activities; law enforcement, both criminal and civil; and taxation. The legislature finds that these agreements will facilitate and promote a cooperative and mutually beneficial relationship between the state and the tribes regarding matters relating to the legalization of marijuana, particularly in light of the fact that federal Indian law precludes the state from enforcing its civil regulatory laws in Indian country. Such cooperative agreements will enhance public health and safety, ensure a lawful and well-regulated marijuana market, encourage economic development, and provide fiscal benefits to both the tribes and the state.

NEW SECTION. **Sec. 523.** A new section is added to chapter 43.06 RCW to read as follows:

(1) The governor may enter into agreements with federally recognized Indian tribes concerning marijuana. Marijuana agreements may address any marijuana-related issue that involves both state and tribal interests or otherwise has an impact on tribal-state relations. Such agreements may include, but are not limited to, the following provisions and subject matter:

(a) Criminal and civil law enforcement;

(b) Regulatory issues related to the commercial production, processing, sale, and possession of marijuana, and processed marijuana products, for both recreational and medical purposes;

(c) Medical and pharmaceutical research involving marijuana;

(d) Taxation in accordance with subsection (2) of this section;

(e) Any tribal immunities or preemption of state law regarding the production, processing, or marketing of marijuana; and

(f) Dispute resolution, including the use of mediation or other nonjudicial process.

(2) Each marijuana agreement adopted under this section must provide for a tribal marijuana tax that is at least one hundred percent of the state marijuana excise tax imposed under RCW 69.50.535 and state and local sales and use taxes on sales of marijuana. Marijuana agreements shall apply to sales in which Indian businesses make delivery and physical transfer of possession of the marijuana from the seller to the buyer within Indian country, and not to transactions by non-Indian businesses. The tribe may allow an exemption for sales to tribal members.

(3) Any marijuana agreement relating to the production, processing, and sale of marijuana in Indian country, whether for recreational or medical purposes, must address the following issues:

(a) Preservation of public health and safety;

(b) Ensuring the security of production, processing, retail, and research facilities; and

(c) Cross-border commerce in marijuana.

(4) The governor may delegate the power to negotiate marijuana agreements to the state liquor control board. In conducting such negotiations, the state liquor control board must, when necessary, consult with the governor and/or the department of revenue.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Indian business" means (i) a business wholly owned and operated by an Indian tribe, or (ii) a business wholly owned and operated by a tribal member and licensed by the tribe.

(b) "Indian country" has the same meaning as in RCW 82.24.010.

(c) "Indian tribe" or "tribe" means a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.

(d) "Marijuana" means "marijuana," "marijuana concentrates," "marijuana-infused products," and "useable marijuana," as those terms are defined in RCW 69.50.101.

NEW SECTION. **Sec. 524.** A new section is added to chapter 69.50 RCW to read as follows:

The taxes, fees, assessments, and other charges imposed by this chapter do not apply to commercial activities related to the production, processing, sale, and possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act.

NEW SECTION. **Sec. 525.** A new section is added to chapter 82.08 RCW to read as follows:

The taxes imposed by this chapter do not apply to the retail sale of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

NEW SECTION. **Sec. 526.** A new section is added to chapter 82.12 RCW to read as follows:

The taxes imposed by this chapter do not apply to the use of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

Sec. 527. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under chapter 3, Laws of 2013;

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(5); ((~~and~~))

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate; and

(4) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 528. RCW 69.50.363 and 2013 c 3 s 16 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana processor or employee of a validly licensed marijuana processor in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana that has been properly packaged and labeled from a marijuana producer validly licensed under chapter 3, Laws of 2013;

(2) Possession, processing, packaging, and labeling of quantities of marijuana, useable marijuana, and marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(4); ((~~and~~))

(3) Delivery, distribution, and sale of useable marijuana or marijuana-infused products to a marijuana retailer validly licensed under chapter 3, Laws of 2013; and

(4) Delivery, distribution, and sale of useable marijuana, marijuana concentrates, or marijuana-infused products to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 529. RCW 69.50.366 and 2013 c 3 s 17 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((~~shall~~)) do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(3); ((~~and~~))

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under chapter 3, Laws of 2013; and

(3) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act."

On page 1, line 3 of the title, after "marijuana;" strike the remainder of the title and insert "amending RCW 69.50.360, 69.50.363, and 69.50.366; adding new sections to chapter 43.06 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to HB 2000 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2160, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 530.** A new section is added to chapter 4.24 RCW to read as follows:

(1) A person distributes an intimate image of another person when that person intentionally and without consent distributes, transmits, or otherwise makes available an intimate image or images of that other person that was:

(a) Entrusted to that person by the other person, and that person's distribution, transmission, or otherwise making available of the intimate image intentionally or recklessly causes emotional distress to the other person; or

(b) Knowingly obtained by that person without authorization or by exceeding authorized access from the other person's property, accounts, messages, files, or resources.

(2) Any person who distributes an intimate image of another person as described in subsection (1) of this section and knowingly or reasonably should have known that the other person is afraid, intimidated, or harassed even if the person did not intend to place the other person in fear or intimidate or harass the other person shall be liable to that other person for up to ten thousand dollars or actual damages including, but not limited to, pain and suffering, emotional distress, economic damages, and lost earnings, whichever is greater, reasonable attorneys' fees, and costs. The court may also, in its discretion, award injunctive relief as it deems necessary.

(3) Factors that may be used to determine whether an intimate image was entrusted to a person include:

(a) The nature of the relationship between the parties;

(b) The circumstances under which the intimate image was taken;

(c) The circumstances under which the intimate image was distributed; and

(d) Any other relevant factors.

(4) As used in this section:

(a) "Entrusted" means the image was obtained under circumstances where both parties should reasonably understand that the image was to remain private.

(b) "Intimate image" means any photograph, motion picture film, videotape, digital image, or any other recording or transmission of another person who is identifiable from the image itself or from information displayed with or otherwise connected to the image, and that was taken in a private setting, is not a matter of public concern, and depicts:

(i) Sexual activity, including sexual intercourse as defined in RCW 9A.44.010 and masturbation; or

(ii) A person's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or postpubescent female nipple.

(5) In an action brought under this section, the court shall:

(a) Make it known to the plaintiff as early as possible in the proceedings of the action that the plaintiff may use a confidential identity in relation to the action;

(b) Allow a plaintiff to use a confidential identity in all petitions, filings, and other documents presented to the court;

(c) Use the confidential identity in all of the court's proceedings and records relating to the action, including any appellate proceedings; and

(d) Maintain the records relating to the action in a manner that protects the confidentiality of the plaintiff.

(6) Nothing in this act shall be construed to impose liability on an interactive computer service, as defined in 47 U.S.C. 230(f)(2) as it exists on the effective date of this section, for content provided by another person."

On page 1, line 1 of the title, after "images;" strike the remainder of the title and insert "adding a new section to chapter 4.24 RCW; and prescribing penalties."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SHB 2160 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 16, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5843 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5843 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 16, 5721

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5721 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5721 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5721, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Dammeier and Jayapal)

Concerning the membership of the expanded learning opportunities council.

The bill was read the second time.

Representative Santos moved the adoption of amendment (497):

On page 2, line 17, after "state." strike "Up to ((~~fifteen~~)) seventeen" and insert "((~~Up to fifteen~~)) Other"

On page 2, line 19, after "council," strike "and" and insert "((~~and~~)) but"

On page 2, beginning on line 37, after "(x)" strike "A statewide nonprofit coalition that is representative of communities of color and low-income communities; and

(xi)" and insert the following:

"A person selected by the office of the superintendent of public instruction to represent low-income communities or communities of color;

(xi) A person selected by the educational opportunity gap oversight and accountability committee; and

(xii)"

Representatives Santos and Magendanz spoke in favor of the adoption of the amendment.

Amendment (497) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5721, as amended by the House.

MOTION

On motion of Representative Van De Wege, Representative Tarleton was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5721, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Hargrove, Holy, McCaslin, Parker, Scott, Shea and Taylor.

Excused: Representative Tarleton.

SUBSTITUTE SENATE BILL NO. 5721, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1392 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 531.** RCW 79A.15.030 and 2009 c 341 s 2 are each amended to read as follows:

(1) Moneys appropriated for this chapter shall be divided as follows:

(a) Appropriations for a biennium of forty million dollars or less must be allocated equally between the habitat conservation account and the outdoor recreation account.

(b) If appropriations for a biennium total more than forty million dollars, the money must be allocated as follows: (i) Twenty million dollars to the habitat conservation account and twenty million dollars to the outdoor recreation account; (ii) any amount over forty million dollars up to fifty million dollars shall be allocated as follows: (A) Ten percent to the habitat conservation account; (B) ten percent to the outdoor recreation account; (C) forty percent to the riparian protection account; and (D) forty percent to the farmlands preservation account; and (iii) any amounts over fifty million dollars must be allocated as follows: (A) Thirty percent to the habitat conservation account; (B) thirty percent to the outdoor recreation account; (C) thirty percent to the riparian protection account; and (D) ten percent to the farmlands preservation account.

(2) Except as otherwise provided in chapter 303, Laws of 2005, moneys deposited in these accounts shall be invested as authorized for other state funds, and any earnings on them shall be credited to the respective account.

(3) All moneys deposited in the habitat conservation, outdoor recreation, riparian protection, and farmlands preservation accounts shall be allocated as provided under RCW 79A.15.040, 79A.15.050, 79A.15.120, and 79A.15.130 as grants to state or local agencies or nonprofit nature conservancy organizations or associations for acquisition, development, and renovation within the jurisdiction of those agencies, subject to legislative appropriation. The board may use or permit the use of any funds appropriated for this chapter as matching funds where federal, local, or other funds are made available for projects within the purposes of this chapter. Moneys appropriated to these accounts that are not obligated to a specific project may be used to fund projects from lists of alternate projects from the same account in biennia succeeding the biennium in which the moneys were originally appropriated.

(4) Projects receiving grants under this chapter that are developed or otherwise accessible for public recreational uses shall be available to the public.

(5) The board may make grants to an eligible project from the habitat conservation, outdoor recreation, riparian protection, and farmlands preservation accounts and any one or more of the applicable categories under such accounts described in RCW 79A.15.040, 79A.15.050, 79A.15.120, and 79A.15.130.

(6) The board may accept private donations to the habitat conservation account, the outdoor recreation account, the riparian protection account, and the farmlands preservation account for the purposes specified in this chapter.

(7) The board may ((~~apply up to three percent~~)) retain a portion of the funds appropriated for this chapter for its office for the administration of the programs and purposes specified in this chapter. The portion of the funds retained for administration may not exceed: (a) The actual administration costs averaged over the previous five biennia as a percentage of the legislature's new appropriation for this chapter; or (b) the amount specified in the appropriation, if any. Each biennium the percentage specified under (a) of this subsection must be approved by the office of financial management and submitted along with the prioritized lists of projects to be funded in RCW 79A.15.060(6), 79A.15.070(7), 79A.15.120(10), and 79A.15.130(11).

(8) Habitat and recreation land and facilities acquired or developed with moneys appropriated for this chapter may not, without prior approval of the board, be converted to a use other than that for which funds were originally approved. The board shall adopt rules and procedures governing the approval of such a conversion."

On page 1, line 3 of the title, after "79A.15 RCW;" strike the remainder of the title and insert "and amending RCW 79A.15.030."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1392 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stanford and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1392, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1392, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, G. Hunt, Hargrove, Harmsworth, Harris, Holy, Klippert, McCaslin, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Stokesbary, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Tarleton.

HOUSE BILL NO. 1392, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1620 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 532.** RCW 77.32.555 and 2009 c 577 s 1 are each amended to read as follows:

(1) In addition to the fees authorized in this chapter, the department shall include a surcharge to fund biotoxin testing and monitoring by the department of health of beaches used for recreational shellfishing, and to fund monitoring by the Olympic region harmful algal bloom program of the Olympic natural resources center at the University of Washington. The surcharge on recreational shellfish licenses cannot be increased more than one dollar and can only be increased when the surcharge for commercial shellfish licenses is increased. A surcharge of ((~~three~~)) four dollars applies to resident and nonresident shellfish and seaweed licenses as authorized by RCW 77.32.520(3) (a) and (b); a surcharge of ((~~two~~)) three dollars applies to resident and nonresident adult combination licenses as authorized by RCW 77.32.470(2)(a); a surcharge of ((~~two~~)) three dollars applies to annual resident and nonresident razor clam licenses as authorized by RCW 77.32.520(4); and a surcharge of ((~~one~~)) two dollars applies to the three-day razor clam license authorized by RCW 77.32.520(5). Amounts collected from these surcharges must be deposited in the biotoxin account created in subsection (3) of this section. The department may not use any amounts collected from these surcharges to pay for its administrative costs.

(2) Any moneys from surcharges remaining in the general fund—local account after the 2007-2009 biennium must be transferred to the biotoxin account created in subsection (3) of this section and be credited to the appropriate institution. The department of health and the University of Washington shall, by December 1st of each year, provide a letter to the relevant legislative policy and fiscal committees on the status of expenditures. This letter shall include, but is not limited to, the annual appropriation amount, the amount not expended, account fund balance, and reasons for not spending the full annual appropriation.

(3) The biotoxin account is created in the state treasury to be administered by the department of health. All moneys received under subsection (1) of this section must be deposited in the account and used by the department of health and the University of Washington as required by subsection (1) of this section. Of the moneys deposited into the account, one hundred fifty thousand dollars per year must be made available to the University of Washington to implement subsection (1) of this section. Moneys in the account may be spent only after appropriation."

On page 1, line 2 of the title, after "monitoring;" strike the remainder of the title and insert "and amending RCW 77.32.555."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1620 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Tharinger and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1620, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1620, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Hargrove, McCaslin, Scott, Shea and Taylor.

Excused: Representative Tarleton.

HOUSE BILL NO. 1620, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1868 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 533.** RCW 36.82.070 and 2010 c 43 s 1 are each amended to read as follows:

(1) Any money paid to any county road fund may be used for the construction, alteration, repair, improvement, or maintenance of county roads and bridges thereon and for wharves necessary for ferriage of motor vehicle traffic, and for ferries, and for the acquiring, operating, and maintaining of machinery, equipment, quarries, or pits for the extraction of materials, and for the cost of establishing county roads, acquiring rights-of-way therefor, and expenses for the operation of the county engineering office, and for any of the following programs when directly related to county road purposes: (((~~(1)~~))) (a) Insurance; (((~~(2)~~))) (b) self-insurance programs; and (((~~(3)~~))) (c) risk management programs; and for any other proper county road purpose. Such expenditure may be made either independently or in conjunction with the state or any city, town, or tax district within the county. County road purposes include the construction, maintenance, or improvement of park and ride lots. County road purposes also include the removal of barriers to fish passage related to county roads, and include, but are not limited to, the following activities associated with the removal of these barriers: Engineering and technical services; stream bank stabilization; streambed restoration; the placement of weirs, rock, or woody debris; planting; and channel modification. County road funds may be used beyond the county right-of-way for activities clearly associated with removal of fish passage barriers that are the responsibility of the county. Activities related to the removal of barriers to fish passage performed beyond the county right-of-way must not exceed twenty-five percent of the total cost of activities related to fish barrier removal on any one project, and the total annual cost of activities related to the removal of barriers to fish passage performed beyond the county rights-of-way must not exceed one-half of one percent of a county's annual road construction budget. The use of county road funds beyond the county right-of-way for activities associated with the removal of fish barriers is permissive, and wholly within the discretion of the county legislative authority. The use of county road funds beyond the county right-of-way for such activities does not create or impose a legal duty upon a county for salmon recovery work beyond the county right-of-way.

(2) For counties that consist entirely of islands, county road purposes also include marine uses relating to navigation and moorage. Such a county may deposit revenue collected under RCW 84.52.043 and 36.82.040, in the amount or percentage determined by the county, into a subaccount within the county road fund to be used for marine facilities, including mooring buoys, docks, and aids to navigation.

Sec. 534. RCW 36.79.140 and 2001 c 221 s 2 and 2001 c 212 s 26 are each reenacted and amended to read as follows:

At the time the board reviews the six-year program of each county each even-numbered year, it shall consider and shall approve for inclusion in its recommended budget, as required by RCW 36.79.130, the portion of the rural arterial construction program scheduled to be performed during the biennial period beginning the following July 1st. Subject to the appropriations actually approved by the legislature, the board shall as soon as feasible approve rural arterial trust account funds to be spent during the ensuing biennium for preliminary proposals in priority sequence as established pursuant to RCW 36.79.090. Only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes, including removal of barriers to fish passage and accompanying streambed and stream bank repair as specified in RCW 36.82.070, and including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution or RCW 36.82.070(2) are eligible to receive funds from the rural arterial trust account, except that: (1) Counties with a population of less than eight thousand are exempt from this eligibility restriction; (2) counties expending revenues collected for road purposes only on other governmental services after authorization from the voters of that county under RCW 84.55.050 are also exempt from this eligibility restriction; and (3) this restriction shall not apply to any moneys diverted from the road district levy under chapter 39.89 RCW. The board shall authorize rural arterial trust account funds for the construction project portion of a project previously authorized for a preliminary proposal in the sequence in which the preliminary proposal has been completed and the construction project is to be placed under contract. At such time the board may reserve rural arterial trust account funds for expenditure in future years as may be necessary for completion of preliminary proposals and construction projects to be commenced in the ensuing biennium.

The board may, within the constraints of available rural arterial trust funds, consider additional projects for authorization upon a clear and conclusive showing by the submitting county that the proposed project is of an emergent nature and that its need was unable to be anticipated at the time the six-year program of the county was developed. The proposed projects shall be evaluated on the basis of the priority rating factors specified in RCW 36.79.080."

On page 1, line 2 of the title, after "counties;" strike the remainder of the title and insert "amending RCW 36.82.070; and reenacting and amending RCW 36.79.140."

and the same is herewith transmitted.

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(i) The child is being cared for by a relative;

(ii) The department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home;

(iii) The department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests; ((~~or~~))

(iv) The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for fifteen of the last twenty-two months, the parent maintains a meaningful role in the child's life, and the department has not documented another reason why it would be otherwise appropriate to file a petition pursuant to this section;

(v) ((~~Until June 30, 2015,~~)) Where a parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals; or

(vi) ((~~Until June 30, 2015,~~)) Where a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home.

(b) The court's assessment of whether a parent who is incarcerated maintains a meaningful role in the child's life may include consideration of the following:

(i) The parent's expressions or acts of manifesting concern for the child, such as letters, telephone calls, visits, and other forms of communication with the child;

(ii) The parent's efforts to communicate and work with the department or supervising agency or other individuals for the purpose of complying with the service plan and repairing, maintaining, or building the parent-child relationship;

(iii) A positive response by the parent to the reasonable efforts of the department or the supervising agency;

(iv) Information provided by individuals or agencies in a reasonable position to assist the court in making this assessment, including but not limited to the parent's attorney, correctional and mental health personnel, or other individuals providing services to the parent;

(v) Limitations in the parent's access to family support programs, therapeutic services, and visiting opportunities, restrictions to telephone and mail services, inability to participate in foster care planning meetings, and difficulty accessing lawyers and participating meaningfully in court proceedings; and

(vi) Whether the continued involvement of the parent in the child's life is in the child's best interest.

(c) The constraints of a parent's current or prior incarceration and associated delays or barriers to accessing court-mandated services may be considered in rebuttal to a claim of aggravated circumstances under RCW 13.34.132(4)(((~~g~~))) (h) for a parent's failure to complete available treatment.

(6)(a) If the permanency plan identifies independent living as a goal, the court at the permanency planning hearing shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

(b) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(c) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(7) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(a) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(b) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

(8) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

(9) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

(10) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

(11) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

(12) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

(13) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection (12) of this section are met.

(14) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

(15) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to

the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

(16) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

NEW SECTION. **Sec. 536.** This act may be known and cited as the Roger Freeman act.

NEW SECTION. **Sec. 537.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2015."

On page 1, line 2 of the title, after "hearings;" strike the remainder of the title and insert "reenacting and amending RCW 13.34.145; creating a new section; providing and effective date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2140 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2140, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2140, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Tarleton.

HOUSE BILL NO. 2140, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1068 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 538.** A new section is added to chapter 70.125 RCW to read as follows:

(1) When a law enforcement agency receives a sexual assault examination kit, the law enforcement agency must, within thirty days of its receipt, submit a request for laboratory examination to the Washington state patrol crime laboratory for prioritization for testing by it or another accredited laboratory that holds an outsourcing agreement with the Washington state patrol if:

(a) Consent has been given by the victim; or

(b) The victim is a person under the age of eighteen who is not emancipated pursuant to chapter 13.64 RCW.

(2) Subject to available funding, the Washington state patrol crime laboratory must give priority to the laboratory examination of sexual assault examination kits at the request of a local law enforcement agency for:

(a) Active investigations and cases with impending court dates;

(b) Active investigations where public safety is an immediate concern;

(c) Violent crimes investigations, including active sexual assault investigations;

(d) Postconviction cases; and

(e) Other crimes' investigations and nonactive investigations, such as previously unsubmitted older sexual assault kits or recently collected sexual assault kits that the submitting agency has determined to be lower priority based on their initial investigation.

(3) The failure of a law enforcement agency to submit a request for laboratory examination within the time prescribed under this section does not constitute grounds in any criminal proceeding for challenging the validity of a DNA evidence association, and any evidence obtained from the sexual assault examination kit may not be excluded by a court on those grounds.

(4) A person accused or convicted of committing a crime against a victim has no standing to object to any failure to comply with the requirements of this section, and the failure to comply with the requirements of this section is not grounds for setting aside the conviction or sentence.

(5) Nothing in this section may be construed to create a private right of action or claim on the part of any individual, entity, or agency against any law enforcement agency or any contractor of any law enforcement agency.

(6) This section applies prospectively only and not retroactively. It only applies to sexual assault examinations performed on or after the effective date of this section.

(7)(a) Until June 30, 2018, the Washington state patrol shall compile the following information related to the sexual assault examination kits identified in this section:

(i) The number of requests for laboratory examination made for sexual assault examination kits and the law enforcement agencies that submitted the requests; and

(ii) The progress made towards testing the sexual assault examination kits, including the status of requests for laboratory examination made by each law enforcement agency.

(b) The Washington state patrol shall make recommendations for increasing the progress on testing any untested sexual assault examination kits.

(c) Beginning in 2015, the Washington state patrol shall report its findings and recommendations annually to the appropriate committees of the legislature and the governor by December 1st of each year.

NEW SECTION. **Sec. 539.** (1)(a) A legislative task force is established to review best practice models for managing all aspects of sexual assault examinations and for reducing the number of

untested sexual assault examination kits in Washington state that were collected prior to the effective date of this section.

(i) The caucus leaders from the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The caucus leaders from the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall jointly appoint:

(A) One member representing each of the following:

(I) The Washington state patrol;

(II) The Washington association of sheriffs and police chiefs;

(III) The Washington association of prosecuting attorneys;

(IV) The Washington defender association or the Washington association of criminal defense lawyers;

(V) The Washington association of cities;

(VI) The Washington association of county officials;

(VII) The Washington coalition of sexual assault programs;

(VIII) The office of crime victims advocacy;

(IX) The Washington state hospital association;

(X) The Washington state forensic investigations council;

(XI) A public institution of higher education as defined in RCW 28B.10.016; and

(XII) A private higher education institution as defined in RCW 28B.07.020; and

(B) Two members representing survivors of sexual assault.

(b) The task force shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the task force.

(2) The duties of the task force include, but are not limited to:

(a) Researching and determining the number of untested sexual assault examination kits in Washington state;

(b) Researching the locations where the untested sexual assault examination kits are stored;

(c) Researching, reviewing, and making recommendations regarding legislative policy options for reducing the number of untested sexual assault examination kits;

(d) Researching the best practice models both in state and from other states for collaborative responses to victims of sexual assault from the point the sexual assault examination kit is collected to the conclusion of the investigation and providing recommendations regarding any existing gaps in Washington and resources that may be necessary to address those gaps; and

(e) Researching, identifying, and making recommendations for securing nonstate funding for testing the sexual assault examination kits, and reporting on progress made toward securing such funding.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The first meeting of the task force must occur prior to October 1, 2015. The task force shall submit a preliminary report regarding its initial findings and recommendations to the appropriate committees of the legislature and the governor no later than December 1, 2015.

(7) The task force must meet no less than twice annually.

(8) The task force shall report its findings and recommendations to the appropriate committees of the legislature and the governor by September 30, 2016, and by September 30th of each subsequent year.

(9) This section expires June 30, 2018."

On page 1, line 1 of the title, after "kits;" strike the remainder of the title and insert "adding a new section to chapter 70.125 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

Representative Goodman moved that the House concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1068 and advanced the bill as amended by the Senate to final passage.

Representative Goodman spoke in favor of adoption of the motion to concur.

Representative Klippert spoke against adoption of the motion to concur.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 63 - YEAS; 34 - NAYS.

The House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1068 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Orwall and Orwall (again) spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1068, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1068, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, G. Hunt, Haler, Holy, Klippert, Kretz, McCaslin, Parker, Schmick, Scott, Shea, Short and Taylor.

Excused: Representative Tarleton.

SUBSTITUTE HOUSE BILL NO. 1068, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

Representative Manweller moved that the House advance to the eighth order of business.

An electronic roll call was requested.

The Speaker (Representative Moller presiding) stated the question before the House to be the adoption of the motion to advance to the eighth order.

ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order, and the motion failed the House by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused 1.

Voting yea: Representative(s): Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, Zeiger

Voting nay: Representative(s): Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Walkinshaw, Wylie, Mr. Speaker

Excused: Representative Tarleton.

The motion to advance to the eighth order was not adopted.

Representative Harris moved that the House advance to the eighth order of business.

An electronic roll call was requested.

The Speaker (Representative Moller presiding) stated the question before the House to be the adoption of the motion to advance to the eighth order.

ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order, and the motion failed the House by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused 1.

Voting yea: Representative(s): Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, Zeiger

Voting nay: Representative(s): Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Walkinshaw, Wylie, Mr. Speaker

Excused: Representative Tarleton.

The motion to advance to the eighth order was not adopted.

Representative Nealey moved that the House advance to the eighth order of business.

An electronic roll call was requested.

The Speaker (Representative Moller presiding) stated the question before the House to be the adoption of the motion to advance to the eighth order.

ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order, and the motion failed the House by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused 1.

Voting yea: Representative(s): Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, Zeiger

Voting nay: Representative(s): Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Walkinshaw, Wylie, Mr. Speaker

Excused: Representative Tarleton.

The motion to advance to the eighth order was not adopted.

Representative Buys moved that the House advance to the eighth order of business.

An electronic roll call was requested.

The Speaker (Representative Moller presiding) stated the question before the House to be the adoption of the motion to advance to the eighth order.

ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order, and the motion failed the House by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused 1.

Voting yea: Representative(s): Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Fagan, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, Zeiger

Voting nay: Representative(s): Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells,

Senn, Springer, Stanford, Sullivan, Takko, Tharinger, Van De Wege, Walkinshaw, Wylie, Mr. Speaker

Excused: Representative Tarleton.

The motion to advance to the eighth order was not adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 22, 2015, the 101st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED FIRST DAY

House Chamber, Olympia, Wednesday, April 22, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nunu Nuam and Chase Galvan. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Frank Jevicky, Daniels Prayer House, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Moeller presiding) called upon Representative Fey to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 21, 2015

HB 2217 Prime Sponsor, Representative Hunter: Concerning the state's use of the juvenile offender basic training camp program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Condotta; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dent; Fagan; Haler; Hunt, G.; Schmick and Taylor.

April 21, 2015

SSB 6045 Prime Sponsor, Committee on Ways & Means: Extending the hospital safety net assessment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 540.** RCW 74.60.005 and 2013 2nd sp.s. c 17 s 1 are each amended to read as follows:

(1) The purpose of this chapter is to provide for a safety net assessment on certain Washington hospitals, which will be used solely to augment funding from all other sources and thereby support additional payments to hospitals for medicaid services as specified in this chapter.

(2) The legislature finds that federal health care reform will result in an expansion of medicaid enrollment in this state and an increase in federal financial participation. ((~~As a result, the hospital safety net assessment and hospital safety net assessment fund created in this chapter will begin phasing down over a four-year period beginning in fiscal year 2016 as federal medicaid expansion is fully implemented. The state will end its reliance on the assessment and the fund by the end of fiscal year 2019.~~))

(3) In adopting this chapter, it is the intent of the legislature:

(a) To impose a hospital safety net assessment to be used solely for the purposes specified in this chapter;

(b) To generate approximately four hundred ((~~forty-six million three hundred thirty-eight thousand~~)) eighty-nine million dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then phasing down in equal increments to zero by the end of fiscal year 2019,~~)) in new state and federal funds by disbursing all of that amount to pay for medicaid hospital services and grants to certified public expenditure and critical access hospitals, except costs of administration as specified in this chapter, in the form of additional payments to hospitals and managed care plans, which may not be a substitute for payments from other sources;

(c) To generate ((~~one hundred ninety-nine million eight hundred thousand~~)) two hundred eighty-three million dollars ((~~in the 2013-2015 biennium, phasing down to zero by the end of the 2017-2019 biennium,~~)) per biennium during the 2015-2017 and 2017-2019 biennia in new funds to be used in lieu of state general fund payments for medicaid hospital services;

(d) That the total amount assessed not exceed the amount needed, in combination with all other available funds, to support the payments authorized by this chapter; and

(e) To condition the assessment on receiving federal approval for receipt of additional federal financial participation and on continuation of other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((2009)) 2015

the hospital since July 1, 2013, subject to the limitations of federal law.

(2) All assessments, interest, and penalties collected by the authority under RCW 74.60.030 and 74.60.050 shall be deposited into the fund.

(3) Disbursements from the fund are conditioned upon appropriation and the continued availability of other funds sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((~~2009~~)) 2015, as adjusted for current enrollment and utilization((~~, but without regard to payment increases resulting from chapter 30, Laws of 2010 1st sp. sess~~)).

(4) Disbursements from the fund may be made only:

(a) To make payments to hospitals and managed care plans as specified in this chapter;

(b) To refund erroneous or excessive payments made by hospitals pursuant to this chapter;

(c) For one million dollars per biennium for payment of administrative expenses incurred by the authority in performing the activities authorized by this chapter;

(d) For ((~~one hundred ninety-nine million eight hundred thousand~~)) two hundred eighty-three million dollars ((~~in the 2013-2015~~)) per biennium, ((~~phasing down to zero by the end of the 2017-2019 biennium~~)) to be used in lieu of state general fund payments for medicaid hospital services, provided that if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, this amount must be reduced proportionately;

(e) To repay the federal government for any excess payments made to hospitals from the fund if the assessments or payment increases set forth in this chapter are deemed out of compliance with federal statutes and regulations in a final determination by a court of competent jurisdiction with all appeals exhausted. In such a case, the authority may require hospitals receiving excess payments to refund the payments in question to the fund. The state in turn shall return funds to the federal government in the same proportion as the

(2) For state fiscal year ((~~2015~~)) 2016 and each subsequent state fiscal year, the assessment amounts established under RCW 74.60.030 must be adjusted as follows:

(a) If sufficient other funds, including federal funds, are available to make the payments required under this chapter and fund the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f) without utilizing the full assessment under RCW 74.60.030, the authority shall reduce the amount of the assessment to the minimum levels necessary to support those payments;

(b) If the total amount of inpatient or outpatient supplemental payments under RCW 74.60.120 is in excess of the upper payment limit and the entire excess amount cannot be disbursed by additional payments to managed care organizations under RCW 74.60.130, the authority shall proportionately reduce future assessments on prospective payment hospitals to the level necessary to generate additional payments to hospitals that are consistent with the upper payment limit plus the maximum permissible amount of additional payments to managed care organizations under RCW 74.60.130;

(c) If the amount of payments to managed care organizations under RCW 74.60.130 cannot be distributed because of failure to meet federal actuarial soundness or utilization requirements or other federal requirements, the authority shall apply the amount that cannot be distributed to reduce future assessments to the level necessary to generate additional payments to managed care organizations that are consistent with federal actuarial soundness or utilization requirements or other federal requirements;

(d) If required in order to obtain federal matching funds, the maximum number of nonmedicare inpatient days at the higher rate provided under RCW 74.60.030(1)(b)(i) may be adjusted in order to comply with federal requirements;

(e) If the number of nonmedicare inpatient days applied to the rates provided in RCW 74.60.030 will not produce sufficient funds to support the payments required under this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f), the assessment rates provided in RCW 74.60.030 may be increased proportionately by category of hospital to amounts no greater than necessary in order to produce the required level of funds needed to make the payments specified in this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f); and

(f) Any actual or estimated surplus remaining in the fund at the end of the fiscal year must be applied to reduce the assessment amount for the subsequent fiscal year or that fiscal year and the following fiscal years prior to and including fiscal year 2019.

(3) ((~~For each fiscal year after June 30, 2015, the assessment amounts established under RCW 74.60.030 must be adjusted as follows:~~

~~(a) In order to support the payments required in this chapter, the assessment amounts must be reduced in approximately equal yearly increments each fiscal year by category of hospital until the assessment amount is zero by July 1, 2019;~~

~~(b) If sufficient other funds, including federal funds, are available to make the payments required under this chapter and fund the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f) without utilizing the full assessment under RCW 74.60.030, the authority shall reduce the amount of the assessment to the minimum levels necessary to support those payments;~~

~~(c) If in any fiscal year the total amount of inpatient or outpatient supplemental payments under RCW 74.60.120 is in excess of the upper payment limit and the entire excess amount cannot be disbursed by additional payments to managed care organizations under RCW 74.60.130, the authority shall proportionately reduce future assessments on prospective payment hospitals to the level necessary to generate additional payments to hospitals that are consistent with the upper payment limit plus the maximum permissible amount of additional payments to managed care organizations under RCW 74.60.130;~~

~~(d) If the amount of payments to managed care organizations under RCW 74.60.130 cannot be distributed because of failure to meet federal actuarial soundness or utilization requirements or other federal requirements, the authority shall apply the amount that cannot be distributed to reduce future assessments to the level necessary to generate additional payments to managed care organizations that are consistent with federal actuarial soundness or utilization requirements or other federal requirements;~~

~~(e) If required in order to obtain federal matching funds, the maximum number of nonmedicare inpatient days at the higher rate provided under RCW 74.60.030(1)(b)(i) may be adjusted in order to comply with federal requirements;~~

~~(f) If the number of nonmedicare inpatient days applied to the rates provided in RCW 74.60.030 will not produce sufficient funds to support the payments required under this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f), the assessment rates provided in RCW 74.60.030 may be increased proportionately by category of hospital to amounts no greater than necessary in order to produce the required level of funds needed to make the payments specified in this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f); and~~

~~(g) Any actual or estimated surplus remaining in the fund at the end of the fiscal year must be applied to reduce the assessment amount for the subsequent fiscal year.~~

~~(4)~~))(a) Any adjustment to the assessment amounts pursuant to this section, and the data supporting such adjustment, including, but not limited to, relevant data listed in (b) of this subsection, must be submitted to the Washington state hospital association for review and comment at least sixty calendar days prior to implementation of such adjusted assessment amounts. Any review and comment provided by the Washington state hospital association does not limit the ability of the Washington state hospital association or its members to challenge an adjustment or other action by the authority that is not made in accordance with this chapter.

(b) The authority shall provide the following data to the Washington state hospital association sixty days before implementing any revised assessment levels, detailed by fiscal year, beginning with fiscal year 2011 and extending to the most recent fiscal year, except in connection with the initial assessment under this chapter:

(i) The fund balance;

(ii) The amount of assessment paid by each hospital;

(iii) The state share, federal share, and total annual medicaid fee-for-service payments for inpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate the payments to individual hospitals under that section;

(iv) The state share, federal share, and total annual medicaid fee-for-service payments for outpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate annual payments to individual hospitals under that section;

(v) The annual state share, federal share, and total payments made to each hospital under each of the following programs: Grants to certified public expenditure hospitals under RCW 74.60.090, for critical access hospital payments under RCW 74.60.100; and disproportionate share programs under RCW 74.60.110;

(vi) The data used to calculate annual payments to individual hospitals under (b)(v) of this subsection; and

(vii) The amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

(c) On a monthly basis, the authority shall provide the Washington state hospital association the amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

Sec. 544. RCW 74.60.090 and 2013 2nd sp.s. c 17 s 8 are each amended to read as follows:

(1) In each fiscal year commencing upon satisfaction of the applicable conditions in RCW 74.60.150(1), funds must be disbursed from the fund and the authority shall make grants to certified public expenditure hospitals, which shall not be considered payments for hospital services, as follows:

(a) University of Washington medical center: ((~~Three million three hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Four million four hundred fifty-five thousand dollars in each state fiscal year 2016 through 2019;

(b) Harborview medical center: ((~~Seven million six hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Ten million two hundred sixty thousand dollars in each state fiscal year 2016 through 2019;

(c) All other certified public expenditure hospitals: ((~~Four million seven hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Six million three hundred forty-five thousand dollars in each state fiscal year 2016 through 2019. The amount of payments to individual hospitals under this subsection must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4).

(2) Payments must be made quarterly, before the end of each quarter, taking the total disbursement amount and dividing by four to calculate the quarterly amount. ((~~The initial payment, which must include all amounts due from and after July 1, 2013, to the date of the initial payment, must be made within thirty days after satisfaction of the conditions in RCW 74.60.150(1).~~)) The authority shall provide a quarterly report of such payments to the Washington state hospital association.

Sec. 545. RCW 74.60.100 and 2013 2nd sp.s. c 17 s 9 are each amended to read as follows:

In each fiscal year commencing upon satisfaction of the conditions in RCW 74.60.150(1), the authority shall make access payments to critical access hospitals that do not qualify for or receive a small rural disproportionate share hospital payment in a given fiscal year in the total amount of ((~~five hundred twenty~~)) seven hundred two thousand dollars from the fund and to critical access hospitals that receive disproportionate share payments in the total amount of one million three hundred thirty-six thousand dollars. The amount of payments to individual hospitals under this section must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4). Payments must be made after the authority determines a hospital's payments under RCW 74.60.110. These payments shall be in addition to any other amount payable with respect to services provided by critical access hospitals and shall not reduce any other payments to critical access hospitals. The authority shall provide a report of such payments to the Washington state hospital association within thirty days after payments are made.

Sec. 546. RCW 74.60.120 and 2014 c 143 s 2 are each amended to read as follows:

(1) ((~~Beginning~~)) In each state fiscal year ((~~2014~~)), commencing ((~~thirty days after~~)) upon satisfaction of the applicable conditions in RCW 74.60.150(1), ((~~and for the period of state fiscal years 2014 through 2019,~~)) the authority shall make supplemental payments directly to Washington hospitals, separately for inpatient and outpatient fee-for-service medicaid services, as follows:

(a) For inpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, twenty-nine million ((~~two hundred twenty-five thousand~~)) one hundred sixty-two thousand five hundred dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(b) For outpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, thirty million dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(c) For inpatient fee-for-service payments for psychiatric hospitals, ((~~six hundred twenty-five thousand~~)) eight hundred seventy-five thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(d) For inpatient fee-for-service payments for rehabilitation hospitals, ((~~one hundred fifty thousand~~)) two hundred twenty-five thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(e) For inpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds; and

(f) For outpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds.

(2) If the amount of inpatient or outpatient payments under subsection (1) of this section, when combined with federal matching funds, exceeds the upper payment limit, payments to each category of hospital must be reduced proportionately to a level where the total payment amount is consistent with the upper payment limit. Funds under this chapter unable to be paid to hospitals under this section because of the upper payment limit must be paid to managed care organizations under RCW 74.60.130, subject to the limitations in this chapter.

(3) The amount of such fee-for-service inpatient payments to individual hospitals within each of the categories identified in subsection (1)(a), (c), (d), and (e) of this section must be determined by:

(a) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's inpatient fee-for-services claims and medicaid managed care encounter data for the base year;

(b) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' inpatient fee-for-services claims and medicaid managed care encounter data for the base year; and

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(4) The amount of such fee-for-service outpatient payments to individual hospitals within each of the categories identified in subsection (1)(b) and (f) of this section must be determined by:

(a) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's outpatient fee-for-services claims and medicaid managed care encounter data for the base year;

(b) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' outpatient fee-for-services claims and medicaid managed care encounter data for the base year; and

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(5) ((~~Thirty days before the initial payments and~~)) Sixty days before the first payment in each subsequent fiscal year, the authority shall provide each hospital and the Washington state hospital association with an explanation of how the amounts due to each hospital under this section were calculated.

(6) Payments must be made in quarterly installments on or about the last day of every quarter. ((~~The initial payment must be made within thirty days after satisfaction of the conditions in RCW 74.60.150(1) and must include all amounts due from July 1, 2013, to either: (a) The end of the calendar quarter prior to when the conditions in RCW 70.60.150(1) \\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay101\74.60.150(1).doc are satisfied if approval is received more than forty-five days prior to the end of a quarter; or (b) the end of the calendar quarter after the satisfaction of the conditions in RCW 74.60.150(1) if approval is received within forty-five days of the end of a quarter.~~))

(7) A prospective payment system hospital commencing operations after January 1, 2009, is eligible to receive payments in accordance with this section after becoming an eligible new prospective payment system hospital as defined in RCW 74.60.010.

(8) Payments under this section are supplemental to all other payments and do not reduce any other payments to hospitals.

Sec. 547. RCW 74.60.130 and 2014 c 143 s 3 are each amended to read as follows:

(1) For state fiscal year ((~~2014~~)) 2016 and for each subsequent fiscal year, commencing within thirty days after satisfaction of the conditions in RCW 74.60.150(1) and subsection ((~~(6)~~)) (5) of this section, ((~~and for the period of state fiscal years 2014 through 2019,~~)) the authority shall increase capitation payments in a manner consistent with federal contracting requirements to managed care organizations by an amount at least equal to the amount available from the fund after deducting disbursements authorized by RCW 74.60.020(4) (c) through (f) and payments required by RCW 74.60.080 through 74.60.120. The capitation payment under this subsection must be no less than one hundred ((~~fifty-three~~)) million ((~~one hundred thirty-one thousand six hundred~~)) dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then the increased capitation payment amounts are reduced in equal increments per fiscal year until the increased capitation payment amount is zero by July 1, 2019,~~)) plus the maximum available amount of federal matching funds. The initial payment following satisfaction of the conditions in RCW 74.60.150(1) must include all amounts due from July 1, ((~~2013~~)) 2015, to the end of the calendar month during which the conditions in RCW 74.60.150(1) are satisfied. Subsequent payments shall be made monthly.

(2) ((~~In fiscal years 2015, 2016, and 2017, the authority shall use any additional federal matching funds for the increased managed care capitation payments under subsection (1) of this section available from medicaid expansion under the federal patient protection and affordable care act to substitute for assessment funds which otherwise would have been used to pay managed care plans under this section.~~

(~~3~~)) Payments to individual managed care organizations shall be determined by the authority based on each organization's or network's enrollment relative to the anticipated total enrollment in each program for the fiscal year in question, the anticipated utilization of hospital services by an organization's or network's medicaid enrollees, and such other factors as are reasonable and appropriate to ensure that purposes of this chapter are met.

(((~~4~~))) (3) If the federal government determines that total payments to managed care organizations under this section exceed what is permitted under applicable medicaid laws and regulations, payments must be reduced to levels that meet such requirements, and the balance remaining must be applied as provided in RCW 74.60.050. Further, in the event a managed care organization is legally obligated to repay amounts distributed to hospitals under this section to the state or federal government, a managed care organization may recoup the amount it is obligated to repay under the medicaid program from individual hospitals by not more than the amount of overpayment each hospital received from that managed care organization.

(((~~5~~))) (4) Payments under this section do not reduce the amounts that otherwise would be paid to managed care organizations: PROVIDED, That such payments are consistent with actuarial soundness certification and enrollment.

(((~~6~~))) (5) Before making such payments, the authority shall require medicaid managed care organizations to comply with the following requirements:

(a) All payments to managed care organizations under this chapter must be expended for hospital services provided by Washington hospitals, which for purposes of this section includes psychiatric and rehabilitation hospitals, in a manner consistent with the purposes and provisions of this chapter, and must be equal to all increased capitation payments under this section received by the organization or network, consistent with actuarial certification and enrollment, less an allowance for any estimated premium taxes the organization is required to pay under Title 48 RCW associated with the payments under this chapter;

(b) Managed care organizations shall expend the increased capitation payments under this section in a manner consistent with the purposes of this chapter, with the initial expenditures to hospitals to be made within thirty days of receipt of payment from the authority. Subsequent expenditures by the managed care plans are to be made before the end of the quarter in which funds are received from the authority;

(c) Providing that any delegation or attempted delegation of an organization's or network's obligations under agreements with the authority do not relieve the organization or network of its obligations under this section and related contract provisions.

(((~~7~~))) (6) No hospital or managed care organizations may use the payments under this section to gain advantage in negotiations.

(((~~8~~))) (7) No hospital has a claim or cause of action against a managed care organization for monetary compensation based on the amount of payments under subsection (((~~6~~))) (5) of this section.

(((~~9~~))) (8) If funds cannot be used to pay for services in accordance with this chapter the managed care organization or network must return the funds to the authority which shall return them to the hospital safety net assessment fund.

Sec. 548. RCW 74.60.150 and 2013 2nd sp.s. c 17 s 15 are each amended to read as follows:

(1) The assessment, collection, and disbursement of funds under this chapter shall be conditional upon:

(a) Final approval by the centers for medicare and medicaid services of any state plan amendments or waiver requests that are necessary in order to implement the applicable sections of this chapter including, if necessary, waiver of the broad-based or uniformity requirements as specified under section 1903(w)(3)(E) of the federal social security act and 42 C.F.R. 433.68(e);

(b) To the extent necessary, amendment of contracts between the authority and managed care organizations in order to implement this chapter; and

(c) Certification by the office of financial management that appropriations have been adopted that fully support the rates established in this chapter for the upcoming fiscal year.

(2) This chapter does not take effect or ceases to be imposed, and any moneys remaining in the fund shall be refunded to hospitals in proportion to the amounts paid by such hospitals, if and to the extent that any of the following conditions occur:

(a) The federal department of health and human services and a court of competent jurisdiction makes a final determination, with all appeals exhausted, that any element of this chapter, other than RCW 74.60.100, cannot be validly implemented;

(b) Funds generated by the assessment for payments to prospective payment hospitals or managed care organizations are determined to be not eligible for federal match;

(c) Other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((~~2009~~)) 2015, as adjusted for current enrollment and utilization((~~, but without regard to payment increases resulting from chapter 30, Laws of 2010 1st sp. sess.,~~)) is not appropriated or available;

(d) Payments required by this chapter are reduced, except as specifically authorized in this chapter, or payments are not made in substantial compliance with the time frames set forth in this chapter; or

(e) The fund is used as a substitute for or to supplant other funds, except as authorized by RCW 74.60.020.

Sec. 549. RCW 74.60.160 and 2013 2nd sp.s. c 17 s 17 are each amended to read as follows:

(1) The legislature intends to provide the hospitals with an opportunity to contract with the authority each fiscal biennium to protect the hospitals from future legislative action during the biennium that could result in hospitals receiving less from supplemental payments, increased managed care payments, disproportionate share hospital payments, or access payments than the hospitals expected to receive in return for the assessment based on the biennial appropriations and assessment legislation.

(2) Each odd-numbered year after enactment of the biennial omnibus operating appropriations act, the authority shall offer to enter into a contract or to extend an existing contract for the period of the fiscal biennium beginning July 1st with a hospital that is required to pay the assessment under this chapter. The contract must include the following terms:

(a) The authority must agree not to do any of the following:

(i) Increase the assessment from the level set by the authority pursuant to this chapter on the first day of the contract period for reasons other than those allowed under RCW 74.60.050((~~(3)~~)) (2)(e);

(ii) Reduce aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, ((~~allowing for variations due to budget-neutral rebasing and~~)) adjusting for changes in enrollment and utilization, from the levels the state paid for those services on the first day of the contract period;

(iii) For critical access hospitals only, reduce the levels of disproportionate share hospital payments under RCW 74.60.110 or access payments under RCW 74.60.100 for all critical access hospitals below the levels specified in those sections on the first day of the contract period;

(iv) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the levels of supplemental payments under RCW 74.60.120 for all prospective payment system hospitals below the levels specified in that section on the first day of the contract period unless the supplemental payments are reduced under RCW 74.60.120(2);

(v) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the increased capitation payments to managed care organizations under RCW 74.60.130 below the levels specified in that section on the first day of the contract period unless the managed care payments are reduced under RCW 74.60.130((~~(4)~~)) (3); or

(vi) Except as specified in this chapter, use assessment revenues for any other purpose than to secure federal medicaid matching funds to support payments to hospitals for medicaid services; and

(b) As long as payment levels are maintained as required under this chapter, the hospital must agree not to challenge the authority's reduction of hospital reimbursement rates to July 1, 2009, levels, which results from the elimination of assessment supported rate restorations and increases, under 42 U.S.C. Sec. 1396a(a)(30)(a) either through administrative appeals or in court during the period of the contract.

(3) If a court finds that the authority has breached an agreement with a hospital under subsection (2)(a) of this section, the authority:

(a) Must immediately refund any assessment payments made subsequent to the breach by that hospital upon receipt; and

(b) May discontinue supplemental payments, increased managed care payments, disproportionate share hospital payments, and access payments made subsequent to the breach for the hospital that are required under this chapter.

(4) The remedies provided in this section are not exclusive of any other remedies and rights that may be available to the hospital whether provided in this chapter or otherwise in law, equity, or statute.

Sec. 550. RCW 74.60.901 and 2013 2nd sp.s. c 17 s 19 are each amended to read as follows:

This chapter expires July 1, ((~~2017~~)) 2019.

NEW SECTION. **Sec. 551.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dent; Dunshee; Fagan; Haler; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; MacEwen; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Stokesbary; Sullivan; Tharinger; Van Werven and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Hunt, G. and Taylor.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of SENATE BILL NO. 5693 and the bill was placed on the second reading calendar:

The Speaker (Representative Fey presiding) called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 21, 2015

MR. SPEAKER:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 1316, and passed the bill without said amendments.
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

April 21, 2015

MR. SPEAKER:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 1088, and passed the bill without said amendments.
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

April 21, 2015

MR. SPEAKER:

The Senate receded from its amendment(s) to SUBSTITUTE HOUSE BILL NO. 1283, and passed the bill without said amendments.
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

April 22, 2015

MR. SPEAKER:

The President has signed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5048
ENGROSSED SUBSTITUTE SENATE BILL NO. 5158
SENATE BILL NO. 5203
ENGROSSED SENATE BILL NO. 5262
SENATE BILL NO. 5387
ENGROSSED SUBSTITUTE SENATE BILL NO. 5498
SUBSTITUTE SENATE BILL NO. 5593
SENATE BILL NO. 5603
SUBSTITUTE SENATE BILL NO. 5733
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
ENGROSSED SUBSTITUTE SENATE BILL NO. 5826
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILLO. 1449, wit21.(t)18.3h(e).1(f)20(oli)5(l)(o w)22.4(i)5-20(oli)5(l)(o w)22.4

developed by the American petroleum institute. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. The information published by the department must be aggregated on a statewide basis and may include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery. The department must publish routes to facilities within the state, but may not include specific information about volume or gravity of oil, as measured by the standards developed by the American petroleum institute transported to any particular facility along the routes.

(4) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that is not aggregated and that contains proprietary, commercial, or financial information. The requirement for aggregating information does not apply when information is shared by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

Sec. 558. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Sec. 559. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetiruden oil, natural gas07. Tc 89.17 Tw
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(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 560. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation,

copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

NEW SECTION. **Sec. 561.** A new section is added to chapter 88.16 RCW to read as follows:

(1) The board of pilotage commissioners may adopt rules to implement this section. The rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050.

(2)(a) Prior to proposing a draft rule, the board of pilotage commissioners must consult with the department of ecology, the United States coast guard, the Grays Harbor safety committee, area tribes, public ports, local governments, and other appropriate entities. The board of pilotage commissioners may not adopt rules under this section unless a state agency or a local jurisdiction, for a facility within Grays Harbor that is required to have a contingency plan pursuant to chapter 90.56 RCW:

(i) Makes a final determination or issues a final permit after January 1, 2015, to site a new facility; or

(ii) Provides authority to an existing facility to process or receive crude oil for the first time.

(b) This subsection does not apply to a transmission pipeline or railroad facility.

(3) A rule adopted under this section must:

(a) Be designed to achieve best achievable protection as defined in RCW 88.46.010;

(b) Ensure that any escort tugs used have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge; and

(c) Ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort.

(4) The provisions adopted under this section may not include rules affecting pilotage. This section does not affect any existing authority to establish pilotage requirements.

NEW SECTION. **Sec. 562.** A new section is added to chapter 81.04 RCW to read as follows:

(1) The commission must require a railroad company that transports crude oil in Washington to submit information to the commission relating to the railroad company's ability to pay damages in the event of a spill or accident involving the transport of crude oil by the railroad company in Washington. A railroad company must include the information in the annual report submitted to the commission pursuant to RCW 81.04.080.

(2) The commission may not use the information submitted by a railroad company under this section as a basis for engaging in economic regulation of a railroad company.

(3) The commission may not use the information submitted by a railroad company under this section as a basis for penalizing a railroad company.

(4) Nothing in this section may be construed as assigning liability to a railroad company or establishing liquidated damages for a spill or accident involving the transport of crude oil by a railroad company.

(5) The commission may adopt rules for implementing this section consistent with the requirements of RCW 81.04.080.

Sec. 563. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by the United States department of transportation number. All requirements in this subsection are subject to the availability of amounts appropriated for the specific purposes described.

Sec. 564. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

NEW SECTION. **Sec. 567.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to adopt rules establishing criteria for inspection of private crossings and governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state, including, but not limited to, requirements for signage.

(2) Nothing in this section modifies existing agreements between the railroad company and the landowner governing cost allocation for upgrades to private crossing or liability for injuries or damages occurring at the private crossing.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 568.** (1) The department of ecology must complete an evaluation and assessment of vessel traffic management and vessel traffic safety within and near the mouth of the Columbia river. A draft evaluation and assessment must be completed and submitted to the legislature consistent with RCW 43.01.036 by December 15, 2017. A final evaluation and assessment must be completed by June 30, 2018. In conducting this evaluation, the department of ecology must consult with the United States coast guard, the Oregon board of maritime pilots, Columbia river harbor safety committee, the Columbia river bar pilots, the Columbia river pilots, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities.

(2) The evaluation and assessment completed under subsection (1) of this section must include, but is not limited to, an assessment and evaluation of: (a) The need for tug escorts for oil tankers, articulated tug barges, and other towed waterborne vessels or barges; (b) best achievable protection; and (c) required tug capabilities to ensure safe escort of vessels on the waters that are the subject of focus for each water body evaluated under subsection (1) of this section.

(3) The assessment and evaluations submitted to the legislature under subsection (1) of this section must include recommendations for vessel traffic management and vessel traffic safety on the Columbia river, including recommendations for tug escort requirements for vessels transporting oil as bulk cargo.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 569.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 570. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee ((~~equal~~)) up to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue for the purpose of administering the rail safety program. However, class three railroads that do not haul crude oil shall pay a fee equal to one and one-half percent of its intrastate gross operating revenue. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

Sec. 571. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as

required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23) Unaggregated or individualized information shared as part of notices of transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 6 of this act, and in the possession of the department of ecology or any entity with which the department of ecology has shared it.

NEW SECTION. **Sec. 572.** The senate energy, environment, and telecommunications committee and the house of representatives environment committee must hold at least one joint meeting on oil spill prevention and response activities for international transport of

liquid bulk crude oil. The committees may invite representatives of affected parties from the United States and Canada to address cooperative prevention and emergency response activities between shared international and state borders; expected risks posed by transport of Canadian crude oil or liquid bulk crude oil throughout the Pacific Northwest region; and an update of the marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 573.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "safety;" strike the remainder of the title and insert "amending RCW 82.23B.010, 82.23B.020, 82.23B.030, 82.23B.040, 88.40.011, 90.56.010, 81.53.240, 38.52.070, 81.53.010, and 81.24.010; reenacting and amending RCW 88.46.010, 38.52.040, and 42.56.270; adding a new section to chapter 90.56 RCW; adding a new section to chapter 88.16 RCW; adding a new section to chapter 81.04 RCW; adding a new section to chapter 81.53 RCW; adding a new section to chapter 81.44 RCW; and creating new sections."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

There being no objection, the House advanced to the seventh order of business.

SENATE AMENDMENT TO HOUSE BILL

Representative Fitzgibbon moved that the House not concur in the Senate amendment to ESHB 1449 .

Representative Fitzgibbon spoke in favor of the motion to not concur.

Representative Shea spoke against the motion to not concur.

The motion was adopted and the House did not concur in the Senate amendments to Engrossed Substitute House Bill No. 1449, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, with the following amendment(s):

On page 1, line 8, after "private;" strike "and"

On page 1, line 10, after "disclosure" insert "; and

(c) Knows or reasonably should know that the other person is afraid, intimidated, or harassed even if the person did not intend to place the other person in fear or intimidate or harass the other person"

On page 1, line 16, after "private;" strike "and"

On page 1, line 18 after "disclosure" insert "; and

(d) Knows or reasonably should know that the other person is afraid, intimidated, or harassed even if the person did not intend to place the other person in fear or intimidate or harass the other person"

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to Engrossed Second Substitute House Bill No. 1272 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 15, 2015

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 1550, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

"**Sec. 574.** RCW 82.04.050 and 2013 2nd sp.s. c 13 s 802 are each amended to read as follows:

(1)(a) "Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who:

(i) Purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, but a purchase for the purpose of resale by a regional transit authority under RCW 81.112.300 is not a sale for resale; or

(ii) Installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person; or

(iii) Purchases for the purpose of consuming the property purchased in producing for sale as a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale; or

(iv) Purchases for the purpose of consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon; or

(v) Purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in RCW 82.04.065; or

(vi) Purchases for the purpose of satisfying the person's obligations under an extended warranty as defined in subsection (7) of this section, if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person.

(b) The term includes every sale of tangible personal property that is used or consumed or to be used or consumed in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property is resold or used as provided in (a)(i) through (vi) of this subsection following such use.

(c) The term also means every sale of tangible personal property to persons engaged in any business that is taxable under RCW 82.04.280(1) (a), (b), and (g), 82.04.290, and 82.04.2908.

(2) The term "sale at retail" or "retail sale" includes the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following:

(a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect

thereto, but excluding charges made for the use of self-service laundry facilities, and also excluding sales of laundry service to nonprofit health care facilities, and excluding services rendered in respect to live animals, birds and insects;

(b) The constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and also includes the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture;

(c) The constructing, repairing, or improving of any structure upon, above, or under any real property owned by an owner who conveys the property by title, possession, or any other means to the person performing such construction, repair, or improvement for the purpose of performing such construction, repair, or improvement and the property is then reconveyed by title, possession, or any other means to the original owner;

(d) The cleaning, fumigating, razing, or moving of existing buildings or structures, but does not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" means those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting;

(e) Automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW;

(f) The furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it is presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. For the purposes of this subsection, it is presumed that the sale of and charge made for the furnishing of lodging for a continuous period of one month or more to a person is a rental or lease of real property and not a mere license to enjoy the same;

(g) The installing, repairing, altering, or improving of digital goods for consumers;

(h) Persons taxable under (a), (b), (c), (d), (e), (f), and (g) of this subsection when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this subsection may be construed to modify subsection (1) of this section and nothing contained in subsection (1) of this section may be construed to modify this subsection.

(3) The term "sale at retail" or "retail sale" includes the sale of or charge made for personal, business, or professional services including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities:

(a)((~~(i) Amusement and recreation services including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows, day trips for sightseeing purposes, and others, when provided to consumers.~~

~~(ii) Until July 1, 2017, amusement and recreation services do not include the opportunity to dance provided by an establishment in exchange for a cover charge.~~

~~(iii) For purposes of this subsection (3)(a):~~

~~(A) "Cover charge" means a charge, regardless of its label, to enter an establishment or added to the purchaser's bill by an establishment or otherwise collected after entrance to the establishment, and the purchaser is provided the opportunity to dance in exchange for payment of the charge.~~

~~(B) "Opportunity to dance" means that an establishment provides a designated physical space, on either a temporary or permanent basis, where customers are allowed to dance and the establishment either advertises or otherwise makes customers aware that it has an area for dancing;~~

~~(b)~~)) Abstract, title insurance, and escrow services;

(((~~(c)~~))) (b) Credit bureau services;

(((~~(d)~~))) (c) Automobile parking and storage garage services;

(((~~(e)~~))) (d) Landscape maintenance and horticultural services but excluding (i) horticultural services provided to farmers and (ii) pruning, trimming, repairing, removing, and clearing of trees and brush near electric transmission or distribution lines or equipment, if performed by or at the direction of an electric utility;

(((~~(f)~~))) (e) Service charges associated with tickets to professional sporting events; ((~~and~~

~~(g)~~)) (f) The following personal services: ((~~Physical fitness services,~~)) Tanning salon services, tattoo parlor services, steam bath services, turkish bath services, escort services, and dating services; and

(g)(i) Operating an athletic or fitness facility, including all charges for the use of such a facility or for any associated services and amenities, except as provided in (g)(ii) of this subsection.

(ii) Notwithstanding anything to the contrary in (g)(i) of this subsection (3), the term "sale at retail" and "retail sale" under this subsection does not include:

(A) Separately stated charges for the use of an athletic or fitness facility where such use is primarily for a purpose other than engaging in or receiving instruction in a physical fitness activity;

(B) Separately stated charges for the use of a discrete portion of an athletic or fitness facility, other than a pool, where such discrete portion of the facility does not by itself meet the definition of "athletic or fitness facility" in this subsection;

(C) Separately stated charges for services, such as advertising, massage, nutritional consulting, and body composition testing, that do not require the customer to engage in physical fitness activities to receive the service. The exclusion in this subsection (3)(g)(ii)(C) does not apply to personal training services and instruction in a physical fitness activity;

(D) Separately stated charges for physical therapy provided by a physical therapist, as those terms are defined in RCW 18.74.010, or occupational therapy provided by an occupational therapy practitioner, as those terms are defined in RCW 18.59.020, when performed pursuant to a referral from an authorized health care practitioner or in consultation with an authorized health care practitioner. For the purposes of this subsection (3)(g)(ii)(D), an authorized health care practitioner means a health care practitioner licensed under chapter 18.83, 18.25, 18.36A, 18.57, 18.57A, 18.71, or 18.71A RCW;

(E) Rent or association fees charged by a landlord or residential association to a tenant or residential owner with access to an athletic or fitness facility maintained by the landlord or residential association, unless the rent or fee varies depending on whether the tenant or owner has access to the facility;

(F) Services provided in the regular course of employment by an employee with access to an athletic or fitness facility maintained by the employer for use without charge by its employees or their family members;

(G) The provision of access to an athletic or fitness facility by an educational institution to its students and staff. However, charges made by an educational institution to its alumni or other members of the public for the use of any of the educational institution's athletic or fitness facilities are a retail sale under this subsection (3)(g). For purposes of this subsection (3)(g)(ii)(G), "educational institution" has the same meaning as in RCW 82.04.170; and

(H) Yoga, tai chi, or chi gong classes held at a community center, park, gymnasium, college or university, hospital or other medical facility, private residence, or any facility that is not primarily used for physical fitness activities other than yoga, tai chi, or chi gong classes.

(iii) Nothing in (g)(ii) of this subsection (3) may be construed to affect the taxation of sales made by the operator of an athletic or fitness facility, where such sales are defined as a retail sale under any provision of this section other than this subsection (3).

(iv) For the purposes of this subsection (3)(g), the following definitions apply:

(A) "Athletic or fitness facility" means an indoor or outdoor facility or portion of a facility that is primarily used for: Exercise classes; strength and conditioning programs; personal training services; tennis, racquetball, handball, squash, or pickleball; yoga; boxing, kickboxing, wrestling, martial arts, or mixed martial arts training; or other activities requiring the use of exercise or strength training equipment, such as treadmills, elliptical machines, stair climbers, stationary cycles, rowing machines, pilates equipment, balls, climbing ropes, jump ropes, and weightlifting equipment.

(B) "Physical fitness activities" means activities that involve physical exertion for the purpose of improving or maintaining the general fitness, strength, flexibility, conditioning, or health of the participant.

(4)(a) The term also includes the renting or leasing of tangible personal property to consumers.

(b) The term does not include the renting or leasing of tangible personal

this subsection (15)(a)(xviii): (A) Instructional lessons; (B) permits issued by a governmental entity to park a vehicle on or access public lands; and (C) permits or leases granted by an owner of private timberland for recreational access to areas used primarily for growing and harvesting timber; and

(xix) Scuba diving; snorkeling; river rafting; surfing; kiteboarding; flyboarding; water slides; inflatables, such as water pillows, water trampolines, and water rollers; and similar water sports and activities.

(b) Notwithstanding anything to the contrary in this subsection (15), the term "sale at retail" or "retail sale" does not include charges:

(i) Made for ballooning, hang gliding, indoor or outdoor sky diving, paragliding, parasailing, and similar activities;

(ii) Made for admission to, and rides or attractions at, fairs, carnivals, and festivals. For the purposes of this subsection, fairs, carnivals, and festivals are events that do not exceed twenty-one days and a majority of the amusement rides, if any, are not affixed to real property;

(iii) Made by an educational institution to its students and staff for activities defined as retail sales by (a)(i) through (xix) of this subsection. However, charges made by an educational institution to its alumni or other members of the general public for these activities are a retail sale under this subsection (15). For purposes of this subsection (15)(b)(iii), "educational institution" has the same meaning as in RCW 82.04.170;

(iv) Made by a vocational school for commercial diver training that is licensed by the workforce training and education coordinating board under chapter 28C.10 RCW; or

(v) Made for day camps offered by a nonprofit organization or state or local governmental entity that provide youth not older than age eighteen, or that are focused on providing individuals with disabilities or mental illness, the opportunity to participate in a variety of supervised activities.

Sec. 575. RCW 82.04.060 and 2010 c 106 s 203 are each amended to read as follows:

"Sale at wholesale" or "wholesale sale" means:

(1) Any sale, which is not a sale at retail, of:

(a) Tangible personal property;

(b) Services defined as a retail sale in RCW 82.04.050(2) (a) or (g);

(c) ((~~Amusement or recreation services as defined~~)) Activities defined as a retail sale in RCW 82.04.050(((~~(3)(a)~~))) (15);

(d) Prewritten computer software;

(e) Services described in RCW 82.04.050(6)(b);

(f) Extended warranties as defined in RCW 82.04.050(7);

(g) Competitive telephone service, ancillary services, or telecommunications service as those terms are defined in RCW 82.04.065; or

(h) Digital goods, digital codes, or digital automated services;

(2) Any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers. For the purposes of this subsection (2), "real or personal property" does not include any natural products named in RCW 82.04.100; and

(3) The sale of any service for resale, if the sale is excluded from the definition of "sale at retail" and "retail sale" in RCW 82.04.050(14).

Sec. 576. RCW 82.04.190 and 2014 c 97 s 302 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose of:

(a) Resale as tangible personal property in the regular course of business;

(b) Incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers;

(c) Consuming such property in producing for sale as a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(d) Consuming the property purchased in producing ferrosilicon which is subsequently used in producing magnesium for sale, if the primary purpose of such property is to create a chemical reaction directly through contact with an ingredient of ferrosilicon; or

(e) Satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7), if such tangible personal property replaces or becomes an ingredient or component of property covered by the extended warranty without intervening use by such person;

(2)(a) Any person engaged in any business activity taxable under RCW 82.04.290 or 82.04.2908; (b) any person who purchases, acquires, or uses any competitive telephone service, ancillary services, or telecommunications service as those terms are defined in RCW 82.04.065, other than for resale in the regular course of business; (c) any person who purchases, acquires, or uses any service defined in RCW 82.04.050(2) (a) or (g), other than for resale in the regular course of business or for the purpose of satisfying the person's obligations under an extended warranty as defined in RCW 82.04.050(7); (d) any person who ((~~purchases, acquires, or uses any amusement and recreation service defined in RCW 82.04.050(3)(a)~~)) makes a purchase meeting the definition of "sale at retail" and "retail sale" under RCW 82.04.050(15), other than for resale in the regular course of business; (e) any person who purchases or acquires an extended warranty as defined in RCW 82.04.050(7) other than for resale in the regular course of business; and (f) any person who is an end user of software. For purposes of this subsection (2)(f) and RCW 82.04.050(6), a person who purchases or otherwise acquires prewritten computer software, who provides services described in RCW 82.04.050(6)(b) and who will charge consumers for the right to access and use the prewritten computer software, is not an end user of the prewritten computer software;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right-of-way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by

a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition ((~~shall~~)) may be construed to modify any other definition of "consumer";

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or ot r

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Sec. 578. RCW 82.12.010 and 2010 c 127 s 4 are each reenacted and amended to read as follows:

For the purposes of this chapter:

(1) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, has full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, also means any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services. With respect to property distributed to persons within this state by a consumer as defined in this subsection (1), the use of the property is deemed to be by such consumer.

(2) "Extended warranty" has the same meaning as in RCW 82.04.050(7).

(3) "Purchase price" means the same as sales price as defined in RCW 82.08.010.

(4)(a)(i) Except as provided in (a)(ii) of this subsection (4), "retailer" means every seller as defined in RCW 82.08.010 and every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter.

(ii) "Retailer" does not include a professional employer organization when a covered employee coemployed with the client under the terms of a professional employer agreement engages in activities that constitute a sale of tangible personal property, extended warranty, digital good, digital code, or a sale of any digital automated service or service defined as a retail sale in RCW 82.04.050 (2) (a) or (g)((~~, (3)(a),~~)) or (6)(b) that is subject to the tax imposed by this chapter. In such cases, the client, and not the professional employer organization, is deemed to be the retailer and is responsible for collecting and remitting the tax imposed by this chapter.

(b) For the purposes of (a) of this subsection, the terms "client," "covered employee," "professional employer agreement," and "professional employer organization" have the same meanings as in RCW 82.04.540.

(5) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08 RCW.

(6) "Use," "used," "using," or "put to use" have their ordinary meaning, and mean:

(a) With respect to tangible personal property, except for natural gas and manufactured gas, the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption within this state;

(b) With respect to a service defined in RCW 82.04.050(2)(a), the first act within this state after the service has been performed by which the taxpayer takes or assumes dominion or control over the article of tangible personal property upon which the service was performed (as a consumer), and includes installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption of the article within this state;

(c) With respect to an extended warranty, the first act within this state after the extended warranty has been acquired by which the taxpayer takes or assumes dominion or control over the article of tangible personal property to which the extended warranty applies, and includes installation, storage, withdrawal from storage, distribution, or any other act preparatory to subsequent actual use or consumption of the article within this state;

(d) With respect to a digital good or digital code, the first act within this state by which the taxpayer, as a consumer, views, accesses, downloads, possesses, stores, opens, manipulates, or otherwise uses or enjoys the digital good or digital code;

(e) With respect to a digital automated service, the first act within this state by which the taxpayer, as a consumer, uses, enjoys, or otherwise receives the benefit of the service;

(f) With respect to a service defined as a retail sale in RCW 82.04.050(6)(b), the first act within this state by which the taxpayer, as a consumer, accesses the prewritten computer software;

(g) With respect to a service defined as a retail sale in RCW 82.04.050(2)(g), the first act within this state after the service has been performed by which the taxpayer, as a consumer, views, accesses, downloads, possesses, stores, opens, manipulates, or otherwise uses or enjoys the digital good upon which the service was performed; and

(h) With respect to natural gas or manufactured gas, the use of which is taxable under RCW 82.12.022, including gas that is also taxable under the authority of RCW 82.14.230, the first act within this state by which the taxpayer consumes the gas by burning the gas or storing the gas in the taxpayer's own facilities for later consumption by the taxpayer.

(7)(a) "Value of the article used" is the purchase price for the article of tangible personal property, the use of which is taxable under this chapter. The term also includes, in addition to the purchase price, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used is determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules as the department may prescribe.

(b) In case the articles used are acquired by bailment, the value of the use of the articles so used must be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe. In case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used is determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules as the department of revenue may prescribe.

(c) In the case of articles owned by a user engaged in business outside the state which are brought into the state for no more than one hundred eighty days in any period of three hundred sixty-five consecutive days and which are temporarily used for business purposes by the person in this state, the value of the article used must be an amount representing a reasonable rental for the use of the articles, unless the person has paid tax under this chapter or chapter 82.08 RCW upon the full value of the article used, as defined in (a) of this subsection.

(d) In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be

sold to the department of defense of the United States, the value of the articles used is determined according to the value of the ingredients of such articles.

(e) In the case of an article manufactured or produced for purposes of serving as a prototype for the development of a new or improved product, the value of the article used is determined by: (i) The retail selling price of such new or improved product when first offered for sale; or (ii) the value of materials incorporated into the prototype in cases in which the new or improved product is not offered for sale.

(f) In the case of an article purchased with a direct pay permit under RCW 82.32.087, the value of the article used is determined by the purchase price of such article if, but for the use of the direct pay permit, the transaction would have been subject to sales tax.

(8) "Value of the digital good or digital code used" means the purchase price for the digital good or digital code, the use of which is taxable under this chapter. If the digital good or digital code is acquired other than by purchase, the value of the digital good or digital code must be determined as nearly as possible according to the retail selling price at place of use of similar digital goods or digital codes of like quality and character under rules the department may prescribe.

(9) "Value of the extended warranty used" means the purchase price for the extended warranty, the use of which is taxable under this chapter. If the extended warranty is received by gift or under conditions wherein the purchase price does not represent the true value of the extended warranty, the value of the extended warranty used is determined as nearly as possible according to the retail selling price at place of use of similar extended warranties of like quality and character under rules the department may prescribe.

(10) "Value of the service used" means the purchase price for the digital automated service or other service, the use of which is taxable under this chapter. If the service is received by gift or under conditions wherein the purchase price does not represent the true value thereof, the value of the service used is determined as nearly as possible according to the retail selling price at place of use of similar services of like quality and character under rules the department may prescribe.

Sec. 579. RCW 82.12.020 and 2010 1st sp.s. c 23 s 206 are each amended to read as follows:

(1) There is levied and collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any:

(a) Article of tangible personal property acquired by the user in any manner, including tangible personal property acquired at a casual or isolated sale, and including by-products used by the manufacturer thereof, except as otherwise provided in this chapter, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state;

(b) Prewritten computer software, regardless of the method of delivery, but excluding prewritten computer software that is either provided free of charge or is provided for temporary use in viewing information, or both;

(c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or (g)((~~, (3)(a),~~)) or (6)(b), excluding services defined as a retail sale in RCW 82.04.050(6)(b) that are provided free of charge;

(d) Extended warranty; or

(e)(i) Digital good, digital code, or digital automated service, including the use of any services provided by a seller exclusively in connection with digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

(ii) With respect to the use of digital goods, digital automated services, and digital codes acquired by purchase, the tax imposed in this subsection (1)(e) applies in respect to:

(A) Sales in which the seller has granted the purchaser the right of permanent use;

(B) Sales in which the seller has granted the purchaser a right of use that is less than permanent;

(C) Sales in which the purchaser is not obligated to make continued payment as a condition of the sale; and

(D) Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

(iii) With respect to digital goods, digital automated services, and digital codes acquired other than by purchase, the tax imposed in this subsection (1)(e) applies regardless of whether or not the consumer has a right of permanent use or is obligated to make continued payment as a condition of use.

(2) The provisions of this chapter do not apply in respect to the use of any article of tangible personal property, extended warranty, digital good, digital code, digital automated service, or service taxable under RCW 82.04.050 (2) (a) or (g)((~~, (3)(a),~~)) or (6)(b), if the sale to, or the use by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(3)(a) Except as provided in this section, payment of the tax imposed by this chapter or chapter 82.08 RCW by one purchaser or user of tangible personal property, extended warranty, digital good, digital code, digital automated service, or other service does not have the effect of exempting any other purchaser or user of the same property, extended warranty, digital good, digital code, digital automated service, or other service from the taxes imposed by such chapters.

(b) The tax imposed by this chapter does not apply:

(i) If the sale to, or the use by, the present user or his or her bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by his or her bailor or donor;

(ii) In respect to the use of any article of tangible personal property acquired by bailment and the tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 RCW or this chapter as of the time of first use;

(iii) In respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and the original bailment was prior to June 9, 1961; or

(iv) To the use of digital goods or digital automated services, which were obtained through the use of a digital code, if the sale of the digital code to, or the use of the digital code by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(4)(a) Except as provided in (b) of this subsection (4), the tax is levied and must be collected in an amount equal to the value of the article used, value of the digital good or digital code used, value of the extended warranty used, or value of the service used by the

good, digital code, digital automated service, service defined as a retail sale in RCW 82.04.050 (2) (a) or (g)((~~, (3)(a),~~)) or (6)(b), or extended warranty, acquired from a federal credit union, foreign credit union, or out-of-state credit union as a result of a merger or conversion.

(2) For purposes of this section, the following definitions apply:

(a) "Federal credit union" means a credit union organized and operating under the laws of the United States.

(b) "Foreign credit union" means a credit union organized and operating under the laws of another country or other foreign jurisdiction.

(c) "Out-of-state credit union" means a credit union organized and operating under the laws of another state or United States territory or possession.

(d) "State credit union" means a credit union organized and operating under the laws of this state.

Sec. 584. RCW 82.32.087 and 2010 c 112 s 10 are each amended to read as follows:

(1) The director may grant a direct pay permit to a taxpayer who demonstrates, to the satisfaction of the director, that the taxpayer meets the requirements of this section. The direct pay permit allows the taxpayer to accrue and remit directly to the department use tax on the acquisition of tangible personal property or sales tax on the sale of or charges made for labor and/or services, in accordance with all of the applicable provisions of this title. Any taxpayer that uses a direct pay permit ((~~shall~~)) must remit state and local sales or use tax directly to the department. The agreement by the purchaser to remit tax directly to the department, rather than pay sales or use tax to the seller, relieves the seller of the obligation to collect sales or use tax and requires the buyer to pay use tax on the tangible personal property and sales tax on the sale of or charges made for labor and/or services.

(2)(a) A taxpayer may apply for a permit under this section if: (i) The taxpayer's cumulative tax liability is reasonably expected to be two hundred forty thousand dollars or more in the current calendar year; or (ii) the taxpayer makes purchases subject to the taxes imposed under chapter 82.08 or 82.12 RCW in excess of ten million dollars per calendar year. For the purposes of this section, "tax liability" means the amount required to be remitted to the department for taxes administered under this chapter, except for the taxes imposed or authorized by chapters 82.14A, 82.14B, 82.24, 82.27, 82.29A, and 84.33 RCW.

(b) Application for a permit must be made in writing to the director in a form and manner prescribed by the department. A taxpayer who transacts business in two or more locations may submit one application to cover the multiple locations.

(c) The director must review a direct pay permit application in a timely manner and ((~~shall~~)) must notify the applicant, in writing, of the approval or denial of the application. The department must approve or deny an application based on the applicant's ability to comply with local government use tax coding capabilities and responsibilities; requirements for vendor notification; recordkeeping obligations; electronic data capabilities; and tax reporting procedures. Additionally, an application may be denied if the director determines that denial would be in the best interest of collecting taxes due under this title. The department must provide a direct pay permit to an approved applicant with the notice of approval. The direct pay permit ((~~shall~~)) must clearly state that the holder is solely responsible for the accrual and payment of the tax imposed under chapters 82.08 and 82.12 RCW and that the seller is relieved of liability to collect tax imposed under chapters 82.08 and 82.12 RCW on all sales to the direct pay permit holder. The taxpayer may petition the director for reconsideration of a denial.

(d) A taxpayer who uses a direct pay permit must continue to maintain records that are necessary to a determination of the tax liability in accordance with this title. A direct pay permit is not transferable and the use of a direct pay permit may not be assigned to a third party.

(3) Taxes for which the direct pay permit is used are due and payable on the tax return for the reporting period in which the taxpayer (a) receives the tangible personal property purchased or in which the labor and/or services are performed or (b) receives an invoice for such property or such labor and/or services, whichever period is earlier.

(4) The holder of a direct pay permit must furnish a copy of the direct pay permit to each vendor with whom the taxpayer has opted to use a direct pay permit. Sellers who make sales upon which the sales or use tax is not collected by reason of the provisions of this section, in addition to existing requirements under this title, must maintain a copy of the direct pay permit and any such records or information as the department may specify.

(5) A direct pay permit is subject to revocation by the director at any time the department determines that the taxpayer has violated any provision of this section or that revocation would be in the best interests of collecting the taxes due under this title. The notice of revocation must be in writing and is effective either as of the end of the taxpayer's next normal reporting period or a date deemed appropriate by the director and identified in the revocation notice. The taxpayer may petition the director for reconsideration of a revocation and reinstatement of the permit.

(6) Any taxpayer who chooses to no longer use a direct pay permit or whose permit is revoked by the department, must return the permit to the department and immediately make a good faith effort to notify all vendors to whom the permit was given, advising them that the permit is no longer valid.

(7) Except as provided in this subsection, the direct pay permit may be used for any purchase of tangible personal property and any retail sale under RCW 82.04.050. The direct pay permit may not be used for:

(a) Purchases of meals or beverages;

(b) Purchases of motor vehicles, trailers, boats, airplanes, and other property subject to requirements for title transactions by the department of licensing;

(c) Purchases for which a reseller permit or other documentation authorized under RCW 82.04.470 may be used;

(d) Purchases that meet the definitions of RCW 82.04.050 (2) (e) and (f), (3) (a) through ((~~(d)~~)) (c), (e), (f), and (g), ((~~and~~)) (5), and (15); or

(e) Other activities subject to tax under chapter 82.08 or 82.12 RCW that the department by rule designates, consistent with the purposes of this section, as activities for which a direct pay permit is not appropriate and may not be used.

NEW SECTION. **Sec. 585.** RCW 82.12.02917 (Exemptions--Use of amusement and recreation services by nonprofit youth organization) and 1999 c 358 s 7 are each repealed.

NEW SECTION. **Sec. 586.** The repeal in section 12 of this act does not affect any existing right acquired or liability or obligation incurred under the statute repealed or under any rule or order adopted under that statute nor does it affect any proceedings instituted under the statute repealed.

NEW SECTION. **Sec. 587.** This act takes effect January 1, 2016."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 82.04.050, 82.04.060, 82.04.190, 82.08.0291, 82.12.020, 82.12.02595, 82.12.035, 82.12.040, 82.12.860, and 82.32.087; reenacting and amending RCW 82.12.010; creating a new section; repealing RCW 82.12.02917; and providing an effective date."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to House Bill No. 1550 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 16, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 5616 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to ENGROSSED SENATE BILL NO. 5616 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 16, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5679 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SUBSTITUTE SENATE BILL NO. 5679 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban, Darneille, Rolfes, Dansel, Miloscia, Pearson, Bailey, Padden, Becker, Frockt, Habib and Pedersen)

Concerning court review of detention decisions under the involuntary treatment act.

The bill was read the second time.

Representative Walkinshaw moved the adoption of amendment (498):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 588.** This act may be known and cited as Joel's Law.

NEW SECTION. **Sec. 589.** A new section is added to chapter 71.05 RCW to read as follows:

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2)(a) The petition must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

(3) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

(4) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(5) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

(6) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(7) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency, which shall execute the order without delay. An order for initial detention under this section expires one hundred eighty days from issuance.

(8) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered under

RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(9) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

NEW SECTION. **Sec. 590.** A new section is added to chapter 71.05 RCW to read as follows:

(1) The department and each regional support network or agency employing designated mental health professionals shall publish information in an easily accessible format describing the process for an immediate family member, guardian, or conservator to petition for court review of a detention decision under section 2 of this act.

(2) A designated mental health professional or designated mental health professional agency that receives a request for investigation for possible detention under this chapter must inquire whether the request comes from an immediate family member, guardian, or conservator who would be eligible to petition under section 2 of this act. If the designated mental health professional decides not to detain the person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since the request for investigation was received and the designated mental health professional has not taken action to have the person detained, the designated mental health professional or designated mental health professional agency must inform the immediate family member, guardian, or conservator who made the request for investigation about the process to petition for court review under section 2 of this act.

Sec. 591. RCW 71.05.130 and 1998 c 297 s 7 are each amended to read as follows:

In any judicial proceeding for involuntary commitment or detention except under section 2 of this act, or in any proceeding challenging ((~~such~~)) involuntary commitment or detention, the prosecuting attorney for the county in which the proceeding was initiated shall represent the individuals or agencies petitioning for commitment or detention and shall defend all challenges to such commitment or detention((~~; PROVIDED~~)), except that the attorney general shall represent and provide legal services and advice to state hospitals or institutions with regard to all provisions of and proceedings under this chapter ((~~except in~~)) other than proceedings initiated by such hospitals and institutions seeking fourteen day detention."

Correct the title.

Representatives Walkinshaw and Rodne spoke in favor of the adoption of the striking amendment.

Amendment (498) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walkinshaw and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5269, as amended by the House.

MOTION

On motion of Representative Riccellli, Representative Hurst was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5269, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Scott, Shea and Taylor.

Excused: Representative Hurst.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2217, by Representatives Hunter, Sullivan and Carlyle

Concerning the state's use of the juvenile offender basic training camp program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Chandler spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2217.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2217, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hargrove, Harris, Hawkins, Hudgins, Hunter, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie and Mr. Speaker.

Voting nay: Representatives Appleton, Condotta, DeBolt, Dent, Fagan, G. Hunt, Griffey, Haler, Harmsworth, Hayes, Holy, Johnson,

Kretz, Kristiansen, McCabe, McCaslin, Schmick, Scott, Shea, Short, Smith, Stambaugh, Taylor, Young and Zeiger.

Excused: Representative Hurst.

HOUSE BILL NO. 2217, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5693, by Senators Miloscia, Darneille, Fraser and O'Ban

Authorizing the department of social and health services special commitment center to seek eligibility and reimbursement for health care costs covered by federal medicare, medicaid, and veterans health benefits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5693.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5693, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Klippert, McCaslin, Scott, Shea, Taylor and Young.

Excused: Representative Hurst.

SENATE BILL NO. 5693, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5693.

Representative Dent, 13th District

SECOND READING

SUBSTITUTE SENATE BILL NO. 6045, by Senate Committee on Ways & Means (originally sponsored by Senators Becker and Frockt)

Extending the hospital safety net assessment.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 101, April 22, 2015).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunter and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6045, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6045, as amended by the House, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harris, Hawkins, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, G. Hunt, Haler, Hargrove, Harmsworth, Hayes, Holy, Klippert, McCaslin, Orcutt, Scott, Shea, Smith, Taylor and Zeiger.

Excused: Representative Hurst.

SUBSTITUTE SENATE BILL NO. 6045, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1013
HOUSE BILL NO. 1124
SUBSTITUTE HOUSE BILL NO. 1183
ENGROSSED HOUSE BILL NO. 1422
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440
SUBSTITUTE HOUSE BILL NO. 1527
SUBSTITUTE HOUSE BILL NO. 1625
SUBSTITUTE HOUSE BILL NO. 1636
SUBSTITUTE HOUSE BILL NO. 1898
ENGROSSED HOUSE BILL NO. 1989
HOUSE BILL NO. 2055
HOUSE BILL NO. 1059
SUBSTITUTE HOUSE BILL NO. 1069
ENGROSSED HOUSE BILL NO. 1091

SECOND SUBSTITUTE HOUSE BILL NO. 1281
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471
SUBSTITUTE HOUSE BILL NO. 1480
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485
SUBSTITUTE HOUSE BILL NO. 1586
HOUSE BILL NO. 1622
HOUSE BILL NO. 1652
SUBSTITUTE HOUSE BILL NO. 1896
HOUSE BILL NO. 1940
SUBSTITUTE HOUSE BILL NO. 1068
SUBSTITUTE HOUSE BILL NO. 1088
SUBSTITUTE HOUSE BILL NO. 1316
HOUSE BILL NO. 1392
HOUSE BILL NO. 1620
ENGROSSED HOUSE BILL NO. 1868
HOUSE BILL NO. 2140
SUBSTITUTE SENATE BILL NO. 5004
SENATE BILL NO. 5011
SENATE BILL NO. 5024
SUBSTITUTE SENATE BILL NO. 5027
SUBSTITUTE SENATE BILL NO. 5030
SENATE BILL NO. 5070
ENGROSSED SUBSTITUTE SENATE BILL NO. 5084
SENATE BILL NO. 5085
SENATE BILL NO. 5100
SENATE BILL NO. 5107
SUBSTITUTE SENATE BILL NO. 5147
SUBSTITUTE SENATE BILL NO. 5163
SUBSTITUTE SENATE BILL NO. 5166
SUBSTITUTE SENATE BILL NO. 5202
SUBSTITUTE SENATE BILL NO. 5276
SUBSTITUTE SENATE BILL NO. 5280
SUBSTITUTE SENATE BILL NO. 5292
SENATE BILL NO. 5297
SUBSTITUTE SENATE BILL NO. 5299
SENATE BILL NO. 5307
SUBSTITUTE SENATE BILL NO. 5328
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5353
SUBSTITUTE SENATE BILL NO. 5362
SUBSTITUTE SENATE BILL NO. 5381
ENGROSSED SUBSTITUTE SENATE BILL NO. 5441
ENGROSSED SUBSTITUTE SENATE BILL NO. 5460
ENGROSSED SENATE BILL NO. 5471
ENGROSSED SUBSTITUTE SENATE BILL NO. 5048
ENGROSSED SUBSTITUTE SENATE BILL NO. 5158
SENATE BILL NO. 5203
ENGROSSED SENATE BILL NO. 5262
SENATE BILL NO. 5387
ENGROSSED SUBSTITUTE SENATE BILL NO. 5498
SUBSTITUTE SENATE BILL NO. 5593
SENATE BILL NO. 5603
SUBSTITUTE SENATE BILL NO. 5733
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
ENGROSSED SUBSTITUTE SENATE BILL NO. 5826
SENATE BILL NO. 5319
SENATE BILL NO. 5207
SENATE BILL NO. 5227
SENATE BILL NO. 5288
SENATE BILL NO. 5314
SUBSTITUTE SENATE BILL NO. 5348
ENGROSSED SENATE BILL NO. 5419
SUBSTITUTE SENATE BILL NO. 5433
SENATE BILL NO. 5468
ENGROSSED SUBSTITUTE SENATE BILL NO. 5743
SENATE BILL NO. 5746
ENGROSSED SENATE BILL NO. 5871
SENATE JOINT MEMORIAL NO. 8008
SENATE JOINT MEMORIAL NO. 8013
SUBSTITUTE SENATE BILL NO. 5481
SUBSTITUTE SENATE BILL NO. 5501
ENGROSSED SENATE BILL NO. 5510
SUBSTITUTE SENATE BILL NO. 5534
SUBSTITUTE SENATE BILL NO. 5538
ENGROSSED SUBSTITUTE SENATE BILL NO. 5550
ENGROSSED SUBSTITUTE SENATE BILL NO. 5557
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5564
SUBSTITUTE SENATE BILL NO. 5596
SUBSTITUTE SENATE BILL NO. 5600
SUBSTITUTE SENATE BILL NO. 5633
SENATE BILL NO. 5647
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5649
SENATE BILL NO. 5650
SENATE BILL NO. 5692
SUBSTITUTE SENATE BILL NO. 5719
SUBSTITUTE SENATE BILL NO. 5740
SECOND SUBSTITUTE SENATE BILL NO. 5851
ENGROSSED SENATE BILL NO. 5863
SUBSTITUTE SENATE BILL NO. 5877
SECOND SUBSTITUTE SENATE BILL NO. 5888
ENGROSSED SENATE BILL NO. 5893
ENGROSSED SENATE BILL NO. 5923
ENGROSSED SENATE BILL NO. 5935
SUBSTITUTE SENATE BILL NO. 5957
SENATE BILL NO. 5958

The Speaker called upon Representative Goodman to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 23, 2015, the 102nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED SECOND DAY

House Chamber, Olympia, Thursday, April 23, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mackenzie Stevens and Christopher McCray-Jackson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Lee Germann, Lake Sawyer Christian Church, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 22, 2015

MR. SPEAKER:

The Senate receded from its amendment(s) to HOUSE BILL NO. 1550, and passed the bill without said amendments.
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 22, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5154
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269
ENGROSSED SENATE BILL NO. 5616
SUBSTITUTE SENATE BILL NO. 5631
SUBSTITUTE SENATE BILL NO. 5721
ENGROSSED SUBSTITUTE SENATE BILL NO. 5843

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SENATE BILL NO. 5125
ENGROSSED SUBSTITUTE SENATE BILL NO. 5607

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5693

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2015

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1013
HOUSE BILL NO. 1059
SUBSTITUTE HOUSE BILL NO. 1068
SUBSTITUTE HOUSE BILL NO. 1069
SUBSTITUTE HOUSE BILL NO. 1088
ENGROSSED HOUSE BILL NO. 1091
HOUSE BILL NO. 1124
SUBSTITUTE HOUSE BILL NO. 1183
SECOND SUBSTITUTE HOUSE BILL NO. 1281
SUBSTITUTE HOUSE BILL NO. 1283
SUBSTITUTE HOUSE BILL NO. 1316
HOUSE BILL NO. 1392
ENGROSSED HOUSE BILL NO. 1422
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1440
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1450
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1471
SUBSTITUTE HOUSE BILL NO. 1480
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1485
SUBSTITUTE HOUSE BILL NO. 1527
SUBSTITUTE HOUSE BILL NO. 1586
HOUSE BILL NO. 1620
HOUSE BILL NO. 1622
SUBSTITUTE HOUSE BILL NO. 1625
SUBSTITUTE HOUSE BILL NO. 1636
HOUSE BILL NO. 1652
ENGROSSED HOUSE BILL NO. 1868
SUBSTITUTE HOUSE BILL NO. 1896
SUBSTITUTE HOUSE BILL NO. 1898
HOUSE BILL NO. 1940
ENGROSSED HOUSE BILL NO. 1989
HOUSE BILL NO. 2055
HOUSE BILL NO. 2140

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 4636, by Representatives Blake, Tharinger, Takko, and Van De Wege

WHEREAS, In the lush and temperate county of Grays Harbor, the towns of Aberdeen and Hoquiam were incorporated nine days apart, on May 12 and May 21 in the Year Eighteen Hundred and Ninety; and

WHEREAS, These cities were peopled with Native Americans whose ancestors had been the first to sail the rivers and build large settlements upon the shores, with Americans whose ancestors had immigrated from faraway lands in the generations prior, and with new Americans who had recently immigrated from faraway lands to the new cities of Aberdeen and Hoquiam to begin building new lives on a new continent; and

WHEREAS, Due to their fortuitous locations in this exceptionally resource rich environment at the point upon where a large river transitions into an estuary bay and into an ocean, these towns thrived and enjoyed wealth, peace, and comforts; and

WHEREAS, Aberdeen and Hoquiam have a long history of use and conservation of natural resources, in particular the logging, fishing, wildlife, and port activity for which they are most well known today; and

WHEREAS, Aberdeen and Hoquiam have held up and stood against threats to their existence, facing economic devastation that threatened to close out their history, a fate that had befallen other vanished port cities along the coast of the state of Washington, and today look with hopeful eyes toward the future; and

WHEREAS, In the Year Two Thousand and Fifteen these small cities upon the shores of an ocean port harbor still today retain and possess the natural riches with which they began existence: Dedicated residents committed to their homes and communities, a natural deep water port on the Pacific Ocean shipping goods to and receiving goods from the rest of the world, lush and fertile land, inspiring natural beauty, rivers, and a bay unspoiled by toxic waste and welcoming to all fish, birds, and wildlife;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and celebrate the towns of Aberdeen and Hoquiam upon the occasion of their 125th Anniversaries.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4636.

HOUSE RESOLUTION NO. 4636 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4638, by Representative Farrell

WHEREAS, Daniel K. Church, PhD is retiring from Bastyr University on June 30, 2015, after ten years serving as the university's president; and

WHEREAS, During his tenure, Dr. Church led Bastyr University to preeminence in the field of natural medicine, such that it is now distinguished as one of the most respected, globally recognized academic centers in the natural arts and sciences; and

WHEREAS, During Dr. Church's tenure, Bastyr University has grown to become one of the most trusted resources for understandable, useful, and evidence-based information on healthy living, and is widely regarded for excellence in providing innovative academic programs that incorporate the most current knowledge to address the health of the human community; and

WHEREAS, The major accomplishments of Dr. Church include the purchase of the 51 acre Kenmore campus from the Archdiocese of Seattle in 2005 and the establishment of a second campus and teaching clinic in San Diego in 2012; and

WHEREAS, In 2012 and 2013, under Dr. Church's watch, Bastyr Center for Natural Health in Seattle received the highest marks for patient satisfaction of the 150 health care providers measured in the Puget Sound area, as reported by the Puget Sound Health Alliance; and

WHEREAS, During Dr. Church's tenure, the number of external community clinic sites in the Puget Sound area and the number of patients treated annually expanded such that the clinics saw more than 33,000 patient visits, approximately 66 percent of which were provided as free or discounted care to underserved populations; and

WHEREAS, Under Dr. Church's leadership, Bastyr University established the Center for Mind, Body, Spirit and Nature, the Center for Social Justice and Diversity, the Center for Health Policy and Leadership, the School of Traditional World Medicines, and nine new accredited degree and certificate programs; and

WHEREAS, Under Dr. Church's leadership, Bastyr University experienced a growth of 24 percent in the student body, from 973 in the 2005 academic year to 1,210 in the current academic year; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Jeremy Affeldt and the staff at Generation Alive.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4639.

HOUSE RESOLUTION NO. 4639 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4640, by Representatives Parker, Buys, Gregory, Fagan, Haler, Schmick, Shea, Short, Young, and MacEwen

WHEREAS, The Gonzaga University Men's Basketball Team completed the NCAA Division I 2014-15 season with a record of 35-3 (a GU record for wins), claiming the West Coast Conference Regular-season Championship and the West Coast Conference Tournament Championship; and

WHEREAS, The Team made its 17th straight NCAA Tournament appearance, reaching the Elite Eight before being defeated by the eventual national champions; and

WHEREAS, Individual team members and coaches have been distinguished with accolades and awards including Kevin Pangos - WCC Player of the Year; Gary Bell, Jr. – WCC Defender of the Year; Kyle Wiltjer – WCC Newcomer of the Year; Przemek Karnowski – First Team All-WCC; Mark Few – WCC Coach of the Year; and

WHEREAS, Head coach Mark Few has amassed 437 wins in just 16 years, against 103 losses, an 80.9 winning percentage, the highest among active Division I college coaches; and

WHEREAS, The Gonzaga University Women's Basketball Team completed its NCAA Division I 2014-15 season with a 26-8 record, earning the West Coast Conference Regular-season Championship, their 11th straight title; and

WHEREAS, The team made its 7th straight trip to the NCAA Tournament, reaching the Sweet 16, finishing the season ranked number 19 in the nation; and

WHEREAS, Two players were named First Team All-WCC: Sunny Greinacher and Elle Tinkle; five players have been named to the WCC All-Academic team: Sunny Greinacher; Elle Tinkle; Shelby Cheslek; Shaniqua Nilles; and Lindsay Sherbert; and

WHEREAS, First-year head coach Lisa Fortier was named WCC Co-Coach of the Year and NCAA Division I Rookie Coach of the Year; and

WHEREAS, Over the past five years, 100 percent of men's and women's seniors on Gonzaga University basketball teams have graduated;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its thanks and appreciation to the players, coaches, staff, and fans of Gonzaga University basketball for their competitive spirit and inspirational efforts; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value of the example set by these players as student-athletes, and the fun and excitement of collegiate athletics as a reflection of community pride and support for young people everywhere; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the President of Gonzaga University and the Governor of the State of Washington.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4640.

HOUSE RESOLUTION NO. 4640 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2241 by Representatives Hudgins, Walsh, Orwall, Pettigrew, Moscoso, Reykdal, Walkinshaw, Ortiz-Self, Santos, Bergquist, Stanford, Appleton and Gregerson

AN ACT Relating to aligning eligibility for the college bound scholarship program with the state need grant program; and reenacting and amending RCW 28B.118.010.

Referred to Committee on Higher Education.

HB 2242 by Representatives Hudgins, Magendanz and Stanford

AN ACT Relating to training state information technology employees in common business-oriented language for the purpose of cost savings in maintaining, repairing, and updating state legacy systems and applications; adding a new section to chapter 41.06 RCW; creating a new section; and providing an expiration date.

Referred to Committee on General Government & Information Technology.

HB 2243 by Representatives Hudgins, Magendanz and Stanford

AN ACT Relating to studying different incentive methods for attracting high-demand talent in information technology and cybersecurity to state agencies; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2244 by Representatives Hudgins, Magendanz and Stanford

AN ACT Relating to the creation of the cybersecurity conditional loan program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 2245 by Representatives Hudgins, Wilcox and S. Hunt

AN ACT Relating to the transfer of the state capital historical museum to the control of the department of enterprise services; amending RCW 27.34.900 and 43.19.125; providing an effective date; and declaring an emergency.

Referred to Committee on General Government & Information Technology.

HB 2246 by Representatives Hudgins and Taylor

AN ACT Relating to modifying specific statutory timelines governing the administration and organization of the joint administrative rules review committee that prescribe when member, alternate, chair, and vice chair appointments and final

decisions regarding petitions for review must be made; and amending RCW 34.05.610 and 34.05.655.

Referred to Committee on State Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5081 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SUBSTITUTE SENATE BILL NO. 5081 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 6019 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to SUBSTITUTE SENATE BILL NO. 6019 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5179 and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5884 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SUBSTITUTE SENATE BILL NO. 5884 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884, by Senate Committee on Law & Justice (originally sponsored by Senators Kohl-Welles, Darneille, Padden, Keiser, Conway, Chase and Hasegawa)

Concerning the trafficking of persons.

The bill was read the second time.

Representative Orwall moved the adoption of amendment (499):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 592.** (1) The legislature has long been committed to increasing access to support services for human trafficking victims and promoting awareness of human trafficking throughout Washington state. In 2002, Washington was the first state to work on human trafficking by enacting new laws and by creating an antitrafficking task force. In 2003, Washington was the first state to enact a law making human trafficking a crime.

Since 2002, the Washington state legislature has enacted thirty-eight laws to combat human trafficking. In 2013 and 2014, Washington received top marks from two leading nongovernmental organizations for the strength of its antitrafficking laws. The polaris project gave Washington a perfect score of ten and Washington received an "A" report card from shared hope international's protected innocence challenge. In light of the 2010 winter olympic games taking place in Vancouver, British Columbia, the legislature enacted RCW 47.38.080, permitting an approved nonprofit to place informational human trafficking posters in restrooms located in rest areas along Interstate 5. Sporting events, such as the winter olympic games or the upcoming 2015 United States open golf tournament at Chambers Bay, provide lucrative opportunities for human traffickers to exploit adults and children for labor and sexual services. The legislature finds that an effective way to combat human trafficking is to increase awareness of human trafficking for both victims and the general public alike as well as who and how to contact for help and support services, for both victims and the general public alike.

(2) Human trafficking data are primarily obtained through a hotline reporting system in which victims and witnesses can report cases of human trafficking over the phone. Since 2007, there have been one thousand eight hundred fifty human trafficking calls made through the human trafficking victim hotline system in Washington state, and a total of four hundred thirty-two human trafficking cases reported. It is the intent of the legislature to facilitate an even wider scope of communication with human trafficking victims and

witnesses by requiring human trafficking information to be posted in all public restrooms.

NEW SECTION. **Sec. 593.** A new section is added to chapter 7.68 RCW to read as follows:

(1) The office of crime victims advocacy is designated as the single point of contact in state government regarding the trafficking of persons.

(2) The Washington state clearinghouse on human trafficking is created as an information portal to share and coordinate statewide efforts to combat the trafficking of persons. The clearinghouse will include an internet web site operated by the office of crime victims advocacy, and will serve the following functions:

(a) Coordinating information regarding all statewide task forces relating to the trafficking of persons including, but not limited to, sex trafficking, commercial sexual exploitation of children, and labor trafficking;

(b) Publishing the findings and legislative reports of all statewide task forces relating to the trafficking of persons;

(c) Providing a comprehensive directory of resources for victims of trafficking; and

(d) Collecting and disseminating up-to-date information regarding the trafficking of persons, including news and legislative efforts, both state and federal.

Sec. 594. RCW 7.68.350 and 2003 c 266 s 1 are each amended to read as follows:

(1) There is created the Washington state task force against the trafficking of persons.

(2)(a) The task force shall consist of the following members:

(((~~(a)~~))) (i) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(ii) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(iii) The director of the office of ((~~community development~~)) crime victims advocacy, or the director's designee;

(((~~(b)~~))) (iv) The secretary of the department of health, or the secretary's designee;

(((~~(c)~~))) (v) The secretary of the department of social and health services, or the secretary's designee;

(((~~(d)~~))) (vi) The director of the department of labor and industries, or the director's designee;

(((~~(e)~~))) (vii) The commissioner of the employment security department, or the commissioner's designee;

(((~~(f) Nine~~)) (viii) The attorney general or the attorney general's designee;

(ix) The superintendent of public instruction or the superintendent of public instruction's designee;

(x) The director of the department of agriculture or the director's designee;

(xi) At least one member who is a survivor of human trafficking;

(xii) Eleven members, selected by the director of the office of ((~~community development~~)) crime victims advocacy, that represent public, community-based nonprofit, and private sector organizations ((~~that~~)), academic institutions, research-based organizations, faith-based organizations, including organizations that are diverse in viewpoint, geography, ethnicity, and culture, and in the populations served. The members must provide, directly or through their organizations, assistance to persons who are victims and survivors of trafficking, or who work on antitrafficking efforts as part of their organization's work, or both.

(b) Additional members may be selected as determined by the director of the office of crime victims advocacy to ensure representation of interested groups.

(3) The task force shall be chaired by the director of the office of ((~~community development~~)) crime victims advocacy, or the director's designee.

(4) The task force shall ((~~carry out~~)) determine the areas of focus and activity including, but not limited to, the following activities:

(a) Measure and evaluate the resource needs of victims and survivors of human trafficking and the progress of the state in trafficking prevention activities, as well as what is being done in other states and nationally to combat human trafficking;

(b) Identify available federal, state, and local programs that provide services to victims and survivors of trafficking that include, but are not limited to, health care, human services, housing, education, legal assistance, job training or preparation, interpreting services, English as a second language classes, and victim's compensation; ((~~and~~))

(c) Make recommendations on methods to provide a coordinated system of support and assistance to persons who are victims of trafficking; and

(d) Review the statutory response to human trafficking, analyze the impact and effectiveness of strategies contained in the current state laws, and make recommendations on legislation to further the state's antitrafficking efforts.

(5) The task force shall report its ((~~supplemental~~)) findings and make recommendations to the governor and legislature ((~~by June 30, 2004~~)) as needed.

(6) The office of ((~~community development~~)) crime victims advocacy shall provide necessary administrative and clerical support to the task force, within available resources.

(7) The members of the task force shall serve without compensation, but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, within available resources.

(((~~(8) The task force expires June 30, 2004.~~)))

Sec. 595. RCW 7.68.801 and 2013 c 253 s 1 are each amended to read as follows:

(1) The commercially sexually exploited children statewide coordinating committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

(2) The committee is convened by the office of the attorney general ((~~and~~)) with the department of commerce assisting with agenda planning and administrative and clerical support. The committee consists of the following members:

(a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house;

(b) One member from each of the two largest caucuses of the senate appointed by the speaker of the senate;

(c) A representative of the governor's office appointed by the governor;

(d) The secretary of the children's administration or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(j) The executive director of the Washington state criminal justice training commission or his or her designee;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) The executive director of the office of public defense or his or her designee;

(m) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(n) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(o) The president of the superior court judges' association or his or her designee;

(p) The president of the juvenile court administrators or his or her designee;

(q) Any existing chairs of regional task forces on commercially sexually exploited children;

(r) A representative from the criminal defense bar;

(s) A representative of the center for children and youth justice;

(t) A representative from the office of crime victims advocacy; ((~~and~~))

(u) The executive director of the Washington coalition of sexual assault programs;

(v) A representative of an organization that provides in-patient chemical dependency treatment to youth, appointed by the attorney general;

(w) A representative of an organization that provides mental health treatment to youth, appointed by the attorney general; and

(x) A survivor of human trafficking, appointed by the attorney general.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at pilot sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children; ((~~and~~))

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children;

(h) Reviewing the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities; and

(i) Researching any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state.

(4) The committee must meet no less than annually.

(5) The committee shall report its findings to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade by June 30((~~th of each year~~)), 2017.

(6) In addition to its report under subsection (5) of this section, the committee shall report its findings regarding its duties under subsection (3)(h) and (i) of this section to the appropriate committees of the legislature by February 1, 2016.

(7) This section expires June 30, ((~~2015~~)) 2017.

NEW SECTION. **Sec. 596.** A new section is added to chapter 47.38 RCW to read as follows:

(1) Every establishment that maintains restrooms for use by the public may voluntarily, upon availability of the model notice as described in subsection (2) of this section, post a notice that complies with the requirements of this section in a conspicuous place within all restrooms of the establishment in clear view of the public and employees. The office of crime victims advocacy may work with businesses and other establishments and with human trafficking victim advocates to adopt policies for the placement of such notices.

(2)(a) The model notice that may be voluntarily posted pursuant to subsection (1) of this section may be in a variety of languages and include toll-free telephone numbers a person may call for assistance, including the number for the national human trafficking resource center and the number for the Washington state office of crime victims advocacy.

(b) The office of crime victims advocacy shall review and approve the initial form and content of the model notice to ensure the notice is appropriate for public display and likely to be an effective communication to reach human trafficking victims. The office of crime victims advocacy shall review the model notice on a yearly basis to ensure the information provided remains accurate.

(3) The cost of production, printing, and posting of the model notices shall be paid by a participating nonprofit at no cost to the state.

(4) The office of crime victims advocacy must provide a report to the appropriate committees of the legislature no later than December 31, 2016, regarding the voluntary participation in this effort.

NEW SECTION. **Sec. 597.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Orwall and Klippert spoke in favor of the adoption of the striking amendment.

Amendment (499) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Orwall and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter,

Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 22, 2015

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5679 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5679 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5679, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Dammeier, Hasegawa, Liias, Chase, Rolfes, Jayapal, Parlette and Conway)

Concerning transition services for special education students.

The bill was read the second time.

Representative Santos moved the adoption of amendment (500):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 598.** The legislature finds that research continues to suggest that high expectations for students with disabilities is paramount to improving student outcomes. The legislature further finds that to increase the number of students with disabilities who are prepared for higher education, teachers and administrators in K-12 education should continue to improve their acceptance of students with disabilities as full-fledged learners for whom there are high expectations. The legislature also encourages continuous development in transition services to higher education opportunities for these students. The legislature recognizes that other states have authorized transition planning to postsecondary settings for students with disabilities as early as the age of fourteen. To remove barriers and obstacles for students with disabilities to access to postsecondary settings including higher education, the legislature intends to authorize transition planning for students with disabilities as soon as practicable when educationally and developmentally appropriate.

Sec. 599. RCW 28A.155.220 and 2014 c 47 s 1 are each amended to read as follows:

(1) The office of the superintendent of public instruction must establish interagency agreements with the department of social and health services, the department of services for the blind, and any other state agency that provides high school transition services for special education students. Such interagency agreements shall not interfere with existing individualized education programs, nor override any individualized education program team's decision-making power. The purpose of the interagency agreements is to foster effective collaboration among the multiple agencies providing transition services for individualized education ((~~plan~~)) program-eligible special education students from the beginning of transition planning, as soon as educationally and developmentally appropriate, through age twenty-one, or through high school graduation, whichever occurs first. Interagency agreements are also intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency. ((~~This subsection does not require transition services plan development in addition to what exists on June 12, 2014.~~))

(2)(a) When educationally and developmentally appropriate, the interagency responsibilities and linkages with transition services under subsection (1) of this section must be addressed in a transition plan to a postsecondary setting in the individualized education program of a student with disabilities.

(b) Transition planning shall be based upon educationally and developmentally appropriate transition assessments that outline the student's individual needs, strengths, preferences, and interests. Transition assessments may include observations, interviews, inventories, situational assessments, formal and informal assessments, as well as academic assessments.

(c) The transition services that the transition plan must address include activities needed to assist the student in reaching postsecondary goals and courses of study to support postsecondary goals.

(d) Transition activities that the transition plan may address include instruction, related services, community experience, employment and other adult living objectives, daily living skills, and functional vocational evaluation.

(e) When educationally and developmentally appropriate, a discussion must take place with the student and parents, and others as needed, to determine the postsecondary goals or postschool vision for the student. This discussion may be included as part of an annual individualized education program review, high school and beyond plan meeting, or any other meeting that includes parents, students, and educators. The postsecondary goals included in the transition plan shall be goals that are measurable and must be based on appropriate transition assessments related to training, education, employment, and independent living skills, when necessary. The goals must also be based on the student's needs, while considering the strengths, preferences, and interests of the student.

(f) As the student gets older, changes in the transition plan may be noted in the annual update of the student's individualized education program.

(g) A student with disabilities who has a high school and beyond plan may use the plan to comply with the transition plan required under this subsection (2).

(3) To the extent that data is available through data-sharing agreements established by the education data center under RCW 43.41.400, the education data center must monitor the following outcomes for individualized education ((~~plan~~)) program-eligible special education students after high school graduation:

(a) The number of students who, within one year of high school graduation:

(i) Enter integrated employment paid at the greater of minimum wage or competitive wage for the type of employment, with access to related employment and health benefits; or

(ii) Enter a postsecondary education or training program focused on leading to integrated employment;

(b) The wages and number of hours worked per pay period;

(c) The impact of employment on any state and federal benefits for individuals with disabilities;

(d) Indicators of the types of settings in which students who previously received transition services primarily reside;

(e) Indicators of improved economic status and self-sufficiency;

(f) Data on those students for whom a postsecondary or integrated employment outcome does not occur within one year of high school graduation, including:

(i) Information on the reasons that the desired outcome has not occurred;

(ii) The number of months the student has not achieved the desired outcome; and

(iii) The efforts made to ensure the student achieves the desired outcome.

(((~~(3)~~))) (4) To the extent that the data elements in subsection (((~~(2)~~))) (3) of this section are available to the education data center through data-sharing agreements, the office of the superintendent of public instruction must prepare an annual report using existing resources and submit the report to the legislature."

Correct the title.

Representatives Santos and Magendanz spoke in favor of the adoption of the striking amendment.

Amendment (500) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5679, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5679, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hayes, Klippert, Schmick, Shea, Taylor and Van Werven.

SUBSTITUTE SENATE BILL NO. 5679, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 600.** A new section is added to chapter 43.215 RCW to read as follows:

(1) For the purposes of this section, "near fatality" means an act that, as certified by a physician, places the child in serious or critical condition.

(2)(a) The department shall conduct a child fatality review if a child fatality occurs in an early learning program described in RCW 43.215.400 through 43.215.450 or a licensed child care center or a licensed child care home.

(b) The department shall convene a child fatality review committee and determine the membership of the review committee. The committee shall comprise individuals with appropriate expertise, including but not limited to experts from outside the department with knowledge of early learning licensing requirements and program standards, a law enforcement officer with investigative experience, a representative from a county or state health department, and a child advocate with expertise in child fatalities. The department shall invite one parent or guardian for membership on the child fatality review committee who has had a child die in a child care setting. The department shall ensure that the fatality review team is made up of individuals who had no previous involvement in the case.

(c) The department shall allow the parents or guardians whose child's death is being reviewed to testify before the child fatality review committee.

(d) The primary purpose of the fatality review shall be the development of recommendations to the department and legislature regarding changes in licensing requirements, practice, or policy to prevent fatalities and strengthen safety and health protections for children.

(e) Upon conclusion of a child fatality review required pursuant to this section, the department shall, within one hundred eighty days following the fatality, issue a report on the results of the review, unless an extension has been granted by the governor. Reports must be distributed to the appropriate committees of the legislature, and the department shall create a public web site where all child fatality review reports required under this section must be posted and maintained. A child fatality review report completed pursuant to this section is subject to public disclosure and must be posted on the public web site, except that confidential information may be redacted by the department consistent with the requirements of RCW 13.50.100, 68.50.105, and 74.13.500 through 74.13.525, chapter 42.56 RCW, and other applicable state and federal laws.

(3) The department shall consult with the office of the family and children's ombuds to determine if a review should be conducted in the case of a near child fatality that occurs in an early learning program described in RCW 43.215.400 through 43.215.450 or licensed child care center or licensed child care home.

(4) In any review of a child fatality or near fatality, the department and the fatality review team must have access to all records and files regarding the child or that are otherwise relevant to the review and that have been produced or retained by the early

education and assistance program provider or licensed child care center or licensed family home provider.

(5) The child fatality review committee shall coordinate with local law enforcement to ensure that the fatality or near fatality review does not interfere with any ongoing or potential criminal investigation.

(6)(a) A child fatality or near fatality review completed pursuant to this section is subject to discovery in a civil or administrative proceeding, but may not be admitted into evidence or otherwise used in a civil or administrative proceeding except pursuant to this section.

(b) A department employee responsible for conducting a child fatality or near fatality review, or member of a child fatality or near fatality review team, may not be examined in a civil or administrative proceeding regarding the following:

(i) The work of the child fatality or near fatality review team;

(ii) The incident under review;

(iii) The employee's or member's statements, deliberations, thoughts, analyses, or impressions relating to the work of the child fatality or near fatality review team or the incident under review; or

(iv) Statements, deliberations, thoughts, analyses, or impressions of any other member of the child fatality or near fatality review team, or any person who provided information to the child fatality or near fatality review team, relating to the work of the child fatality or near fatality review team or the incident under review.

(c) Documents prepared by or for a child fatality or near fatality review team are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a child fatality or near fatality review, or that is created independently of such review, does not become inadmissible merely because it is reviewed or used by a child fatality or near fatality review team. A person is not unavailable as a witness merely because the person has been interviewed by or has provided a statement for a child fatality or near fatality review, but if called as a witness, a person may not be examined regarding the person's interactions with the child fatality or near fatality review including, without limitation, whether the person was interviewed during such review, the questions that were asked during such review, and the answers that the person provided during such review. This section may not be construed as restricting a person from testifying fully in any proceeding regarding his or her knowledge of the incident under review.

(d) The restrictions in this section do not apply in a licensing or disciplinary proceeding arising from an agency's effort to revoke or suspend the license of any licensed professional based in whole or in part upon allegations of wrongdoing in connection with a minor's death or near fatality reviewed by a child fatality or near fatality review team.

(7) The department shall develop and implement procedures to carry out the requirements of this section.

(8) Nothing in this section creates a duty for the office of the family and children's ombuds under RCW 43.06A.030 as related to children in the care of an early learning program described in RCW 43.215.400 through 43.215.450, a licensed child care center, or a licensed child care home.

Sec. 601. RCW 43.06A.100 and 2013 c 23 s 80 are each amended to read as follows:

(1) The department of social and health services and the department of early learning shall:

(((~~(1)~~))) (a) Allow the ombuds or the ombuds's designee to communicate privately with any child in the custody of the department of social and health services, or any child who is part of a near fatality investigation by the department of early learning, for the purposes of carrying out its duties under this chapter;

(((~~(2)~~))) (b) Permit the ombuds or the ombuds designee physical access to state institutions serving children, and state licensed facilities or residences for the purpose of carrying out its duties under this chapter;

(((~~(3)~~))) (c) Upon the ombuds's request, grant the ombuds or the ombuds's designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department of social and health services or the department of early learning that the ombuds considers necessary in an investigation; and

(((~~(4)~~))) (d) Grant the office of the family and children's ombuds unrestricted online access to the child welfare case ((~~and~~)) management information system (((~~(CAMIS) or any successor~~)))and the department of early learning data information system for the purpose of carrying out its duties under this chapter.

(2) For the purposes of this section, "near fatality" means an act that, as certified by a physician, places the child in serious or critical condition.

(3) Nothing in this section creates a duty for the office of the family and children's ombuds under RCW 43.06A.030 as related to children in the care of an early learning program described in RCW 43.215.400 through 43.215.450, a licensed child care center, or a licensed child care home.

NEW SECTION. **Sec. 602.** This act may be known and cited as the Eve Uphold act."

On page 1, line 1 of the title, after "reviews;" strike the remainder of the title and insert "amending RCW 43.06A.100; adding a new section to chapter 43.215 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1126, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1126, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli,

Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, McCaslin, Schmick, Scott, Shea, Taylor and Van Werven.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1240 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 603.** The legislature finds that there is no educational or therapeutic benefit to children from physically restraining or isolating them as part of their public school programs when not necessary for immediate safety. The use of seclusion or restraints in nonemergency situations poses significant physical and psychological danger to students and school staff. The legislature declares that it is the policy of the state of Washington to prohibit the planned use of aversive interventions, to promote positive interventions when a student with disabilities is determined to need specially designed instruction to address behavior, and to prohibit schools from physically restraining or isolating any student except when the student's behavior poses an imminent likelihood of serious harm to that student or another person.

Sec. 604. RCW 28A.155.020 and 2007 c 115 s 2 are each amended to read as follows:

There is established in the office of the superintendent of public instruction an administrative section or unit for the education of children with disabilities who require special education.

Students with disabilities are those children whether enrolled in school or not who through an evaluation process are determined eligible for special education due to a disability.

In accordance with part B of the federal individuals with disabilities education improvement act and any other federal or state laws relating to the provision of special education services, the superintendent of public instruction shall require each school district in the state to insure an appropriate educational opportunity for all children with disabilities between the ages of three and twenty-one, but when the twenty-first birthday occurs during the school year, the educational program may be continued until the end of that school year. The superintendent of public instruction, by rule, shall establish for the purpose of excess cost funding, as provided in RCW 28A.150.390, 28A.160.030, and 28A.155.010 through 28A.155.160, functional definitions of special education, the various types of disabling conditions, and eligibility criteria for special education programs for children with disabilities, including referral procedures, use of ((~~aversive~~)) positive behavior interventions, the education curriculum and statewide or district-wide assessments, parent and district requests for special education due process hearings, and procedural safeguards. For the purposes of RCW 28A.155.010 through 28A.155.160, an appropriate education is defined as an education directed to the unique needs, abilities, and limitations of the children with disabilities who are enrolled either full time or part time in a school district. School districts are strongly encouraged to provide parental training in the care and education of the children and to involve parents in the classroom.

Nothing in this section shall prohibit the establishment or continuation of existing cooperative programs between school districts or contracts with other agencies approved by the superintendent of public instruction, which can meet the obligations of school districts to provide education for children with disabilities, or prohibit the continuation of needed related services to school districts by the department of social and health services.

This section shall not be construed as in any way limiting the powers of local school districts set forth in RCW 28A.155.070.

Sec. 605. RCW 28A.600.485 and 2013 c 202 s 2 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Isolation" means ((~~excluding a student from his or her regular instructional area and~~)) restricting the student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.

(b) "Restraint" means physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. It does not include appropriate use of a prescribed medical, orthopedic, or therapeutic device when used as intended, such as to achieve proper body position, balance, or alignment, or to permit a student to safely participate in activities.

(c) "Restraint device" means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This section shall not be construed as encouraging the use of these devices.

(2) The provisions of this section apply ((~~only to any restraint of a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973 that results in a physical injury to a student or a staff member, any restraint of a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973, and any isolation of a student who has~~)) to all students, including those who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973. The provisions of this section apply only to incidents of restraint or isolation that occur while a student ((~~who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973~~)) is participating in school-sponsored instruction or activities.

(3)(a) An individualized education program or plan developed under section 504 of the rehabilitation act of 1973 must not include the use of restraint or isolation as a planned behavior intervention unless a student's individual needs require more specific advanced educational planning and the student's parent or guardian agrees. All other plans may refer to the district policy developed under subsection (3)(b) of this section. Nothing in this section is intended to limit the provision of a free appropriate public education under Part B of the federal individuals with disabilities education improvement act or section 504 of the federal rehabilitation act of 1973.

(b) Restraint or isolation of any student is permitted only when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm, as defined in RCW 70.96B.010. Restraint or isolation must be closely monitored to prevent harm to the student, and must be discontinued as soon as the likelihood of serious harm has dissipated. Each school district shall adopt a policy providing for the least amount of restraint or isolation appropriate to protect the safety of students and staff under such circumstances.

(4) Following the release of a student from the use of restraint or isolation, the school must implement follow-up procedures. These procedures must include: (a) Reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response; and (b) reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.

(((~~(4)~~))) (5) Any school employee, resource officer, or school security officer who uses ((~~any chemical spray, mechanical~~)) isolation or restraint((~~, or physical force~~)) on a student during school-sponsored instruction or activities must inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the district office. The written report ((~~should~~)) must include, at a minimum, the following information:

(a) The date and time of the incident;

(b) The name and job title of the individual who administered the restraint or isolation;

(c) A description of the activity that led to the restraint or isolation;

(d) The type of restraint or isolation used on the student, including the duration; ((~~and~~))

(e) Whether the student or staff was physically injured during the restraint or isolation incident and any medical care provided; and

(f) Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

(((~~(5)~~))) (6) The principal or principal's designee must make a reasonable effort to verbally inform the student's parent or guardian within twenty-four hours of the incident, and must send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school or school district customarily provides the parent or guardian with school-related information in a language other than English, the written report under this section must be provided to the parent or guardian in that language.

(7)(a) Beginning January 1, 2016, and by January 1st annually, each school district shall summarize the written reports received under subsection (5) of this section and submit the summaries to the office of the superintendent of public instruction. For each school, the school district shall include the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the number of injuries to students and staff, and the types of restraint or isolation used.

(b) No later than ninety days after receipt, the office of the superintendent of public instruction shall publish to its web site the data received by the districts. The office of the superintendent of public instruction may use this data to investigate the training, practices, and other efforts used by schools and districts to reduce the use of restraint and isolation."

On page 1, line 2 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 28A.155.020 and 28A.600.485; and creating a new section."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1240 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL

AS SENATE AMENDED

Representatives Pollet and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1240, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1240, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, G. Hunt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, McCaslin, Nealey, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1240, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1389 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 606.** The legislature recognizes the vital role that our state's fire service personnel play in responding not just to fires but to disasters of varying types and kinds. The legislature further recognizes that the fire service mobilization plan may be a more effective tool for use in all emergencies and disasters to which fire departments, fire districts, and regional fire protection service authorities typically respond. It is the intent of the legislature that state fire service mobilization be allowed in all incidents to which fire departments, fire districts, and regional fire protection service authorities typically respond, so long as the mobilization meets the requirements identified in the Washington state fire service mobilization plan. It is the intent of the legislature to review the use of the fire mobilization plan for emergencies and disasters other than fire suppression to determine if this policy should continue or be modified.

Sec. 607. RCW 43.43.960 and 2003 c 405 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this subchapter.

(1) "Chief" means the chief of the Washington state patrol.

(2) "State fire marshal" means the director of fire protection in the Washington state patrol.

(3) "Fire chief" includes the chief officer of a statutorily authorized fire agency, or the fire chief's authorized representative. Also included are the department of natural resources fire control chief, and the department of natural resources regional managers.

(4) "Jurisdiction" means state, county, city, fire district, regional fire protection service authority, or port district ((~~firefighting~~)) units, or other units covered by this chapter.

(5) "Mobilization" means that ((~~firefighting~~)) all risk resources regularly provided by fire departments, fire districts, and regional fire protection service authorities beyond those available through existing agreements will be requested and, when available, sent in response to an emergency or disaster situation that has exceeded the capabilities of available local resources. During a large scale emergency, mobilization includes the redistribution of regional or statewide ((~~firefighting~~)) risk resources to either direct emergency incident assignments or to assignment in communities where ((~~firefighting~~)) resources are needed. Fire department resources may not be mobilized to assist law enforcement with police activities during a civil protest or demonstration, however, fire departments, fire districts, and regional fire protection service authorities are not restricted from providing medical care or aid and firefighting when mobilized for any purpose.

When mobilization is declared and authorized as provided in this chapter, all ((~~firefighting~~)) risk resources regularly provided by fire departments, fire districts, and regional fire protection service authorities including those of the host fire protection authorities, i.e. incident jurisdiction, shall be deemed as mobilized under this chapter, including those that responded earlier under existing mutual aid or other agreement. All nonhost fire protection authorities providing ((~~firefighting~~)) resources in response to a mobilization declaration shall be eligible for expense reimbursement as provided by this chapter from the time of the mobilization declaration.

This chapter shall not reduce or suspend the authority or responsibility of the department of natural resources under chapter 76.04 RCW.

(6) "Mutual aid" means emergency interagency assistance provided without compensation under an agreement between jurisdictions under chapter 39.34 RCW.

(7) "All risk resources" means those resources regularly provided by fire departments, fire districts, and regional fire protection service authorities required to respond to natural or man-made incidents, including but not limited to:

(a) Wild land fires;

(b) Landslides;

(c) Earthquakes;

(d) Floods; and

(e) Contagious diseases.

Sec. 608. RCW 43.43.961 and 2003 c 405 s 2 are each amended to read as follows:

Because of the possibility of the occurrence of disastrous fires or other disasters of unprecedented size and destructiveness, the need to insure that the state is adequately prepared to respond to such a fire or disaster, the need to establish a mechanism and a procedure to provide for reimbursement to state agencies and local ((~~firefighting~~)) agencies that respond to help others in time of need or to a host fire district that experiences expenses beyond the resources of the fire district, and generally to protect the public peace, health, safety, lives, and property of the people of Washington, it is hereby declared necessary to:

(1) Provide the policy and organizational structure for large scale mobilization of ((~~firefighting~~)) all risk resources in the state through creation of the Washington state fire services mobilization plan;

(2) Confer upon the chief the powers provided herein;

(3) Provide a means for reimbursement to state agencies and local fire jurisdictions that incur expenses when mobilized by the chief under the Washington state fire services mobilization plan; and

(4) Provide for reimbursement of the host fire department or fire protection district when it has: (a) Exhausted all of its resources; and (b) invoked its local mutual aid network and exhausted those resources. Upon implementation of state fire mobilization, the host district resources shall become state fire mobilization resources consistent with the fire mobilization plan.

It is the intent of the legislature that mutual aid and other interlocal agreements providing for enhanced emergency response be encouraged as essential to the public peace, safety, health, and welfare, and for the protection of the lives and property of the people of the state of Washington. If possible, mutual aid agreements should be without stated limitations as to resources available, time, or area. Nothing in this chapter shall be construed or interpreted to limit the eligibility of any nonhost fire protection authority for reimbursement of expenses incurred in providing ((~~firefighting~~)) all risk resources for mobilization provided that the mobilization must meet the requirements identified in the Washington state fire service mobilization plan.

NEW SECTION. **Sec. 609.** A new section is added to chapter 43.43 RCW to read as follows:

The chief of the Washington state patrol must report on an annual basis the following information for each emergency or disaster in which the Washington state fire service mobilization plan was used for purposes other than fire suppression, and reimbursement was made under RCW 43.43.961:

(1) The type and nature of the disaster or emergency;

(2) The reasons why the host jurisdiction and mutual aid resources were exhausted;

(3) The additional risk resources provided under the mobilization plan;

(4) The cost incurred by the state patrol;

(5) The amount of reimbursement made under RCW 43.43.961 to the host jurisdiction and to each nonhost jurisdiction providing all risk resources; and

(6) An assessment and any recommendations of actions that can be taken by the host jurisdiction and its mutual aid network to prevent future use of the fire mobilization plan for similar disasters or emergencies.

NEW SECTION. **Sec. 610.** This act expires July 1, 2019."

On page 1, line 3 of the title, after "policies;" strike the remainder of the title and insert "amending RCW 43.43.960 and 43.43.961; adding a new section to chapter 43.43 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

Representative Goodman moved to concur in the Senate amendment to HOUSE BILL NO. 1389.

Representative Goodman and Griffey spoke in favor of the motion to concur.

Representative Klippert spoke against the motion to concur.

The House concurred in the Senate amendment to HOUSE BILL NO. 1389 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Goodman spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1389, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1389, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

HOUSE BILL NO. 1389, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1503 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 611.** RCW 60.44.020 and 1975 1st ex.s. c 250 s 2 are each amended to read as follows:

No person shall be entitled to the lien given by RCW 60.44.010 unless such person ((~~shall,~~)):

(1) In any effort to enforce the lien, either attempts to enforce the lien on his or her own behalf or designates a collection agency licensed under chapter 19.16 RCW to collect on his or her behalf;

(2) Discloses the person's use of liens under this chapter as part of the person's billing and collection practices; and

(3) Within twenty days after the date of such injury or receipt of transportation or care, or, if settlement has not been accomplished and payment made to such injured person, then at any time before such settlement and payment, files for record with the county auditor of the county in which said service was performed, a notice of claim stating the name and address of the person claiming the lien and whether such person claims as a practitioner, physician, nurse, ambulance service, or hospital, the name and address of the patient and place of domicile or residence, the time when and place where the alleged fault or negligence of the tort-feasor occurred, and the nature of the injury if any, the name and address of the tort-feasor, if same or any thereof are known, which claim shall be subscribed by the claimant and verified before a person authorized to administer oaths.

Sec. 612. RCW 60.44.060 and 2012 c 117 s 153 are each amended to read as follows:

(1) Such lien may be enforced by a suit at law brought by the claimant or his or her assignee within one year after the filing of such lien against the said tort feasor and/or insurer. In the event that such tort feasor and/or insurer shall have made payment or settlement on account of such injury, the fact of such payment shall only for the purpose of such suit be prima facie evidence of the negligence of the tort feasor and of the liability of the payer to compensate for such negligence.

(2) No more than thirty days after payment or settlement and acceptance of the amount due to the claimant or his or her assignee, the claimant or his or her assignee shall prepare and execute a release of all lien rights for which payment has been made and deliver the release to the patient. In any suit to compel deliverance of the release thereafter in which the court determines the delay was unjustified, the court shall, in addition to ordering the deliverance of the release, award the costs of the action including reasonable attorneys' fees and any damages.

Sec. 613. RCW 19.16.100 and 2013 c 148 s 1 are each reenacted and amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Board" means the Washington state collection agency board.

(2) "Claim" means any obligation for the payment of money or thing of value arising out of any agreement or contract, express or implied.

(3) "Client" or "customer" means any person authorizing or employing a collection agency to collect a claim.

(4) "Collection agency" means and includes:

(a) Any person directly or indirectly engaged in soliciting claims for collection, or collecting or attempting to collect claims owed or due or asserted to be owed or due another person;

(b) Any person who directly or indirectly furnishes or attempts to furnish, sells, or offers to sell forms represented to be a collection system or scheme intended or calculated to be used to collect claims even though the forms direct the debtor to make payment to the creditor and even though the forms may be or are actually used by the creditor himself or herself in his or her own name;

(c) Any person who in attempting to collect or in collecting his or her own claim uses a fictitious name or any name other than his or her own which would indicate to the debtor that a third person is collecting or attempting to collect such claim;

(d) Any person or entity that is engaged in the business of purchasing delinquent or charged off claims for collection purposes, whether it collects the claims itself or hires a third party for collection or an attorney for litigation in order to collect such claims;

(e) Any person or entity attempting to enforce a lien under chapter 60.44 RCW, other than the person or entity originally entitled to the lien.

(5) "Collection agency" does not mean and does not include:

(a) Any individual engaged in soliciting claims for collection, or collecting or attempting to collect claims on behalf of a licensee under this chapter, if said individual is an employee of the licensee;

(b) Any individual collecting or attempting to collect claims for not more than one employer, if all the collection efforts are carried on in the name of the employer and if the individual is an employee of the employer;

(c) Any person whose collection activities are carried on in his, her, or its true name and are confined and are directly related to the operation of a business other than that of a collection agency, such as but not limited to: Trust companies; savings and loan

associations; building and loan associations; abstract companies doing an escrow business; real estate brokers; property management companies collecting assessments, charges, or fines on behalf of condominium unit owners associations, associations of apartment owners, or homeowners' associations; public officers acting in their official capacities; persons acting under court order; lawyers; insurance companies; credit unions; loan or finance companies; mortgage banks; and banks;

(d) Any person who on behalf of another person prepares or mails monthly or periodic statements of accounts due if all payments are made to that other person and no other collection efforts are made by the person preparing the statements of account;

(e) An "out-of-state collection agency" as defined in this chapter; or

(f) Any person while acting as a debt collector for another person, both of whom are related by common ownership or affiliated by corporate control, if the person acting as a debt collector does so only for persons to whom it is so related or affiliated and if the principal business of the person is not the collection of debts.

(6) "Commercial claim" means any obligation for payment of money or thing of value arising out of any agreement or contract, express or implied, where the transaction which is the subject of the agreement or contract is not primarily for personal, family, or household purposes.

(7) "Debtor" means any person owing or alleged to owe a claim.

(8) "Director" means the director of licensing.

(9) "Licensee" means any person licensed under this chapter.

(10) "Out-of-state collection agency" means a person whose activities within this state are limited to collecting debts from debtors located in this state by means of interstate communications, including telephone, mail, or facsimile transmission, from the person's location in another state on behalf of clients located outside of this state, but does not include any person who is excluded from the definition of the term "debt collector" under the federal fair debt collection practices act (15 U.S.C. Sec. 1692a(6)).

(11) "Person" includes individual, firm, partnership, trust, joint venture, association, or corporation.

(12) "Statement of account" means a report setting forth only amounts billed, invoices, credits allowed, or aged balance due."

On page 1, line 1 of the title, after "liens;" strike the remainder of the title and insert "amending RCW 60.44.020 and 60.44.060; and reenacting and amending RCW 19.16.100."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1503 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1503, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1503, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1503, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 614.** The legislature finds that Washington has been a front-runner in dual credit innovation through the establishment of the running start and college in the high school programs, and has continued to expand student choices in dual credit programs.

In Washington, a range of dual credit or dual enrollment programs are available to students. Dual credit programs, such as running start, college in the high school, tech prep (course completion options), and AP and international baccalaureate and Cambridge (standardized exam options) offer academically prepared students the opportunity to earn college credits while still in high school. Students who participate in these programs achieve improved high school graduation rates and are more likely to continue on to college and complete a degree. In addition, dual credit and dual enrollment programs support students' individual college and career pathways.

The legislature further finds that through the development and implementation of the 2013 roadmap the student achievement council has identified key barriers that limit access to dual credit programs, particularly for low-income students. Removing these barriers is a critical step toward achieving the state educational attainment goals outlined in the roadmap.

The legislature recognizes that the decision to enroll in a dual credit program should be made by the student and the student's parents or guardians, in consultation with counselors or academic advisors, and based on the academic, cultural, and developmental needs and college and career goals of the student. The decision to choose one dual credit option over another should not be based on the difference in the costs of one option over another.

In the college in the high school program, credit is awarded based on successful course completion and ability to pay tuition and fees. Under the current college in the high school system, some

students may successfully complete the course but do not receive credit because they are unable to pay.

Students in the running start program face a different but equally challenging situation. Students in the running start program do not receive funding for books and transportation costs. These financial barriers decrease opportunities for lower income students to benefit from dual credit programs.

Therefore, the legislature intends to increase opportunities for academically prepared high school students to earn up to two years of college credit through dual credit programs, and to reduce disparities in access to, and completion of, these programs. This act provides a new funding model to support tuition in the college in the high school program, and provides flexibility in the academic acceleration incentive program to assist students with transportation and book expenses associated with the running start program. It is the intent of the legislature, once this new funding model is enacted and operational, to establish a distinction between the college in the high school program as a program occurring in high schools and the running start program as a program occurring on a college campus.

The legislature finds that dual credit opportunities are a valuable means of supporting students on their way to successful completion of college and career pathways. The legislature seeks additional recommendations to mitigate financial and other barriers for students enrolled in the running start program, and dual credit programs based on standardized exams.

Sec. 615. RCW 28A.320.196 and 2013 c 184 s 3 are each amended to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the academic acceleration incentive program is established as provided in this section. The intent of the legislature is that the funds awarded under the program be used to support teacher training, curriculum, technology, examination fees, textbook fees, and other costs associated with offering dual credit courses to high school students, including transportation for running start students to and from the institution of higher education as defined in RCW 28A.600.300.

(2) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section on a competitive basis to provide one-time grants for high schools to expand the availability of dual credit courses. To be eligible for a grant, a school district must have adopted an academic acceleration policy as provided under RCW 28A.320.195. In making grant awards, the office of the superintendent of public instruction must give priority to grants for high schools with a high proportion of low-income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.

(3) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section to school districts as an incentive award for each student who earned dual high school and college credit, as described under subsection (4) of this section, for courses offered by the district's high schools during the previous school year. School districts must distribute the award to the high schools that generated the funds. The award amount for low-income students eligible to participate in the federal free and reduced-price meals program who earn dual credits must be set at one hundred twenty-five percent of the base award for other students. A student who earns more than one dual credit in the same school year counts only once for the purposes of the incentive award.

(4) For the purposes of this section, the following students are considered to have earned dual high school and college credit in a course offered by a high school:

(a) Students who achieve a score of three or higher on an AP examination;

(b) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(c) Students who successfully complete a Cambridge advanced international certificate of education examination;

(d) Students who successfully complete a course through the college in the high school program under RCW 28A.600.290 and are awarded credit by the partnering institution of higher education; and

(e) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a tech prep course.

(5) If a high school provides access to online courses for students to earn dual high school and college credit at no cost to the student, such a course is considered to be offered by the high school. ((~~Students enrolled in the running start program under RCW 28A.600.300 do not generate an incentive award under this section.~~))

(6) The office of the superintendent of public instruction shall report to the education policy committees and the fiscal committees of the legislature, by January 1st of each year, information about the demographics of the students earning dual credits in the schools receiving grants under this section for the prior school year. Demographic data shall be disaggregated pursuant to RCW 28A.300.042.

Sec. 616. RCW 28A.600.290 and 2012 c 229 s 801 are each amended to read as follows:

(1) ((~~The superintendent of public instruction, the state board for community and technical colleges, and the public baccalaureate institutions shall jointly develop and each adopt rules governing the college in the high school program. The association of Washington school principals shall be consulted during the rules development. The rules shall be written to encourage the maximum use of the program and may not narrow or limit the enrollment options.~~

~~(2)~~)) (a) Subject to the availability of amounts appropriated for this specific purpose and commencing with the 2015-16 school year, funding may be allocated at an amount per college credit for eleventh and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the eleventh or twelfth grade who are enrolled in college in the high school courses under this section as specified in the omnibus appropriations act and adjusted for inflation from the 2015-16 school year. The maximum annual number of allocated credits per participating student shall be specified in the omnibus appropriations act, which must not exceed ten credits. Funding shall be prioritized in the following order:

(i) High schools offering a running start in the high school program in school year 2014-15. These schools shall only receive prioritized funding in school year 2015-16;

(ii) Students whose residence or the high school in which they are enrolled is located twenty driving miles or more as measured by the most direct route from the nearest eligible institution of higher education offering a running start program, whichever is greater; and

(iii) High schools eligible for the small school funding enhancement in the omnibus appropriations act.

(b)(i) Subject to the availability of amounts appropriated for this specific purpose and commencing with the 2015-16 school year, and only after the programs in (a) of this subsection are funded, a subsidy may be provided per college credit for eleventh and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the eleventh or twelfth grade who have been deemed eligible for free or reduced-price lunch and are enrolled in college in the high school courses under this section as specified in the omnibus appropriations act and adjusted for inflation from the 2015-16 school year. The maximum annual number of subsidized credits per participating student shall

be specified in the omnibus appropriations act, which must not exceed five credits.

(ii) Districts wishing to participate in the subsidy program must apply to the office of the superintendent of public instruction by July 1st of each year and report the preliminary estimate of eligible students to receive the subsidy and the total number of projected credit hours.

(iii) The office of the superintendent of public instruction shall notify districts by September 1st of each school year if the district's students will receive the subsidy. If more districts apply than funding is available, the office of the superintendent of public instruction shall prioritize the district applications. The superintendent shall develop factors to determine priority including, but not limited to, the number of dual credit opportunities available for low-income students in the districts.

(c) Districts shall remit any allocations or subsidies on behalf of participating students under (a) and (b) of this subsection to the participating institution of higher education and those students shall not be required to pay for the credits.

(d) The minimum allocation and subsidy under this section is sixty-five dollars per quarter credit for credit-bearing postsecondary coursework. The office of the superintendent of public instruction, the student achievement council, the state board for community and technical colleges, and the public baccalaureate institutions shall review funding levels for the program every four years beginning in 2017 and recommend changes.

(e) Students may pay college in the high school fees with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(2) For the purposes of funding students enrolled in the college in the high school program in accordance with subsection (1) of this section, college in the high school is defined as a dual credit program located on a high school campus or in a high school environment in which a high school student is able to earn both high school and postsecondary credit by completing postsecondary level courses with a passing grade.

(3) College in the high school programs may include both academic and career and technical education.

(4) College in the high school programs shall each be governed by a local contract between the district and the participating institution of higher education, in compliance with the ((~~guidelines adopted by the superintendent of public instruction, the state board for community and technical colleges, and the public baccalaureate institutions~~)) rules adopted by the superintendent of public instruction under this section.

(((~~(3)~~))) (5) The college in the high school program must include the provisions in this subsection.

(a) The high school and participating institution of higher education together shall define the criteria for student eligibility. The institution of higher education may charge tuition fees to participating students. If specific funding is provided in the omnibus appropriations act for the per credit allocations and per credit subsidies under subsection (1) of this section, the maximum per credit fee charged to any enrolled student may not exceed the amount of the per credit allocation or subsidy.

(b) ((~~School districts shall report no student for more than one full-time equivalent including college in the high school courses.~~

(~~c~~))) The funds received by the participating institution of higher education may not be deemed tuition or operating fees and may be retained by the institution of higher education.

(((~~(d)~~))) (c) Enrollment information on persons registered under this section must be maintained by the institution of higher education separately from other enrollment information and may not be included in official enrollment reports, nor may such persons be considered in any enrollment statistics that would affect higher education budgetary determinations.

(((~~(e)~~))) (d) A school district must grant high school credit to a student enrolled in a program course if the student successfully completes the course. If no comparable course is offered by the school district, the school district superintendent shall determine how many credits to award for the course. The determination shall be made in writing before the student enrolls in the course. The credits shall be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course shall be included in the student's secondary school records and transcript.

(((~~(f) An~~))) (e) A participating institution of higher education must grant college credit to a student enrolled in a program course if the student successfully completes the course. The college credit shall be applied toward general education requirements or ((~~major requirements. If no comparable course is offered by the college, the institution of higher education at which the teacher of the program course is employed shall determine how many credits to award for the course and whether the course fulfills general education or major~~)) degree requirements at institutions of higher education. Evidence of successful completion of each program course must be included in the student's college transcript.

(((~~(g)~~))) (f) Tenth, eleventh, and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the tenth, eleventh, or twelfth grades may participate in the college in the high school program.

(((~~(h)~~))) (g) Participating school districts must provide general information about the college in the high school program to all students in grades ((~~ten, eleven, and~~)) nine through twelve and to the parents and guardians of those students.

(((~~(i)~~))) (h) Full-time and part-time faculty at institutions of higher education, including adjunct faculty, are eligible to teach program courses.

(((~~(4)~~))) (6) The superintendent of public instruction shall adopt rules for the administration of this section. The rules shall be jointly developed by the superintendent of public instruction, the state board for community and technical colleges, the student achievement council, and the public baccalaureate institutions. The association of Washington school principals must be consulted during the rules development. The rules must outline quality and eligibility standards that are informed by nationally recognized standards or models. In addition, the rules must encourage the maximum use of the program and may not narrow or limit the enrollment options.

(7) The definitions in this subsection apply throughout this section.

(a) "Institution of higher education" has the ((~~meaning~~)) definition in RCW 28B.10.016, and also includes a public tribal college located in Washington and accredited by the Northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.

(b) "Program course" means a college course offered in a high school under the college in the high school program.

Sec. 617. RCW 28A.600.310 and 2012 c 229 s 702 are each amended to read as follows:

(1)(a) Eleventh and twelfth grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the eleventh or twelfth grades may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.

(b) The course sections and programs offered as running start courses must also be open for registration to matriculated students at the participating institution of higher education and may not be a

course consisting solely of high school students offered at a high school campus.

(c) A student receiving home-based instruction enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals, obtain a certificate of academic achievement or a certificate of individual achievement to graduate from high school, or to master the essential academic learning requirements. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program. Participating institutions of higher education, in consultation with school districts, may establish admission standards for these students. If the institution of higher education accepts a secondary school pupil for enrollment under this section, the institution of higher education shall send written notice to the pupil and the pupil's school district within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ten percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection (2) shall be prorated based on credit load.

(c) Students may pay fees under this subsection with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(3)(a) The institutions of higher education must make available fee waivers for low-income running start students. Each institution must establish a written policy for the determination of low-income students before offering the fee waiver. A student shall be considered low income and eligible for a fee waiver upon proof that the student is currently qualified to receive free or reduced-price lunch. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

(b) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to web sites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.

(4) The pupil's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260 to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

(((~~(5) The state board for community and technical colleges, in collaboration with the other institutions of higher education that participate in the running start program and the office of the superintendent of public instruction, shall identify, assess, and report on alternatives for providing ongoing and adequate financial support for the program. Such alternatives shall include but are not limited to student tuition, increased support from local school districts, and reallocation of existing state financial support among the community and technical college system to account for differential running start enrollment levels and impacts. The state board for community and technical colleges shall report the assessment of alternatives to the governor and to the appropriate fiscal and policy committees of the legislature by September 1, 2010.~~))

Sec. 618. RCW 28B.95.020 and 2012 c 229 s 606 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Academic year" means the regular nine-month, three-quarter, or two-semester period annually occurring between August 1st and July 31st.

(2) "Account" means the Washington advanced college tuition payment program account established for the deposit of all money received by the office from eligible purchasers and interest earnings on investments of funds in the account, as well as for all expenditures on behalf of eligible beneficiaries for the redemption of tuition units and for the development of any authorized college savings program pursuant to RCW 28B.95.150.

(3) "Committee on advanced tuition payment" or "committee" means a committee of the following members: The state treasurer, the director of the office of financial management, the director of the office, or their designees, and two members to be appointed by the governor, one representing program participants and one private business representative with marketing, public relations, or financial expertise.

(4) "Contractual obligation" means a legally binding contract of the state with the purchaser and the beneficiary establishing that purchases of tuition units will be worth the same number of tuition units at the time of redemption as they were worth at the time of the purchase.

(5) "Dual credit fees" means any fees charged to a student for participation in college in the high school under RCW 28A.600.290 or running start under RCW 28A.600.310.

(6) "Eligible beneficiary" means the person for whom the tuition unit will be redeemed for attendance at an institution of higher education, participation in college in the high school under RCW 28A.600.290, or participation in running start under RCW 28A.600.310. The beneficiary is that person named by the purchaser at the time that a tuition unit contract is accepted by the governing body. Qualified organizations, as allowed under section 529 of the federal internal revenue code, purchasing tuition unit contracts as future scholarships need not designate a beneficiary at the time of purchase.

(((~~(6)~~))) (7) "Eligible purchaser" means an individual or organization that has entered into a tuition unit contract with the governing body for the purchase of tuition units for an eligible beneficiary. The state of Washington may be an eligible purchaser for purposes of purchasing tuition units to be held for granting Washington college bound scholarships.

(((~~(7)~~))) (8) "Full-time tuition charges" means resident tuition charges at a state institution of higher education for enrollments between ten credits and eighteen credit hours per academic term.

(((~~(8)~~))) (9) "Governing body" means the committee empowered by the legislature to administer the Washington advanced college tuition payment program.

(((~~(9)~~))) (10) "Institution of higher education" means an institution that offers education beyond the secondary level and is recognized by the internal revenue service under chapter 529 of the internal revenue code.

(((~~(10)~~))) (11) "Investment board" means the state investment board as defined in chapter 43.33A RCW.

(((~~(11)~~))) (12) "Office" means the office of student financial assistance as defined in chapter 28B.76 RCW.

(((~~(12)~~))) (13) "State institution of higher education" means institutions of higher education as defined in RCW 28B.10.016.

(((~~(13)~~))) (14) "Tuition and fees" means undergraduate tuition and services and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded to the nearest whole dollar. For purposes of this chapter, services and activities fees do not include fees charged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities.

(((~~(14)~~))) (15) "Tuition unit contract" means a contract between an eligible purchaser and the governing body, or a successor agency appointed for administration of this chapter, for the purchase of tuition units for a specified beneficiary that may be redeemed at a later date for an equal number of tuition units.

(((~~(15)~~))) (16) "Unit purchase price" means the minimum cost to purchase one tuition unit for an eligible beneficiary. Generally, the minimum purchase price is one percent of the undergraduate tuition and fees for the current year, rounded to the nearest whole dollar, adjusted for the costs of administration and adjusted to ensure the actuarial soundness of the account. The analysis for price setting shall also include, but not be limited to consideration of past and projected patterns of tuition increases, program liability, past and projected investment returns, and the need for a prudent stabilization reserve.

Sec. 619. RCW 28B.95.030 and 2011 1st sp.s. c 12 s 2 and 2011 1st sp.s. c 11 s 170 are each reenacted and amended to read as follows:

(1) The Washington advanced college tuition payment program shall be administered by the committee on advanced tuition payment which shall be chaired by the director of the office. The committee shall be supported by staff of the office.

(2)(a) The Washington advanced college tuition payment program shall consist of the sale of tuition units, which may be redeemed by the beneficiary at a future date for an equal number of tuition units regardless of any increase in the price of tuition, that may have occurred in the interval.

(b) Each purchase shall be worth a specific number of or fraction of tuition units at each state institution of higher education as determined by the governing body.

(c) The number of tuition units necessary to pay for a full year's, full-time undergraduate tuition and fee charges at a state institution of higher education shall be set by the governing body at the time a purchaser enters into a tuition unit contract.

(d) The governing body may limit the number of tuition units purchased by any one purchaser or on behalf of any one beneficiary, however, no limit may be imposed that is less than that necessary to achieve four years of full-time, undergraduate tuition charges at a state institution of higher education. The governing body also may, at its discretion, limit the number of participants, if needed, to ensure the actuarial soundness and integrity of the program.

(e) While the Washington advanced college tuition payment program is designed to help all citizens of the state of Washington, the governing body may determine residency requirements for eligible purchasers and eligible beneficiaries to ensure the actuarial soundness and integrity of the program.

(3)(a) No tuition unit may be redeemed until two years after the purchase of the unit.

(b) Units may be redeemed for enrollment at any institution of higher education that is recognized by the internal revenue service under chapter 529 of the internal revenue code. Units may also be redeemed to pay for dual credit fees.

(b) Units redeemed at a nonstate institution of higher education or for graduate enrollment shall be redeemed at the rate for state public institutions in effect at the time of redemption.

(4) The governing body shall determine the conditions under which the tuition benefit may be transferred to another family member. In permitting such transfers, the governing body may not allow the tuition benefit to be bought, sold, bartered, or otherwise exchanged for goods and services by either the beneficiary or the purchaser.

(5) The governing body shall administer the Washington advanced college tuition payment program in a manner reasonably designed to be actuarially sound, such that the assets of the trust will be sufficient to defray the obligations of the trust including the costs of administration. The governing body may, at its discretion, discount the minimum purchase price for certain kinds of purchases such as those from families with young children, as long as the actuarial soundness of the account is not jeopardized.

(6) The governing body shall annually determine current value of a tuition unit.

(7) The governing body shall promote, advertise, and publicize the Washington advanced college tuition payment program.

(8) In addition to any other powers conferred by this chapter, the governing body may:

(a) Impose reasonable limits on the number of tuition units or units that may be used in any one year;

(b) Determine and set any time limits, if necessary, for the use of benefits under this chapter;

(c) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(d) Appoint and use advisory committees and the state actuary as needed to provide program direction and guidance;

(e) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(f) Consider the addition of an advanced payment program for room and board contracts and also consider a college savings program;

(g) Purchase insurance from insurers licensed to do business in the state, to provide for coverage against any loss in connection with

the account's property, assets, or activities or to further insure the value of the tuition units;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter;

(i) Contract for the provision for all or part of the services necessary for the management and operation of the program with other state or nonstate entities authorized to do business in the state;

(j) Contract for other services or for goods needed by the governing body in the conduct of its business under this chapter;

(k) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(l) Solicit and accept cash donations and grants from any person, governmental agency, private business, or organization; and

(m) Perform all acts necessary and proper to carry out the duties and responsibilities of this program under this chapter.

NEW SECTION. **Sec. 620.** (1) By September 15, 2016, the student achievement council, in collaboration with the state board for community and technical colleges, the office of the superintendent of public instruction, and the public baccalaureate institutions, shall make recommendations to the legislature to streamline and improve dual credit programs in Washington with particular attention to increasing participation of students who are low income and/or currently underrepresented in the running start, AP, international baccalaureate, and Cambridge international programs.

(2) This section expires January 1, 2017."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.320.196, 28A.600.290, and 28A.600.310; reenacting and amending RCW 28B.95.020 and 28B.95.030; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Reykdal, Magendanz and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1546, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1546, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Haler, Hayes, Klippert, Scott, Smith, Taylor, Van Werven and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 8, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1599 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 621.** RCW 10.77.091 and 2010 c 263 s 2 are each amended to read as follows:

(1) If the secretary determines in writing that a person committed to the custody of the secretary for treatment as criminally insane presents an unreasonable safety risk which, based on behavior, clinical history, and facility security is not manageable in a state hospital setting, and the secretary has given consideration to reasonable alternatives that would be effective to manage the behavior, the secretary may place the person in any secure facility operated by the secretary or the secretary of the department of corrections. The secretary's written decision and reasoning must be documented in the patient's medical file. Any person affected by this provision shall receive appropriate mental health treatment governed by a formalized treatment plan targeted at mental health rehabilitation needs and shall be afforded his or her rights under RCW 10.77.140, 10.77.150, and 10.77.200. The secretary of the department of social and health services shall retain legal custody of any person placed under this section and review any placement outside of a department mental health hospital every three months, or sooner if warranted by the person's mental health status, to determine if the placement remains appropriate.

(2) Beginning December 1, 2010, and every six months thereafter, the secretary shall report to the governor and the appropriate committees of the legislature regarding the use of the authority under this section to transfer persons to a secure facility. The report shall include information related to the number of persons who have been placed in a secure facility operated by the secretary or the secretary of the department of corrections, and the length of time that each such person has been in the secure facility.

((~~(3) This section expires June 30, 2015.~~))"

On page 1, line 1 of the title, after "insane;" strike the remainder of the title and insert "and amending RCW 10.77.091."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1599 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL

AS SENATE AMENDED

Representatives Rodne and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1599, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1599, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

HOUSE BILL NO. 1599, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 21, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 622.** (1) The legislature intends to reduce the number of lives lost to drug overdoses by encouraging the prescription, dispensing, and administration of opioid overdose medications.

(2) Overdoses of opioids, such as heroin and prescription painkillers, cause brain injury and death by slowing and eventually stopping a person's breathing. Since 2012, drug poisoning deaths in the United States have risen six percent, and deaths involving heroin have increased a staggering thirty-nine percent. In Washington state, the annual number of deaths involving heroin or prescription opiates increased from two hundred fifty-eight in 1995 to six hundred fifty-one in 2013. Over this period, a total of nine thousand four hundred thirty-nine people died from opioid-related drug overdoses. Opioid-related drug overdoses are a statewide phenomenon.

(3) When administered to a person experiencing an opioid-related drug overdose, an opioid overdose medication can save the person's life by restoring respiration. Increased access to opioid overdose medications reduced the time between when a victim is discovered and when he or she receives lifesaving assistance. Between 1996 and 2010, lay people across the country reversed over ten thousand overdoses.

(4) The legislature intends to increase access to opioid overdose medications by permitting health care practitioners to administer, prescribe, and dispense, directly or by collaborative drug therapy agreement or standing order, opioid overdose medication to any person who may be present at an overdose - law enforcement, emergency medical technicians, family members, or service providers - and to permit those individuals to possess and administer opioid overdose medications prescribed by an authorized health care provider.

NEW SECTION. **Sec. 623.** A new section is added to chapter 69.41 RCW to read as follows:

(1)(a) A practitioner may prescribe, dispense, distribute, and deliver an opioid overdose medication: (i) Directly to a person at risk of experiencing an opioid-related overdose; or (ii) by collaborative drug therapy agreement, standing order, or protocol to a first responder, family member, or other person or entity in a position to assist a person at risk of experiencing an opioid-related overdose. Any such prescription or protocol order is issued for a legitimate medical purpose in the usual course of professional practice.

(b) At the time of prescribing, dispensing, distributing, or delivering the opioid overdose medication, the practitioner shall inform the recipient that as soon as possible after administration of the opioid overdose medication, the person at risk of experiencing an opioid-related overdose should be transported to a hospital or a first responder should be summoned.

(2) A pharmacist may dispense an opioid overdose medication pursuant to a prescription issued in accordance with this section and may administer an opioid overdose medication to a person at risk of experiencing an opioid-related overdose. At the time of dispensing an opioid overdose medication, a pharmacist shall provide written instructions on the proper response to an opioid-related overdose, including instructions for seeking immediate medical attention. The instructions to seek immediate medication attention must be conspicuously displayed.

(3) Any person or entity may lawfully possess, store, deliver, distribute, or administer an opioid overdose medication pursuant to a prescription or order issued by a practitioner in accordance with this section.

(4) The following individuals, if acting in good faith and with reasonable care, are not subject to criminal or civil liability or disciplinary action under chapter 18.130 RCW for any actions authorized by this section or the outcomes of any actions authorized by this section:

(a) A practitioner who prescribes, dispenses, distributes, or delivers an opioid overdose medication pursuant to subsection (1) of this section;

(b) A pharmacist who dispenses an opioid overdose medication pursuant to subsection (2) of this section;

(c) A person who possesses, stores, distributes, or administers an opioid overdose medication pursuant to subsection (3) of this section.

(5) For purposes of this section, the following terms have the following meanings unless the context clearly requires otherwise:

(a) "First responder" means: (i) A career or volunteer firefighter, law enforcement officer, paramedic as defined in RCW 18.71.200, or first responder or emergency medical technician as defined in RCW 18.73.030; and (ii) an entity that employs or supervises an individual listed in (a)(i) of this subsection, including a volunteer fire department.

(b) "Opioid overdose medication" means any drug used to reverse an opioid overdose that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors. It does not include intentional administration via the intravenous route.

(c) "Opioid-related overdose" means a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death that: (i) Results from the consumption or use of an opioid or another

substance with which an opioid was combined; or (ii) a lay person would reasonably believe to be an opioid-related overdose requiring medical assistance.

(d) "Practitioner" means a health care practitioner who is authorized under RCW 69.41.030 to prescribe legend drugs.

(e) "Standing order" or "protocol" means written or electronically recorded instructions, prepared by a prescriber, for distribution and administration of a drug by designated and trained staff or volunteers of an organization or entity, as well as other actions and interventions to be used upon the occurrence of clearly defined clinical events in order to improve patients' timely access to treatment.

Sec. 624. RCW 69.41.040 and 2003 c 53 s 324 are each amended to read as follows:

(1) A prescription, in order to be effective in legalizing the possession of legend drugs, must be issued for a legitimate medical purpose by one authorized to prescribe the use of such legend drugs. Except as provided in section 2 of this act, an order purporting to be a prescription issued to a drug abuser or habitual user of legend drugs, not in the course of professional treatment, is not a prescription within the meaning and intent of this section; and the person who knows or should know that he or she is filling such an order, as well as the person issuing it, may be charged with violation of this chapter. A legitimate medical purpose shall include use in the course of a bona fide research program in conjunction with a hospital or university.

(2) A violation of this section is a class B felony punishable according to chapter 9A.20 RCW.

Sec. 625. RCW 69.50.315 and 2010 c 9 s 2 are each amended to read as follows:

(1)(((~~(a)~~))) A person acting in good faith who seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the person seeking medical assistance.

(((~~(b) A person acting in good faith may receive a naloxone prescription, possess naloxone, and administer naloxone to an individual suffering from an apparent opiate-related overdose.~~)))

(2) A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

(3) The protection in this section from prosecution for possession crimes under RCW 69.50.4013 shall not be grounds for suppression of evidence in other criminal charges.

NEW SECTION. **Sec. 626.** RCW 18.130.345 (Naloxone—Administering, dispensing, prescribing, purchasing, acquisition, possession, or use—Opiate-related overdose) and 2010 c 9 s 3 are each repealed."

On page 1, line 2 of the title, after "deaths;" strike the remainder of the title and insert "amending RCW 69.41.040 and 69.50.315; adding a new section to chapter 69.41 RCW; creating a new section; and repealing RCW 18.130.345."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Walkinshaw and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1671, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1671, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 627.** RCW 47.28.030 and 2014 c 222 s 701 are each amended to read as follows:

(1)(a) A state highway shall be constructed, altered, repaired, or improved, and improvements located on property acquired for right-of-way purposes may be repaired or renovated pending the use of such right-of-way for highway purposes, by contract or state forces. The work or portions thereof may be done by state forces when the estimated costs thereof are less than fifty thousand dollars and effective July 1, 2005, sixty thousand dollars.

(b) When delay of performance of such work would jeopardize a state highway or constitute a danger to the traveling public, the work may be done by state forces when the estimated cost thereof is less than eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars.

(c) When the department of transportation determines to do the work by state forces, it shall enter a statement upon its records to that effect, stating the reasons therefor.

(d) To enable a larger number of small businesses and veteran, minority, and women contractors to effectively compete for department of transportation contracts, the department may adopt rules providing for bids and award of contracts for the performance of work, or furnishing equipment, materials, supplies, or operating services whenever any work is to be performed and the engineer's estimate indicates the cost of the work would not exceed eighty thousand dollars and effective July 1, 2005, one hundred thousand dollars.

(2) The rules adopted under this section:

(a) Shall provide for competitive bids to the extent that competitive sources are available except when delay of performance would jeopardize life or property or inconvenience the traveling public; and

(b) Need not require the furnishing of a bid deposit nor a performance bond, but if a performance bond is not required then progress payments to the contractor may be required to be made based on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from the previous partial payment; and

(c) May establish prequalification standards and procedures as an alternative to those set forth in RCW 47.28.070, but the prequalification standards and procedures under RCW 47.28.070 shall always be sufficient.

(3) The department of transportation shall comply with such goals and rules as may be adopted by the office of minority and women's business enterprises to implement chapter 39.19 RCW with respect to contracts entered into under this chapter. The department may adopt such rules as may be necessary to comply with the rules adopted by the office of minority and women's business enterprises under chapter 39.19 RCW.

(4)(a) ((~~For the period of March 15, 2014, through June 30, 2015,~~)) Work for less than one hundred ((~~twenty~~)) thousand dollars may be performed on ferry vessels and terminals by state forces.

(b) When the estimated cost of work to be performed on ferry vessels and terminals is between one hundred thousand dollars and two hundred thousand dollars, the department shall contact, by mail or electronic mail, contractors that appear on the department's small works roster as created pursuant to procedures in chapter 39.04 RCW to do specific work the contractors are qualified to do to determine if any contractor is interested and capable of doing the work. If there is a response of interest within seventy-two hours, the small works roster procedures commence. If no qualified contractors respond with interest and availability to do the work, the department may use its regular contracting procedures. If the secretary determines that the work to be completed is an emergency, procedures governing emergencies apply.

(c) The department shall hire a disinterested, third party to conduct an independent analysis to identify methods of reducing out-of-service times for vessel maintenance, preservation, and improvement projects. The analysis must include options that consider consolidating work while vessels are at shipyards by having state forces perform services traditionally performed at Eagle Harbor at the shipyard and decreasing the allowable time at shipyards. The analysis must also compare the out-of-service vessel times of performing services by state forces versus contracting out those services which in turn must be used to form a recommendation as to what the threshold of work performed on ferry vessels and terminals by state forces should be. This analysis must be presented to the transportation committees of the senate and house of representatives by December 1, 2010.

(((~~(c)~~))) (d) The department shall develop a proposed ferry vessel maintenance, preservation, and improvement program and present it to the transportation committees of the senate and house of representatives by December 1, 2010. The proposed program must:

(i) Improve the basis for budgeting vessel maintenance, preservation, and improvement costs and for projecting those costs into a sixteen-year financial plan;

(ii) Limit the amount of planned out-of-service time to the greatest extent possible, including options associated with department staff as well as commercial shipyards; and

(iii) Be based on the service plan in the capital plan, recognizing that vessel preservation and improvement needs may vary by route.

(((~~(d)~~))) (e) In developing the proposed ferry vessel maintenance, preservation, and improvement program, the department shall consider the following, related to reducing vessel out-of-service time:

(i) The costs compared to benefits of Eagle Harbor repair and maintenance facility operations options to include staffing costs and benefits in terms of reduced out-of-service time;

(ii) The maintenance requirements for on-vessel staff, including the benefits of a systemwide standard;

(iii) The costs compared to benefits of staff performing preservation or maintenance work, or both, while the vessel is underway, tied up between sailings, or not deployed;

(iv) A review of the department's vessel maintenance, preservation, and improvement program contracting process and contractual requirements;

(v) The costs compared to benefits of allowing for increased costs associated with expedited delivery;

(vi) A method for comparing the anticipated out-of-service time of proposed projects and other projects planned during the same construction period;

(vii) Coordination with required United States coast guard dry dockings;

(viii) A method for comparing how proposed projects relate to the service requirements of the route on which the vessel normally operates; and

(ix) A method for evaluating the ongoing maintenance and preservation costs associated with proposed improvement projects.

NEW SECTION. **Sec. 628.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

On page 1, line 2 of the title, after "terminals;" strike the remainder of the title and insert "amending RCW 47.28.030; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Moscoso and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1844, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1844, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1879 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 629.** A new section is added to chapter 74.09 RCW to read as follows:

The authority shall issue a request for proposals to provide integrated managed health and behavioral health care for foster children receiving care through the medical assistance program. Behavioral health services provided under chapters 71.24, 71.34, and 70.96A RCW must be integrated into the managed health care plan for foster children beginning October 1, 2018. The request for proposals must address the program elements described in section 110, chapter 225, Laws of 2014, including development of a service delivery system, benefit design, reimbursement mechanisms, incorporation or coordination of services currently provided by the regional support networks, and standards for contracting with health plans. The request for proposals must be issued and completed in time for services under the integrated managed care plan to begin on October 1, 2016.

Sec. 630. RCW 74.09.490 and 2011 1st sp.s. c 15 s 23 are each amended to read as follows:

(1) The authority, in consultation with the evidence-based practice institute established in RCW 71.24.061, shall develop and implement policies to improve prescribing practices for treatment of emotional or behavioral disturbances in children, improve the quality of children's mental health therapy through increased use of evidence-based and research-based practices and reduced variation in practice, improve communication and care coordination between primary care and mental health providers, and prioritize care in the family home or care which integrates the family where out-of-home placement is required.

(2) The authority shall identify those children with emotional or behavioral disturbances who may be at high risk due to off-label use of prescription medication, use of multiple medications, high medication dosage, or lack of coordination among multiple prescribing providers, and establish one or more mechanisms to evaluate the appropriateness of the medication these children are using, including but not limited to obtaining second opinions from experts in child psychiatry.

(3) The authority shall review the psychotropic medications of all children under five and establish one or more mechanisms to evaluate the appropriateness of the medication these children are using, including but not limited to obtaining second opinions from experts in child psychiatry.

(4) Within existing funds, the authority shall require a second opinion review from an expert in psychiatry for all prescriptions of one or more antipsychotic medications of all children under eighteen years of age in the foster care system. Thirty days of a prescription medication may be dispensed pending the second opinion review. The second opinion feedback must include discussion of the psychosocial interventions that have been or will be offered to the child and caretaker if appropriate in order to address the behavioral issues brought to the attention of the prescribing physician.

(5) The authority shall track prescriptive practices with respect to psychotropic medications with the goal of reducing the use of medication.

(((~~(5)~~))) (6) The authority shall ((~~encourage the~~)) promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based, in addition to or in the place of prescription medication where appropriate and such interventions are available."

On page 1, line 3 of the title, after "children;" strike the remainder of the title and insert "amending RCW 74.09.490; and adding a new section to chapter 74.09 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1879 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1879, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1879, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko,

Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Taylor and Young.

SUBSTITUTE HOUSE BILL NO. 1879, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 9, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 631.** RCW 13.34.100 and 2014 c 108 s 2 are each amended to read as follows:

(1) The court shall appoint a guardian ad litem for a child who is the subject of an action under this chapter, unless a court for good cause finds the appointment unnecessary. The requirement of a guardian ad litem may be deemed satisfied if the child is represented by an independent attorney in the proceedings. The court shall attempt to match a child with special needs with a guardian ad litem who has specific training or education related to the child's individual needs.

(2) If the court does not have available to it a guardian ad litem program with a sufficient number of volunteers, the court may appoint a suitable person to act as guardian ad litem for the child under this chapter. Another party to the proceeding or the party's employee or representative shall not be so appointed.

(3) Each guardian ad litem program shall maintain a background information record for each guardian ad litem in the program. The background information record shall include, but is not limited to, the following information:

(a) Level of formal education;

(b) General training related to the guardian ad litem's duties;

(c) Specific training related to issues potentially faced by children in the dependency system;

(d) Specific training or education related to child disability or developmental issues;

(e) Number of years' experience as a guardian ad litem;

(f) Number of appointments as a guardian ad litem and the county or counties of appointment;

(g) The names of any counties in which the person was removed from a guardian ad litem registry pursuant to a grievance action, and the name of the court and the cause number of any case in which the court has removed the person for cause;

(h) Founded allegations of abuse or neglect as defined in RCW 26.44.020;

(i) The results of an examination of state and national criminal identification data. The examination shall consist of a background check as allowed through the Washington state criminal records privacy act under RCW 10.97.050, the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the federal bureau of investigation. The background check shall be done through the Washington state patrol criminal identification section and must include a national check from the federal bureau of investigation based on the submission of fingerprints; and

(j) Criminal history, as defined in RCW 9.94A.030, for the period covering ten years prior to the appointment.

The background information record shall be updated annually. As a condition of appointment, the guardian ad litem's background information record shall be made available to the court. If the appointed guardian ad litem is not a member of a guardian ad litem program a suitable person appointed by the court to act as guardian ad litem shall provide the background information record to the court.

Upon appointment, the guardian ad litem, or guardian ad litem program, shall provide the parties or their attorneys with a copy of the background information record <u>containing the results of the background check conducted through the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834</u>. The portion of the background information record containing the results of the criminal background check and the criminal history <u>from the federal bureau of investigation</u> shall not be disclosed to the parties or their attorneys. The background information record shall not include identifying information that may be used to harm a guardian ad litem, such as home addresses and home telephone numbers, and for volunteer guardians ad litem the court may allow the use of maiden names or pseudonyms as necessary for their safety.

(4) The appointment of the guardian ad litem shall remain in effect until the court discharges the appointment or no longer has jurisdiction, whichever comes first. The guardian ad litem may also be discharged upon entry of an order of guardianship.

(5) A guardian ad litem through an attorney, or as otherwise authorized by the court, shall have the right to present evidence, examine and cross-examine witnesses, and to be present at all hearings. A guardian ad litem shall receive copies of all pleadings and other documents filed or submitted to the court, and notice of all hearings according to court rules. The guardian ad litem shall receive all notice contemplated for a parent or other party in all proceedings under this chapter.

(6)(a) The court must appoint an attorney for a child in a dependency proceeding six months after granting a petition to terminate the parent and child relationship pursuant to RCW 13.34.180 and when there is no remaining parent with parental rights.

The court must appoint an attorney for a child when there is no remaining parent with parental rights for six months or longer prior to July 1, 2014, if the child is not already represented.

The court may appoint one attorney to a group of siblings, unless there is a conflict of interest, or such representation is otherwise inconsistent with the rules of professional conduct.

(b) Legal services provided by an attorney appointed pursuant to (a) of this subsection do not include representation of the child in any appellate proceedings relative to the termination of the parent and child relationship.

(c)(i) Subject to the availability of amounts appropriated for this specific purpose, the state shall pay the costs of legal services provided by an attorney appointed pursuant to (a) of this subsection, if the legal services are provided in accordance with the standards of practice, voluntary training, and caseload limits developed and recommended by the statewide children's representation work group pursuant to section 5, chapter 180, Laws of 2010. Caseload limits must be calculated pursuant to (c)(ii) of this subsection.

(ii) Counties are encouraged to set caseloads as low as possible and to account for the individual needs of the children in care. Notwithstanding the caseload limits developed and recommended by the statewide children's representation work group pursuant to section 5, chapter 180, Laws of 2010, when one attorney represents a sibling group, the first child is counted as one case, and each child thereafter is counted as one-half case to determine compliance with the caseload standards pursuant to (c)(i) of this subsection and RCW 2.53.045.

(iii) The office of civil legal aid is responsible for implementation of (c)(i) and (ii) of this subsection as provided in RCW 2.53.045.

(7)(a) The court may appoint an attorney to represent the child's position in any dependency action on its own initiative, or upon the request of a parent, the child, a guardian ad litem, a caregiver, or the department.

(b)(i) If the court has not already appointed an attorney for a child, or the child is not represented by a privately retained attorney:

(A) The child's caregiver, or any individual, may refer the child to an attorney for the purposes of filing a motion to request appointment of an attorney at public expense; or

(B) The child or any individual may retain an attorney for the child for the purposes of filing a motion to request appointment of an attorney at public expense.

(ii) Nothing in this subsection (7)(b) shall be construed to change or alter the confidentiality provisions of RCW 13.50.100.

(c) Pursuant to this subsection, the department or supervising agency and the child's guardian ad litem shall each notify a child of his or her right to request an attorney and shall ask the child whether he or she wishes to have an attorney. The department or supervising agency and the child's guardian ad litem shall notify the child and make this inquiry immediately after:

(i) The date of the child's twelfth birthday;

(ii) Assignment of a case involving a child age twelve or older; or

(iii) July 1, 2010, for a child who turned twelve years old before July 1, 2010.

(d) The department or supervising agency and the child's guardian ad litem shall repeat the notification and inquiry at least annually and upon the filing of any motion or petition affecting the child's placement, services, or familial relationships.

(e) The notification and inquiry is not required if the child has already been appointed an attorney.

(f) The department or supervising agency shall note in the child's individual service and safety plan, and the guardian ad litem shall note in his or her report to the court, that the child was notified of the right to request an attorney and indicate the child's position regarding appointment of an attorney.

(g) At the first regularly scheduled hearing after:

(i) The date of the child's twelfth birthday;

(ii) The date that a dependency petition is filed pursuant to this chapter on a child age twelve or older; or

(iii) July 1, 2010, for a child who turned twelve years old before July 1, 2010;

the court shall inquire whether the child has received notice of his or her right to request an attorney from the department or supervising agency and the child's guardian ad litem. The court shall make an additional inquiry at the first regularly scheduled hearing after the child's fifteenth birthday. No inquiry is necessary if the child has already been appointed an attorney.

(8) For the purposes of child abuse prevention and treatment act (42 U.S.C. Secs. 5101 et seq.) grants to this state under P.L. 93-247, or any related state or federal legislation, a person appointed pursuant to this section shall be deemed a guardian ad litem.

(9) When a court-appointed special advocate or volunteer guardian ad litem is requested on a case, the program shall give the court the name of the person it recommends. The program shall attempt to match a child with special needs with a guardian ad litem who has specific training or education related to the child's individual needs. The court shall immediately appoint the person recommended by the program.

(10) If a party in a case reasonably believes the court-appointed special advocate or volunteer guardian ad litem is inappropriate or unqualified, the party may request a review of the appointment by the program. The program must complete the review within five judicial days and remove any appointee for good cause. If the party seeking the review is not satisfied with the outcome of the review, the party may file a motion with the court for the removal of the court-appointed special advocate or volunteer guardian ad litem on the grounds the advocate or volunteer is inappropriate or unqualified.

Sec. 632. RCW 42.56.230 and 2014 c 142 s 1 are each amended to read as follows:

The following personal information is exempt from public inspection and copying under this chapter:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;

(2)(a) Personal information:

(i) For a child enrolled in licensed child care in any files maintained by the department of early learning; or

(ii) For a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, including but not limited to early learning or child care services, parks and recreation programs, youth development programs, and after-school programs.

(b) Emergency contact information under this subsection (2) may be provided to appropriate authorities and medical personnel for the purpose of treating the individual during an emergency situation;

(3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;

(4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

(5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial ((~~account numbers~~)) information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law;

(6) Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093;

(7)(a) Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

(b) Information provided under RCW 46.20.111 that indicates that an applicant declined to register with the selective service system.

(c) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

(d) Any record pertaining to a vessel registration issued under RCW 88.02.330 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement activity. This exemption does not prevent the release of the total number of vessel registrations that, under RCW 88.02.330, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse; and

(8) All information related to individual claims resolution structured settlement agreements submitted to the board of industrial

insurance appeals under RCW 51.04.063, other than final orders from the board of industrial insurance appeals.

Upon request by the legislature, the department of licensing shall provide a report to the legislature containing all of the information in subsection (7)(c) and (d) of this section that is subject to public disclosure.

(9) Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under sections 6 and 7 of this act.

Sec. 633. RCW 42.56.240 and 2013 c 315 s 2, 2013 c 190 s 7, and 2013 c 183 s 1 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; ((~~and~~))

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822; ((~~and~~))

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020; and

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates.

Sec. 634. RCW 42.56.330 and 2014 c 170 s 2 and 2014 c 33 s 1 are each reenacted and amended to read as follows:

The following information relating to public utilities and transportation is exempt from disclosure under this chapter:

(1) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 or 81.77.210 that a court has determined are confidential under RCW 80.04.095 or 81.77.210;

(2) The addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order;

(3) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service((~~; however, these records~~)). Participant's names, general locations, and point of contact may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides;

(4) The personally identifying information of current or former participants or applicants in a paratransit or other transit service operated for the benefit of persons with disabilities or elderly persons;

(5) The personally identifying information of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose personally identifying information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud((~~, or to the news media when reporting on public transportation or public safety~~)). As used in this subsection, "personally identifying information" includes acquisition or use information pertaining to a specific, individual transit pass or fare payment media.

(a) Information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

(b) Personally identifying information may be released to law enforcement agencies if the request is accompanied by a court order;

(6) Any information obtained by governmental agencies that is collected by the use of a motor carrier intelligent transportation system or any comparable information equipment attached to a truck, tractor, or trailer; however, the information may be given to other governmental agencies or the owners of the truck, tractor, or

trailer from which the information is obtained. As used in this subsection, "motor carrier" has the same definition as provided in RCW 81.80.010;

(7) The personally identifying information of persons who acquire and use transponders or other technology to facilitate payment of tolls. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. For these purposes aggregate data may include the census tract of the account holder as long as any individual personally identifying information is not released. Personally identifying information may be released to law enforcement agencies only for toll enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; and

(8) The personally identifying information of persons who acquire and use a driver's license or identicard that includes a radio frequency identification chip or similar technology to facilitate border crossing. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only for United States customs and border protection enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order.

Sec. 635. RCW 70.148.060 and 2005 c 274 s 341 are each amended to read as follows:

(1) All ((~~examination and proprietary reports and~~)) information except for proprietary reports or information obtained by the director and the director's staff in soliciting bids from insurers and in monitoring the insurer selected by the director shall ((~~not~~)) be made public or otherwise disclosed to any person, firm, corporation, agency, association, governmental body, or other entity.

(2) Subsection (1) of this section notwithstanding, the director may furnish all or part of examination reports prepared by the director or by any person, firm, corporation, association, or other entity preparing the reports on behalf of the director to:

(a) The Washington state insurance commissioner;

(b) A person or organization officially connected with the insurer as officer, director, attorney, auditor, or independent attorney or independent auditor; and

(c) The attorney general in his or her role as legal advisor to the director.

(3) Subsection (1) of this section notwithstanding, the director may furnish all or part of the examination or proprietary reports or information obtained by the director to:

(a) The Washington state insurance commissioner; and

(b) A person, firm, corporation, association, governmental body, or other entity with whom the director has contracted for services necessary to perform his or her official duties.

(4) ((~~Examination reports and~~)) Proprietary information obtained by the director and the director's staff ((~~are~~)) is not subject to public disclosure under chapter 42.56 RCW.

(5) A person who violates any provision of this section is guilty of a gross misdemeanor.

NEW SECTION. **Sec. 636.** A new section is added to chapter 38.52 RCW to read as follows:

(1) Information contained in an automatic number identification or automatic location identification database that is part of a county enhanced 911 emergency communications system as defined in RCW 82.14B.020 and intended for display at a public safety answering point with incoming 911 voice or data is exempt from public inspection and copying under chapter 42.56 RCW.

(2) Information voluntarily submitted to be contained in a database that is part of or associated with a county enhanced 911 emergency communications system as defined in RCW 82.14B.020 and intended for the purpose of display at a public safety answering point with incoming 911 voice or data is exempt from public inspection and copying under chapter 42.56 RCW.

(3) This section shall not be interpreted to prohibit:

(a) Display of information at a public safety answering point;

(b) Dissemination of information by the public safety answering point to police, fire, or emergency medical responders for display on a device used by police, fire, or emergency medical responders for the purpose of handling or responding to emergency calls or for training;

(c) Maintenance of the database by a county;

(d) Dissemination of information by a county to local agency personnel for inclusion in an emergency notification system that makes outgoing calls to telephone numbers to provide notification of a community emergency event;

(e) Inspection or copying by the subject of the information or an authorized representative; or

(f) The public disclosure of information prepared, retained, disseminated, transmitted, or recorded, for the purpose of handling or responding to emergency calls, unless disclosure of any such information is otherwise exempted under chapter 42.56 RCW or other law.

NEW SECTION. **Sec. 637.** A new section is added to chapter 38.52 RCW to read as follows:

Information obtained from an automatic number identification or automatic location identification database or voluntarily submitted to a local agency for inclusion in an emergency notification system is exempt from public inspection and copying under chapter 42.56 RCW. This section shall not be interpreted to prohibit:

(1) Making outgoing calls to telephone numbers to provide notification of a community emergency event;

(2) Maintenance of the database by a local agency; or

(3) Inspection or copying by the subject of the information or an authorized representative."

On page 1, line 2 of the title, after "committee;" strike the remainder of the title and insert "amending RCW 13.34.100, 42.56.230, and 70.148.060; reenacting and amending RCW 42.56.240 and 42.56.330; and adding new sections to chapter 38.52 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Springer and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1980, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1980, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, G. Hunt, Hawkins, McCaslin, Orcutt, Scott, Shea, Taylor and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 638.** A new section is added to chapter 43.30 RCW under the subchapter heading "organization" to read as follows:

(1) The commissioner must appoint a local wildland fire liaison that reports directly to the commissioner or the supervisor and generally represents the interests and concerns of landowners and the general public during any fire suppression activities of the department.

(2) The role of the local wildland fire liaison is to provide advice to the commissioner on issues such as access to land during fire suppression activities, the availability of local fire suppression assets, environmental concerns, and landowner interests.

(3) In appointing the local wildland fire liaison, the commissioner must consult with county legislative authorities either directly or through an organization that represents the interests of county legislative authorities.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 639.** (1) The local wildland fire liaison created in section 1 of this act must prepare a report to the commissioner of public lands by December 31, 2015, that provides recommendations regarding:

(a) Opportunities for the department of natural resources to increase training with local fire protection districts;

(b) The ability to quickly evaluate the availability of local fire district resources in a manner that allows the local resources to be more efficiently and effectively dispatched to wildland fires; and

(c) Opportunities to increase and maintain the viability of local fire suppression assets.

(2) The department of natural resources must issue a report to the legislature consistent with RCW 43.01.036 by October 31, 2016, that summarizes the recommendations of the local wildland fire liaison, details steps taken to implement the recommendations, and offers an analyses of the results on the ground.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

(4) This section expires July 1, 2017.

NEW SECTION. **Sec. 640.** A new section is added to chapter 76.04 RCW under the subchapter heading "administration" to read as follows:

(1) The commissioner must appoint and maintain a wildland fire advisory committee to generally advise the commissioner on all matters related to wildland firefighting in the state. This includes, but is not limited to, developing recommendations regarding department capital budget requests related to wildland firefighting and developing strategies to enhance the safe and effective use of private and public wildland firefighting resources.

(2) The commissioner may appoint members to the wildland fire advisory committee as the commissioner determines is the most helpful in the discharge of the commissioner's duties. However, at a minimum, the commissioner must invite the following:

(a) Two county commissioners, one from east of the crest of the Cascade mountains and one from west of the crest of the Cascade mountains;

(b) Two owners of industrial land, one an owner of timberland and one an owner of rangeland;

(c) The state fire marshal or a representative of the state fire marshal's office;

(d) Two individuals with the title of fire chief, one from a community located east of the crest of the Cascade mountains and one from a community located west of the crest of the Cascade mountains;

(e) An individual with the title of fire commissioner whose authority is pursuant to chapter 52.14 RCW;

(f) A representative of a federal wildland firefighting agency;

(g) A representative of a tribal nation;

(h) A representative of a statewide environmental organization;

(i) A representative of a state land trust beneficiary; and

(j) A small forest landowner.

(3) The local wildland fire liaison serves as the administrative chair for the wildland fire advisory committee.

(4) The department must provide staff support for all committee meetings.

(5) The wildland fire advisory committee must meet at the call of the administrative chair for any purpose that directly relates to the duties set forth in subsection (1) of this section or as is otherwise requested by the commissioner or the administrative chair.

(6) Each member of the wildland fire advisory committee serves without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(7) The members of the wildland fire advisory committee, or individuals acting on their behalf, are immune from civil liability for official acts performed in the course of their duties.

(8) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 641.** A new section is added to chapter 76.04 RCW to read as follows:

(1)(a) An individual may, consistent with this section, enter privately owned or publicly owned land for the purposes of attempting to extinguish or control a wildland fire, regardless of whether the individual owns the land, when fighting the wildland fire in that particular time and location can be reasonably considered a public necessity due to an imminent danger.

(b) No civil or criminal liability may be imposed by any court on an individual acting pursuant to this section for any direct or proximate adverse impacts resulting from an individual's access to land for the purposes of attempting to extinguish or control a wildland fire when fighting the wildland fire in that particular time

and location can be reasonably considered a public necessity, except upon proof of gross negligence or willful or wanton misconduct by the individual.

(c) An individual may enter land under this subsection (1) only if:

(i) There is an active fire on or in near proximity to the land;

(ii) The individual has a reasonable belief that the local fire conditions are creating an emergency situation and that there is an imminent danger of a fire growing or spreading to or from the parcel of land being entered;

(iii) The individual has a reasonable belief that preventive measures will extinguish or control the wildfire;

(iv) The individual has a reasonable belief that he or she is capable of taking preventive measures;

(v) The individual only undertakes measures that are reasonable and necessary until professional wildfire suppression personnel arrives;

(vi) The individual does not continue to take suppression actions after specific direction to cease from the landowner;

(vii) The individual takes preventive measures only for the period of time until efforts to control the wildfire have been assumed by professional wildfire suppression personnel, unless explicitly authorized by professional wildland firefighting personnel to remain engaged in suppressing the fire;

(viii) The individual follows the instructions of professional wildland firefighting personnel, including ceasing to engage in firefighting activities, when directed to do so by professional wildland firefighting personnel; and

(ix) The individual promptly notifies emergency personnel and the landowner, lessee, or occupant prior to entering the land or within a reasonable time after the individual attempts to extinguish or control the wildland fire.

(d) Nothing in this section authorizes any person to materially benefit from accessing land or retain any valuable materials that may be collected or harvested during the time the individual attempts to extinguish or control the wildland fire.

(e)(i) The authority to enter privately owned or publicly owned land under this subsection (1) is limited to the minimum necessary activities reasonably required to extinguish or control the wildland fire.

(ii) Activities that may be reasonable under this subsection (1) include, but are not limited to: Using hand tools to clear the ground of debris, operating readily available water hoses, clearing flammable materials from the vicinity of structures, unlocking or opening gates to assist firefighter access, and safely scouting and reporting fire behavior.

(iii) Activities that do not fall within the scope of this subsection (1)(e), due to the high potential for adverse consequences, include, but are not limited to: Lighting a fire in an attempt to stop the spread of another fire; using explosives as a firefighting technique; using aircraft for fire suppression; and directing other individuals to engage in firefighting.

(f) Nothing in this subsection (1) confers a legal or civil duty or obligation on a person to attempt to extinguish or control a wildfire.

(2)(a) No civil or criminal liability may be imposed by any court on the owner, lessee, or occupant of any land accessed as permitted under subsection (1) of this section for any direct or proximate adverse impacts resulting from the access to privately owned or publicly owned land allowed under subsection (1) of this section, except upon proof of willful or wanton misconduct by the owner, lessee, or occupant. The barriers to civil and criminal liability imposed by this subsection include, but are not limited to, impacts on:

(i) The individual accessing the privately owned or publicly owned land and the individual's personal property, including loss of life;

(ii) Any structures or land alterations constructed by individuals entering the privately owned or publicly owned land;

(iii) Other landholdings; and

(iv) Overall environmental resources.

(b) This subsection (2) does not apply in any case where liability for damages is provided under RCW 4.24.040.

(3) Nothing in this section limits or otherwise effects any other statutory or common law provisions relating to land access or the control of a conflagration.

Sec. 642. RCW 76.04.015 and 2012 c 38 s 1 are each amended to read as follows:

(1) The department may, at its discretion, appoint trained personnel possessing the necessary qualifications to carry out the duties and supporting functions of the department and may determine their respective salaries.

(2) The department shall have direct charge of and supervision of all matters pertaining to the forest fire service of the state.

(3) The department shall:

(a) Enforce all laws within this chapter;

(b) Be empowered to take charge of and direct the work of suppressing forest fires;

(c)(i) Investigate the origin and cause of all forest fires to determine whether either a criminal act or negligence by any person, firm, or corporation caused the starting, spreading, or existence of the fire. In conducting investigations, the department shall work cooperatively, to the extent possible, with utilities, property owners, and other interested parties to identify and preserve evidence. Except as provided otherwise in this subsection, the department in conducting investigations is authorized, without court order, to take possession or control of relevant evidence found in plain view and belonging to any person, firm, or corporation. To the extent possible, the department shall notify the person, firm, or corporation of its intent to take possession or control of the evidence. The person, firm, or corporation shall be afforded reasonable opportunity to view the evidence and, before the department takes possession or control of the evidence, also shall be afforded reasonable opportunity to examine, document, and photograph it. If the person, firm, or corporation objects in writing to the department's taking possession or control of the evidence, the department must either return the evidence within seven days after the day on which the department is provided with the written objections or obtain a court order authorizing the continued possession or control.

(ii) Absent a court order authorizing otherwise, the department may not take possession or control of evidence over the objection of the owner of the evidence if the evidence is used by the owner in conducting a business or in providing an electric utility service and the department's taking possession or control of the evidence would substantially and materially interfere with the operation of the business or provision of electric utility service.

(iii) Absent a court order authorizing otherwise, the department may not take possession or control of evidence over the objection of an electric utility when the evidence is not owned by the utility but has caused damage to property owned by the utility. However, this subsection (3)(c)(iii) does not apply if the department has notified the utility of its intent to take possession or control of the evidence and provided the utility with reasonable time to examine, document, and photograph the evidence.

(iv) Only personnel qualified to work on electrical equipment may take possession or control of evidence owned or controlled by an electric utility;

(d) Furnish notices or information to the public calling attention to forest fire dangers and the penalties for violation of this chapter;

(e) Be familiar with all timbered and cut-over areas of the state; ((~~and~~))

(f) Maximize the effective utilization of local fire suppression assets consistent with section 6 of this act; and

(g) Regulate and control the official actions of its employees, the wardens, and the rangers.

(4) The department may:

(a) Authorize all needful and proper expenditures for forest protection;

(b) Adopt rules consistent with this section for the prevention, control, and suppression of forest fires as it considers necessary including but not limited to: Fire equipment and materials; use of personnel; and fire prevention standards and operating conditions including a provision for reducing these conditions where justified by local factors such as location and weather;

(c) Remove at will the commission of any ranger or suspend the authority of any warden;

(d) Inquire into:

(i) The extent, kind, value, and condition of all timber lands within the state;

(ii) The extent to which timber lands are being destroyed by fire and the damage thereon;

(e) Provide fire detection, prevention, presuppression, or suppression services on nonforested public lands managed by the department or another state agency, but only to the extent that providing these services does not interfere with or detract from the obligations set forth in subsection (3) of this section. If the department provides fire detection, prevention, presuppression, or suppression services on nonforested public lands managed by another state agency, the department must be fully reimbursed for the work through a cooperative agreement as provided for in RCW 76.04.135(1).

(5) Any rules adopted under this section for the suppression of forest fires must include a mechanism by which a local fire mobilization radio frequency, consistent with RCW 43.43.963, is identified and made available during the initial response to any forest fire that crosses jurisdictional lines so that all responders have access to communications during the response. Different initial response frequencies may be identified and used as appropriate in different geographic response areas. If the fire radio communication needs escalate beyond the capability of the identified local radio frequency, the use of other available designated interoperability radio frequencies may be used.

(6) When the department considers it to be in the best interest of the state, it may cooperate with any agency of another state, the United States or any agency thereof, the Dominion of Canada or any agency or province thereof, and any county, town, corporation, individual, or Indian tribe within the state of Washington in forest firefighting and patrol.

NEW SECTION. **Sec. 643.** A new section is added to chapter 76.04 RCW to read as follows:

(1) To maximize the effective utilization of local fire suppression assets, the department is required to:

(a) Compile and annually update master lists of qualified wildland fire suppression contractors who have valid incident qualifications for the kind of contracted work to be performed. In order to be included on a master list of qualified wildland fire suppression contractors:

(i) Contractors providing fire engines, tenders, crews, or similar resources must have training and qualifications sufficient for federal wildland fire contractor eligibility, including possessing a valid incident qualification card, commonly called a red card; and

(ii) Contractors other than those identified in (a)(i) of this subsection must have training and qualifications evidenced by possession of a valid department qualification and safety document, commonly called a blue card, issued to people cooperating with the department pursuant to an agreement;

(b) Provide timely advance notification of the dates and locations of department blue card training to all potential wildland fire suppression contractors known to the department and make the training available in several locations that are reasonably convenient for contractors;

(c) Make the lists of qualified wildland fire suppression contractors available to county legislative authorities, emergency management departments, and local fire districts;

(d) Cooperate with federal wildland firefighting agencies to maximize, based on predicted need, the efficient use of local resources in close proximity to wildland fire incidents;

(e) Enter into preemptive agreements with landowners in possession of firefighting capability that may be utilized in wildland fire suppression efforts, including the use of bulldozers, fallers, fuel tenders, potable water tenders, water sprayers, wash trailers, refrigeration units, and buses; and

(f) Conduct outreach to provide basic incident command system and wildland fire safety training to landowners in possession of firefighting capability to help ensure that any wildland fire suppression actions taken by private landowners on their own land are accomplished safely and in coordination with any related incident command structure.

(2) Nothing in subsection (1) of this section prohibits the department from conducting condensed safety training on the site of a wildland fire in order to utilize available contractors not included on a master list of qualified wildland fire suppression contractors.

(3) When entering into preemptive agreements with landowners under this section, the department must ensure that:

(a) All equipment and personnel satisfy department standards; and

(b) All contractors are, when engaged in fire suppression activities, under the supervision of recognized wildland fire personnel.

(4) No civil liability may be imposed by any court on the state or its officers and employees for any adverse impacts resulting from training provided by the department or preemptive agreements entered into by the department under the provisions of this section except upon proof of gross negligence or willful or wanton misconduct.

(5) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

Sec. 644. RCW 76.04.005 and 2014 c 90 s 1 are each reenacted and amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Additional fire hazard" means a condition existing on any land in the state:

(a) Covered wholly or in part by forest debris which is likely to further the spread of fire and thereby endanger life or property; or

(b) When, due to the effects of disturbance agents, broken, down, dead, or dying trees exist on forest land in sufficient quantity to be likely to further the spread of fire within areas covered by a forest health hazard warning or order issued by the commissioner of public lands under RCW 76.06.180. The term "additional fire hazard" does not include green trees or snags left standing in upland or riparian areas under the provisions of RCW 76.04.465 or chapter 76.09 RCW.

(2) "Closed season" means the period between April 15th and October 15th, unless the department designates different dates because of prevailing fire weather conditions.

(3) "Department" means the department of natural resources, or its authorized representatives, as defined in chapter 43.30 RCW.

(4) "Department protected lands" means all lands subject to the forest protection assessment under RCW 76.04.610 or covered under contract or agreement pursuant to RCW 76.04.135 by the department.

(5) "Disturbance agent" means those forces that damage or kill significant numbers of forest trees, such as insects, diseases, wind storms, ice storms, and fires.

(6) "Emergency fire costs" means those costs incurred or approved by the department for emergency forest fire suppression, including the employment of personnel, rental of equipment, and purchase of supplies over and above costs regularly budgeted and provided for nonemergency fire expenses for the biennium in which the costs occur.

(7) "Exploding target" means a device that is designed or marketed to ignite or explode when struck by firearm ammunition or other projectiles.

(8) "Forest debris" includes forest slash, chips, and any other vegetative residue resulting from activities on forest land.

(9) "Forest fire service" includes all wardens, rangers, and other persons employed especially for preventing or fighting forest fires.

(10) "Forest land" means any unimproved lands which have enough trees, standing or down, or flammable material, to constitute in the judgment of the department, a fire menace to life or property. Sagebrush and grass areas east of the summit of the Cascade mountains may be considered forest lands when such areas are adjacent to or intermingled with areas supporting tree growth. Forest land, for protection purposes, does not include structures.

(11) "Forest landowner," "owner of forest land," "landowner," or "owner" means the owner or the person in possession of any public or private forest land.

(12) "Forest material" means forest slash, chips, timber, standing or down, or other vegetation.

(13) "Incendiary ammunition" means ammunition that is designed to ignite or explode upon impact with or penetration of a target or designed to trace its course in the air with a trail of smoke, chemical incandescence, or fire.

(14) "Landowner operation" means every activity, and supporting activities, of a forest landowner and the landowner's agents, employees, or independent contractors or permittees in the management and use of forest land subject to the forest protection assessment under RCW 76.04.610 for the primary benefit of the owner. The term includes, but is not limited to, the growing and harvesting of forest products, the development of transportation systems, the utilization of minerals or other natural resources, and the clearing of land. The term does not include recreational and/or residential activities not associated with these enumerated activities.

(15) "Participating landowner" means an owner of forest land whose land is subject to the forest protection assessment under RCW 76.04.610.

(16) "Sky lantern" means an unmanned self-contained luminary device that uses heated air produced by an open flame or produced by another source to become or remain airborne.

(17) "Slash" means organic forest debris such as tree tops, limbs, brush, and other dead flammable material remaining on forest land as a result of a landowner operation.

(18) "Slash burning" means the planned and controlled burning of forest debris on forest lands by broadcast burning, underburning, pile burning, or other means, for the purposes of silviculture, hazard abatement, or reduction and prevention or elimination of a fire hazard.

(19) "Suppression" means all activities involved in the containment and control of forest fires, including the patrolling thereof until such fires are extinguished or considered by the department to pose no further threat to life or property.

(20) "Unimproved lands" means those lands that will support grass, brush and tree growth, or other flammable material when such lands are not cleared or cultivated and, in the opinion of the department, are a fire menace to life and property.

(21) "Commissioner" means the commissioner of public lands.

(22) "Local fire suppression assets" means firefighting equipment that is located in close proximity to the wildland fire and that meets department standards and requirements.

(23) "Local wildland fire liaison" means the person appointed by the commissioner to serve as the local wildland fire liaison as provided in section 1 of this act."

On page 1, line 1 of the title, after "suppression;" strike the remainder of the title and insert "amending RCW 76.04.015; reenacting and amending RCW 76.04.005; adding a new section to chapter 43.30 RCW; adding new sections to chapter 76.04 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kretz and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2093, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2093, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 24, 2015, the 103rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED THIRD DAY

House Chamber, Olympia, Friday, April 24, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kayette Crook and Lucas Jankovic. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Linda Jevicky, Daniels House of Prayer, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

April 22, 2015

Dear Speaker Chopp:

We respectfully transmit for your consideration House Bill 2181 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

INTESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 22nd day of April, 2015.

Kim Wyman
Secretary of State

MESSAGES FROM THE SENATE

April 24, 2015

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5679
ENGROSSED SUBSTITUTE SENATE BILL NO. 5884

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1619

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5125
SUBSTITUTE SENATE BILL NO. 5154
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269
ENGROSSED SUBSTITUTE SENATE BILL NO. 5607
ENGROSSED SENATE BILL NO. 5616
SUBSTITUTE SENATE BILL NO. 5631
SUBSTITUTE SENATE BILL NO. 5721
ENGROSSED SUBSTITUTE SENATE BILL NO. 5843

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2247 by Representatives Wylie, Tarleton, Ryu and Appleton

AN ACT Relating to local community development; amending RCW 84.52.010, 84.52.010, and 82.73.030; adding a new section to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; adding a new chapter to Title 36 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 2248 by Representatives Santos and Orwall

AN ACT Relating to transition services for special education students; amending RCW 28A.155.220; and creating a new section.

Referred to Committee on Education.

HCR 4404 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4405 by Representatives Sullivan and Kretz

Adjourning the 2015 Regular Session of the Sixty-fourth Legislature SINE DIE.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURENT RESOLUTION NO. 4404 and HOUSE CONCURRENT RESOLUTION NO.4405, which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807 with the following amendment:

On page 5, line 13, at the start of the sentence, strike "(1)"

On page 5, line 18, at the start of the sentence, strike everything through page 6, line 2.

On page 1, line 2 of the title, after "66.04.630;" strike the remainder of the title and insert "and adding a new section to chapter 66.28 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1807, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1807, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1853 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 645.** (1) The legislature finds that the transportation sector is Washington's largest contributor to greenhouse emissions and hazardous air pollutants as defined by federal national ambient air quality standards and mobile source air toxics rules. The sector's portion is considerably higher than the national average because our state relies heavily on hydropower for electricity generation, unlike other states that rely on fossil fuels such as coal, petroleum, and natural gas to generate electricity.

(2) The legislature also finds that federal clean air act regulations and complementary Washington policies supporting renewable energy generation, energy efficiency, and energy conservation are likely to result in further reduction of emissions in the electricity and in the combined residential, commercial, and industrial sectors. The legislature finds that state policy can achieve the greatest return on investment in reducing greenhouse gas emissions and improving air quality by expediting the transition to alternative fuel vehicles, including electric vehicles.

(3) The legislature finds that utilities, who are traditionally responsible for understanding and engineering the electrical grid for safety and reliability, must be fully empowered and incentivized to be engaged in electrification of our transportation system. The legislature further finds that it has given utilities other policy directives to promote energy conservation which do not make the benefits of building out electric vehicle infrastructure, as well as any subsequent increase in energy consumption, readily apparent. Therefore the legislature intends to provide a clear policy directive and financial incentive to utilities for electric vehicle infrastructure build-out.

NEW SECTION. **Sec. 646.** A new section is added to chapter 80.28 RCW to read as follows:

(1) In establishing rates for each electrical company regulated under this title, the commission may allow an incentive rate of return on investment on capital expenditures for electric vehicle supply equipment that is deployed for the benefit of ratepayers, provided that the capital expenditures do not increase costs to ratepayers in excess of one-quarter of one percent. The commission must consider and may adopt other policies to improve access to and promote fair competition in the provision of electric vehicle supply equipment.

(2) An incentive rate of return on investment under this section may be allowed only if the company chooses to pursue capital investment in electric vehicle supply equipment on a fully regulated basis similar to other capital investments behind a customer's meter. In the case of an incentive rate of return on investment allowed under this section, an increment of up to two percent must be added to the rate of return on common equity allowed on the company's other investments.

(3) The incentive rate of return on investment authorized in subsection (2) of this section applies only to projects which have been installed after July 1, 2015, and which are reasonably expected, at the time they are placed in the rate base, to result in real and tangible benefits for rate payers by being installed and located where electric vehicles are most likely to be parked for intervals longer than two hours.

(4) The incentive rate of return on investment increment pursuant to this section may be earned only for a period up to the depreciable life of the electric vehicle supply equipment as defined in the depreciation schedules developed by the company and submitted to the commission for review. When the capital investment has fully depreciated, an electrical company may gift the electric vehicle supply equipment to the owner of the property on which it is located.

(5) By December 31, 2017, the commission must report to the appropriate committees of the legislature with regard to the use of any incentives allowed under this section, the quantifiable impacts of the incentives on actual electric vehicle deployment, and any recommendations to the legislature about utility participation in the electric vehicle market."

On page 1, line 2 of the title, after "build-out;" strike the remainder of the title and insert "adding a new section to chapter 80.28 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1853 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Magendanz and Morris spoke in favor of the passage of the bill.

COLLOQUY

Representative Morris: "Section 2(2) of this bill specifies that an incentive rate of return on investment on capital expenditures for electric vehicle supply equipment may be allowed only if an electrical company chooses to make a capital investment on a fully regulated basis similar to other capital investments behind a customer's meter. Is it the intent of this section to allow an electrical company to earn an incentive rate of return on investment on capital expenditures funded by state or federal grants?"

Representative Magendanz: "No. Under existing regulatory practices, electrical companies may only earn a return on investments made with investor-supplied capital. Any grant funds which may be available are applied as credit against the company's rate bases on the other side of the balance sheet. It is the intent of this bill to allow an incentive rate of return that is consistent with existing regulatory practice, so therefore an electrical company may not earn an incentive rate of return on grant-funded capital expenditures for electric vehicle supply equipment"

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1853, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1853, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Harmsworth, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, DeBolt, Dent, Fagan, G. Hunt, Griffey, Hargrove, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, McCabe, McCaslin, Nealey, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Van De Wege, Van Werven, Vick, Wilson and Young.

SUBSTITUTE HOUSE BILL NO. 1853, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2015

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1943 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 647.** RCW 9.94A.030 and 2012 c 143 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within eight hundred eighty feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon.

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20) "Domestic violence" has the same meaning as defined in RCW 10.99.020 and 26.50.010.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense other than a violent offense or a sex offense and who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(25) "Electronic monitoring" means tracking the location of an individual, whether pretrial or posttrial, through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location.

(26) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under

the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(((~~(26)~~))) (27) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(((~~(27)~~))) (28) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(((~~(28)~~))) (29) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence twenty-four hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic ((~~surveillance~~)) monitoring.

(((~~(29)~~))) (30) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(((~~(30)~~))) (31) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(((~~(31)~~))) (32) "Minor child" means a biological or adopted child of the offender who is under age eighteen at the time of the offender's current offense.

(((~~(32)~~))) (33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age fourteen;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Robbery in the second degree;

(p) Sexual exploitation;

(q) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(r) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(s) Any other class B felony offense with a finding of sexual motivation;

(t) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(u) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(v)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(w) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(((~~(33)~~))) (34) "Nonviolent offense" means an offense which is not a violent offense.

(((~~(34)~~))) (35) "Offender" means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanant or gross misdemeanant probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(((~~(35)~~))) (36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

(((~~(36)~~))) (37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Malicious Harassment (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person eighteen years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(((~~(37)~~))) (38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (((~~(37)~~))) (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was sixteen years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was eighteen years of age or older when the offender committed the offense.

(((~~(38)~~))) (39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(((~~(39)~~))) (40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(((~~(40)~~))) (41) "Public school" has the same meaning as in RCW 28A.150.010.

(((~~(41)~~))) (42) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.10, 26.26, or 26.50 RCW that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(((~~(42)~~))) (43) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(((~~(43)~~))) (44) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington

state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(((~~(44)~~))) (45) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(((~~(45)~~))) (46) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(((~~(46)~~))) (47) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register) on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(((~~(47)~~))) (48) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(((~~(48)~~))) (49) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(((~~(49)~~))) (50) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(((~~(50)~~))) (51) "Stranger" means that the victim did not know the offender twenty-four hours before the offense.

(((~~(51)~~))) (52) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(((~~(52)~~))) (53) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(((~~(53)~~))) (54) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(((~~(54)~~))) (55) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(((~~(55)~~))) (56) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(((~~(56)~~))) (57) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(((~~(57)~~))) (58) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 648. RCW 9.94A.734 and 2010 c 224 s 9 are each amended to read as follows:

(1) Home detention may not be imposed for offenders convicted of the following offenses, unless imposed as partial confinement in the department's parenting program under RCW 9.94A.6551:

(a) A violent offense;

(b) Any sex offense;

(c) Any drug offense;

(d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;

(e) Assault in the third degree as defined in RCW 9A.36.031;

(f) Assault of a child in the third degree;

(g) Unlawful imprisonment as defined in RCW 9A.40.040; or

(h) Harassment as defined in RCW 9A.46.020.

Home detention may be imposed for offenders convicted of possession of a controlled substance under RCW 69.50.4013 or

forged prescription for a controlled substance under RCW 69.50.403 if the offender fulfills the participation conditions set forth in this section and is monitored for drug use by a treatment alternatives to street crime program or a comparable court or agency-referred program.

(2) Home detention may be imposed for offenders convicted of burglary in the second degree as defined in RCW 9A.52.030 or residential burglary conditioned upon the offender:

(a) Successfully completing twenty-one days in a work release program;

(b) Having no convictions for burglary in the second degree or residential burglary during the preceding two years and not more than two prior convictions for burglary or residential burglary;

(c) Having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense;

(d) Having no prior charges of escape; and

(e) Fulfilling the other conditions of the home detention program.

(3) Home detention may be imposed for offenders convicted of taking a motor vehicle without permission in the second degree as defined in RCW 9A.56.075, theft of a motor vehicle as defined under RCW 9A.56.065, or possession of a stolen motor vehicle as defined under RCW 9A.56.068 conditioned upon the offender:

(a) Having no convictions for taking a motor vehicle without permission, theft of a motor vehicle or possession of a stolen motor vehicle during the preceding five years and not more than two prior convictions for taking a motor vehicle without permission, theft of a motor vehicle or possession of a stolen motor vehicle;

(b) Having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense;

(c) Having no prior charges of escape; and

(d) Fulfilling the other conditions of the home detention program.

(4) Participation in a home detention program shall be conditioned upon:

(a) The offender obtaining or maintaining current employment or attending a regular course of school study at regularly defined hours, or the offender performing parental duties to offspring or minors normally in the custody of the offender;

(b) Abiding by the rules of the home detention program; and

(c) Compliance with court-ordered legal financial obligations.

(5) The home detention program may also be made available to offenders whose charges and convictions do not otherwise disqualify them if medical or health-related conditions, concerns or treatment would be better addressed under the home detention program, or where the health and welfare of the offender, other inmates, or staff would be jeopardized by the offender's incarceration. Participation in the home detention program for medical or health-related reasons is conditioned on the offender abiding by the rules of the home detention program and complying with court-ordered restitution.

(6)(a) A sentencing court shall deny the imposition of home detention if the court finds that (i) the offender has previously and knowingly violated the terms of a home detention program and (ii) the previous violation is not a technical, minor, or nonsubstantive violation.

(b) A sentencing court may deny the imposition of home detention if the court finds that (i) the offender has previously and knowingly violated the terms of a home detention program and (ii) the previous violation or violations were technical, minor, or nonsubstantive violations.

(7) A home detention program must be administered by a monitoring agency that meets the conditions described in section 3 of this act.

NEW SECTION. **Sec. 649.** A new section is added to chapter 9.94A RCW to read as follows:

(1) A supervising agency must establish terms and conditions of electronic monitoring for each individual subject to electronic monitoring under the agency's jurisdiction. The supervising agency must communicate those terms and conditions to the monitoring agency. A supervising agency must also establish protocols for when and how a monitoring agency must notify the supervising agency when a violation of the terms and conditions occurs. A monitoring agency must comply with the terms and conditions as established by the supervising agency.

(2) A monitoring agency shall:

(a) Provide notification within twenty-four hours to the court or other supervising agency when the monitoring agency discovers that the monitored individual is unaccounted for, or is beyond an approved location, for twenty-four consecutive hours. Notification shall also be provided to the probation department, the prosecuting attorney, local law enforcement, the local detention facility, or the department, as applicable;

(b) Establish geographic boundaries consistent with court-ordered activities and report substantive violations of those boundaries;

(c) Verify the location of the offender through in-person contact on a random basis at least once per month; and

(d) Report to the supervising agency or other appropriate authority any known violation of the law or court-ordered condition.

(3) In addition, a private monitoring agency shall:

(a) Have detailed contingency plans for the monitoring agency's operation with provisions for power outage, loss of telephone service, fire, flood, malfunction of equipment, death, incapacitation or personal emergency of a monitor, and financial insolvency of the monitoring agency;

(b) Prohibit certain relationships between a monitored individual and a monitoring agency, including:

(i) Personal associations between a monitored individual and a monitoring agency or agency employee;

(ii) A monitoring agency or employee entering into another business relationship with a monitored individual or monitored individual's family during the monitoring; and

(iii) A monitoring agency or employee employing a monitored individual for at least one year after the termination of the monitoring;

(c) Not employ or be owned by any person convicted of a felony offense within the past four years; and

(d) Obtain a background check through the Washington state patrol for every partner, director, officer, owner, employee, or operator of the monitoring agency, at the monitoring agency's expense.

(4) A private monitoring agency that fails to comply with any of the requirements in this section may be subject to a civil penalty, as determined by a court of competent jurisdiction or a court administrator, in an amount of not more than one thousand dollars for each violation, in addition to any penalties imposed by contract. A court or court administrator may cancel a contract with a monitoring agency for any violation by the monitoring agency.

(5)(a) A court that receives notice of a violation by a monitored individual of the terms of electronic monitoring or home detention shall note and maintain a record of the violation in the court file.

(b)(i) The presiding judge of a court must notify the administrative office of the courts if:

(A) The court or court administrator decides it will not allow use of a particular monitoring agency by persons ordered to comply with an electronic monitoring or home detention program; and

(B) The court or court administrator, after previously deciding not to allow use of a particular monitoring agency, decides to resume

allowing use of the monitoring agency by persons ordered to comply with a home detention program.

(ii) In either case, the court or court administrator must include in its notice the reasons for the court's decision.

(6) The administrative office of the courts shall, after receiving notice pursuant to subsection (5) of this section, transmit the notice to all superior courts and courts of limited jurisdiction in the state, and any law enforcement or corrections agency that has requested such notification.

(7) The courts, the administrative office of the courts, and their employees and agents are not liable for acts or omissions pursuant to subsections (5) and (6) of this section absent a showing of gross negligence or bad faith.

(8) For the purposes of this section:

(a) A "monitoring agency" means an entity, private or public, which electronically monitors an individual, pursuant to an electronic monitoring or home detention program, including the department of corrections, a sheriff's office, a police department, a local detention facility, or a private entity; and

(b) A "supervising agency" means the public entity that authorized, approved, administers or manages, whether pretrial or posttrial, the home detention or electronic monitoring program of an individual and has jurisdiction and control over the monitored individual. A supervising agency may also be a monitoring agency.

(9) All government contracts with a private monitoring agency to provide electronic monitoring or home detention must be in writing and may provide contractual penalties in addition to those provided under this act.

NEW SECTION. **Sec. 650.** A new section is added to chapter 9.94A RCW to read as follows:

(1) By December 1, 2015, the administrative office of the courts shall create a pattern form order for use by a court in cases where a court orders a person to comply with a home detention program.

(2) The court shall provide a copy of the form order to the person ordered to comply with a home detention program. The form order must include the following:

(a) In a conspicuous location, a notice of criminal penalties resulting for a violation of the terms and conditions of a home detention program; and

(b) Language stating that a person may leave his or her residence for specific purposes only as ordered by the court, with a list of common purposes, such as school, employment, treatment, counseling, programming, or other activities from which a court may select.

(3) When a court orders a person to comply with the terms of a home detention program, the court must, in addition to its order, complete the form order created pursuant to this section to notify the person of criminal penalties associated with violation of the terms and conditions of the program and of any express permission granted for absence from the residence.

Sec. 651. RCW 10.21.030 and 2014 c 24 s 2 are each amended to read as follows:

(1) The judicial officer may at any time amend the order to impose additional or different conditions of release. The conditions imposed under this chapter supplement but do not supplant provisions of law allowing the imposition of conditions to assure the appearance of the defendant at trial or to prevent interference with the administration of justice.

(2) Appropriate conditions of release under this chapter include, but are not limited to, the following:

(a) The defendant may be placed in the custody of a pretrial release program;

(b) The defendant may have restrictions placed upon travel, association, or place of abode during the period of release;

(c) The defendant may be required to comply with a specified curfew;

(d) The defendant may be required to return to custody during specified hours or to be placed on electronic monitoring, as defined in RCW 9.94A.030, if available. The defendant, if convicted, may not have the period of incarceration reduced by the number of days spent on electronic monitoring;

(e) The defendant may be required to comply with a program of home detention, as defined in RCW 9.94A.030;

(f) The defendant may be prohibited from approaching or communicating in any manner with particular persons or classes of persons;

(((f))) (g) The defendant may be prohibited from going to certain geographical areas or premises;

(((g))) (h) The defendant may be prohibited from possessing any dangerous weapons or firearms;

(((h))) (i) The defendant may be prohibited from possessing or consuming any intoxicating liquors or drugs not prescribed to the defendant. The defendant may be required to submit to testing to determine the defendant's compliance with this condition;

(((i))) (j) The defendant may be prohibited from operating a motor vehicle that is not equipped with an ignition interlock device;

(((j))) (k) The defendant may be required to report regularly to and remain under the supervision of an officer of the court or other person or agency; and

(((k))) (l) The defendant may be prohibited from committing any violations of criminal law.

NEW SECTION. **Sec. 652.** A new section is added to chapter 10.21 RCW to read as follows:

Under this chapter, "home detention" means any program meeting the definition of home detention in RCW 9.94A.030, and complying with the requirements of section 3 of this act.

Sec. 653. RCW 9.94A.704 and 2014 c 35 s 1 are each amended to read as follows:

(1) Every person who is sentenced to a period of community custody shall report to and be placed under the supervision of the department, subject to RCW 9.94A.501.

(2)(a) The department shall assess the offender's risk of reoffense and may establish and modify additional conditions of community custody based upon the risk to community safety.

(b) Within the funds available for community custody, the department shall determine conditions on the basis of risk to community safety, and shall supervise offenders during community custody on the basis of risk to community safety and conditions imposed by the court. The secretary shall adopt rules to implement the provisions of this subsection (2)(b).

(3) If the offender is supervised by the department, the department shall at a minimum instruct the offender to:

(a) Report as directed to a community corrections officer;

(b) Remain within prescribed geographical boundaries;

(c) Notify the community corrections officer of any change in the offender's address or employment;

(d) Pay the supervision fee assessment; and

(e) Disclose the fact of supervision to any mental health or chemical dependency treatment provider, as required by RCW 9.94A.722.

(4) The department may require the offender to participate in rehabilitative programs, or otherwise perform affirmative conduct, and to obey all laws.

(5) If the offender was sentenced pursuant to a conviction for a sex offense, the department may:

(a) Require the offender to refrain from direct or indirect contact with the victim of the crime or immediate family member of the victim of the crime. If a victim or an immediate family member of a victim has requested that the offender not contact him or her after notice as provided in RCW 72.09.340, the department shall

require the offender to refrain from contact with the requestor. Where the victim is a minor, the parent or guardian of the victim may make a request on the victim's behalf.

(b) Impose electronic monitoring. Within the resources made available by the department for this purpose, the department shall carry out any electronic monitoring using the most appropriate technology given the individual circumstances of the offender. As used in this section, "electronic monitoring" ((~~means the monitoring of an offender using an electronic offender tracking system including, but not limited to, a system using radio frequency or active or passive global positioning system technology~~)) has the same meaning as in RCW 9.94A.030.

(6) The department may not impose conditions that are contrary to those ordered by the court and may not contravene or decrease court-imposed conditions.

(7)(a) The department shall notify the offender in writing of any additional conditions or modifications.

(b) By the close of the next business day after receiving notice of a condition imposed or modified by the department, an offender may request an administrative review under rules adopted by the department. The condition shall remain in effect unless the reviewing officer finds that it is not reasonably related to the crime of conviction, the offender's risk of reoffending, or the safety of the community.

(8) The department shall notify the offender in writing upon community custody intake of the department's violation process.

(9) The department may require offenders to pay for special services rendered including electronic monitoring, day reporting, and telephone reporting, dependent on the offender's ability to pay. The department may pay for these services for offenders who are not able to pay.

(10)(a) When a sex offender has been sentenced pursuant to RCW 9.94A.507, the department shall assess the offender's risk of recidivism and shall recommend to the board any additional or modified conditions based upon the offender's risk to community safety and may recommend affirmative conduct or electronic monitoring consistent with subsections (4) through (6) of this section.

(b) The board may impose conditions in addition to court-ordered conditions. The board must consider and may impose department-recommended conditions. The board must impose a condition requiring the offender to refrain from contact with the victim or immediate family member of the victim as provided in subsection (5)(a) of this section.

(c) By the close of the next business day, after receiving notice of a condition imposed by the board or the department, an offender may request an administrative hearing under rules adopted by the board. The condition shall remain in effect unless the hearing examiner finds that it is not reasonably related to any of the following:

(i) The crime of conviction;

(ii) The offender's risk of reoffending;

(iii) The safety of the community.

(d) If the department finds that an emergency exists requiring the immediate imposition of additional conditions in order to prevent the offender from committing a crime, the department may impose such conditions. The department may not impose conditions that are contrary to those set by the board or the court and may not contravene or decrease court-imposed or board-imposed conditions. Conditions imposed under this subsection shall take effect immediately after notice to the offender by personal service, but shall not remain in effect longer than seven working days unless approved by the board.

(11) In setting, modifying, and enforcing conditions of community custody, the department shall be deemed to be performing a quasi-judicial function.

Sec. 654. RCW 26.50.010 and 2008 c 6 s 406 are each amended to read as follows:

As used in this chapter, the following terms shall have the meanings given them:

(1) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

(2) "Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

(3) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

(4) "Court" includes the superior, district, and municipal courts of the state of Washington.

(5) "Judicial day" does not include Saturdays, Sundays, or legal holidays.

(6) "Electronic monitoring" ((~~means a program in which a person's presence at a particular location is monitored from a remote location by use of electronic equipment~~)) has the same meaning as in RCW 9.94A.030.

(7) "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes but is not limited to clothing, cribs, bedding, documents, medications, and personal hygiene items.

Sec. 655. RCW 10.99.040 and 2012 c 223 s 3 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his or her client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2)(a) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact

order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800.

(c) The no-contact order shall also be issued in writing as soon as possible, and shall state that it may be extended as provided in subsection (3) of this section. By January 1, 2011, the administrative office of the courts shall develop a pattern form for all no-contact orders issued under this chapter. A no-contact order issued under this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(3) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order even if the defendant fails to appear at arraignment. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed. If a no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring as defined in RCW 9.94A.030. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring.

(4)(a) Willful violation of a court order issued under subsection (2), (3), or (7) of this section is punishable under RCW 26.50.110.

(b) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A certified copy of the order shall be provided to the victim.

(5) If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(6) Whenever a no-contact order is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated under subsection (3) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

(7) All courts shall develop policies and procedures by January 1, 2011, to grant victims a process to modify or rescind a no-contact order issued under this chapter. The administrative office of the courts shall develop a model policy to assist the courts in implementing the requirements of this subsection.

Sec. 656. RCW 9.94A.505 and 2010 c 224 s 4 are each amended to read as follows:

(1) When a person is convicted of a felony, the court shall impose punishment as provided in this chapter.

(2)(a) The court shall impose a sentence as provided in the following sections and as applicable in the case:

(i) Unless another term of confinement applies, a sentence within the standard sentence range established in RCW 9.94A.510 or 9.94A.517;

(ii) RCW 9.94A.701 and 9.94A.702, relating to community custody;

(iii) RCW 9.94A.570, relating to persistent offenders;

(iv) RCW 9.94A.540, relating to mandatory minimum terms;

(v) RCW 9.94A.650, relating to the first-time offender waiver;

(vi) RCW 9.94A.660, relating to the drug offender sentencing alternative;

(vii) RCW 9.94A.670, relating to the special sex offender sentencing alternative;

(viii) RCW 9.94A.655, relating to the parenting sentencing alternative;

(ix) RCW 9.94A.507, relating to certain sex offenses;

(x) RCW 9.94A.535, relating to exceptional sentences;

(xi) RCW 9.94A.589, relating to consecutive and concurrent sentences;

(xii) RCW 9.94A.603, relating to felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

(b) If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under RCW 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

(3) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(4) If a sentence imposed includes payment of a legal financial obligation, it shall be imposed as provided in RCW 9.94A.750, 9.94A.753, 9.94A.760, and 43.43.7541.

(5) Except as provided under RCW 9.94A.750(4) and 9.94A.753(4), a court may not impose a sentence providing for a term of confinement or community custody that exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(6) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(7) The sentencing court shall not give the offender credit for any time the offender was required to comply with an electronic monitoring program prior to sentencing if the offender was convicted of one of the following offenses:

(a) A violent offense;

(b) Any sex offense;

(c) Any drug offense;

(d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;

(e) Assault in the third degree as defined in RCW 9A.36.031;

(f) Assault of a child in the third degree;

(g) Unlawful imprisonment as defined in RCW 9A.40.040; or

(h) Harassment as defined in RCW 9A.46.020.

(8) The court shall order restitution as provided in RCW 9.94A.750 and 9.94A.753.

(((~~(8)~~))) (9) As a part of any sentence, the court may impose and enforce crime-related prohibitions and affirmative conditions as provided in this chapter.

(((~~(9)~~))) (10) In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention.

Sec. 657. RCW 9A.76.130 and 2011 c 336 s 403 are each amended to read as follows:

(1) A person is guilty of escape in the third degree if he or she:

(a) Escapes from custody; or

(b) Knowingly violates the terms of an electronic monitoring program.

(2) Escape in the third degree is a ((~~gross~~)) misdemeanor, except as provided in subsection (3) of this section.

(3)(a) If the person has one prior conviction for escape in the third degree, escape in the third degree is a gross misdemeanor.

(b) If the person has two or more prior convictions for escape in the third degree, escape in the third degree is a class C felony.

NEW SECTION. **Sec. 658.** A new section is added to chapter 10.21 RCW to read as follows:

A monitoring agency, as defined in section 3 of this act, may not agree to monitor pursuant to home detention or electronic monitoring an offender who is currently awaiting trial for a violent or sex offense, as defined in RCW 9.94A.030, unless the defendant's release before trial is secured with a payment of bail. If bail is revoked by the court or the bail bond agency, the court shall note the reason for the revocation in the court file.

NEW SECTION. **Sec. 659.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "electronic monitoring; amending RCW 9.94A.030, 9.94A.734, 10.21.030, 9.94A.704, 26.50.010, 10.99.040, 9.94A.505, and 9A.76.130; adding new sections to chapter 9.94A RCW; adding new sections to chapter 10.21 RCW; and prescribing penalties."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1943 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Shea and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1943, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1943, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1943, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of SENATE BILL NO. 5174 and the bill was placed on the second reading calendar:

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126
SUBSTITUTE HOUSE BILL NO. 1240
HOUSE BILL NO. 1389
SUBSTITUTE HOUSE BILL NO. 1503
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546
HOUSE BILL NO. 1550
HOUSE BILL NO. 1599
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844
SUBSTITUTE HOUSE BILL NO. 1879
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093
SENATE BILL NO. 5125
SUBSTITUTE SENATE BILL NO. 5154
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269
ENGROSSED SUBSTITUTE SENATE BILL NO. 5607
ENGROSSED SENATE BILL NO. 5616
SUBSTITUTE SENATE BILL NO. 5631
SENATE BILL NO. 5693
SUBSTITUTE SENATE BILL NO. 5721
ENGROSSED SUBSTITUTE SENATE BILL NO. 5843
SUBSTITUTE HOUSE BILL NO. 1619
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807
SUBSTITUTE HOUSE BILL NO. 1853
ENGROSSED HOUSE BILL NO. 1943
SUBSTITUTE SENATE BILL NO. 5679
ENGROSSED SUBSTITUTE SENATE BILL NO. 5884

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 24, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5679
ENGROSSED SUBSTITUTE SENATE BILL NO. 5884

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126
SUBSTITUTE HOUSE BILL NO. 1240
HOUSE BILL NO. 1389
SUBSTITUTE HOUSE BILL NO. 1503
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546
HOUSE BILL NO. 1550
HOUSE BILL NO. 1599
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844
SUBSTITUTE HOUSE BILL NO. 1879
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 4637, by Representatives Sullivan and Kretz

WHEREAS, It is necessary to provide for the continuation of the work of the House of Representatives after its adjournment and during the interim periods between legislative sessions;

NOW, THEREFORE, BE IT RESOLVED, That the Executive Rules Committee is hereby created by this resolution and shall consist of three members of the majority caucus and two members of the minority caucus, to be named by the Speaker of the House of Representatives and Minority Leader respectively; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee may assign subject matters, bills, memorials, and resolutions to authorized committees of the House of Representatives for study during the interim, and the Speaker of the House of Representatives may create special and select committees as may be necessary to carry out the functions, including interim studies, of the House of Representatives in an orderly manner and shall appoint members to such committees with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That, during the interim, the schedules of and locations for all meetings of any committee or subcommittee shall be approved by the Executive Rules Committee, and those committees or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That, during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall complete the work of the 2015 Regular Session of the Sixty-Fourth Legislature during interim periods, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may approve vouchers of the members of the House of Representatives, covering expenses incurred during the interim for official business of the Legislature in accordance with policies set by the Executive Rules Committee, at the per diem rate provided by law and established by the Executive Rules Committee, for each day or major portion of a day, plus mileage at the rate provided by law and established by the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall, during the interim, and as authorized by the Speaker of the House of Representatives, retain or hire any necessary employees and order necessary supplies, equipment, and printing to enable the House of Representatives to carry out its work promptly and efficiently, and accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House of Representatives and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall have authority to carry out the directions of the Executive Rules Committee regarding the authorization and execution of any personal services contracts or subcontracts that necessitate the expenditure of House of Representatives appropriations; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall execute the necessary vouchers upon which warrants are drawn for all legislative expenses and expenditures of the House of Representatives; and

BE IT FURTHER RESOLVED, That members and employees of the Legislature be reimbursed for expenses incurred in attending authorized conferences and meetings at the rate provided by law and established by the Executive Rules Committee, plus mileage to and from the conferences and meetings at the rate provided by law and established by the Executive Rules Committee, which reimbursement shall be paid on vouchers from any appropriation made to the House of Representatives for legislative expenses; and

BE IT FURTHER RESOLVED, That, during the interim, the use of the House of Representatives Chamber, any of its committee rooms, or any of the furniture or furnishings in them is permitted upon such terms and conditions as the Chief Clerk of the House of Representatives shall deem appropriate; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may express the sympathy of the House of Representatives by sending flowers and correspondence when the necessity arises; and

BE IT FURTHER RESOLVED, That this Resolution applies throughout the interim between sessions of the Sixty-Fourth Legislature, as well as any committee assembly.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4637.

HOUSE RESOLUTION NO. 4637 was adopted.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4404, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4404.

HOUSE CONCURRENT RESOLUTION NO. 4404 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4405, by Representatives Sullivan and Kretz

Adjourning the 2015 Regular Session of the Sixty-fourth Legislature SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4405.

HOUSE CONCURRENT RESOLUTION NO. 4405 was adopted.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4404 and HOUSE CONCURRENT RESOLUTION NO. 4405 were immediately transmitted to the Senate.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 24, 2015

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 660.** RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ((~~and~~))

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 661. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) Except as provided under (b) of this subsection, a facility does not include any: (i) Railroad car, Motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 662. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) Except as provided in (b) of this subsection, a facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning

or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 663. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(((~~(4)~~))) (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(((~~(5)~~))) (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(((~~(6)~~))) (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(7)~~))) (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(((~~(8)~~))) (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 664. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans

which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ((~~office~~)) department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk. Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans until state rules are adopted.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility.

(((~~(4)~~))) (5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(((~~(5)~~))) (6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(((~~(6)~~))) (7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(((~~(7)~~))) (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(((~~(8)~~))) (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(((~~(9)~~))) (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(((~~(10)~~))) (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 665. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2)(a) The account shall be used exclusively to pay for:

(((~~(a)~~))) (i) The costs associated with the response to spills or imminent threats of spills of crude oil or petroleum products into the ((~~navigable~~)) waters of the state; and

(((~~(b)~~))) (ii) The costs associated with the department's use of ((~~the~~)) an emergency response towing vessel ((~~as described in RCW 88.46.135~~)).

(b) During the 2015-2017 biennium, the legislature may transfer up to two million two hundred twenty-five thousand dollars from the account to the oil spill prevention account created in RCW 90.56.510.

(3) Payment of response costs under subsection (2)(a)(i) of this section shall be limited to spills which the director has determined are likely to exceed ((~~fifty~~)) one thousand dollars.

(4) Before expending moneys from the account, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 666. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used, subject to amounts appropriated specifically for this purpose, for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

(a) Routine responses not covered under RCW 90.56.500;

(b) Management and staff development activities;

(c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the tax provided for in chapter 82.23B RCW; and

(g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. **Sec. 667.** A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, region per bill of lading, and gravity as measured by standards developed by the American petroleum institute, of crude oil received. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(b) Twice per year, pipelines that transport crude oil must report to the department the following information about the crude oil transported by the pipeline through the state: The volume of crude oil and the state or province of origin of the crude oil. This report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. With respect to the information reported under subsection (1)(a) of this section, the information published by the department must be aggregated on a statewide basis by route through the state, by week, and by type of crude oil. The report may also include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

(4) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that contains proprietary, commercial, or financial information unless that information is aggregated. The requirement for aggregating information does not apply when information is shared

by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

Sec. 668. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ((~~atmospheric temperature~~)) twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

NEW SECTION. **Sec. 669.** A new section is added to chapter 81.04 RCW to read as follows:

(1) The commission must require a railroad company that transports crude oil in Washington to submit information to the commission relating to the railroad company's ability to pay damages in the event of a spill or accident involving the transport of crude oil by the railroad company in Washington. The information submitted to the commission must include a statement of whether the railroad has the ability to pay for damages resulting from a reasonable worst case spill of oil, as calculated by multiplying the reasonable per barrel cleanup and damage cost of spilled oil times the reasonable worst case spill volume as measured in barrels. A railroad company must include the information in the annual report submitted to the commission pursuant to RCW 81.04.080.

(2) The commission may not use the information submitted by a railroad company under this section as a basis for engaging in economic regulation of a railroad company.

(3) The commission may not use the information submitted by a railroad company under this section as a basis for penalizing a railroad company.

(4) Nothing in this section may be construed as assigning liability to a railroad company or establishing liquidated damages for a spill or accident involving the transport of crude oil by a railroad company.

(5) The commission may adopt rules for implementing this section consistent with the requirements of RCW 81.04.080.

NEW SECTION. **Sec. 670.** A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must complete an evaluation and assessment of vessel traffic management and vessel traffic safety

within and near the mouth of the Columbia river. A draft evaluation and assessment must be completed and submitted to the legislature consistent with RCW 43.01.036 by December 15, 2017. A final evaluation and assessment must be completed by June 30, 2018. In conducting this evaluation, the department must consult with the United States coast guard, the Oregon board of maritime pilots, Columbia river harbor safety committee, the Columbia river bar pilots, the Columbia river pilots, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities.

(2) The evaluation and assessment completed under subsection (1) of this section must include, but is not limited to, an assessment and evaluation of: (a) The need for tug escorts for oil tankers, articulated tug barges, and other towed waterborne vessels or barges; (b) best achievable protection; and (c) required tug capabilities to ensure safe escort of vessels on the waters that are the subject of focus for each water body evaluated under subsection (1) of this section.

(3) The assessment and evaluations submitted to the legislature under subsection (1) of this section must include recommendations for vessel traffic management and vessel traffic safety on the Columbia river, including recommendations for tug escort requirements for vessels transporting oil as bulk cargo.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

(5) This section expires June 30, 2019.

NEW SECTION. **Sec. 671.** A new section is added to chapter 88.16 RCW to read as follows:

(1) The board of pilotage commissioners may adopt rules to implement this section. The rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050.

(2)(a) Prior to proposing a draft rule, the board of pilotage commissioners must consult with the department of ecology, the United States coast guard, the Grays Harbor safety committee, area tribes, public ports, local governments, and other appropriate entities. The board of pilotage commissioners may not adopt rules under this section unless a state agency or a local jurisdiction, for a facility within Grays Harbor that is required to have a contingency plan pursuant to chapter 90.56 RCW:

(i) Makes a final determination or issues a final permit after January 1, 2015, to site a new facility; or

(ii) Provides authority to an existing facility to process or receive crude oil for the first time.

(b) This subsection does not apply to a transmission pipeline or railroad facility.

(3) A rule adopted under this section must:

(a) Be designed to achieve best achievable protection as defined in RCW 88.46.010;

(b) Ensure that any escort tugs used have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge; and

(c) Ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort.

(4) The provisions adopted under this section may not include rules affecting pilotage. This section does not affect any existing authority to establish pilotage requirements.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 672. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

((~~Unless the context clearly requires otherwise,~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring ((~~liquid~~)) hydrocarbons ((~~at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline~~)) coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ((~~from a waterborne vessel or barge~~)) and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ((~~travelling~~)) traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 673. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; or (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of

receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; or (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of four cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ((~~shall~~)) must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ((~~imposition of the~~)) taxes imposed, or having collected the taxes, fails to pay them to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ((~~shall~~)), nevertheless, ((~~be~~)) is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ((~~shall~~)) relieves the owner from further liability for the taxes.

(4) Taxes collected under this chapter ((~~shall~~)) must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ((~~shall be~~)) is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ((~~shall~~)) must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ((~~shall be~~)) are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ((~~shall~~)) constitutes a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter, ((~~shall be~~)) is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department. The department ((~~shall~~)) must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ((~~shall~~)) must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ((~~shall~~)) relieves the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ((~~shall~~)) must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ((~~shall~~)) must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ((~~shall~~)) may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ((~~shall~~)) must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 674. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ((~~shall~~)) only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 675. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ((~~shall~~)) must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

Sec. 676. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than seventeen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, and private industry. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials planning and response activities. ((~~The council or a subcommittee thereof shall periodically convene in special session and serve during those sessions as the state emergency response commission required by P.L. 99-499, the emergency planning and community right-to-know act. When sitting in session as the state emergency response commission, the council shall confine its deliberations to those items specified in federal statutes and state administrative rules governing the coordination of hazardous materials policy.~~))

The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures; and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 677. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee ((~~equal~~)) of up to ((~~one~~)) two and one-half percent of its intrastate gross operating revenue. However, a class three railroad that does not haul crude oil must pay a fee equal to one and one-half percent of its intrastate gross operating revenue. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. **Sec. 678.** A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 679. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

((~~The term~~)) (1) "Commission((~~,~~))" ((~~when used in this chapter,~~)) means the utilities and transportation commission of Washington.

((~~The term~~)) (2) "Highway((~~,~~))" ((~~when used in this chapter,~~)) includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

((~~The term~~)) (3) "Railroad((~~,~~))" ((~~when used in this chapter,~~)) means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ((~~said~~)) term ((~~shall~~)) also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ((~~said~~)) term ((~~shall~~)) does not include street railways operating within the limits of any incorporated city or town.

((~~The term~~)) (4) "Railroad company((~~,~~))" ((~~when used in this chapter,~~)) includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad((~~, as that term is defined in this section~~)).

((~~The term~~)) (5) "Over-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

((~~The term~~)) (6) "Under-crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means

any point or place where one railroad crosses another railroad not at grade.

((~~The term "over-crossing" or "under-crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term~~)) (7) "Grade crossing((~~,~~))" ((~~when used in this chapter,~~)) means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 680. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((~~81.53 RCW~~)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. **Sec. 681.** A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage; and

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 682. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

(((~~(3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.~~))

Sec. 683. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or

(ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ((~~and~~))

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ((~~and~~))

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 8(1)(a) of this act, and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8 of this act.

NEW SECTION. **Sec. 684.** A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must provide to the relevant policy and fiscal committees of the senate and house of representatives:

(a) A review of all state geographic response plans and any federal requirements as needed in contingency plans required under RCW 90.56.210 and 88.46.060 by December 31, 2015; and

(b) Updates every two years, beginning December 31, 2017, and ending December 31, 2021, consistent with the requirements of RCW 43.01.036, as to the progress made in completing state and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) The department must contract, if practicable, with eligible independent third parties to ensure completion by December 1, 2017, of at least fifty percent of the geographic response plans as needed in contingency plans required under RCW 90.56.210 and 88.46.060 for the state.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. **Sec. 685.** (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

NEW SECTION. **Sec. 686.** Before the start of the 2016 legislative session, the senate energy, environment, and telecommunications committee and the house of representatives environment committee must hold at least one joint meeting on oil spill prevention and response activities for international transport of liquid bulk crude oil. The committees may invite representatives of affected parties from the United States and Canada to address issues including but not limited to the following:

(1) Cooperative prevention and emergency response activities between shared international and state borders;

(2) Expected risks posed by the transport of liquid bulk crude oil throughout the Pacific Northwest region; and

(3) An update of the status of marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. **Sec. 687.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 688.** By July 31, 2015, the state treasurer shall transfer two million two hundred twenty-five thousand dollars from the oil spill response account created in RCW 90.56.500 to the oil spill prevention account created in RCW 90.56.510.

NEW SECTION. **Sec. 689.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "safety;" strike the remainder of the title and insert "amending RCW 90.56.005, 90.56.010, 90.56.200, 90.56.210, 90.56.500, 90.56.510, 88.40.011, 82.23B.010, 82.23B.020, 82.23B.030, 82.23B.040, 81.24.010, 81.53.010, 81.53.240, and 88.46.180; reenacting and amending RCW 88.46.010, 38.52.040, and 42.56.270; adding new sections to chapter 90.56 RCW; adding a new section to chapter 81.04 RCW; adding a new section to chapter 88.16 RCW; adding a new section to chapter 81.44 RCW; adding a new section to chapter 81.53 RCW; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Farrell and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1449, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1449, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives DeBolt and G. Hunt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 24, 2015

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 2000 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 690.** A new section is added to chapter 43.06 RCW to read as follows:

The legislature intends to further the government-to-government relationship between the state of Washington and federally recognized Indian tribes in the state of Washington by authorizing the governor to enter into agreements concerning the regulation of marijuana. Such agreements may include provisions pertaining to: The lawful commercial production, processing, sale, and possession of marijuana for both recreational and medical purposes; marijuana-related research activities; law enforcement, both criminal and civil; and taxation. The legislature finds that these agreements will facilitate and promote a cooperative and mutually beneficial relationship between the state and the tribes regarding matters relating to the legalization of marijuana, particularly in light of the fact that federal Indian law precludes the state from enforcing its civil regulatory laws in Indian country. Such cooperative agreements will enhance public health and safety, ensure a lawful and well-regulated marijuana market, encourage economic development, and provide fiscal benefits to both the tribes and the state.

NEW SECTION. **Sec. 691.** A new section is added to chapter 43.06 RCW to read as follows:

(1) The governor may enter into agreements with federally recognized Indian tribes concerning marijuana. Marijuana

agreements may address any marijuana-related issue that involves both state and tribal interests or otherwise has an impact on tribal-state relations. Such agreements may include, but are not limited to, the following provisions and subject matter:

(a) Criminal and civil law enforcement;

(b) Regulatory issues related to the commercial production, processing, sale, and possession of marijuana, and processed marijuana products, for both recreational and medical purposes;

(c) Medical and pharmaceutical research involving marijuana;

(d) Taxation in accordance with subsection (2) of this section;

(e) Any tribal immunities or preemption of state law regarding the production, processing, or marketing of marijuana; and

(f) Dispute resolution, including the use of mediation or other nonjudicial process.

(2)(a) Each marijuana agreement adopted under this section must provide for a tribal marijuana tax that is at least one hundred percent of the state marijuana excise tax imposed under RCW 69.50.535 and state and local sales and use taxes on sales of marijuana. Marijuana agreements apply to sales in which tribes, tribal enterprises, or tribal member-owned businesses (i) deliver or cause delivery to be made to or receive delivery from a marijuana producer, processor, or retailer licensed under chapter 69.50 RCW or (ii) physically transfer possession of the marijuana from the seller to the buyer within Indian country.

(b) The tribe may allow an exemption from tax for sales to the tribe, tribal enterprises, tribal member-owned businesses, or tribal members on marijuana grown, produced, or processed within its Indian country, or for activities to the extent they are exempt under state or federal law from the state marijuana excise tax imposed under RCW 69.50.535 or state and local sales or use taxes on sales of marijuana. Medical marijuana products used in the course of medical treatments by a clinic, hospital, or similar facility owned and operated by a federally recognized Indian tribe within its Indian country may be exempted from tax under the terms of an agreement entered into under this section.

(3) Any marijuana agreement relating to the production, processing, and sale of marijuana in Indian country, whether for recreational or medical purposes, must address the following issues:

(a) Preservation of public health and safety;

(b) Ensuring the security of production, processing, retail, and research facilities; and

(c) Cross-border commerce in marijuana.

(4) The governor may delegate the power to negotiate marijuana agreements to the state liquor control board. In conducting such negotiations, the state liquor control board must, when necessary, consult with the governor and/or the department of revenue.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Indian country" has the same meaning as in RCW 82.24.010.

(b) "Indian tribe" or "tribe" means a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.

(c) "Marijuana" means "marijuana," "marijuana concentrates," "marijuana-infused products," and "useable marijuana," as those terms are defined in RCW 69.50.101.

NEW SECTION. **Sec. 692.** A new section is added to chapter 69.50 RCW to read as follows:

The taxes, fees, assessments, and other charges imposed by this chapter do not apply to commercial activities related to the production, processing, sale, and possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act.

NEW SECTION. **Sec. 693.** A new section is added to chapter 82.08 RCW to read as follows:

The taxes imposed by this chapter do not apply to the retail sale of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

NEW SECTION. **Sec. 694.** A new section is added to chapter 82.12 RCW to read as follows:

The taxes imposed by this chapter do not apply to the use of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

Sec. 695. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((shall)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under chapter 3, Laws of 2013;

(2) Possession of quantities of marijuana concentrates, useable marijuana, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(5); ((and))

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; or

(d) Seven grams of marijuana concentrate; and

(4) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 696. RCW 69.50.363 and 2013 c 3 s 16 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana processor or employee of a validly licensed marijuana processor in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((shall)) do not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana that has been properly packaged and labeled from a marijuana producer validly licensed under chapter 3, Laws of 2013;

(2) Possession, processing, packaging, and labeling of quantities of marijuana, useable marijuana, and marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(4); ((and))

(3) Delivery, distribution, and sale of useable marijuana or marijuana-infused products to a marijuana retailer validly licensed under chapter 3, Laws of 2013; and

(4) Delivery, distribution, and sale of useable marijuana, marijuana concentrates, or marijuana-infused products to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 697. RCW 69.50.366 and 2013 c 3 s 17 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana producer or employee of a validly licensed marijuana producer in compliance with rules adopted by the state liquor control board to implement and enforce chapter 3, Laws of 2013, ((shall)) do not constitute criminal or civil offenses under Washington state law:

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(3); ((and))

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under chapter 3, Laws of 2013; and

(3) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act."

On page 1, line 3 of the title, after "marijuana;" strike the remainder of the title and insert "amending RCW 69.50.360, 69.50.363, and 69.50.366; adding new sections to chapter 43.06 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2000 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2000, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2000, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harris, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, Haler, Harmsworth, Hawkins, Hayes, Johnson, Klippert, Kretz, McCabe, McCaslin, Schmick, Scott, Shea, Short, Smith and Taylor.

Excused: Representatives DeBolt and G. Hunt.

HOUSE BILL NO. 2000, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2000.

Representative Parker, 6th District

MESSAGES FROM THE SENATE

April 24, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1619
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807
SUBSTITUTE HOUSE BILL NO. 1853
ENGROSSED HOUSE BILL NO. 1943

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4404
HOUSE CONCURRENT RESOLUTION NO. 4405

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4404
HOUSE CONCURRENT RESOLUTION NO. 4405
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449
HOUSE BILL NO. 2000

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 24, 2015

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4404
HOUSE CONCURRENT RESOLUTION NO. 4405

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449
HOUSE BILL NO. 2000

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

April 24, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following House Bills were returned to the House of Representatives:

HOUSE BILL NO. 1003
HOUSE BILL NO. 1014
SUBSTITUTE HOUSE BILL NO. 1021
HOUSE BILL NO. 1022
SUBSTITUTE HOUSE BILL NO. 1031
HOUSE BILL NO. 1032
HOUSE BILL NO. 1034
HOUSE BILL NO. 1036
SUBSTITUTE HOUSE BILL NO. 1037
HOUSE BILL NO. 1042
SUBSTITUTE HOUSE BILL NO. 1048
SUBSTITUTE HOUSE BILL NO. 1053
SUBSTITUTE HOUSE BILL NO. 1070
SUBSTITUTE HOUSE BILL NO. 1085
ENGROSSED HOUSE BILL NO. 1087
SUBSTITUTE HOUSE BILL NO. 1089
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1093
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094
SECOND SUBSTITUTE HOUSE BILL NO. 1095
SUBSTITUTE HOUSE BILL NO. 1100
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1103
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106
SUBSTITUTE HOUSE BILL NO. 1109
HOUSE BILL NO. 1111
HOUSE BILL NO. 1113
SECOND SUBSTITUTE HOUSE BILL NO. 1118
SUBSTITUTE HOUSE BILL NO. 1121
ENGROSSED HOUSE BILL NO. 1123
HOUSE BILL NO. 1129
HOUSE BILL NO. 1134
SUBSTITUTE HOUSE BILL NO. 1135
HOUSE BILL NO. 1139
HOUSE BILL NO. 1142
SUBSTITUTE HOUSE BILL NO. 1148
SUBSTITUTE HOUSE BILL NO. 1149
SUBSTITUTE HOUSE BILL NO. 1157
SUBSTITUTE HOUSE BILL NO. 1159
SUBSTITUTE HOUSE BILL NO. 1166
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174
SUBSTITUTE HOUSE BILL NO. 1178
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1186
HOUSE BILL NO. 1189
SUBSTITUTE HOUSE BILL NO. 1190
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1211
HOUSE BILL NO. 1230
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1236
SUBSTITUTE HOUSE BILL NO. 1238
SUBSTITUTE HOUSE BILL NO. 1248
ENGROSSED HOUSE BILL NO. 1258
HOUSE BILL NO. 1260
HOUSE BILL NO. 1294
SUBSTITUTE HOUSE BILL NO. 1295
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299
HOUSE BILL NO. 1304
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1320
HOUSE BILL NO. 1322
HOUSE BILL NO. 1339
HOUSE BILL NO. 1345
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1349
HOUSE BILL NO. 1355
HOUSE BILL NO. 1356
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368
SUBSTITUTE HOUSE BILL NO. 1369
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390
HOUSE BILL NO. 1397
SUBSTITUTE HOUSE BILL NO. 1408
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1417
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420
SUBSTITUTE HOUSE BILL NO. 1428
SUBSTITUTE HOUSE BILL NO. 1430
SECOND SUBSTITUTE HOUSE BILL NO. 1436
SUBSTITUTE HOUSE BILL NO. 1439
ENGROSSED HOUSE BILL NO. 1443
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448
HOUSE BILL NO. 1465
SUBSTITUTE HOUSE BILL NO. 1470
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495
SUBSTITUTE HOUSE BILL NO. 1505
SUBSTITUTE HOUSE BILL NO. 1511
HOUSE BILL NO. 1512
ENGROSSED HOUSE BILL NO. 1513
HOUSE BILL NO. 1532
SUBSTITUTE HOUSE BILL NO. 1536
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
HOUSE BILL NO. 1545
SUBSTITUTE HOUSE BILL NO. 1551
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553
HOUSE BILL NO. 1560
HOUSE BILL NO. 1561
SUBSTITUTE HOUSE BILL NO. 1562
SUBSTITUTE HOUSE BILL NO. 1570
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571
SUBSTITUTE HOUSE BILL NO. 1576
HOUSE BILL NO. 1590
HOUSE BILL NO. 1605
HOUSE BILL NO. 1626
ENGROSSED HOUSE BILL NO. 1632
SUBSTITUTE HOUSE BILL NO. 1644
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646
HOUSE BILL NO. 1647
SUBSTITUTE HOUSE BILL NO. 1651
HOUSE BILL NO. 1666
SUBSTITUTE HOUSE BILL NO. 1667
SUBSTITUTE HOUSE BILL NO. 1668
HOUSE BILL NO. 1672
SUBSTITUTE HOUSE BILL NO. 1676
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1682
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1685
SUBSTITUTE HOUSE BILL NO. 1696
HOUSE BILL NO. 1704
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713
ENGROSSED HOUSE BILL NO. 1729
HOUSE BILL NO. 1732
SECOND SUBSTITUTE HOUSE BILL NO. 1735
SUBSTITUTE HOUSE BILL NO. 1737
SUBSTITUTE HOUSE BILL NO. 1738
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1740
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1745
HOUSE BILL NO. 1752
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1754
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1762
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763
HOUSE BILL NO. 1770
HOUSE BILL NO. 1771
SUBSTITUTE HOUSE BILL NO. 1783
SUBSTITUTE HOUSE BILL NO. 1790
SUBSTITUTE HOUSE BILL NO. 1793
HOUSE BILL NO. 1804
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808

SUBSTITUTE HOUSE BILL NO. 1813
HOUSE BILL NO. 1820
HOUSE BILL NO. 1821
SUBSTITUTE HOUSE BILL NO. 1822
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
SUBSTITUTE HOUSE BILL NO. 1830
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1836
HOUSE BILL NO. 1839
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1845
SUBSTITUTE HOUSE BILL NO. 1855
ENGROSSED HOUSE BILL NO. 1859
HOUSE BILL NO. 1863
HOUSE BILL NO. 1865
SUBSTITUTE HOUSE BILL NO. 1874
SUBSTITUTE HOUSE BILL NO. 1892
SUBSTITUTE HOUSE BILL NO. 1893
SECOND SUBSTITUTE HOUSE BILL NO. 1916
HOUSE BILL NO. 1918
SUBSTITUTE HOUSE BILL NO. 1956
SUBSTITUTE HOUSE BILL NO. 1966
SUBSTITUTE HOUSE BILL NO. 1967
HOUSE BILL NO. 1987
HOUSE BILL NO. 1990
HOUSE BILL NO. 1995
ENGROSSED HOUSE BILL NO. 1998
SECOND SUBSTITUTE HOUSE BILL NO. 1999
HOUSE BILL NO. 2010
SUBSTITUTE HOUSE BILL NO. 2012
SUBSTITUTE HOUSE BILL NO. 2017
HOUSE BILL NO. 2023
HOUSE BILL NO. 2033
SECOND SUBSTITUTE HOUSE BILL NO. 2041
HOUSE BILL NO. 2046
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2060
ENGROSSED HOUSE BILL NO. 2084
SUBSTITUTE HOUSE BILL NO. 2085
ENGROSSED HOUSE BILL NO. 2086
SUBSTITUTE HOUSE BILL NO. 2107
SUBSTITUTE HOUSE BILL NO. 2109
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136
SUBSTITUTE HOUSE BILL NO. 2160
ENGROSSED HOUSE BILL NO. 2212
HOUSE BILL NO. 2217
HOUSE CONCURRENT RESOLUTION NO. 4401

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following House Bills were returned to the House of Representatives:

SECOND SUBSTITUTE HOUSE BILL NO. 1469

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following Senate bills are returned to the Senate:

SENATE BILL NO. 5001
SUBSTITUTE SENATE BILL NO. 5012
ENGROSSED SENATE BILL NO. 5014
SENATE BILL NO. 5015
SUBSTITUTE SENATE BILL NO. 5018
SENATE BILL NO. 5020
SUBSTITUTE SENATE BILL NO. 5022
SUBSTITUTE SENATE BILL NO. 5025
SUBSTITUTE SENATE BILL NO. 5028
SUBSTITUTE SENATE BILL NO. 5037
SENATE BILL NO. 5046
SENATE BILL NO. 5064
SUBSTITUTE SENATE BILL NO. 5066
SUBSTITUTE SENATE BILL NO. 5072
SUBSTITUTE SENATE BILL NO. 5073
SENATE BILL NO. 5074
ENGROSSED SUBSTITUTE SENATE BILL NO. 5077
SENATE BILL NO. 5079
ENGROSSED SENATE BILL NO. 5091
SECOND SUBSTITUTE SENATE BILL NO. 5093
SENATE BILL NO. 5094
SECOND SUBSTITUTE SENATE BILL NO. 5105
SENATE BILL NO. 5106
ENGROSSED SENATE BILL NO. 5111
SUBSTITUTE SENATE BILL NO. 5112
SUBSTITUTE SENATE BILL NO. 5113
SECOND SUBSTITUTE SENATE BILL NO. 5127
ENGROSSED SUBSTITUTE SENATE BILL NO. 5133
SENATE BILL NO. 5137
SUBSTITUTE SENATE BILL NO. 5138
SECOND SUBSTITUTE SENATE BILL NO. 5142
SENATE BILL NO. 5143
SUBSTITUTE SENATE BILL NO. 5145
SENATE BILL NO. 5146
SENATE BILL NO. 5155
SENATE BILL NO. 5164
SUBSTITUTE SENATE BILL NO. 5167
SENATE BILL NO. 5171
SENATE BILL NO. 5172
SENATE BILL NO. 5174
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177
SENATE BILL NO. 5180
SENATE BILL NO. 5182
SUBSTITUTE SENATE BILL NO. 5186
SENATE BILL NO. 5204
SENATE BILL NO. 5205
SUBSTITUTE SENATE BILL NO. 5206
SUBSTITUTE SENATE BILL NO. 5221
ENGROSSED SENATE BILL NO. 5226
SENATE BILL NO. 5233
SUBSTITUTE SENATE BILL NO. 5234
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243
SENATE BILL NO. 5247
ENGROSSED SENATE BILL NO. 5251
SECOND SUBSTITUTE SENATE BILL NO. 5252
SUBSTITUTE SENATE BILL NO. 5264
SENATE BILL NO. 5270
SENATE BILL NO. 5271
SENATE BILL NO. 5272
ENGROSSED SUBSTITUTE SENATE BILL NO. 5282
SENATE BILL NO. 5290
SENATE BILL NO. 5295
SUBSTITUTE SENATE BILL NO. 5298
SENATE BILL NO. 5310
SENATE BILL NO. 5312
SECOND SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5316
SUBSTITUTE SENATE BILL NO. 5317
SENATE BILL NO. 5318
ENGROSSED SUBSTITUTE SENATE BILL NO. 5321
SUBSTITUTE SENATE BILL NO. 5324
SENATE BILL NO. 5330
ENGROSSED SUBSTITUTE SENATE BILL NO. 5343
ENGROSSED SUBSTITUTE SENATE BILL NO. 5347
SUBSTITUTE SENATE BILL NO. 5350
SUBSTITUTE SENATE BILL NO. 5355
SENATE BILL NO. 5363
SENATE BILL NO. 5379
SUBSTITUTE SENATE BILL NO. 5380
SENATE BILL NO. 5394
SENATE BILL NO. 5395
SENATE BILL NO. 5396
SUBSTITUTE SENATE BILL NO. 5397
SUBSTITUTE SENATE BILL NO. 5398
SECOND SUBSTITUTE SENATE BILL NO. 5403

ENGROSSED SUBSTITUTE SENATE BILL NO. 5407
SUBSTITUTE SENATE BILL NO. 5411
ENGROSSED SENATE BILL NO. 5416
SUBSTITUTE SENATE BILL NO. 5418
SUBSTITUTE SENATE BILL NO. 5436
SENATE BILL NO. 5442
SECOND SUBSTITUTE SENATE BILL NO. 5449
SUBSTITUTE SENATE BILL NO. 5451
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5452
SUBSTITUTE SENATE BILL NO. 5455
SENATE BILL NO. 5457
SENATE BILL NO. 5458
SUBSTITUTE SENATE BILL NO. 5463
ENGROSSED SUBSTITUTE SENATE BILL NO. 5470
ENGROSSED SUBSTITUTE SENATE BILL NO. 5477
SUBSTITUTE SENATE BILL NO. 5485
SUBSTITUTE SENATE BILL NO. 5487
SENATE BILL NO. 5491
SENATE BILL NO. 5496
SENATE BILL NO. 5499
SENATE BILL NO. 5511
ENGROSSED SENATE BILL NO. 5513
ENGROSSED SENATE BILL NO. 5523
ENGROSSED SENATE BILL NO. 5524
SUBSTITUTE SENATE BILL NO. 5529
SENATE BILL NO. 5542
SENATE BILL NO. 5555
SUBSTITUTE SENATE BILL NO. 5563
SENATE BILL NO. 5581
SUBSTITUTE SENATE BILL NO. 5583
SENATE BILL NO. 5587
SUBSTITUTE SENATE BILL NO. 5601
SUBSTITUTE SENATE BILL NO. 5609
SENATE BILL NO. 5620
SUBSTITUTE SENATE BILL NO. 5622
ENGROSSED SUBSTITUTE SENATE BILL NO. 5623
ENGROSSED SENATE BILL NO. 5624
SENATE BILL NO. 5634
SUBSTITUTE SENATE BILL NO. 5640
SUBSTITUTE SENATE BILL NO. 5645
SENATE BILL NO. 5654
ENGROSSED SUBSTITUTE SENATE BILL NO. 5656
SENATE BILL NO. 5658
SUBSTITUTE SENATE BILL NO. 5670
ENGROSSED SENATE BILL NO. 5673
SUBSTITUTE SENATE BILL NO. 5681
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5688
SENATE BILL NO. 5689
SUBSTITUTE SENATE BILL NO. 5694
SUBSTITUTE SENATE BILL NO. 5705
SENATE BILL NO. 5712
SUBSTITUTE SENATE BILL NO. 5715
SENATE BILL NO. 5723
SENATE BILL NO. 5725
SUBSTITUTE SENATE BILL NO. 5730
ENGROSSED SUBSTITUTE SENATE BILL NO. 5735
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5737
ENGROSSED SUBSTITUTE SENATE BILL NO. 5748
SECOND SUBSTITUTE SENATE BILL NO. 5755
SENATE BILL NO. 5761
SUBSTITUTE SENATE BILL NO. 5763
SENATE BILL NO. 5777
SENATE BILL NO. 5779
SENATE BILL NO. 5783
SUBSTITUTE SENATE BILL NO. 5799
ENGROSSED SUBSTITUTE SENATE BILL NO. 5804
SENATE BILL NO. 5819
SUBSTITUTE SENATE BILL NO. 5820
SENATE BILL NO. 5840
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ENGROSSED SUBSTITUTE SENATE BILL NO. 5857
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ENGROSSED SUBSTITUTE SENATE BILL NO. 5915
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ENGROSSED SENATE BILL NO. 5921
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ENGROSSED SENATE BILL NO. 5944
ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
ENGROSSED SENATE BILL NO. 5959
SUBSTITUTE SENATE BILL NO. 5960
SUBSTITUTE SENATE BILL NO. 5965
SUBSTITUTE SENATE BILL NO. 5972
SENATE BILL NO. 5977
SENATE BILL NO. 5978
ENGROSSED SUBSTITUTE SENATE BILL NO. 5987
ENGROSSED SUBSTITUTE SENATE BILL NO. 5988
ENGROSSED SUBSTITUTE SENATE BILL NO. 5990
ENGROSSED SUBSTITUTE SENATE BILL NO. 5991
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ENGROSSED SENATE BILL NO. 6044
ENGROSSED SUBSTITUTE SENATE BILL NO. 6062
ENGROSSED SUBSTITUTE SENATE BILL NO. 6080
SUBSTITUTE SENATE BILL NO. 6088
ENGROSSED SENATE BILL NO. 6089
SENATE BILL NO. 6092
SENATE JOINT MEMORIAL NO. 8000
SENATE JOINT MEMORIAL NO. 8006
SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007
ENGROSSED SENATE JOINT RESOLUTION NO. 8204

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 103rd Day of the 2015 Regular Session of the 64th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2015 Regular Session of the 64th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIRST DAY

House Chamber, Olympia, Wednesday, April 29, 2015

The House was called to order at 12:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Bob Jones and Jason Connelly. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt, 20th District Washington.

MESSAGE FROM THE GOVERNOR

PROCLAMATION BY THE GOVERNOR 15-08

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2015 regular session on April 24, 2015, the 103th day of the session; and

WHEREAS, work remains to be done with respect to the 2015-2017 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, work remains to be done with respect to the 2015-2017 biennial transportation budget and bills necessary to implement that budget; and

WHEREAS, work remains to be done with respect to critical policy bills that need to be acted upon by the Legislature; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Wednesday, April 29, 2015, at 12:00 p.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 24th day of April, A.D. Two-thousand and Fifteen at Olympia, Washington.

Jay Inslee, Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2249 by Representatives MacEwen and Stokesbary

AN ACT Relating to causes for a vacancy in office; amending RCW 42.12.010; and declaring an emergency.

Referred to Committee on State Government.

HCR 4406 by Representatives Sullivan and Kretz

Specifying the status of bills, memorials, and resolutions for the 2015 first special session of the sixty-fourth legislature.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURRENT RESOLUTION NO. 4406 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4406, by Representatives Sullivan and Kretz

Specifying the status of bills, memorials, and resolutions for the 2015 first special session of the sixty-fourth legislature.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4406.

HOUSE CONCURRENT RESOLUTION NO. 4406 was adopted.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 2151 and the bill was placed on the second reading calendar.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491
SUBSTITUTE HOUSE BILL NO. 1570
SUBSTITUTE HOUSE BILL NO. 1676
SUBSTITUTE HOUSE BILL NO. 1696
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
SUBSTITUTE HOUSE BILL NO. 2107
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136
SUBSTITUTE HOUSE BILL NO. 2160
HOUSE BILL NO. 2217

The Speaker (Representative Moeller presiding) excused Representatives Fagan and Santos.

MESSAGE FROM THE SENATE

April 29, 2015

MR. SPEAKER:

The Senate has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4406
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174 and the bill was placed on the second reading calendar:

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2151, by Representatives Jinkins, Schmick and Bergquist

Extending the hospital safety net assessment.

The bill was read the second time.

Representative Jinkins moved the adoption of amendment (501):

Strike everything after the enacting clause and insert the following:

"**Sec. 698.** RCW 74.60.005 and 2013 2nd sp.s. c 17 s 1 are each amended to read as follows:

(1) The purpose of this chapter is to provide for a safety net assessment on certain Washington hospitals, which will be used solely to augment funding from all other sources and thereby support additional payments to hospitals for medicaid services as specified in this chapter.

(2) The legislature finds that federal health care reform will result in an expansion of medicaid enrollment in this state and an increase in federal financial participation. ((~~As a result, the hospital safety net assessment and hospital safety net assessment fund created in this chapter will begin phasing down over a four-year period beginning in fiscal year 2016 as federal medicaid expansion is fully implemented. The state will end its reliance on the assessment and the fund by the end of fiscal year 2019.~~))

(3) In adopting this chapter, it is the intent of the legislature:

(a) To impose a hospital safety net assessment to be used solely for the purposes specified in this chapter;

(b) To generate approximately four hundred ((~~forty-six million three hundred thirty-eight thousand~~)) eighty-nine million dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then phasing down in equal increments to zero by the end of fiscal year 2019,~~)) in new state and federal funds by disbursing all of that amount to pay for medicaid hospital services and grants to certified public expenditure and critical access hospitals, except costs of administration as specified in this chapter, in the form of additional payments to hospitals and managed care plans, which may not be a substitute for payments from other sources;

(c) To generate ((~~one hundred ninety-nine million eight hundred thousand~~)) two hundred eighty-three million dollars ((~~in the 2013-2015 biennium, phasing down to zero by the end of the 2017-2019 biennium,~~)) per biennium during the 2015-2017 and 2017-2019 biennia in new funds to be used in lieu of state general fund payments for medicaid hospital services;

(d) That the total amount assessed not exceed the amount needed, in combination with all other available funds, to support the payments authorized by this chapter; and

(e) To condition the assessment on receiving federal approval for receipt of additional federal financial participation and on continuation of other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((~~2009~~)) 2015, as adjusted for current enrollment and utilization((~~, but without regard to payment increases resulting from chapter 30, Laws of 2010 1st sp. sess~~)).

Sec. 699. RCW 74.60.020 and 2013 2nd sp.s. c 17 s 3 are each amended to read as follows:

(1) A dedicated fund is hereby established within the state treasury to be known as the hospital safety net assessment fund. The purpose and use of the fund shall be to receive and disburse funds, together with accrued interest, in accordance with this chapter. Moneys in the fund, including interest earned, shall not be used or disbursed for any purposes other than those specified in this chapter. Any amounts expended from the fund that are later recouped by the authority on audit or otherwise shall be returned to the fund.

(a) Any unexpended balance in the fund at the end of a fiscal ((~~biennium~~)) year shall carry over into the following ((~~biennium~~)) fiscal year or that fiscal year and the following fiscal year and shall be applied to reduce the amount of the assessment under RCW 74.60.050(1)(c).

(b) Any amounts remaining in the fund after July 1, 2019, shall be refunded to hospitals, pro rata according to the amount paid by the hospital since July 1, 2013, subject to the limitations of federal law.

(2) All assessments, interest, and penalties collected by the authority under RCW 74.60.030 and 74.60.050 shall be deposited into the fund.

(3) Disbursements from the fund are conditioned upon appropriation and the continued availability of other funds sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((~~2009~~)) 2015, as adjusted for current enrollment and utilization((~~, but without regard to payment increases resulting from chapter 30, Laws of 2010 1st sp. sess~~)).

(4) Disbursements from the fund may be made only:

(a) To make payments to hospitals and managed care plans as specified in this chapter;

(b) To refund erroneous or excessive payments made by hospitals pursuant to this chapter;

(c) For one million dollars per biennium for payment of administrative expenses incurred by the authority in performing the activities authorized by this chapter;

(d) For ((~~one hundred ninety-nine million eight hundred thousand~~)) two hundred eighty-three million dollars ((~~in the 2013-2015~~)) per biennium, ((~~phasing down to zero by the end of the 2017-2019 biennium~~)) to be used in lieu of state general fund payments for medicaid hospital services, provided that if the full amount of the payments required under RCW 74.60.120 and 74.60.130 cannot be distributed in a given fiscal year, this amount must be reduced proportionately;

(e) To repay the federal government for any excess payments made to hospitals from the fund if the assessments or payment increases set forth in this chapter are deemed out of compliance with federal statutes and regulations in a final determination by a court of competent jurisdiction with all appeals exhausted. In such a case, the authority may require hospitals receiving excess payments to refund the payments in question to the fund. The state in turn shall return funds to the federal government in the same proportion as the original financing. If a hospital is unable to refund payments, the state shall develop either a payment plan, or deduct moneys from future medicaid payments, or both;

(f) Beginning in state fiscal year 2015, to pay an amount sufficient, when combined with the maximum available amount of federal funds necessary to provide a one percent increase in medicaid hospital inpatient rates to hospitals eligible for quality improvement incentives under RCW 74.09.611.

Sec. 700. RCW 74.60.030 and 2014 c 143 s 1 are each amended to read as follows:

(1)(a) Upon satisfaction of the conditions in RCW 74.60.150(1), and so long as the conditions in RCW 74.60.150(2) have not occurred, an assessment is imposed as set forth in this subsection((~~, effective October 1, 2013~~)). ((~~Initial assessment notices must be sent to each hospital not earlier than thirty days after satisfaction of the conditions in RCW 74.60.150(1). Payment is due not sooner than thirty days thereafter. Except for the initial~~)) Assessment((~~,~~)) notices must be sent on or about thirty days prior to the end of each quarter and payment is due thirty days thereafter.

(b) Effective ((~~October 1, 2013~~)) July 1, 2015, and except as provided in RCW 74.60.050:

(i) ((~~For fiscal year 2014, an annual assessment for amounts determined as described in (b)(ii) through (iv) of this subsection is imposed for the time period of October 1, 2013, through June 30, 2014. The initial assessment notice must cover amounts due from October 1, 2013, through either: (A) The end of the calendar quarter prior to the satisfaction of the conditions in RCW 74.60.150(1) if federal approval is received more than forty-five days prior to the end of a quarter; or (B) the end of the calendar quarter after the satisfaction of the conditions in RCW 74.60.150(1) if federal approval is received within forty-five days of the end of a quarter. For subsequent assessments during fiscal year 2014, the authority shall calculate the amount due annually and shall issue assessments for the appropriate proportion of the annual amount due from each hospital;~~

(~~ii) After the assessments described in (b)(i) of this subsection,~~)) Each prospective payment system hospital, except psychiatric and rehabilitation hospitals, shall pay a quarterly assessment. Each quarterly assessment shall be no more than one quarter of three hundred ((~~forty-four~~)) forty-five dollars for each annual nonmedicare hospital inpatient day, up to a maximum of fifty-four thousand days per year. For each nonmedicare hospital inpatient day in excess of fifty-four thousand days, each prospective payment system hospital shall pay an assessment of one quarter of seven dollars for each such day;

(((~~iii) After the assessments described in (b)(i) of this subsection,~~)) (ii) Each critical access hospital shall pay a quarterly assessment of one quarter of ten dollars for each annual nonmedicare hospital inpatient day;

(((~~iv) After the assessments described in (b)(i) of this subsection,~~)) (iii) Each psychiatric hospital shall pay a quarterly assessment of no more than one quarter of ((~~sixty-seven~~)) sixty-eight dollars for each annual nonmedicare hospital inpatient day; and

(((~~v) After the assessments described in (b)(i) of this subsection,~~)) (iv) Each rehabilitation hospital shall pay a quarterly assessment of no more than one quarter of ((~~sixty-seven~~)) sixty-eight dollars for each annual nonmedicare hospital inpatient day.

(2) The authority shall determine each hospital's annual nonmedicare hospital inpatient days by summing the total reported nonmedicare hospital inpatient days for each hospital that is not exempt from the assessment under RCW 74.60.040((~~, taken~~)). The authority shall obtain inpatient data from the hospital's 2552 cost report data file or successor data file available through the centers for medicare and medicaid services, as of a date to be determined by the authority. For state fiscal year ((~~2014~~)) 2016, the authority shall use cost report data for hospitals' fiscal years ending in ((~~2010~~)) 2012. For subsequent years, the hospitals' next succeeding fiscal year cost report data must be used.

(a) With the exception of a prospective payment system hospital commencing operations after January 1, 2009, for any hospital without a cost report for the relevant fiscal year, the authority shall work with the affected hospital to identify appropriate supplemental information that may be used to determine annual nonmedicare hospital inpatient days.

(b) A prospective payment system hospital commencing operations after January 1, 2009, must be assessed in accordance with this section after becoming an eligible new prospective payment system hospital as defined in RCW 74.60.010.

Sec. 701. RCW 74.60.050 and 2013 2nd sp.s. c 17 s 5 are each amended to read as follows:

(1) The authority, in cooperation with the office of financial management, shall develop rules for determining the amount to be assessed to individual hospitals, notifying individual hospitals of the assessed amount, and collecting the amounts due. Such rule making shall specifically include provision for:

(a) Transmittal of notices of assessment by the authority to each hospital informing the hospital of its nonmedicare hospital inpatient days and the assessment amount due and payable;

(b) Interest on delinquent assessments at the rate specified in RCW 82.32.050; and

(c) Adjustment of the assessment amounts in accordance with subsection((~~s~~)) (2) ((~~and (3)~~)) of this section.

(2) For state fiscal year ((~~2015~~)) 2016 and each subsequent state fiscal year, the assessment amounts established under RCW 74.60.030 must be adjusted as follows:

(a) If sufficient other funds, including federal funds, are available to make the payments required under this chapter and fund the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f) without utilizing the full assessment under RCW 74.60.030, the authority shall reduce the amount of the assessment to the minimum levels necessary to support those payments;

(b) If the total amount of inpatient or outpatient supplemental payments under RCW 74.60.120 is in excess of the upper payment limit and the entire excess amount cannot be disbursed by additional payments to managed care organizations under RCW 74.60.130, the authority shall proportionately reduce future assessments on prospective payment hospitals to the level necessary to generate

additional payments to hospitals that are consistent with the upper payment limit plus the maximum permissible amount of additional payments to managed care organizations under RCW 74.60.130;

(c) If the amount of payments to managed care organizations under RCW 74.60.130 cannot be distributed because of failure to meet federal actuarial soundness or utilization requirements or other federal requirements, the authority shall apply the amount that cannot be distributed to reduce future assessments to the level necessary to generate additional payments to managed care organizations that are consistent with federal actuarial soundness or utilization requirements or other federal requirements;

(d) If required in order to obtain federal matching funds, the maximum number of nonmedicare inpatient days at the higher rate provided under RCW 74.60.030(1)(b)(i) may be adjusted in order to comply with federal requirements;

(e) If the number of nonmedicare inpatient days applied to the rates provided in RCW 74.60.030 will not produce sufficient funds to support the payments required under this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f), the assessment rates provided in RCW 74.60.030 may be increased proportionately by category of hospital to amounts no greater than necessary in order to produce the required level of funds needed to make the payments specified in this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f); and

(f) Any actual or estimated surplus remaining in the fund at the end of the fiscal year must be applied to reduce the assessment amount for the subsequent fiscal year or that fiscal year and the following fiscal years prior to and including fiscal year 2019.

(3) ((~~For each fiscal year after June 30, 2015, the assessment amounts established under RCW 74.60.030 must be adjusted as follows:~~

~~(a) In order to support the payments required in this chapter, the assessment amounts must be reduced in approximately equal yearly increments each fiscal year by category of hospital until the assessment amount is zero by July 1, 2019;~~

~~(b) If sufficient other funds, including federal funds, are available to make the payments required under this chapter and fund the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f) without utilizing the full assessment under RCW 74.60.030, the authority shall reduce the amount of the assessment to the minimum levels necessary to support those payments;~~

~~(c) If in any fiscal year the total amount of inpatient or outpatient supplemental payments under RCW 74.60.120 is in excess of the upper payment limit and the entire excess amount cannot be disbursed by additional payments to managed care organizations under RCW 74.60.130, the authority shall proportionately reduce future assessments on prospective payment hospitals to the level necessary to generate additional payments to hospitals that are consistent with the upper payment limit plus the maximum permissible amount of additional payments to managed care organizations under RCW 74.60.130;~~

~~(d) If the amount of payments to managed care organizations under RCW 74.60.130 cannot be distributed because of failure to meet federal actuarial soundness or utilization requirements or other federal requirements, the authority shall apply the amount that cannot be distributed to reduce future assessments to the level necessary to generate additional payments to managed care organizations that are consistent with federal actuarial soundness or utilization requirements or other federal requirements;~~

~~(e) If required in order to obtain federal matching funds, the maximum number of nonmedicare inpatient days at the higher rate provided under RCW 74.60.030(1)(b)(i) may be adjusted in order to comply with federal requirements;~~

~~(f) If the number of nonmedicare inpatient days applied to the rates provided in RCW 74.60.030 will not produce sufficient funds to support the payments required under this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f), the assessment rates provided in RCW 74.60.030 may be increased proportionately by category of hospital to amounts no greater than necessary in order to produce the required level of funds needed to make the payments specified in this chapter and the state portion of the quality incentive payments under RCW 74.09.611 and 74.60.020(4)(f); and~~

~~(g) Any actual or estimated surplus remaining in the fund at the end of the fiscal year must be applied to reduce the assessment amount for the subsequent fiscal year.~~

~~(4)~~))(a) Any adjustment to the assessment amounts pursuant to this section, and the data supporting such adjustment, including, but not limited to, relevant data listed in (b) of this subsection, must be submitted to the Washington state hospital association for review and comment at least sixty calendar days prior to implementation of such adjusted assessment amounts. Any review and comment provided by the Washington state hospital association does not limit the ability of the Washington state hospital association or its members to challenge an adjustment or other action by the authority that is not made in accordance with this chapter.

(b) The authority shall provide the following data to the Washington state hospital association sixty days before implementing any revised assessment levels, detailed by fiscal year, beginning with fiscal year 2011 and extending to the most recent fiscal year, except in connection with the initial assessment under this chapter:

(i) The fund balance;

(ii) The amount of assessment paid by each hospital;

(iii) The state share, federal share, and total annual medicaid fee-for-service payments for inpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate the payments to individual hospitals under that section;

(iv) The state share, federal share, and total annual medicaid fee-for-service payments for outpatient hospital services made to each hospital under RCW 74.60.120, and the data used to calculate annual payments to individual hospitals under that section;

(v) The annual state share, federal share, and total payments made to each hospital under each of the following programs: Grants to certified public expenditure hospitals under RCW 74.60.090, for critical access hospital payments under RCW 74.60.100; and disproportionate share programs under RCW 74.60.110;

(vi) The data used to calculate annual payments to individual hospitals under (b)(v) of this subsection; and

(vii) The amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

(c) On a monthly basis, the authority shall provide the Washington state hospital association the amount of payments made to managed care plans under RCW 74.60.130, including the amount representing additional premium tax, and the data used to calculate those payments.

Sec. 702. RCW 74.60.090 and 2013 2nd sp.s. c 17 s 8 are each amended to read as follows:

(1) In each fiscal year commencing upon satisfaction of the applicable conditions in RCW 74.60.150(1), funds must be disbursed from the fund and the authority shall make grants to certified public expenditure hospitals, which shall not be considered payments for hospital services, as follows:

(a) University of Washington medical center: ((~~Three million three hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Four million

four hundred fifty-five thousand dollars in each state fiscal year 2016 through 2019;

(b) Harborview medical center: ((~~Seven million six hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Ten million two hundred sixty thousand dollars in each state fiscal year 2016 through 2019;

(c) All other certified public expenditure hospitals: ((~~Four million seven hundred thousand dollars per state fiscal year in fiscal years 2014 and 2015, and then reduced in approximately equal increments per fiscal year until the grant amount is zero by July 1,~~)) Six million three hundred forty-five thousand dollars in each state fiscal year 2016 through 2019. The amount of payments to individual hospitals under this subsection must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4).

(2) Payments must be made quarterly, before the end of each quarter, taking the total disbursement amount and dividing by four to calculate the quarterly amount. ((~~The initial payment, which must include all amounts due from and after July 1, 2013, to the date of the initial payment, must be made within thirty days after satisfaction of the conditions in RCW 74.60.150(1).~~)) The authority shall provide a quarterly report of such payments to the Washington state hospital association.

Sec. 703. RCW 74.60.100 and 2013 2nd sp.s. c 17 s 9 are each amended to read as follows:

In each fiscal year commencing upon satisfaction of the conditions in RCW 74.60.150(1), the authority shall make access payments to critical access hospitals that do not qualify for or receive a small rural disproportionate share hospital payment in a given fiscal year in the total amount of ((~~five hundred twenty~~)) seven hundred two thousand dollars from the fund and to critical access hospitals that receive disproportionate share payments in the total amount of one million three hundred thirty-six thousand dollars. The amount of payments to individual hospitals under this section must be determined using a methodology that provides each hospital with a proportional allocation of the group's total amount of medicaid and state children's health insurance program payments determined from claims and encounter data using the same general methodology set forth in RCW 74.60.120 (3) and (4). Payments must be made after the authority determines a hospital's payments under RCW 74.60.110. These payments shall be in addition to any other amount payable with respect to services provided by critical access hospitals and shall not reduce any other payments to critical access hospitals. The authority shall provide a report of such payments to the Washington state hospital association within thirty days after payments are made.

Sec. 704. RCW 74.60.120 and 2014 c 143 s 2 are each amended to read as follows:

(1) ((~~Beginning~~)) In each state fiscal year ((~~2014~~)), commencing ((~~thirty days after~~)) upon satisfaction of the applicable conditions in RCW 74.60.150(1), ((~~and for the period of state fiscal years 2014 through 2019,~~)) the authority shall make supplemental payments directly to Washington hospitals, separately for inpatient and outpatient fee-for-service medicaid services, as follows:

(a) For inpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, twenty-nine million ((~~two hundred twenty-five thousand~~)) one hundred sixty-two thousand five hundred dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(b) For outpatient fee-for-service payments for prospective payment hospitals other than psychiatric or rehabilitation hospitals, thirty million dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(c) For inpatient fee-for-service payments for psychiatric hospitals, ((~~six hundred twenty-five thousand~~)) eight hundred seventy-five thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(d) For inpatient fee-for-service payments for rehabilitation hospitals, ((~~one hundred fifty thousand~~)) two hundred twenty-five thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds;

(e) For inpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds; and

(f) For outpatient fee-for-service payments for border hospitals, two hundred fifty thousand dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then amounts reduced in equal increments per fiscal year until the supplemental payment amount is zero by July 1, 2019, from the fund,~~)) plus federal matching funds.

(2) If the amount of inpatient or outpatient payments under subsection (1) of this section, when combined with federal matching funds, exceeds the upper payment limit, payments to each category of hospital must be reduced proportionately to a level where the total payment amount is consistent with the upper payment limit. Funds under this chapter unable to be paid to hospitals under this section because of the upper payment limit must be paid to managed care organizations under RCW 74.60.130, subject to the limitations in this chapter.

(3) The amount of such fee-for-service inpatient payments to individual hospitals within each of the categories identified in subsection (1)(a), (c), (d), and (e) of this section must be determined by:

(a) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's inpatient fee-for-services claims and medicaid managed care encounter data for the base year;

(b) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' inpatient fee-for-services claims and medicaid managed care encounter data for the base year; and

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(4) The amount of such fee-for-service outpatient payments to individual hospitals within each of the categories identified in subsection (1)(b) and (f) of this section must be determined by:

(a) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to each hospital's outpatient fee-for-services claims and medicaid managed care encounter data for the base year;

(b) Applying the medicaid fee-for-service rates in effect on July 1, 2009, without regard to the increases required by chapter 30, Laws of 2010 1st sp. sess. to all hospitals' outpatient fee-for-services

claims and medicaid managed care encounter data for the base year; and

(c) Using the amounts calculated under (a) and (b) of this subsection to determine an individual hospital's percentage of the total amount to be distributed to each category of hospital.

(5) ((~~Thirty days before the initial payments and~~)) Sixty days before the first payment in each subsequent fiscal year, the authority shall provide each hospital and the Washington state hospital association with an explanation of how the amounts due to each hospital under this section were calculated.

(6) Payments must be made in quarterly installments on or about the last day of every quarter. ((~~The initial payment must be made within thirty days after satisfaction of the conditions in RCW 74.60.150(1) and must include all amounts due from July 1, 2013, to either: (a) The end of the calendar quarter prior to when the conditions in RCW 70.60.150(1) [74.60.150(1)] are satisfied if approval is received more than forty-five days prior to the end of a quarter; or (b) the end of the calendar quarter after the satisfaction of the conditions in RCW 74.60.150(1) if approval is received within forty-five days of the end of a quarter.~~))

(7) A prospective payment system hospital commencing operations after January 1, 2009, is eligible to receive payments in accordance with this section after becoming an eligible new prospective payment system hospital as defined in RCW 74.60.010.

(8) Payments under this section are supplemental to all other payments and do not reduce any other payments to hospitals.

Sec. 705. RCW 74.60.130 and 2014 c 143 s 3 are each amended to read as follows:

(1) For state fiscal year ((~~2014~~)) 2016 and for each subsequent fiscal year, commencing within thirty days after satisfaction of the conditions in RCW 74.60.150(1) and subsection ((~~(6)~~)) (5) of this section, ((~~and for the period of state fiscal years 2014 through 2019,~~)) the authority shall increase capitation payments in a manner consistent with federal contracting requirements to managed care organizations by an amount at least equal to the amount available from the fund after deducting disbursements authorized by RCW 74.60.020(4) (c) through (f) and payments required by RCW 74.60.080 through 74.60.120. The capitation payment under this subsection must be no less than one hundred ((~~fifty-three~~)) million ((~~one hundred thirty-one thousand six hundred~~)) dollars per state fiscal year ((~~in fiscal years 2014 and 2015, and then the increased capitation payment amounts are reduced in equal increments per fiscal year until the increased capitation payment amount is zero by July 1, 2019,~~)) plus the maximum available amount of federal matching funds. The initial payment following satisfaction of the conditions in RCW 74.60.150(1) must include all amounts due from July 1, ((~~2013~~)) 2015, to the end of the calendar month during which the conditions in RCW 74.60.150(1) are satisfied. Subsequent payments shall be made monthly.

(2) ((~~In fiscal years 2015, 2016, and 2017, the authority shall use any additional federal matching funds for the increased managed care capitation payments under subsection (1) of this section available from medicaid expansion under the federal patient protection and affordable care act to substitute for assessment funds which otherwise would have been used to pay managed care plans under this section.~~

~~(3)~~)) Payments to individual managed care organizations shall be determined by the authority based on each organization's or network's enrollment relative to the anticipated total enrollment in each program for the fiscal year in question, the anticipated utilization of hospital services by an organization's or network's medicaid enrollees, and such other factors as are reasonable and appropriate to ensure that purposes of this chapter are met.

(((~~(4)~~))) (3) If the federal government determines that total payments to managed care organizations under this section exceed what is permitted under applicable medicaid laws and regulations, payments must be reduced to levels that meet such requirements, and the balance remaining must be applied as provided in RCW 74.60.050. Further, in the event a managed care organization is legally obligated to repay amounts distributed to hospitals under this section to the state or federal government, a managed care organization may recoup the amount it is obligated to repay under the medicaid program from individual hospitals by not more than the amount of overpayment each hospital received from that managed care organization.

(((~~(5)~~))) (4) Payments under this section do not reduce the amounts that otherwise would be paid to managed care organizations: PROVIDED, That such payments are consistent with actuarial soundness certification and enrollment.

(((~~(6)~~))) (5) Before making such payments, the authority shall require medicaid managed care organizations to comply with the following requirements:

(a) All payments to managed care organizations under this chapter must be expended for hospital services provided by Washington hospitals, which for purposes of this section includes psychiatric and rehabilitation hospitals, in a manner consistent with the purposes and provisions of this chapter, and must be equal to all increased capitation payments under this section received by the organization or network, consistent with actuarial certification and enrollment, less an allowance for any estimated premium taxes the organization is required to pay under Title 48 RCW associated with the payments under this chapter;

(b) Managed care organizations shall expend the increased capitation payments under this section in a manner consistent with the purposes of this chapter, with the initial expenditures to hospitals to be made within thirty days of receipt of payment from the authority. Subsequent expenditures by the managed care plans are to be made before the end of the quarter in which funds are received from the authority;

(c) Providing that any delegation or attempted delegation of an organization's or network's obligations under agreements with the authority do not relieve the organization or network of its obligations under this section and related contract provisions.

(((~~(7)~~))) (6) No hospital or managed care organizations may use the payments under this section to gain advantage in negotiations.

(((~~(8)~~))) (7) No hospital has a claim or cause of action against a managed care organization for monetary compensation based on the amount of payments under subsection (((~~(6)~~))) (5) of this section.

(((~~(9)~~))) (8) If funds cannot be used to pay for services in accordance with this chapter the managed care organization or network must return the funds to the authority which shall return them to the hospital safety net assessment fund.

Sec. 706. RCW 74.60.150 and 2013 2nd sp.s. c 17 s 15 are each amended to read as follows:

(1) The assessment, collection, and disbursement of funds under this chapter shall be conditional upon:

(a) Final approval by the centers for medicare and medicaid services of any state plan amendments or waiver requests that are necessary in order to implement the applicable sections of this chapter including, if necessary, waiver of the broad-based or uniformity requirements as specified under section 1903(w)(3)(E) of the federal social security act and 42 C.F.R. 433.68(e);

(b) To the extent necessary, amendment of contracts between the authority and managed care organizations in order to implement this chapter; and

(c) Certification by the office of financial management that appropriations have been adopted that fully support the rates established in this chapter for the upcoming fiscal year.

(2) This chapter does not take effect or ceases to be imposed, and any moneys remaining in the fund shall be refunded to hospitals in proportion to the amounts paid by such hospitals, if and to the extent that any of the following conditions occur:

(a) The federal department of health and human services and a court of competent jurisdiction makes a final determination, with all appeals exhausted, that any element of this chapter, other than RCW 74.60.100, cannot be validly implemented;

(b) Funds generated by the assessment for payments to prospective payment hospitals or managed care organizations are determined to be not eligible for federal match;

(c) Other funding sufficient to maintain aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, at least at the levels the state paid for those services on July 1, ((~~2009~~)) 2015, as adjusted for current enrollment and utilization((~~, but without regard to payment increases resulting from chapter 30, Laws of 2010 1st sp. sess.,~~)) is not appropriated or available;

(d) Payments required by this chapter are reduced, except as specifically authorized in this chapter, or payments are not made in substantial compliance with the time frames set forth in this chapter; or

(e) The fund is used as a substitute for or to supplant other funds, except as authorized by RCW 74.60.020.

Sec. 707. RCW 74.60.160 and 2013 2nd sp.s. c 17 s 17 are each amended to read as follows:

(1) The legislature intends to provide the hospitals with an opportunity to contract with the authority each fiscal biennium to protect the hospitals from future legislative action during the biennium that could result in hospitals receiving less from supplemental payments, increased managed care payments, disproportionate share hospital payments, or access payments than the hospitals expected to receive in return for the assessment based on the biennial appropriations and assessment legislation.

(2) Each odd-numbered year after enactment of the biennial omnibus operating appropriations act, the authority shall offer to enter into a contract or to extend an existing contract for the period of the fiscal biennium beginning July 1st with a hospital that is required to pay the assessment under this chapter. The contract must include the following terms:

(a) The authority must agree not to do any of the following:

(i) Increase the assessment from the level set by the authority pursuant to this chapter on the first day of the contract period for reasons other than those allowed under RCW 74.60.050(((~~(3)~~))) (2)(e);

(ii) Reduce aggregate payment levels to hospitals for inpatient and outpatient services covered by medicaid, including fee-for-service and managed care, ((~~allowing for variations due to budget-neutral rebasing and~~)) adjusting for changes in enrollment and utilization, from the levels the state paid for those services on the first day of the contract period;

(iii) For critical access hospitals only, reduce the levels of disproportionate share hospital payments under RCW 74.60.110 or access payments under RCW 74.60.100 for all critical access hospitals below the levels specified in those sections on the first day of the contract period;

(iv) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the levels of supplemental payments under RCW 74.60.120 for all prospective payment system hospitals below the levels specified in that section on the first day of the contract period unless the supplemental payments are reduced under RCW 74.60.120(2);

(v) For prospective payment system, psychiatric, and rehabilitation hospitals only, reduce the increased capitation payments to managed care organizations under RCW 74.60.130 below the levels specified in that section on the first day of the contract period unless the managed care payments are reduced under RCW 74.60.130(((~~(4)~~))) (3); or

(vi) Except as specified in this chapter, use assessment revenues for any other purpose than to secure federal medicaid matching funds to support payments to hospitals for medicaid services; and

(b) As long as payment levels are maintained as required under this chapter, the hospital must agree not to challenge the authority's reduction of hospital reimbursement rates to July 1, 2009, levels, which results from the elimination of assessment supported rate restorations and increases, under 42 U.S.C. Sec. 1396a(a)(30)(a) either through administrative appeals or in court during the period of the contract.

(3) If a court finds that the authority has breached an agreement with a hospital under subsection (2)(a) of this section, the authority:

(a) Must immediately refund any assessment payments made subsequent to the breach by that hospital upon receipt; and

(b) May discontinue supplemental payments, increased managed care payments, disproportionate share hospital payments, and access payments made subsequent to the breach for the hospital that are required under this chapter.

(4) The remedies provided in this section are not exclusive of any other remedies and rights that may be available to the hospital whether provided in this chapter or otherwise in law, equity, or statute.

Sec. 708. RCW 74.60.901 and 2013 2nd sp.s. c 17 s 19 are each amended to read as follows:

This chapter expires July 1, ((~~2017~~)) 2019.

NEW SECTION. **Sec. 709.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Jinkins and Schmick spoke in favor of the adoption of the striking amendment.

Amendment (501) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2151.

MOTIONS

On motion of Representative Harris, Representative Hargrove was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2151, and the bill passed the House by the following vote: Yeas, 79; Nays, 16; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Short, Springer, Stambaugh,

Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, G. Hunt, Haler, Harmsworth, Holy, Klippert, McCaslin, Orcutt, Parker, Rodne, Scott, Shea, Smith, Taylor and Zeiger.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED HOUSE BILL NO. 2151, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Walsh, Hunter, Johnson, Ormsby, MacEwen, Senn, Magendanz, Farrell, Hayes, Ortiz-Self, Hudgins, Appleton, Fitzgibbon, S. Hunt, Ryu, Jinkins, Bergquist, Goodman, Tharinger and Riccelli).

Improving quality in the early care and education system.

The bill was read the third time.

Representatives Kagi, Walsh and Walsh (again) spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1491.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1491, and the bill passed the House by the following vote: Yeas, 64; Nays, 31; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, G. Hunt, Griffey, Haler, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1696, by House Committee on Higher Education (originally sponsored by Representative Haler).

Modifying provisions related to tuition setting authority at public institutions of higher education.

The bill was read the third time.

Representative Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1696.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1696, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fagan, Hargrove and Santos.

SUBSTITUTE HOUSE BILL NO. 1696, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713, by House Committee on Judiciary (originally sponsored by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet).

Integrating the treatment systems for mental health and chemical dependency.

The bill was read the third time.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1713.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1713, and the bill passed the House by the following vote: Yeas, 61; Nays, 34; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harris, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kretz, Kristiansen, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Short, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger,

Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, G. Hunt, Griffey, Haler, Harmsworth, Hawkins, Hayes, Holy, Klippert, Kochmar, MacEwen, Magendanz, McCabe, McCaslin, Muri, Orcutt, Parker, Pike, Rodne, Scott, Shea, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, by House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Gregory, Haler, Riccelli, Walkinshaw, Zeiger and McBride).

Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read the third time.

Representatives Kilduff and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1825.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1825, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1676, by House Committee on General Government & Information Technology (originally sponsored by Representatives Short, Lytton, Kretz and Blake).

Understanding the effects of predation on wild ungulate populations.

The bill was read the third time.

Representatives Short, Blake and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1676.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1676, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fagan, Hargrove and Santos.

SUBSTITUTE HOUSE BILL NO. 1676, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2107, by House Committee on Appropriations (originally sponsored by Representatives Kretz, Blake, Short, Dent and Schmick).

Requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery.

The bill was read the third time.

Representative Kretz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2107.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2107, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton,

Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Fagan, Hargrove and Santos.

SUBSTITUTE HOUSE BILL NO. 2107, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, by House Committee on Appropriations (originally sponsored by Representative Carlyle).

Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state. Revised for 2nd Substitute: Concerning comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state.

The bill was read the third time.

Representatives Carlyle and Condotta spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2136.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2136, and the bill passed the House by the following vote: Yeas, 70; Nays, 25; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, DeBolt, Dent, G. Hunt, Griffey, Hawkins, Holy, Klippert, Kretz, MacEwen, Manweller, McCabe, McCaslin, Muri, Orcutt, Parker, Rodne, Scott, Shea, Short, Taylor, Van Werven, Wilcox and Young.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1570, by House Committee on Education (originally sponsored by Representatives Gregory, Bergquist, S. Hunt, Reykdal, Kilduff, Ortiz-Self and Pollet).

Creating flexibility for the educator retooling conditional scholarship program.

The bill was read the third time.

Representatives Gregory and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 63; Nays, 32; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, G. Hunt, Haler, Harmsworth, Harris, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, Manweller, McCabe, McCaslin, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

Excused: Representatives Fagan, Hargrove and Santos.

SUBSTITUTE HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174, by House Committee on Appropriations (originally sponsored by Representatives Van De Wege, Taylor, Fitzgibbon, Senn, Shea, Magendanz, Springer, Tarleton, Ortiz-Self, Gregerson, Ormsby, Hunter, Ryu, S. Hunt, Riccelli, Stanford, Tharinger, Jinkins, Walkinshaw, Fey, Clibborn, Farrell and Goodman).

Concerning flame retardants.

The bill was read the third time.

Representatives Van De Wege and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1174.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli,

Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Dent and Pike.

Excused: Representatives Fagan, Hargrove and Santos.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 30, 2015, the 2nd Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SECOND DAY

House Chamber, Olympia, Thursday, April 30, 2015

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 29, 2015

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5105
SUBSTITUTE SENATE BILL NO. 5355
SENATE BILL NO. 5442
SUBSTITUTE SENATE BILL NO. 5681
ENGROSSED SENATE BILL NO. 5944
ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
SENATE BILL NO. 5978
ENGROSSED SENATE BILL NO. 6092

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2250 by Representative Stokesbary

AN ACT Relating to the solicitation or acceptance of political contributions when a special legislative session is announced; and reenacting and amending RCW 42.17A.560.

Referred to Committee on State Government.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

SIGNED BY THE SPEAKER

The Speaker signed the following bill:

HOUSE CONCURRENT RESOLUTION NO. 4406

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 1, 2015, the 3rd Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRD DAY

House Chamber, Olympia, Friday, May 1, 2015

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESIGNATION OF REPRESENTATIVE SUSAN FAGAN

April 30, 2015

Governor Jay Inslee
Office of the Governor
P.O. Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

Pursuant to RCW 42.12.020, please accept my resignation from the Washington State House of Representatives effective as of the close of business on Friday, May 1, 2015.

It has been an honor and privilege to serve my constituents in the Ninth Legislative District. My hope is for the appointment of my successor to occur swiftly. It is important that the people of the Ninth Legislative District be fully represented during the Special Session.

Respectfully,

Representative Susan Fagan
Ninth Legislative District

MESSAGE FROM THE SENATE

May 1, 2015

MR. SPEAKER:

The President has signed:
HOUSE CONCURRENT RESOLUTION NO. 4406
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2251 by Representatives Tharinger, Takko, Taylor, Blake, Van De Wege, Kretz, Short and Wilcox

AN ACT Relating to providing a sales and use tax exemption for the purchase or use of qualifying timber-felling equipment; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2252 by Representatives Hudgins, Wilcox and S. Hunt

AN ACT Relating to the state capital historical museum; amending RCW 43.19.125 and 27.34.900; providing an effective date; and declaring an emergency.

Referred to Committee on General Government & Information Technology.

HB 2253 by Representatives Hudgins and Taylor

AN ACT Relating to amending statutory timelines governing the administration and organization of the joint administrative rules review committee that prescribe when member, alternate, chair, and vice chair appointments and final decisions regarding petitions for review must be made; and amending RCW 34.05.610 and 34.05.655.

Referred to Committee on State Government.

2SSB 5105 by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Frockt, O'Ban, Fain, Fraser, Pearson, Roach and Darneille)

AN ACT Relating to making a fourth driving under the influence offense a felony; amending RCW 46.61.502, 46.61.504, 46.61.5055, and 46.61.5054; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5355 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Roach, Conway, Braun, Baumgartner, Rolfes, O'Ban, McAuliffe and Chase)

AN ACT Relating to modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014; amending RCW 28B.15.012; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5442 by Senators Warnick and Hatfield

AN ACT Relating to eligibility criteria for the community economic revitalization board programs; amending RCW 43.160.060; and declaring an emergency.

Referred to Committee on Capital Budget.

SSB 5681 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Angel)

AN ACT Relating to state lottery accounts; and amending RCW 67.70.190, 67.70.240, and 67.70.260.

Referred to Committee on Appropriations.

ESB 5944 by Senators Hill, Rivers, Litzow, Bailey, Braun, Brown, Parlette, Hewitt and Benton

AN ACT Relating to periodic review of state spending programs; and adding a new chapter to Title 43 RCW.

Referred to Committee on Appropriations.

ESSB 5954 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Bailey, Hill, Becker, Fain, Miloscia, Parlette, Angel, Schoesler, Brown, Litzow, Warnick, Honeyford, Sheldon, Rivers, Roach and Benton)

AN ACT Relating to reducing tuition; amending RCW 28B.15.031, 28B.15.066, 28B.15.067, and 28B.15.069; reenacting and amending RCW 28B.95.020 and 28B.95.030; adding a new section to chapter 28B.92 RCW; creating new sections; and repealing RCW 28B.15.068 and 28B.15.102.

Referred to Committee on Higher Education.

SB 5978 by Senators Roach, Liias and Fain

AN ACT Relating to the presidential primary; and amending RCW 29A.56.010, 29A.56.020, 29A.56.030, and 29A.56.050.

Referred to Committee on State Government.

ESB 6092 by Senator Roach

AN ACT Relating to providing funding for certain commissioned court marshals of county sheriff's offices to be added to the definition of uniformed personnel for the purposes of public employees' collective bargaining; and amending RCW 41.56.030 and 12.40.020.

Referred to Committee on Labor.

There being no objection, the bills listed on the day’s introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 4, 2015, the 6th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTH DAY

House Chamber, Olympia, Monday, May 4, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Hunter presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2254 by Representatives Manweller, Bergquist, Magendanz, Reykdal, Griffey and Parker

AN ACT Relating to providing social media safety information in schools; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Education.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Hunter presiding) announced that Representative Harris was appointed to the Committee on Appropriations.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 5, 2015, the 7th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTH DAY

House Chamber, Olympia, Tuesday, May 5, 2015

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2255 by Representatives Haler and Hunter

AN ACT Relating to modifying the one percent property tax revenue limit; amending RCW 84.55.005; creating a new section; and repealing RCW 84.55.0101.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker announced that Representative Parker was appointed to the Committee on Education.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 6, 2015, the 8th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTH DAY

House Chamber, Olympia, Wednesday, May 6, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4641, by Representative Stanford

WHEREAS, On April 25, 2015, a 7.8 magnitude earthquake struck 50 miles west of Kathmandu in Nepal; and

WHEREAS, Thousands have been injured or have lost their lives to the earthquake, which is the most powerful earthquake in Nepal in over 80 years; and

WHEREAS, Tent cities have been fashioned for the countless more who have lost their homes or cannot return home for fear of aftershocks; and

WHEREAS, The destruction of Buddhist stupas and Durbar squares in the Kathmandu Valley has resulted in irreparable damage to Nepal's cultural heritage; and

WHEREAS, Courageous first responders, members of the national guard, and civilians have worked tirelessly and selflessly to save the lives of those stranded on mountain tops, cut off in remote villages, and buried under rubble; and

WHEREAS, The full extent of the damage from this tragedy is still unknown;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives express its deepest and most heartfelt condolences for the people of Nepal's unfathomable loss; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Embassy of Nepal in the United States and the Nepal Seattle Society.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4641.

HOUSE RESOLUTION NO. 4641 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4642, by Representative Klippert

WHEREAS, National Missing Children's Day was first observed in 1983, following a proclamation by President Ronald Reagan; and

WHEREAS, May 25, 2015, will be the 32nd National Missing Children's Day; and

WHEREAS, National Missing Children's Day honors our nation's obligation to locate and recover missing children by prompting parents, guardians, and other trusted adult role models to make child safety an utmost priority; and

WHEREAS, In the United States, nearly 800,000 children are reported missing each year, more than 58,000 children are abducted by nonfamily members each year, and more than 2,000 children are reported missing every day; and

WHEREAS, Congress' efforts to provide resources, training, and technical assistance has increased the capability of state and local law enforcement to find children and return them home safely; and

WHEREAS, The 1979 disappearance of 6 year old Etan Patz served as the impetus for the first proclamation of National Missing Children's Day in 1983; and

WHEREAS, Etan's photo was distributed nationwide and appeared in media globally, and the powerful image came to represent the anguish of thousands of searching families;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives support the observation of National Missing Children's Day and encourage all Americans to join together to plan events in communities across America to raise public awareness about the issue of missing children and the need to address this national problem; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize that one of the most important tools for law enforcement to use in the case of a missing child is an up-to-date, good quality photograph and urge all parents and guardians to take this important precaution; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledge that National Missing Children's Day should remind Americans not to forget the children who are still missing and not to waver in the effort to reunite them with their families.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4642.

HOUSE RESOLUTION NO. 4642 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 4643, by Representative Klippert

WHEREAS, Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the nation through work at all levels of government; and

WHEREAS, The contributions made by public employees in this state have strengthened our belief that public service is a noble profession; and

WHEREAS, The professionalism and expertise demonstrated by public employees in this state in carrying out a wide variety of services have helped build a strong foundation for our government; and

WHEREAS, Public employees have served the people of Washington well, even in difficult times; and

WHEREAS, Public servants have bravely fought in armed conflict in defense of this nation and its ideals, and deserve the care and benefits they have earned through their honorable service; and

WHEREAS, Government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

WHEREAS, May 4, 2015, through May 8, 2015, has been designated by Congress as Public Service Recognition Week to honor America's federal, state, and local government employees; and

WHEREAS, The State of Washington wishes to pay tribute to all public employees in the state for dedicating themselves to improving the quality of life for all of the people of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend public servants for their outstanding contributions to this great state and nation during Public Service Recognition Week and throughout the year.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4643.

HOUSE RESOLUTION NO. 4643 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 7, 2015, the 9th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH LEGISLATURE - FIRST SPECIAL SESSION

NINTH DAY

House Chamber, Olympia, Thursday, May 7, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 8, 2015, the 10th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TENTH DAY

House Chamber, Olympia, Friday, May 8, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SECRETARY OF STATE

May 7, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration House Bill 2055 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 7th day of May 2015.

Kim Wyman
Secretary of State

May 7, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration House Bill 1940 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 7th day of May 2015.

Kim Wyman
Secretary of State

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2256 by Representatives Bergquist and S. Hunt

AN ACT Relating to increasing transparency of incidental and undisclosed campaign contributions; amending RCW 42.17A.235, 42.17A.240, and 42.17A.250; reenacting and amending RCW 42.17A.005; adding new sections to chapter 42.17A RCW; and creating new sections.

Referred to Committee on State Government.

HB 2257 by Representative Pollet

AN ACT Relating to comprehensive safe school plans for public and private K-12 schools; amending RCW 28A.320.125, 28A.320.080, and 28A.195.010; and creating a new section.

Referred to Committee on Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 11, 2015, the 13th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTEENTH DAY

House Chamber, Olympia, Monday, May 11, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE JOINT SESSION OF THE BOARDS OF COUNTY COMMISSIONERS

JOINT SESSION OF THE BOARDS OF COUNTY COMMISSIONERS
FOR THE 9th LEGISLATIVE DISTRICT
(Adams, Asotin, Franklin, Garfield, Spokane and Whitman Counties)
PURSUANT TO ARTICLE 11, SECTION 15 OF THE WASHINGTON STATE CONSTITUTION
FRIDAY, MAY 8, 2015, COLFAX, WASHINGTON
CERTIFICATION OF APPOINTMENT
FOR THE 9th LEGISLATIVE DISTRICT, HOUSE OF REPRESENTATIVES, POSITION 1

Due to the midterm resignation of the Honorable Susan Fagan for the gth Legislative District of the State of Washington, Position 1and pursuant to Article 11, Section 15, Amendment 32 of the Constitution of the State of Washington, the Boards of County Commissioners for the Counties of Adams, Asotin, Franklin, Garfield, Spokane and Whitman, met in joint session on the 8th day of May 2015, in Whitman County, for the purpose of appointing a district resident nominee to fill the House of Representatives position vacated by Mrs. Susan Fagan. In attendance were:

John N Marshall	Adams County District 1
Roger L Hartwig	Adams County District 2
Jeffrey W Stevens	Adams County District 3
Brian Shinn	Asotin County District 1
Jim Fuller	Asotin County District 2
Jim Jeffords	Asotin County District 3
Brad Peck	Franklin County District 1
Rick Miller	Franklin County District 3
Robert K Johnson	Garfield County District 1
Justin Dixon	Garfield County District 2
Wynne McCabe	Garfield County District 3
Todd Mielke	Spokane County District 1
Shelly O'Quinn	Spokane County District 2
Al French	Spokane County District 3
Arthur D Swannack	Whitman County District 1
Dean Kinzer	Whitman County District 2
Michael Largent	Whitman County District 3

Dean Kinzer, Commissioner for Whitman County was elected Chairperson for the joint session and by the rules adopted is authorized on behalf of all the county commissioners to certify the results of the meeting.

I, Dean Kinzer, the elected Chairperson for the joint session of the Boards of County Commissioners of the 9th Legislative District of the State of Washington, hereby certify that by majority vote Mary L. Dye is appointed to the Washington State House of Representatives for the 9th Legislative District, Position 1 as of this 8th day of May 2015.

Dean Kinzer, Chairperson

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 12, 2015, the 14th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTEENTH DAY

House Chamber, Olympia, Tuesday, May 12, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 13, 2015, the 15th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTEENTH DAY

House Chamber, Olympia, Wednesday, May 13, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

May 12, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration Engrossed Substitute House Bill 1980 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 12th day of May, 2015.

Kim Wyman
Secretary of State

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 14, 2015, the 16th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTEENTH DAY

House Chamber, Olympia, Thursday, May 14, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT(S)

The Speaker (Representative Ormsby presiding) announced the following committee appointment(s):

Representative Dye was appointed to the Committee on Business & Financial Services, replacing Representative Parker, and the Committee on Environment, replacing Representative Harris.

There being no objection, the House adjourned until 9:55 a.m., May 15, 2015, the 17th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTEENTH DAY

House Chamber, Olympia, Friday, May 15, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Hunter presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 18, 2015, the 20th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTIETH DAY

House Chamber, Olympia, Monday, May 18, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 19, 2015, the 21st Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIRST DAY

House Chamber, Olympia, Tuesday, May 19, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

May 14, 2015

SB 5442 Prime Sponsor, Senator Warnick: Concerning eligibility criteria for the community economic revitalization board programs. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; DeBolt, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kilduff; Kochmar; Peterson; Riccelli and Walsh.

Passed to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee report under the fifth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 20, 2015, the 22nd Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SECOND DAY

House Chamber, Olympia, Wednesday, May 20, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 21, 2015, the 23rd Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY THIRD DAY

House Chamber, Olympia, Thursday, May 21, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 22, 2015, the 24th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FOURTH DAY

House Chamber, Olympia, Friday, May 22, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Ormsby presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., May 25, 2015, the 27th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SEVENTH DAY

House Chamber, Olympia, Monday, May 25, 2015

The House was called to order at 9:00 a.m. by the Speaker-designee (Sergeant-at-Arms Arras presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 26, 2015, the 28th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY EIGHTH DAY

House Chamber, Olympia, Tuesday, May 26, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 4644, by Representatives Pettigrew, Santos, Ryu, and Ortiz-Self

WHEREAS, In 1990, Herbert Tsuchiya, a retired pharmacist and long-time community activist, his wife Bertha Lung Tsuchiya, and Sam Mitsui, a member of the highly decorated 442nd Regimental Combat Team during World War II, decided to take community ownership of the issue of hunger by organizing a walk to help the Asian Counseling and Referral Service (ACRS) Food Bank provide rice and other culturally familiar foods to the most vulnerable among us, including Asians and Pacific Islanders and others in need; and

WHEREAS, 25 years ago, Mr. Tsuchiya and Mr. Mitsui organized the first *Walk for Rice* at the Chinese Baptist Church in Beacon Hill under the sponsorship of the Blaine Methodist Church, Chinese Baptist Church, and Japanese Baptist Church with 45 participants raising $1,800 towards ending hunger in the community; and

WHEREAS, For 25 consecutive years, Mr. Tsuchiya and Mr. Mitsui have dedicated themselves to the issue of hunger by organizing, walking, and running in the *Walk for Rice*, which in 2014 had over 1,000 participants and raised a record high of $274,538 in donations; and

WHEREAS, Each year at *Walk for Rice*, the community gathers to honor the legacy Mr. Tsuchiya, Mr. Mitsui, and Mrs. Tsuchiya created by coming together to fight hunger in our communities and support the ACRS Food Bank; and

WHEREAS, Through the ongoing efforts of Mr. Tsuchiya and Mr. Mitsui, *Walk for Rice* has helped the ACRS Food Bank distribute over 969,801 pounds of food to 5,665 families that visit the food bank over 120,000 times annually; and

WHEREAS, Mr. Tsuchiya and Mr. Mitsui with many others continue to support ACRS, *Walk for Rice*, and other organizations and projects that enrich and strengthen our community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor and celebrate the achievements and impact of Herbert Tsuchiya's and Sam Mitsui's many contributions to our community.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4644.

HOUSE RESOLUTION NO. 4644 was adopted.

The Speaker (Representative Ormsby presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 2214 and the bill was placed on the second reading calendar.

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299 and the bill was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., May 27, 2015, the 29th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY NINTH DAY

House Chamber, Olympia, Wednesday, May 27, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Ormsby presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Steve Poile and Mick Watts. The Speaker (Representative Ormsby presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Brad Klippert, 8th District Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

SPEAKER'S PRIVILEGE

The Speaker (Representative Ormsby presiding) asked the members to join him in welcoming Representative Mary Dye as the newest member of the body.

The Speaker (Representative Ormsby presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299, by House Committee on Transportation (originally sponsored by Representatives Clibborn and Fey)

Making transportation appropriations for the 2015-2017 fiscal biennium. Revised for 1st Substitute: Making transportation appropriations for the 2013-2015 and 2015-2017 fiscal biennia.

The bill was read the second time.

Representative Clibborn moved the adoption of amendment (504):

FORMAT CHANGED TO ACCOMODATE TEXT

Strike everything after the enacting clause and insert the following:

"2015-2017 FISCAL BIENNIUM

NEW SECTION. **Sec. 710.** (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2017.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2016" or "FY 2016" means the fiscal year ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the fiscal year ending June 30, 2017.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

Motor Vehicle Account—State Appropriation $476,000

NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Grade Crossing Protective Account—State Appropriation..... $504,000

The appropriation in this section is subject to the following conditions and limitations: The utilities and transportation commission shall coordinate a state agency work group in 2016 that will identify issues, laws, and regulations relevant to consolidating rail employee safety and regulatory functions in the utilities and transportation commission, and report those findings to the joint transportation committee by December 31, 2016. State agencies in the work group must include the department of transportation, the department of labor and industries, the emergency management division of the state military department, and any other relevant agencies. The report must address: An inventory of state rail employee safety regulatory authority, including rail employee safety laws and regulations; issues pertaining to state rail safety inspectors, including enforcement authority, staffing, training, and retention; and information relating to the enhancement of rail employee safety, yard conditions, lighting, and appliance maintenance.

NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account—State Appropriation $2,268,000
Puget Sound Ferry Operations Account—State Appropriation..... $110,000
TOTAL APPROPRIATION $2,378,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $100,000 of the motor vehicle account—state appropriation is for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties per RCW 46.68.120(3), to evaluate the concept of exchanging some amount of federal funds received by counties for state funds in order to reduce the administrative burden on counties associated with using federal funds on relatively small, locally administered projects. The analysis and findings must be done in consultation with the Washington state association of counties and the department of transportation. Preliminary findings, including a feasibility analysis and an outline of one or more conceptual approaches, must be produced by December 1, 2015, and final recommendations, including implementation and timing details for any preferred approaches, must be submitted to the governor and the transportation committees of the legislature by September 1, 2016.

(2) $835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

(3) $100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION**

Motor Vehicle Account—State Appropriation $986,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Account—State Appropriation $1,212,000

NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Motor Vehicle Account—State Appropriation $563,000

NEW SECTION. **Sec. 107. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

The department must work with the Washington state association of counties to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. Such programmatic agreements when agreed to by the department and participating counties are binding agreements for permitting, design, and mitigation of county water crossing structures.

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

Highway Safety Account—State Appropriation $3,154,000
Highway Safety Account—Federal Appropriation $27,383,000
Highway Safety Account—Private/Local Appropriation $118,000
School Zone Safety Account—State Appropriation $850,000
TOTAL APPROPRIATION $31,505,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population of more than one hundred ninety-five thousand and that are located in a county with a population of fewer than one million five hundred thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2017, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(2) $99,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5957), Laws of 2015 (pedestrian safety reviews). If chapter . . . (Substitute Senate Bill No. 5957), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

(3) $6,500,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2015-2017 fiscal biennium.

(4) Within current resources, the commission must examine the declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline. By December 31, 2015, the commission must provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that the account is receiving all amounts that should be deposited into the account.

NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation $969,000
Motor Vehicle Account—State Appropriation $2,283,000
County Arterial Preservation Account—State Appropriation $1,481,000
TOTAL APPROPRIATION $4,733,000

NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State Appropriation $3,915,000

NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

Motor Vehicle Account—State Appropriation $1,727,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $250,000 of the motor vehicle account—state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

(i) An overview of current attrition rates;

(ii) Options and strategies on reducing the average number of trooper positions that are vacant;

(iii) Identification of best practices for recruitment and retention of law enforcement officers;

(iv) Recommendations to improve existing recruitment and selection programs;

(v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;

(vi) Recommendations regarding changes to the training and education program; and

(vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) $125,000 of the motor vehicle account—state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

(i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.

(ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;

(iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) $250,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by December 1, 2016.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information provided by the utilities and transportation commission as required under section 102 of this act and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation $2,452,000
Multimodal Transportation Account—State
Appropriation..... $112,000
TOTAL APPROPRIATION $2,564,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $300,000 of the motor vehicle account—state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) $150,000 of the motor vehicle account—state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Motor Vehicle Account—State Appropriation $979,000

The appropriation in this section is subject to the following conditions and limitations: $250,000 of the motor vehicle account—state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State
Appropriation..... $407,771,000
State Patrol Highway Account—Federal
Appropriation..... $12,779,000
State Patrol Highway Account—Private/Local
Appropriation..... $3,631,000
Highway Safety Account—State Appropriation..... $1,323,000
Multimodal Transportation Account—State
Appropriation..... $276,000
TOTAL APPROPRIATION $425,780,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) $510,000 of the highway safety account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) $23,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 (impaired driving). If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF LICENSING**

Marine Fuel Tax Refund Account—State Appropriation $34,000
License Plate Technology Account—State Appropriation $3,200,000
Motorcycle Safety Education Account—State Appropriation $4,442,000
State Wildlife Account—State Appropriation $949,000
Highway Safety Account—State Appropriation $183,610,000
Highway Safety Account—Federal Appropriation $3,573,000
Motor Vehicle Account—State Appropriation $86,014,000
Motor Vehicle Account—Federal Appropriation $362,000
Motor Vehicle Account—Private/Local Appropriation $1,544,000
Ignition Interlock Device Revolving Account—State Appropriation $5,133,000
Department of Licensing Services Account—State Appropriation $6,575,000
TOTAL APPROPRIATION $295,436,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $24,212,000 of the highway safety account—state appropriation and $3,200,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) $5,059,000 of the motor vehicle account—state appropriation is provided solely for replacing prorate and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) $3,714,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(4) $3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) $57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1157), Laws of 2015 or chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015 (quick title service fees). If both chapter . . . (Substitute House Bill No. 1157), Laws of 2015 and chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015 are not enacted by June 30, 2015, the amount provided in this subsection lapses.

(8) $283,000 of the highway safety account—state appropriation and $33,000 of the ignition interlock device revolving account—state appropriation are provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 (impaired driving). If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

(9) $63,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 (distracted driving). If chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

High Occupancy Toll Lanes Operations Account—State
Appropriation..... $2,688,000
Motor Vehicle Account—State Appropriation $503,000
State Route Number 520 Corridor Account—State
Appropriation..... $39,543,000
State Route Number 520 Civil Penalties Account—State
Appropriation..... $6,703,000
Tacoma Narrows Toll Bridge Account—State
Appropriation..... $25,660,000
Interstate 405 Express Toll Lanes Operations
Account—State Appropriation $9,931,000
TOTAL APPROPRIATION $85,028,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and $8,157,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) $4,778,000 of the state route number 520 civil penalties account—state appropriation and $2,065,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) $3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, $1,498,000 of the state route number 520 corridor account—state appropriation, and $1,291,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(5) $6,831,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations.

(6) $56,000 of the high occupancy toll lanes operations account—state appropriation, $1,124,000 of the state route number 520 corridor account—state appropriation, and $596,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the department to develop a request for proposals for a new tolling customer service center. The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: (a) The department's effort to mitigate risk to the state, (b) the development of a request for proposals, and (c) the overall progress towards procuring a new tolling customer service center.

(7) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(8) $5,000 of the motor vehicle account—state appropriation is provided solely for membership dues for the alliance for toll interoperability.

(9) $1,925,000 of the state route number 520 civil penalties account—state appropriation is provided solely to implement chapter . . . (Substitute Senate Bill No. 5481), Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service center to link to the vehicle records system without cost to

the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State
Appropriation..... $1,460,000
Motor Vehicle Account—State Appropriation $67,458,000
Multimodal Transportation Account—State
Appropriation..... $2,883,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... $1,460,000
Puget Sound Ferry Operations Account—State
Appropriation..... $263,000
TOTAL APPROPRIATION $73,524,000

The appropriations in this section are subject to the following conditions and limitations: $1,460,000 of the transportation partnership account—state appropriation and $1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation $27,098,000
State Route Number 520 Corridor Account—State
Appropriation $34,000
TOTAL APPROPRIATION $27,132,000

NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation $8,143,000
Aeronautics Account—Federal Appropriation $4,100,000
Aeronautics Account—Private/Local Appropriation..... $60,000
TOTAL APPROPRIATION $12,303,000

The appropriations in this section are subject to the following conditions and limitations: $4,137,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security. Of this amount, $637,000 lapses if chapter . . . (Substitute Senate Bill No. 5324), Laws of 2015 (aircraft excise taxes) is not enacted by June 30, 2015, and an expenditure to the aeronautics account is not provided in the 2015-2017 omnibus appropriations act by June 30, 2015.

NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

Motor Vehicle Account—State Appropriation $52,070,000
Motor Vehicle Account—Federal Appropriation $500,000
Multimodal Transportation Account—State
Appropriation..... $250,000
TOTAL APPROPRIATION $52,820,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) During the 2015-2017 fiscal biennium, in instances on private property when naturally occurring beaver dams and the water contained behind the dams pose an imminent threat to Washington state highway infrastructure, personal property, and individual safety in the event of dam failure, the department shall: (a) Notify the private property owner or owners of the threat; (b) perform a risk assessment to the state highway infrastructure, personal property, and public safety or loss of life; (c) coordinate with the department of fish and wildlife to

perform an environmental risk assessment and develop a suggested beaver management plan to reduce or eliminate the risk of failure; and (d) produce a joint agency management plan with the department of fish and wildlife for the site and involve local jurisdictions and nongovernmental organizations to help execute the recommendations as devised by the state agencies. Further, within that joint agency plan, the department and department of fish and wildlife shall identify and prioritize potential remedies to include culvert replacement, infrastructure upgrade, wildlife management tools, dam maintenance, water level controls, and any other identifiable solution.

NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation $582,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2) Within the amounts provided in this section, the economic partnership program shall consult with the department's tolling division and participate in the division's ongoing efforts to reduce the costs associated with the Tacoma Narrows bridge. This participation must include examining opportunities for the state to contract with one or more private sector partners to collect tolls and provide services to drivers crossing the bridge.

NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M**

Motor Vehicle Account—State Appropriation $397,329,000
Motor Vehicle Account—Federal Appropriation $7,000,000
Tacoma Narrows Toll Bridge Account—State Appropriation $1,768,000
State Route Number 520 Corridor Account—State Appropriation $4,448,000
TOTAL APPROPRIATION $410,545,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,605,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) $4,448,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) $1,768,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

Motor Vehicle Account—State Appropriation $51,572,000
Motor Vehicle Account—Federal Appropriation $2,050,000
Motor Vehicle Account—Private/Local Appropriation $250,000
TOTAL APPROPRIATION $53,872,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Motor Vehicle Account—State Appropriation $27,842,000
Motor Vehicle Account—Federal Appropriation $280,000
Multimodal Transportation Account—State Appropriation $1,131,000
TOTAL APPROPRIATION $29,253,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $288,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor

and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship recruitment to the transportation committees of the legislature by November 15, 2015.

(2) $3,000,000 of the motor vehicle account—state appropriation is provided solely for the headquarters communications office. Within the amount provided in this subsection, the department shall complete the web content management system and upgrade the department's web site.

NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

Motor Vehicle Account—State Appropriation $21,374,000
Motor Vehicle Account—Federal Appropriation $24,885,000
Multimodal Transportation Account—State
Appropriation..... $662,000
Multimodal Transportation Account—Federal
Appropriation..... $2,809,000
Multimodal Transportation Account—Private/Local
Appropriation..... $100,000
TOTAL APPROPRIATION $49,830,000

The appropriations in this section are subject to the following conditions and limitations: $368,000 of the motor vehicle account—state appropriation is provided solely for the purchase of an economic impact model. The department shall work with appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U**

Motor Vehicle Account—State Appropriation $75,700,000
Motor Vehicle Account—Federal Appropriation $500,000
Multimodal Transportation Account—State
Appropriation..... $3,243,000
TOTAL APPROPRIATION $79,443,000

The appropriations in this section are subject to the following conditions and limitations: The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V**

State Vehicle Parking Account—State Appropriation..... $754,000
Regional Mobility Grant Program Account—State
Appropriation..... $60,000,000
Rural Mobility Grant Program Account—State
Appropriation..... $17,000,000
Multimodal Transportation Account—State
Appropriation..... $50,546,000
Multimodal Transportation Account—Federal
Appropriation..... $3,242,000
TOTAL APPROPRIATION $131,542,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $35,000,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) $7,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) $27,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) $17,000,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) $6,000,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least $1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) $400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) $10,000,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Public Transportation Program (V).

(5)(a) $50,000,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) $5,670,000 of the multimodal transportation account—state appropriation and $754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities.

(8) $200,000 of the multimodal transportation account—state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9)(a) $1,000,000 of the multimodal transportation account—state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

Puget Sound Ferry Operations Account—State
Appropriation..... $483,637,000
Puget Sound Ferry Operations Account—Private/Local
Appropriation..... $121,000
TOTAL APPROPRIATION $483,758,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) $87,036,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 701 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) $496,000 of the Puget Sound ferry operations account—state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) $1,151,000 of the Puget Sound ferry operations account—state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations.

(9) $30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

Multimodal Transportation Account—State Appropriation..... $58,744,000
Multimodal Transportation Account—Private/Local Appropriation $45,000
TOTAL APPROPRIATION $58,789,000

NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

Motor Vehicle Account—State Appropriation $8,986,000
Motor Vehicle Account—Federal Appropriation $2,567,000
Multiuse Roadway Safety Account—State Appropriation $131,000
TOTAL APPROPRIATION $11,684,000

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State Appropriation..... $8,852,000
Freight Mobility Multimodal Account—State Appropriation..... $9,937,000
Freight Mobility Multimodal Account—Private/Local Appropriation..... $1,320,000
Highway Safety Account—State Appropriation..... $2,250,000
Motor Vehicle Account—State Appropriation $83,000
Motor Vehicle Account—Federal Appropriation $3,250,000
TOTAL APPROPRIATION $25,692,000

NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation..... $5,310,000

The appropriation in this section is subject to the following conditions and limitations:

(1) $250,000 of the state patrol highway account—state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) $560,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) $150,000 of the state patrol highway account—state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) $2,350,000 of the state patrol highway account—state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

(5) $500,000 of the state patrol highway account—state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) $150,000 of the state patrol highway account—state appropriation is provided solely for painting and caulking in several locations.

(7) $350,000 of the state patrol highway account—state appropriation is provided solely for pavement preservation at the Wenatchee district office and the Spokane district office.

(8) $700,000 of the state patrol highway account—state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) $300,000 of the state patrol highway account—state appropriation is provided solely for repair of the academy training tank.

NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation..... $46,000,000
Motor Vehicle Account—State Appropriation $10,706,000
County Arterial Preservation Account—State Appropriation..... $31,250,000
TOTAL APPROPRIATION $87,956,000

NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Small City Pavement and Sidewalk Account—State Appropriation..... $3,931,000
Highway Safety Account—State Appropriation..... $10,000,000
Transportation Improvement Account—State Appropriation..... $179,452,000
TOTAL APPROPRIATION $193,383,000

The appropriations in this section are subject to the following conditions and limitations: The highway safety account—state appropriation is provided solely for:

(1) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(2) The small city pavement program to help cities meet urgent preservation needs; and

(3) The small city low-energy street light retrofit demonstration program.

NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

Transportation Partnership Account—State Appropriation..... $211,000
Motor Vehicle Account—State Appropriation $4,270,000
TOTAL APPROPRIATION $4,481,000

The appropriations in this section are subject to the following conditions and limitations: $211,000 of the transportation partnership account—state appropriation is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

Multimodal Transportation Account—State Appropriation..... $21,388,000
Transportation Partnership Account—State Appropriation..... $1,075,309,000
Motor Vehicle Account—State Appropriation $64,991,000
Motor Vehicle Account—Federal Appropriation $251,313,000
Motor Vehicle Account—Private/Local Appropriation..... $167,259,000
Transportation 2003 Account (Nickel Account)—State Appropriation..... $104,366,000
State Route Number 520 Corridor Account—State Appropriation..... $367,792,000
State Route Number 520 Corridor Account—Federal Appropriation..... $104,801,000
State Route Number 520 Civil Penalties Account—State Appropriation..... $15,000,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation..... $50,110,000
Special Category C Account—State Appropriation..... $6,000,000
TOTAL APPROPRIATION $2,228,329,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2015-1 as developed May 26, 2015, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to $104,366,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account—state appropriation includes up to $508,793,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) $3,700,000 of the motor vehicle account—state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) $346,263,000 of the transportation partnership account—state appropriation, $15,300,000 of the motor vehicle account—federal appropriation, $154,263,000 of the motor vehicle account—private/local appropriation, $69,479,000 of the transportation 2003 account (nickel account)—state appropriation, $50,110,000 of the Alaskan Way viaduct replacement project account—state appropriation, and $4,346,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) $17,000,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status

of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) $13,881,000 of the transportation partnership account—state appropriation, $9,753,000 of the transportation 2003 account (nickel account)—state appropriation, $42,000 of the multimodal transportation account—state appropriation, $6,000,000 of the special category C account—state appropriation, and $6,348,000 of the motor vehicle account—federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) $46,894,000 of the transportation partnership account—state appropriation, $10,317,000 of the transportation 2003 account (nickel account)—state appropriation, and $1,000 of the motor vehicle account—private/local appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project in the 2015-2017 fiscal biennium.

(12)(a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a $300,000,000 TIFIA loan, $923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account—state appropriation includes up to $343,505,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to $104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) $82,195,000 of the transportation partnership account—state appropriation, $104,801,000 of the state route number 520 corridor account—federal appropriation, and $367,792,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). Of the amounts appropriated in this subsection (12)(d), $232,598,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) $15,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) $548,000 of the motor vehicle account—federal appropriation and $19,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) $59,438,000 of the motor vehicle account—federal appropriation, $572,000 of the motor vehicle account—state appropriation, and $388,000 of the motor vehicle account—private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (0BI4001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) Practical design offers targeted benefits to a state transportation system within available fiscal resources. This delivers value not just for individual projects, but for the entire system. Applying practical design standards will also preserve and enhance safety and mobility. The department shall implement a practical design strategy for transportation design standards. By June 30, 2016, the department shall report to the governor and the house of representatives and senate transportation committees on where practical design has been applied or is intended to be applied in the department and the cost savings resulting from the use of practical design. This subsection takes effect if chapter . . . (Substitute House Bill No. 2012), Laws of 2015 is not enacted by June 30, 2015.

NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

Transportation Partnership Account—State Appropriation $12,057,000
Motor Vehicle Account—State Appropriation $56,024,000
Motor Vehicle Account—Federal Appropriation $391,681,000
Motor Vehicle Account—Private/Local Appropriation $8,104,000
Transportation 2003 Account (Nickel Account)—State Appropriation $40,457,000
Tacoma Narrows Toll Bridge Account—State

Appropriation..... $4,564,000
Recreational Vehicle Account—State Appropriation..... $1,509,000
High Occupancy Toll Lanes Operations Account—State
Appropriation $800,000
State Route Number 520 Corridor Account—State
Appropriation $720,000
TOTAL APPROPRIATION $515,916,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2015-1 as developed May 26, 2015, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to $38,492,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) $39,000,000 of the motor vehicle account—federal appropriation is provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

Motor Vehicle Account—State Appropriation..... $5,898,000
Motor Vehicle Account—Federal Appropriation..... $6,132,000
Motor Vehicle Account—Private/Local Appropriation..... $200,000
TOTAL APPROPRIATION $12,230,000

The appropriations in this section are subject to the following conditions and limitations: $791,000 of the motor vehicle account—state appropriation is provided solely for project 000005Q as state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.

NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

Puget Sound Capital Construction Account—State
Appropriation..... $40,347,000
Puget Sound Capital Construction Account—Federal
Appropriation..... $126,515,000
Puget Sound Capital Construction Account—Private/Local
Appropriation..... $10,331,000
Multimodal Transportation Account—State
Appropriation..... $2,734,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... $81,583,000
TOTAL APPROPRIATION $261,510,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Washington State Ferries Capital Program (W).

(2) $73,000,000 of the transportation 2003 account (nickel account)—state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) $40,617,000 of the Puget Sound capital construction account—federal appropriation and $608,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P).

(4) $4,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames.

(8) $325,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a replacement account-based system as part of the new tolling division customer service center toll collection system.

NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Essential Rail Assistance Account—State
Appropriation..... $820,000
Transportation Infrastructure Account—State
Appropriation..... $7,033,000
Multimodal Transportation Account—State
Appropriation..... $12,759,000
Multimodal Transportation Account—Federal
Appropriation..... $363,318,000
TOTAL APPROPRIATION $383,930,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Rail Program (Y).

(2) $5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium, the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3)(a) $4,514,000 of the multimodal transportation account—state appropriation, $270,000 of the essential rail assistance account—state appropriation, and $455,000 of the transportation infrastructure account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, $367,000 of the transportation infrastructure account—state appropriation and $1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full $7,337,000 cost of this project is reimbursed.

(4) $363,191,000 of the multimodal transportation account—federal appropriation and $5,740,000 of the multimodal transportation account—state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account—state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5)(a) $550,000 of the essential rail assistance account—state appropriation and $305,000 of the multimodal transportation account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Highway Infrastructure Account—State Appropriation $782,000
Highway Infrastructure Account—Federal
Appropriation..... $202,000
Transportation Partnership Account—State
Appropriation..... $1,507,000
Highway Safety Account—State Appropriation..... $9,965,000
Motor Vehicle Account—State Appropriation $500,000
Motor Vehicle Account—Federal Appropriation $17,829,000
Multimodal Transportation Account—State
Appropriation..... $15,331,000

TOTAL APPROPRIATION $46,116,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2015-2 ALL PROJECTS as developed May 26, 2015, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) $13,820,000 of the multimodal transportation account—state appropriation and $1,507,000 of the transportation partnership account—state appropriation are provided solely for pedestrian and bicycle safety program projects.

(b) $6,100,000 of the motor vehicle account—federal appropriation and $6,750,000 of the highway safety account—state appropriation are provided solely for newly selected safe routes to school projects. $6,794,000 of the motor vehicle account—federal appropriation, $1,133,000 of the multimodal transportation account—state appropriation, and $3,215,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program (0LP600P). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) $500,000 of the motor vehicle account—state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

(1) As part of its budget submittal for the 2016 supplemental budget, the department of transportation shall provide an update to the report provided to the legislature in 2015 that: (a) Compares the original project cost estimates approved in the 2003 and 2005 project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its budget submittal for the 2016 supplemental budget, the department of transportation shall provide an annual report on the number of toll credits the department has accumulated and how the department has used the toll credits.

NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

NEW SECTION. **Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES**

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Transportation Partnership Account—State

Appropriation..... $2,559,000

Highway Bond Retirement Account—State
Appropriation..... $1,169,927,000
Ferry Bond Retirement Account—State Appropriation..... $29,230,000
Transportation Improvement Board Bond Retirement
Account—State Appropriation $16,129,000
Nondebt-Limit Reimbursable Bond Retirement Account—
State Appropriation..... $25,837,000
Toll Facility Bond Retirement Account—State
Appropriation..... $62,885,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... $719,000
TOTAL APPROPRIATION $1,307,286,000

NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Transportation Partnership Account—State
Appropriation..... $512,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... $143,000
TOTAL APPROPRIATION $655,000

NEW SECTION. **Sec. 403. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—Federal
Appropriation..... $200,637,000
Toll Facility Bond Retirement Account—State
Appropriation..... $12,455,000
TOTAL APPROPRIATION $213,092,000

NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account—State Appropriation: For
motor vehicle fuel tax distributions to cities
and counties..... $489,359,000

NEW SECTION. **Sec. 405. FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation: For
motor vehicle fuel tax refunds and statutory
transfers $1,269,319,000

NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax refunds and transfers..... $143,664,000

NEW SECTION. **Sec. 407. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

(1) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound
Ferry Operations Account—State..... $10,000,000
(2) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound
Capital Construction Account—State..... $12,000,000
(3) State Route Number 520 Civil Penalties
Account—State Appropriation: For transfer to the
State Route Number 520 Corridor Account—State..... $916,000
(4) Highway Safety Account—State Appropriation:
For transfer to the State Patrol Highway
Account—State..... $20,000,000
(5) Highway Safety Account—State
Appropriation: For transfer to the Puget Sound Ferry
Operations Account—State $10,000,000
(6) Tacoma Narrows Toll Bridge Account—State
Appropriation: For transfer to the Motor Vehicle
Account—State..... $950,000
(7) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Capital Construction
Account—State..... $12,000,000
(8) Rural Mobility Grant Program Account—State
Appropriation: For transfer to the Multimodal
Transportation Account—State $3,000,000
(9) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Ferry Operations
Account—State..... $10,000,000

NEW SECTION. **Sec. 408. STATUTORY APPROPRIATIONS**

In addition to the amounts appropriated in this act for revenue for distribution, state contributions to the law enforcement officers' and firefighters' retirement system, and bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made under law.

NEW SECTION. **Sec. 409.** The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

COMPENSATION

NEW SECTION. **Sec. 501. COMPENSATION**

The appropriations for state agencies in this act are subject to the following conditions and limitations: State employee compensation adjustments for employees who are not represented or who bargain under statutory authority other than chapter 47.64 RCW or RCW 41.56.473 or 41.56.475 will be provided in accordance with funding adjustments provided in the 2015-2017 omnibus appropriations act.

NEW SECTION. **Sec. 502. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED**

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. **Sec. 503. COLLECTIVE BARGAINING AGREEMENTS**

Sections 504 through 516 of this act represent the results of the 2015-2017 collective bargaining process required under chapters 47.64 and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 504 through 516 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 504 through 516 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—OPEIU**

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015, and a two and one-half percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided to move the relief dispatcher classification to the next higher classification and increase in call back pay.

NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—FASPAA**

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015, and a three percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided for an increase in the vacation accrual rate schedule for employees hired before June 30, 2011, effective July 1, 2015.

NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—SEIU LOCAL 6**

An agreement has been reached between the governor and the service employees international union local six pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the negotiated three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided for an increase in shift premium and foreman pay.

NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—CARPENTERS**

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015, and a three percent general wage increase effective July 1, 2016.

NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—METAL TRADES**

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015, and a four percent general wage increase effective July 1, 2016.

NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL**

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2015, and a two and three-quarters percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided for an increase in holiday pay from eight hours to twelve hours per holiday, an increase in maintenance and cure payments to injured employees, and an increase in the contribution to the training school.

NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L**

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2015, and a two and three-quarters percent general wage increase effective July 1, 2016. The

agreement also includes and funding is provided for an increase holiday pay from eight hours to twelve hours per holiday, reimbursement for the cost of obtaining specified credentials, an increase in the contribution to temporary relief for employee's health care, an increase in maintenance and cure payments to injured employees, and an increase in the contribution to the training school.

NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES**

An agreement has been reached between the governor and the masters, mates, and pilots - mates through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015, and three percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided for an increase in call back pay and an increase in the Friday Harbor stipend. The agreement also eliminates a two-tiered vacation accrual schedule, replacing it with one schedule that includes increased accrual rates, effective July 1, 2016.

NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS**

An agreement has been reached between the governor and the masters, mates, and pilots - masters through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2015. The agreement also includes and funding is provided for increased vacation accrual rates for those employees hired before June 30, 2011, effective July 1, 2015, an increase in call back pay, an increase in assignment pay, and an increase in the Friday Harbor stipend.

NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH SUPERVISORS**

An agreement has been reached between the governor and the masters, mates, and pilots - watch supervisors through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded five percent general wage increase effective July 1, 2015, and five percent general wage increase effective July 1, 2016. The agreement also includes and funding is provided for an increase in the basic shift premium, effective July 1, 2015.

NEW SECTION. **Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU**

An agreement has been reached between the governor and the inlandboatmen's union of the Pacific through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded two and one-half percent general wage increase effective July 1, 2015, and a two and one-half percent general wage increase effective July 1, 2016. The agreement also eliminates the entry level rate schedule and moves those employees to the higher temporary rate schedule, for which funding is provided.

NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENTS—WSP TROOPERS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol troopers association through an interest arbitration decision under chapter 41.56 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded seven percent general wage increase effective July 1, 2015, and a three percent general wage increase effective July 1, 2016. Funding is also provided for a three percent specialty pay for breath alcohol concentration technicians.

NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENTS—WSP LIEUTENANTS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol lieutenants association through an interest arbitration decision under chapter 41.56 RCW for the 2015-2017 fiscal biennium. Funding is provided for the awarded five percent salary increase effective July 1, 2015, and a five percent salary increase effective July 1, 2016. Funding is also provided to increase the annual clothing allowance and increase accumulated holiday credits.

IMPLEMENTING PROVISIONS

NEW SECTION. **Sec. 601. FUND TRANSFERS**

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in the LEAP list titled 2015-1 as developed May 26, 2015, which consists of a list of specific projects by fund source and amount over a ten-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a ten-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2015-2017 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2016 supplemental omnibus transportation appropriations act, any unexpended 2013-2015 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

(d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;

(e) Transfers may not occur for projects not identified on the applicable project list;

(f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

NEW SECTION. **Sec. 602. FOR THE DEPARTMENT OF TRANSPORTATION**

As part of its 2016 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(1) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2013-2015 fiscal biennium into the 2015-2017 fiscal biennium; and

(2) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2013 enacted omnibus transportation appropriations act.

(3) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2015-2017 fiscal biennium into budgeting systems.

NEW SECTION. **Sec. 603. FOR THE DEPARTMENT OF TRANSPORTATION**

(1) The department shall submit a report to the transportation committees of the legislature detailing engineering errors on highway construction projects resulting in project cost increases in excess of five hundred thousand dollars. The department must submit a full report within ninety days of the negotiated change order resulting from the engineering error.

(2) The department's full report must include an assessment and review of:

(a) How the engineering error happened;

(b) The department of the employee or employees responsible for the engineering error, without disclosing the name of the employee or employees;

(c) What corrective action was taken;

(d) The estimated total cost of the engineering error and how the department plans to mitigate that cost;

(e) Whether the cost of the engineering error will impact the overall project financial plan; and

(f) What action the secretary has recommended to avoid similar engineering errors in the future.

NEW SECTION. **Sec. 604. FOR THE DEPARTMENT OF TRANSPORTATION**

The department of transportation may provide up to $3,000,000 in toll credits to Kitsap Transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. **Sec. 605.** To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made prior to the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 606. FOR THE DEPARTMENT OF TRANSPORTATION—WEB SITE REPORTING REQUIREMENTS**

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2015-2017 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. **Sec. 607. VOLUNTARY RETIREMENT AND SEPARATION INCENTIVES**

As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement a voluntary retirement and/or separation program that is cost neutral or results in cost savings, including costs to the state pension systems, over a two-year period following the commencement of the program, provided that the program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management, in consultation with the office of the state human resources director and the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have any contractual right to a financial incentive offered pursuant to this section. Offers must be reviewed and monitored jointly by the office of the state human resources director and the department of retirement systems. Agencies must submit a report by June 30, 2017, to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program, including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two-year period.

The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

MISCELLANEOUS 2015-2017 FISCAL BIENNIUM

Sec. 701. RCW 43.19.642 and 2013 c 306 s 701 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2006, file biannual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the 2011-2013 ((~~and~~)), 2013-2015, and 2015-2017 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 702. RCW 46.63.170 and 2013 c 306 s 711 are each amended to read as follows:

(1) The use of automated traffic safety cameras for issuance of notices of infraction is subject to the following requirements:

(a) The appropriate local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located: (i) Before enacting an ordinance allowing for the initial use of automated traffic safety cameras; and (ii) before adding additional cameras or relocating any existing camera to a new location within the jurisdiction. Automated traffic safety cameras may be used to detect one or more of the following: Stoplight, railroad crossing, or school speed zone violations. At a minimum, the local ordinance must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to enact an authorizing ordinance. Beginning one year after June 7, 2012, cities and counties using automated traffic safety cameras must post an annual report of the number of traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the city or county deems appropriate on the city's or county's web site.

(b) Use of automated traffic safety cameras is restricted to the following locations only: (i) Intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.

(c) During the ((~~2011-2013 and~~)) 2013-2015 and 2015-2017 fiscal biennia, automated traffic safety cameras may be used to detect speed violations for the purposes of ((~~section 201(2), chapter 367, Laws of 2011 and~~)) section 201(4), chapter 306, Laws of 2013 and section 201(1) of this act if the local legislative authority first enacts an ordinance authorizing the use of cameras to detect speed violations.

(d) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties shall consider installing cameras in a manner that minimizes the impact of camera flash on drivers.

(e) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (3)(a) of this section. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(f) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (3) of this section. If appropriate under the circumstances, a renter identified under subsection (3)(a) of this section is responsible for an infraction.

(g) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(h) All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(i) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(2) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(((~~3~~))) (2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal violation detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments.

(3) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(4) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(5) For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit in a school speed zone as detected by a speed measuring device. During the ((~~2011-2013 and~~)) 2013-2015 and 2015-2017 fiscal biennia, an automated traffic safety camera includes a camera used to detect speed violations for the purposes of ((~~section 201(2), chapter 367, Laws of 2011 and~~)) section 201(4), chapter 306, Laws of 2013 and section 201(1) of this act.

(6) During the 2011-2013 and 2013-2015 fiscal biennia, this section does not apply to automated traffic safety cameras for the purposes of section 216(5), chapter 367, Laws of 2011 and section 216(6), chapter 306, Laws of 2013.

Sec. 703. RCW 46.68.325 and 2013 c 306 s 706 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the ((~~2011-2013 and~~)) 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

Sec. 704. RCW 47.29.170 and 2013 c 306 s 708 are each amended to read as follows:

Before accepting any unsolicited project proposals, the commission must adopt rules to facilitate the acceptance, review, evaluation, and selection of unsolicited project proposals. These rules must include the following:

(1) Provisions that specify unsolicited proposals must meet predetermined criteria;

(2) Provisions governing procedures for the cessation of negotiations and consideration;

(3) Provisions outlining that unsolicited proposals are subject to a two-step process that begins with concept proposals and would only advance to the second step, which are fully detailed proposals, if the commission so directed;

(4) Provisions that require concept proposals to include at least the following information: Proposers' qualifications and experience; description of the proposed project and impact; proposed project financing; and known public benefits and opposition; and

(5) Provisions that specify the process to be followed if the commission is interested in the concept proposal, which must include provisions:

(a) Requiring that information regarding the potential project would be published for a period of not less than thirty days, during which time entities could express interest in submitting a proposal;

(b) Specifying that if letters of interest were received during the thirty days, then an additional sixty days for submission of the fully detailed proposal would be allowed; and

(c) Procedures for what will happen if there are insufficient proposals submitted or if there are no letters of interest submitted in the appropriate time frame.

The commission may adopt other rules as necessary to avoid conflicts with existing laws, statutes, or contractual obligations of the state.

The commission may not accept or consider any unsolicited proposals before July 1, ((~~2015~~)) 2017.

Sec. 705. RCW 47.56.403 and 2013 c 306 s 709 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

(a) Freeway efficiency and safety;

(b) Effectiveness for transit;

(c) Person and vehicle movements by mode;

(d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, ((~~2015~~)) 2017.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

Sec. 706. RCW 47.56.876 and 2013 c 306 s 710 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the ((~~2011-2013 and~~)) 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project (((~~8BI1003~~))).

Sec. 707. RCW 47.64.170 and 2013 c 306 s 521 are each amended to read as follows:

(1) Any ferry employee organization certified as the bargaining representative shall be the exclusive representative of all ferry employees in the bargaining unit and shall represent all such employees fairly.

(2) A ferry employee organization or organizations and the governor may each designate any individual as its representative to engage in collective bargaining negotiations.

(3) Negotiating sessions, including strategy meetings of the employer or employee organizations, mediation, and the deliberative process of arbitrators are exempt from the provisions of chapter 42.30 RCW. Hearings conducted by arbitrators may be open to the public by mutual consent of the parties.

(4) Terms of any collective bargaining agreement may be enforced by civil action in Thurston county superior court upon the initiative of either party.

(5) Ferry system employees or any employee organization shall not negotiate or attempt to negotiate directly with anyone other than the person who has been appointed or authorized a bargaining representative for the purpose of bargaining with the ferry employees or their representative.

(6)(a) Within ten working days after the first Monday in September of every odd-numbered year, the parties shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. If the parties cannot agree on an arbitrator within the ten-day period, either party may request a list of seven arbitrators from the federal mediation and conciliation service. The parties shall select an interest arbitrator using the coin toss/alternate strike method within thirty calendar days of receipt of the list. Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the name of the arbitrator and the dates reserved for bargaining and arbitration. This subsection (6)(a) imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(b) The negotiation of a proposed collective bargaining agreement by representatives of the employer and a ferry employee organization shall commence on or about February 1st of every even-numbered year.

(c) For negotiations covering the 2009-2011 biennium and subsequent biennia, the time periods specified in this section, and in RCW 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of all agreements on or before October 1st of the even-numbered year next preceding the biennial budget period during which the agreement should take effect. These time periods may only be altered by mutual agreement of the parties in writing. Any such agreement and any impasse procedures agreed to by the parties under RCW 47.64.200 must include an agreement regarding the new time periods that will allow final resolution by negotiations or arbitration by October 1st of each even-numbered year.

(7) It is the intent of this section that the collective bargaining agreement or arbitrator's award shall commence on July 1st of each odd-numbered year and shall terminate on June 30th of the next odd-numbered year to coincide with the ensuing biennial budget year, as defined

by RCW 43.88.020(7), to the extent practical. It is further the intent of this section that all collective bargaining agreements be concluded by October 1st of the even-numbered year before the commencement of the biennial budget year during which the agreements are to be in effect. After the expiration date of a collective bargaining agreement negotiated under this chapter, except to the extent provided in subsection (11) of this section and RCW 47.64.270(4), all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) The office of financial management shall conduct a salary survey, for use in collective bargaining and arbitration, which must be conducted through a contract with a firm nationally recognized in the field of human resources management consulting except during the 2015-2017 fiscal biennium.

(9) Except as provided in subsection (11) of this section:

(a) The governor shall submit a request either for funds necessary to implement the collective bargaining agreements including, but not limited to, the compensation and fringe benefit provisions or for legislation necessary to implement the agreement, or both. Requests for funds necessary to implement the collective bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(b) The governor shall submit a request either for funds necessary to implement the arbitration awards or for legislation necessary to implement the arbitration awards, or both. Requests for funds necessary to implement the arbitration awards shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(c) The legislature shall approve or reject the submission of the request for funds necessary to implement the collective bargaining agreements or arbitration awards as a whole for each agreement or award. The legislature shall not consider a request for funds to implement a collective bargaining agreement or arbitration award unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement and award or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 47.64.210 and 47.64.300.

(10) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(11)(a) For the collective bargaining agreements negotiated for the 2011-2013 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement even if the request for funds was not received by the office of financial management by October 1st and was not transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

(b) For the 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee must be a separate agreement for which the governor may request funds necessary to implement the agreement. The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(c) For the collective bargaining agreements negotiated for the 2013-2015 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement reached after October 1st after a determination of financial infeasibility by the director of the office of financial management if the request for funds is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

Sec. 708. RCW 82.70.020 and 2014 c 222 s 704 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before July 1, ((~~2015~~)) 2017, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed sixty dollars per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before July 1, ((~~2015~~)) 2017, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed sixty dollars per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by fifty percent, but may not exceed sixty dollars per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

Sec. 709. RCW 82.70.040 and 2014 c 222 s 705 are each amended to read as follows:

(1)(a)(i) The department shall keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department shall not allow any credits that would cause the total amount allowed to exceed two million seven hundred fifty thousand dollars in any fiscal year. This limitation includes any deferred credits carried forward under subsection (2)(b)(i) of this section from prior years.

(ii) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the department shall not allow any credits that would cause the total amount allowed to exceed one million five hundred thousand dollars in any fiscal year. This limitation includes any deferred credits carried forward under subsection (2)(b)(i) of this section from prior years.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department shall ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b)(i) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. No credits deferred under this subsection (2)(b)(i) may be used after June 30, 2008. A person deferring tax credits under this subsection (2)(b)(i) must submit an application as provided in RCW 82.70.025 in the year in which the deferred tax credits will be used. This application is subject to the provisions of subsection (1) of this section for the year in which the tax credits will be applied. If a deferred credit is reduced under subsection (1)(b) of this section, the amount of deferred credit disallowed because of the reduction may be carried forward as long as the period of deferral does not exceed three years after the year in which the credit was earned.

(ii) For credits approved by the department after June 30, 2005, the approved credit may be carried forward to subsequent years until used. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person shall be approved for tax credits under RCW 82.70.020 in excess of two hundred thousand dollars in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ((~~2015~~)) 2017.

(5) Credits may not be carried forward other than as authorized in subsection (2)(b) of this section.

(6) No person is eligible for tax credits under RCW 82.70.020 if the additional revenues for the multimodal transportation account created by Engrossed Substitute House Bill No. 2231 are terminated.

Sec. 710. RCW 82.70.050 and 2014 c 222 s 706 are each amended to read as follows:

(1) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the director shall on the 25th of February, May, August, and November of each year advise the state treasurer of the amount of credit taken under RCW 82.70.020 during the preceding calendar quarter ending on the last day of December, March, June, and September, respectively.

(2) On the last day of March, June, September, and December of each year, the state treasurer, based upon information provided by the department, shall deposit to the general fund a sum equal to the dollar amount of the credit provided under RCW 82.70.020 from the multimodal transportation account.

Sec. 711. RCW 82.70.900 and 2014 c 222 s 707 are each amended to read as follows:

This chapter expires June 30, ((~~2015~~)) 2017.

2013-2015 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 801. 2014 c 222 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation ..... ((~~$433,000~~)) $432,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation is provided solely for staffing costs to be dedicated to state transportation activities. Staff hired to support transportation activities must have practical experience with complex construction projects.

Sec. 802. 2014 c 222 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation ..... ((~~$1,636,000~~)) $1,635,000

Puget Sound Ferry Operations Account—State Appropriation..... $176,000

TOTAL APPROPRIATION ..... ~~$1,812,000~~ $1,811,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $932,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to identify, analyze, evaluate, and implement county transportation performance measures associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Identify, analyze, and report on county transportation system preservation; identify, evaluate, and report on opportunities to streamline reporting requirements for counties; and evaluate project management tools to help improve project delivery at the county level.

(2) $70,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the state's share of the marine salary survey.

Sec. 803. 2014 c 222 s 104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation ..... ((~~$1,203,000~~)) $1,201,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ((~~$351,000~~)) $349,000 of the motor vehicle account—state appropriation is provided solely for costs associated with the motor fuel quality program.

(2) ((~~$857,000~~)) $852,000 of the motor vehicle account—state appropriation is provided solely to test the quality of biofuel. The department must test fuel quality at the biofuel manufacturer, distributor, and retailer.

Sec. 804. 2014 c 222 s 105 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation ..... ((~~$527,000~~)) $526,000

TRANSPORTATION AGENCIES—OPERATING

Sec. 901. 2014 c 222 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation ..... ((~~$3,027,000~~)) $3,026,000

Highway Safety Account—Federal Appropriation ..... ((~~$40,780,000~~)) $40,772,000

Highway Safety Account—Private/Local Appropriation $118,000

School Zone Safety Account—State Appropriation ..... ((~~$1,700,000~~)) $1,600,000

TOTAL APPROPRIATION ..... ~~$45,625,000~~ $45,516,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall develop and implement, in collaboration with the Washington state patrol, a target zero team pilot program in Yakima and Spokane counties. The pilot program must demonstrate the effectiveness of intense, high visibility driving under the influence enforcement in Washington state. The commission shall apply to the national highway traffic safety administration for federal highway safety grants to cover the cost of the pilot program.

(2) $20,000,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2013-2015 fiscal biennium.

(3) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population over one hundred ninety-five thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2015, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(4)(a) The commission shall coordinate with counties to implement and administer a statewide yellow dot program that will provide a yellow dot window decal and yellow dot folder during the 2013-2015 fiscal biennium.

(b) The commission may utilize available federal dollars and state dollars to implement and administer the program. The commission may accept donations and partnership funds through the state's existing donation process and deposit the funds to the highway safety account for the start-up and continued support of the program.

(c) The commission, in conjunction with counties, shall maintain a separate web page that allows a person to download the yellow dot form to be placed in the yellow dot folder and lists the locations in which a person may pick up the yellow dot window decal and folder. The commission and counties may not collect any personal information. A person using the program is responsible for maintaining the information in the yellow dot folder. Participation in the program does not create any new or distinct obligation for emergency medical responders or law enforcement personnel to determine if there is a yellow dot folder in the motor vehicle or use the information contained in the yellow dot folder.

(d) The commission may adopt rules necessary to implement this subsection.

Sec. 902. 2014 c 222 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation ..... ((~~$939,000~~)) $937,000

Motor Vehicle Account—State Appropriation ..... ((~~$2,195,000~~)) $2,191,000

County Arterial Preservation Account—State Appropriation ..... ((~~$1,446,000~~)) $1,443,000

TOTAL APPROPRIATION ..... ~~$4,580,000~~ $4,571,000

Sec. 903. 2014 c 222 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation ..... ((~~$3,900,000~~)) $3,894,000

Sec. 904. 2014 c 222 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State Appropriation ..... ((~~$1,575,000~~)) $1,574,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $325,000 of the motor vehicle account—state appropriation is for a study of transportation cost drivers and potential efficiencies to contain project costs and gain more value from investments in Washington state's transportation system. The goal is to enable the department of transportation to construct bridge and highway projects more quickly and to build and operate them at a lower cost, while ensuring that appropriate environmental and regulatory protections are maintained and a quality project is delivered. The joint transportation committee must convene an advisory panel to provide study guidance and discuss potential efficiencies and recommendations. The scope of the study must be limited to state-level policies and practices relating to the planning, design, permitting, construction, financing, and operation of department of transportation roadway and bridge projects. The study must:

(i) Identify best practices;

(ii) Identify inefficiencies in state policy or agency practice where changes may save money;

(iii) Recommend changes to improve efficiency and save money; and

(iv) Identify potential savings to be achieved by adopting changes in practice or policy.

(b) The joint transportation committee shall issue a report of its findings to the house of representatives and senate transportation committees by December 31, 2013.

(2) The joint transportation committee shall coordinate a work group comprised of the department of licensing, the department of revenue, county auditors or other agents, and subagents to identify possible issues relating to the administration of, compliance with, and enforcement of the existing statutory requirement for a person to provide an unexpired driver's license when registering a vehicle. The work group shall provide recommendations on how administration and enforcement may be modified, as needed, to address any identified issues, including whether statutory changes may be needed. A report presenting the recommendations must be presented to the house of representatives and senate transportation committees by December 31, 2013.

(3) The joint transportation committee shall continue to convene a subcommittee for legislative oversight of the I-5/Columbia river crossing bridge replacement project. The Columbia river crossing legislative oversight subcommittee must be made up of six members: Two appointed by the cochairs of the senate transportation committee, two appointed by the chair and ranking member of the house of representatives transportation committee, one designee of the governor, and one citizen jointly appointed by the four members of the joint transportation executive committee. The citizen appointee must be a Washington state resident of the area served by the bridge. At least two of the legislative members must be from the legislative districts served by the bridge. In addition to reviewing project and financing information, the subcommittee must also coordinate with the Oregon legislative oversight committee for the Columbia river crossing bridge.

(4) The joint transportation committee shall convene a work group to identify and evaluate internal refinance opportunities for the Tacoma Narrows bridge. The study must include a staff work group, including staff from the office of financial management, the transportation commission, the department of transportation, the office of the state treasurer, and the legislative transportation committees. The joint transportation committee shall issue a report of its findings to the house of representatives and the senate transportation committees by December 31, 2013.

(5) The joint transportation committee shall study and review the use of surplus property proceeds to fund facility replacement projects, and the possibility of using the north central region as a pilot. The joint transportation committee shall consult with the department of transportation and the office of financial management regarding the department's current process for prioritizing and funding facility improvement and replacement projects.

(6) $250,000 of the motor vehicle account—state appropriation is for the joint transportation committee to evaluate the current status of electric vehicle charging stations in Washington, and to make recommendations regarding potential business models for financially-sustainable electric vehicle charging networks and alternative roles for public and private sector participation in those business models. Public sector participation may include public financing, funding, facilitation, and other incentives to encourage installation of electric vehicle charging stations. In conducting the study, the committee must coordinate with the department of transportation and consult with local governments and stakeholders in the electric vehicle industry. The committee may also consult with users of electric vehicles and stakeholders representing manufacturers and operators of electric vehicle charging stations. The committee shall submit an interim report by December 31, 2014, and a final report by March 1, 2015.

(7) The joint transportation committee shall coordinate a work group to review the existing titling and registration processes along with policies that county auditors, subagents, and agents must comply with when conducting title and registration transactions. The goal and related outcomes of the work group review are to provide recommendations to streamline processes, modernize policies, and identify potential information technology opportunities. Members of the work group shall only include county auditors, subagents, agents, and the department of licensing. The work group shall submit a report to the transportation committees of the legislature on or before December 1, 2014.

(8) The joint transportation committee shall coordinate a work group comprised of representatives from the department of licensing, the Washington state traffic safety commission, and other stakeholders as deemed necessary, along with interested legislators, to develop parameters for and make recommendations regarding a pilot program that would allow students to meet traffic safety education requirements online. Additionally, the work group shall make recommendations related to requiring driver training to individuals between the ages of eighteen and twenty-four who have not previously passed a driver training education program or other methods of enhancing the safety of this high-risk group. The joint transportation committee shall issue a report of its findings to the transportation committees of the house of representatives and senate by December 1, 2014.

Sec. 905. 2014 c 222 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation ..... ((~~$3,516,000~~))
$3,389,000

Multimodal Transportation Account—State
Appropriation..... $112,000

TOTAL APPROPRIATION ..... ~~$3,628,000~~
$3,501,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315, during the 2013-2015 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of fares for the Washington state ferry system only in

amounts not greater than those sufficient to generate the amount of revenue required by the biennial transportation budget. When adjusting ferry fares, the commission must consider input from affected ferry users by public hearing and by review with the affected ferry advisory committees, in addition to the data gathered from the current ferry user survey.

(2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-2015 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of toll charges applicable to the Tacoma Narrows bridge only in amounts not greater than those sufficient to support (a) any required costs for operating and maintaining the toll bridge, including the cost of insurance, (b) any amount required by law to meet the redemption of bonds and applicable interest payments, and (c) repayment of the motor vehicle fund.

(3) Consistent with RCW 43.135.055 and 47.56.880, during the 2013-2015 fiscal biennium, the legislature authorizes the transportation commission to set, periodically review, and, if necessary, adjust the schedule of toll charges applicable to the Interstate 405 express toll lanes.

(4)(a) $400,000 of the motor vehicle account—state appropriation is provided solely for the development of the business case for the transition to a road usage charge system as the basis for funding the state transportation system, from the current motor fuel tax system. The funds are provided for fiscal year 2014 only.

(b) The legislature finds that the efforts started in the 2011-2013 fiscal biennium regarding the transition to a road usage charge system represent an important first step in the policy and conceptual development of potential alternative systems to fund transportation projects, but that the governance for the development needs clarification. The legislature also finds that significant amounts of research and public education are occurring in similar efforts in several states and that these efforts can and should be leveraged to advance the evaluation in Washington. The legislature intends, therefore, that the commission and its staff lead the policy development of the business case for a road usage charge system, with the goal of providing the business case to the governor and the legislative committees of the legislature in time for inclusion in the 2014 supplemental omnibus transportation appropriations act. The legislature intends for additional oversight in the business case development, with guidance from a steering committee as provided in chapter 86, Laws of 2012, augmented with participation by the joint transportation committee. The legislature further intends that the department of transportation continue to address administrative, technical, and conceptual operational issues related to road usage charge systems, and that the department serve as a resource for information gleaned from other states on this topic for the commission's efforts.

(c) For the purposes of this subsection (4), the commission shall:

(i) Develop preliminary road usage charge policies that are necessary to develop the business case, as well as supporting research and data that will guide the potential application in Washington;

(ii) Develop the preferred operational concept or concepts that reflect the preliminary policies;

(iii) Evaluate the business case for the road usage charge system that would result from implementing the preliminary policies and preferred operational concept or concepts. The evaluation must assess likely financial outcomes if the system were to be implemented; and

(iv) Identify and document policy and other issues that are deemed important to further refine the preferred operational concept or concepts and to gain public acceptance. These identified issues should form the basis for continued work beyond this funding cycle.

(d) The commission shall convene a steering committee to guide the development of the business case. The membership must be the same as provided in chapter 86, Laws of 2012, except that the membership must also include the joint transportation committee executive members.

(e) The commission shall submit a report of the business case to the governor and the transportation committees of the legislature by December 15, 2013. The report must also include a proposed budget and work plan for fiscal year 2015. A progress report must be submitted to the governor and the joint transportation committee by November 1, 2013, including a presentation to the joint transportation committee.

(5) $174,000 of the motor vehicle account—state appropriation is provided solely for the voice of Washington survey program. The funding must be utilized for continued program maintenance and two transportation surveys for the 2013-2015 fiscal biennium.

(6)(a) $450,000 of the motor vehicle account—state appropriation is provided solely for a work plan to further develop the concept of a road usage charge system. The work plan must include: Refinement of initial policy analysis and development, a concept of operations that incorporates refined policy inputs, and a financial analysis evaluating the operational concept. The refinement of initial policy analysis and development funded under this subsection must be supplemented by the products of complementary policy refinement tasks delegated to the department of transportation in section 214 ((~~of this act~~)), chapter 222, Laws of 2014 and the office of the state treasurer in section 703 ((~~of this act~~)), chapter 222, Laws of 2014. It is the intent of the legislature that consideration for potential planning for a pilot project and any risk analysis occur in the 2015 legislative session.

(b)(i) For the purposes of the refinement of initial policy analysis and development, the work plan must consider phasing and staging of how a road usage charge would be implemented as it relates to the types of vehicles that would be subject to a road usage charge and the nature and manner of a transition period.

(ii) For the purposes of this subsection (6)(b), the legislature intends that the commission focus its analysis by assuming that the exemptions under a road usage charge would be the same as those under the motor vehicle fuel and special fuel taxes. In addition, the commission must engage the road usage charge steering committee, which was reauthorized in chapter 306, Laws of 2013 for fiscal year 2014 and is hereby reauthorized in this act with the same membership, to continue in its role and, at a minimum, to guide the work specified in (a) of this subsection, including the following: Assessing and recommending the type of vehicles that would be subject to the road usage charge, and assessing and recommending the options for the timing and duration of the transition period. The steering committee shall report its findings and guidance to the commission by December 1, 2014.

(c)(i) For the purposes of the development of the concept of operations, the development must incorporate the products of (b) of this subsection, and, to the extent practicable, the products of work conducted by the department of transportation in section 214 ((~~of this act~~)), chapter 222, Laws of 2014 and the office of the state treasurer in section 703 ((~~of this act~~)), chapter 222, Laws of 2014.

(ii) To reduce system development and operational costs, for road user charge options that rely on in-vehicle devices to record mileage, the work plan must recommend how the state can utilize the technology and back-office platforms that are scheduled to be provided by commercial account managers under the Oregon road usage charge program.

(iii) In addition to a time permit and an odometer charge, the concept of operations recommendation must be developed to include a means for periodic payments based on mileage reporting utilizing methods other than onboard diagnostic in-vehicle devices.

(d) The work plan and recommendations, along with a proposed work plan and budget for the 2015-2017 fiscal biennium, must be submitted by the commission to the transportation committees of the legislature by January 15, 2015.

(7) Within existing resources, the commission shall undertake a study of the urban and rural financial and equity implications of a potential road usage charge system in Washington. The commission shall work with the department of transportation and the department of licensing to conduct this analysis. For any survey work that is considered, the commission should utilize the existing voice of Washington survey panel and budget to inform the study. The results must be presented to the governor and the legislature by January 15, 2015.

Sec. 906. 2013 c 306 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account—State Appropriation ..... ((~~$904,000~~))
$902,000

Sec. 907. 2014 c 222 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State
Appropriation..... ((~~$366,805,000~~))
$364,954,000

State Patrol Highway Account—Federal
Appropriation..... ((~~$11,067,000~~))
$11,049,000

State Patrol Highway Account—Private/Local
Appropriation..... ((~~$3,572,000~~))
$3,567,000

Highway Safety Account—State Appropriation..... ((~~$19,265,000~~))
$19,257,000

Multimodal Transportation Account—State
Appropriation..... $272,000

Ignition Interlock Device Revolving Account—State
Appropriation..... $569,000

TOTAL APPROPRIATION ..... ~~$401,550,000~~
$399,668,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The Washington state patrol shall collaborate with the Washington traffic safety commission on the target zero team pilot program referenced in section 201 ((~~of this act~~)), chapter 306, Laws of 2013.

(2) During the 2013-2015 fiscal biennium, the Washington state patrol shall relocate its data center to the state data center in Olympia. The Washington state patrol shall work with the department of enterprise services to negotiate the lease termination agreement for the current data center site.

(3) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(4) $569,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(5) $370,000 of the state patrol highway account—state appropriation is provided solely for costs associated with the pilot program described under section 216(5) ((~~of this act~~)), chapter 222, Laws of 2014. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera infraction fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in roadway construction zones.

(6) The cost allocation for any costs incurred for the facilities at the Olympia, Washington airport used for the Washington state patrol aviation section must be split evenly between the state patrol highway account and the general fund.

(7) The Washington state patrol shall work with the state interoperability executive committee to compile a list of recent studies evaluating the potential savings and benefits of consolidating law enforcement and emergency dispatching centers and report to the joint transportation committee by December 1, 2014, on the findings and recommendations of those studies. As part of this study, the Washington state patrol must look for potential efficiencies within state government.

Sec. 908. 2014 c 222 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation..... $34,000

Motorcycle Safety Education Account—State
Appropriation..... ((~~$4,396,000~~))
$4,392,000

State Wildlife Account—State Appropriation ..... ((~~$867,000~~))
$863,000

Highway Safety Account—State Appropriation.... ((~~$158,505,000~~))
$160,664,000
Highway Safety Account—Federal Appropriation.... ((~~$4,363,000~~))
$4,355,000
Motor Vehicle Account—State Appropriation .... ((~~$81,352,000~~))
$83,169,000
Motor Vehicle Account—Federal Appropriation $467,000
Motor Vehicle Account—Private/Local Appropriation.... ((~~$1,544,000~~))
$1,601,000
Ignition Interlock Device Revolving Account—State
Appropriation.... ((~~$2,871,000~~))
$3,271,000
Department of Licensing Services Account—State
Appropriation.... ((~~$5,983,000~~))
$6,002,000
TOTAL APPROPRIATION .... ~~$260,382,000~~
$264,818,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,235,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1752), Laws of 2013 (requirements for the operation of commercial motor vehicles in compliance with federal regulations). If chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(2) $1,000,000 of the highway safety account—state appropriation is provided solely for information technology field system modernization.

(3) $5,286,000 of the highway safety account—state appropriation is provided solely for business and technology modernization.

(4) $2,355,000 of the motor vehicle account—state appropriation is provided solely for replacing prorate and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(5) $1,491,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(6) $201,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(7) $425,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(8) $289,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Second Engrossed Substitute Senate Bill No. 5785), Laws of 2014 (license plates). If chapter . . . (Second Engrossed Substitute Senate Bill No. 5785), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(9) The appropriation in this section reflects the department charging an amount sufficient to cover the full cost of providing the data requested under RCW 46.12.630(1)(b).

(10)(a) The department must convene a work group to examine the use of parking placards and special license plates for persons with disabilities and develop a strategic plan for ending any abuse. In developing this plan, the department must work with the department of health, disabled citizen advocacy groups, and representatives from local government.

(b) The work group must be composed of no more than two representatives from each of the entities listed in (a) of this subsection. The work group may, when appropriate, consult with any other public or private entity in order to complete the strategic plan.

(c) The strategic plan must include:

(i) Oversight measures to ensure that parking placards and special license plates for persons with disabilities are being properly issued, including: (A) The entity responsible for coordinating a randomized review of applications for special parking privileges; (B) a volunteer panel of medical professionals to conduct such reviews; (C) a means to protect the anonymity of both the medical professional conducting a review and the medical professional under review; (D) a means to protect the privacy of applicants by removing any personally identifiable information; and (E) possible sanctions against a medical professional for repeated improper issuances of parking placards or special license plates for persons with disabilities, including those sanctions listed in chapter 18.130 RCW; and

(ii) The creation of a publicly accessible system in which the validity of parking placards and special license plates for persons with disabilities may be verified. This system must not allow the public to access any personally identifiable information or protected health information of a person who has been issued a parking placard or special license plate.

(d) The work group must convene by July 1, 2013, and terminate by December 1, 2013.

(e) By December 1, 2013, the work group must deliver to the legislature and the appropriate legislative committees the strategic plan required under this subsection, together with its findings, recommendations, and any necessary draft legislation in order to implement the strategic plan.

(11) $3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(12) $229,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel replacement). If chapter . . . (Engrossed Second Substitute House Bill No. 1129), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(((~~(14)~~)) (13) $42,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2100), Laws of 2014 (Seattle University license plates). If chapter . . . (House Bill No. 2100), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(((~~(15)~~)) (14) $46,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2700), Laws of 2014 (breast cancer awareness license plates). If chapter . . . (House Bill No. 2700), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(((~~(17)~~)) (15) $32,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2741), Laws of 2014 (initial vehicle registration). If chapter . . . (House Bill No. 2741), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(((~~(18)~~)) (16) Within existing resources, the department must convene a work group that includes, at a minimum, representatives from the department of transportation, the trucking industry, manufacturers of compressed natural gas and liquefied natural gas, and any other stakeholders as deemed necessary, for the following purposes:

(a) To evaluate the annual license fee in lieu of fuel tax under RCW 82.38.075 to determine a fee that more closely represents the average consumption of vehicles by weight and to make recommendations to the transportation committees of the legislature by December 1, 2014, on an updated fee schedule; and

(b) To develop a transition plan to move vehicles powered by liquefied natural gas and compressed natural gas from the annual license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030. The transition plan must incorporate stakeholder feedback and must include draft legislation and cost and revenue estimates. The transition plan must be submitted to the transportation committees of the legislature by December 1, 2015.

(c) This subsection takes effect if both chapter . . . (Engrossed Substitute Senate Bill No. 6440), Laws of 2014 (compressed natural gas and liquefied natural gas) and chapter . . . (Substitute House Bill No. 2753), Laws of 2014 (compressed natural gas and liquefied natural gas) are not enacted by June 30, 2014.

(((~~(19)~~)) (17) $36,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5467), Laws of 2014 (vehicle owner list furnishment requirements). If chapter . . . (Substitute Senate Bill No. 5467), Laws of 2014 is not enacted by June 30, 2014, the amount provided in this subsection lapses.

(((~~(20)~~)) (18) The department must convene a work group to study the issue of regulating tow truck operators that are not licensed as registered tow truck operators under chapter 46.55 RCW. The work group must examine the advisability of regulating such operators, including any potential benefits to public safety, and possible methodologies for accomplishing this regulation. The work group must include the department, representatives of the Washington state patrol, organized groups of registered tow truck operators, and automobile clubs. The work group may also include hulk haulers, wreckers, transporters, and other stakeholders relating to the issue of unregulated towing for monetary compensation. The work group shall convene as necessary and report its recommendations and draft legislation to the transportation committees of the legislature by December 1, 2014.

(((~~(21)~~)) (19) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(20) $50,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 30, Laws of 2014 (snowmobile license fees).

(21) $30,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 100, Laws of 2014 (DUI prior offenses).

Sec. 909. 2014 c 222 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

High((-))Occupancy Toll Lanes Operations Account—State
Appropriation..... ((~~$1,942,000~~)) $1,884,000

Motor Vehicle Account—State Appropriation ..... ((~~$514,000~~)) $513,000

State Route Number 520 Corridor Account—State
Appropriation..... ((~~$34,267,000~~)) $33,133,000

State Route Number 520 Civil Penalties Account—State
Appropriation..... ((~~$4,156,000~~)) $4,601,000

Tacoma Narrows Toll Bridge Account—State
Appropriation..... ((~~$25,007,000~~)) $25,905,000

Puget Sound Ferry Operations Account—State
Appropriation..... $250,000

Interstate 405 Express Toll Lanes Operations

Account—State Appropriation $2,019,000
TOTAL APPROPRIATION ..... ~~$68,155,000~~
$68,305,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The legislature finds that the department's tolling division has expanded greatly in recent years to address the demands of administering several newly tolled facilities using emerging toll collection technologies. The legislature intends for the department to continue its good work in administering the tolled facilities of the state, while at the same time implementing controls and processes to ensure the efficient and judicious administration of toll payer dollars.

(b) The legislature finds that the department has undertaken a cost-of-service study in the winter and spring of 2013 for the purposes of identifying in detail the costs of operating and administering tolling on state route number 520, state route number 167 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose of the study is to provide results to establish a baseline by which future activity may be compared and opportunities identified for cost savings and operational efficiencies. In addition, the legislature finds that the state auditor has undertaken a performance audit of the department's contract for the customer service center and back office processing of tolling transactions. The audit findings, which are expected to include lessons learned, are due in late spring 2013.

(c) Using the results of the cost-of-service study and the state audit as a basis, the department shall conduct a review of operations using lean management principles in order to eliminate inefficiencies and redundancies, incorporate lessons learned, and identify opportunities to conduct operations more efficiently and effectively. Within current statutory and budgetary tolling policy, the department shall use the results of the review to improve operations in order to conduct toll operations within the appropriations provided in subsections (2) through (4) of this section. The department shall submit the review, along with the status of and plans for the implementation of review recommendations, to the office of financial management and the house of representatives and senate transportation committees by October 15, 2013.

(2) $10,343,000 of the Tacoma Narrows toll bridge account—state appropriation, $16,534,000 of the state route number 520 corridor account—state appropriation, $1,217,000 of the high-occupancy toll lanes operations account—state appropriation, and $514,000 of the motor vehicle account—state appropriation are provided solely for nonvendor costs of administering toll operations, including the costs of: Staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs.

(3) $11,265,000 of the Tacoma Narrows toll bridge account—state appropriation, $9,730,000 of the state route number 520 corridor account—state appropriation, and $625,000 of the high-occupancy toll lanes operations account—state appropriation are provided solely for vendor-related costs of operating tolled facilities, including the costs of: The customer service center; cash collections on the Tacoma Narrows bridge; electronic payment processing; and toll collection equipment maintenance, renewal, and replacement.

(4) $1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and $6,000,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(5) ((~~$4,156,000~~)) $4,606,000 of the state route number 520 civil penalties account—state appropriation and ((~~$1,039,000~~)) $2,539,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(6) The Tacoma Narrows toll bridge account—state appropriation in this section reflects reductions in management costs of $1,235,000.

(7) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(8) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the use of consultants in the tolling program. The reports must include the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consulting contracts.

(9)(a) $250,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the development of a plan to integrate and transition customer service, reservation, and payment systems currently provided by the marine division to ferry users into the statewide tolling customer service center.

(b)(i) The department shall develop a plan that addresses:

(A) A phased implementation approach, beginning with "Good To Go" as a payment option for ferry users;

(B) The feasibility, schedule, and cost of creating a single account-based system for toll road and ferry users;

(C) Transitioning customer service currently provided by the marine division to the statewide tolling customer service center; and

(D) Transitioning existing and planned ferry reservation system support from the marine division to the statewide tolling customer service center.

(ii) The plan must be provided to the office of financial management and the transportation committees of the legislature by January 14, 2014.

(10)(a) $2,019,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operating and maintenance costs of the Interstate 405 express toll lanes program, including staff costs related to operating an additional toll facility, consulting support for operations, purchase of transponders, costs related to adjudication, credit card fees, printing and postage, and customer service center support. Of the amount provided in this subsection, $519,000 of the Interstate 405 express toll lanes operations account—state appropriation must be placed in unallotted status by the office of financial management until a plan to begin tolling the Interstate 405 express

toll lanes during the summer of 2015 is finalized and approved by the office of financial management, in consultation with the chairs and ranking member of the transportation committees of the legislature.

(b) The funds provided in (a) of this subsection are provided through a transfer from the motor vehicle account—state appropriation in section 407(19) ((~~of this act~~)), chapter 222, Laws of 2014. These funds are a loan to the Interstate 405 express toll lanes operations account—state appropriation, and the legislature assumes that these funds will be reimbursed to the motor vehicle account at a later date when the Interstate 405 express toll lanes are operational.

(11) $1,060,000 of the Tacoma narrows toll bridge account—state appropriation, $2,003,000 of the state route number 520 corridor account—state appropriation, and $99,000 of the high occupancy toll lanes operations account—state appropriation are provided solely in anticipation of, and to prepare for, the procurement of a new tolling customer service center. Of the amounts provided in this subsection, $480,000 of the Tacoma narrows toll bridge account—state appropriation, $906,000 of the state route number 520 corridor account—state appropriation, and $45,000 of the high occupancy toll lanes operations account—state appropriation must be placed in unallotted status by the office of financial management until a procurement plan is finalized and approved by the office of financial management, in consultation with the chairs and ranking member of the transportation committees of the legislature. Beginning July 1, 2014, the department shall report quarterly to the governor, legislature, and state auditor on: (a) The department's effort to mitigate risk to the state, (b) the development of a request for proposals, and (c) the overall progress towards procuring a new tolling customer service center.

Sec. 910. 2014 c 222 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State
Appropriation..... $1,460,000
Motor Vehicle Account—State Appropriation ..... ((~~$65,936,000~~))
$65,821,000
Multimodal Transportation Account—State
Appropriation..... $2,883,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... $1,460,000
Puget Sound Ferry Operations Account—State
Appropriation..... $263,000
TOTAL APPROPRIATION ..... ~~$72,002,000~~
$71,887,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $290,000 of the motor vehicle account—state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) $1,460,000 of the transportation partnership account—state appropriation and $1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

Sec. 911. 2014 c 222 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation ..... ((~~$26,114,000~~))
$26,045,000

The appropriation in this section is subject to the following conditions and limitations: $850,000 of the motor vehicle account—state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

Sec. 912. 2014 c 222 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation ..... ((~~$7,909,000~~))
$7,903,000
Aeronautics Account—Federal Appropriation $2,150,000
TOTAL APPROPRIATION ..... ~~$10,059,000~~
$10,053,000

The appropriations in this section are subject to the following conditions and limitations: $4,065,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security.

Sec. 913. 2014 c 222 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation ..... ((~~$48,687,000~~))
$48,555,000
Motor Vehicle Account—Federal Appropriation $500,000
Multimodal Transportation Account—State
Appropriation..... $250,000
TOTAL APPROPRIATION ..... ~~$49,437,000~~
$49,305,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $4,423,000 of the motor vehicle account—state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(3) The legislature recognizes that the Dryden pit site (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned real property under the jurisdiction of the department, and that the public would benefit significantly from the complete enjoyment of the natural scenic beauty and recreational opportunities available at the site. Therefore, pursuant to RCW 47.12.080, the legislature declares that transferring the property to the department of fish and wildlife for recreational use and fish and wildlife restoration efforts is consistent with the public interest in order to preserve the area for the use of the public and the betterment of the natural environment. The department shall work with the department of fish and wildlife and transfer and convey the Dryden pit site to the department of fish and wildlife as-is for an adjusted fair market value reflecting site conditions, the proceeds of which must be deposited in the motor vehicle fund. The department is not responsible for any costs associated with the cleanup or transfer of this property. This subsection expires June 30, 2014.

(4) The legislature recognizes that the trail known as the Apple Capital Loop, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on existing state route number 28. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537 and 2-09-04569 to Douglas county and the city of East Wenatchee is consistent with the public interest. The legislature directs the department to transfer the property to Douglas county and the city of East Wenatchee. The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes. Douglas county and the city of East Wenatchee must agree to accept responsibility for trail segments within their respective jurisdictions and sign an agreement with the state that the transfer of these parcels to their respective jurisdictions extinguishes any state obligations to improve, maintain, or be in any way responsible for these assets. This subsection expires June 30, 2014.

(5) The legislature recognizes that the SR 20/Cook Road realignment and extension project in the city of Sedro-Woolley will enhance the state and local highway systems by providing a more direct route from state route number 20 and state route number 9 to Interstate 5, and will reduce traffic on state route number 20 and state route number 9, improving the capacity of each route. Furthermore, the legislature declares that certain portions of the department's property held for highway purposes located primarily to the north and west of state route number 20, between state route number 20 to the south and F and S Grade Road to the north, in the incorporated limits of Sedro-Woolley in Skagit county, can help facilitate completion of the project. Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it is the intent of the legislature that the department sell, transfer, or lease, as appropriate, to the city of Sedro-Woolley only those portions of the property necessary to construct the project, including necessary staging areas. However, any staging areas should revert to the department within three years of completion of the project.

(6) Within the amounts provided in this section, the department shall create a quality assurance position. This position must provide independent project quality assurance validation and ensure that quality assurance audit functions are accountable at the highest level of the organization.

(((~~(8)~~))) (7) $1,453,000 of the motor vehicle account—state appropriation is provided solely to support increased departmental efforts to dispose of surplus property as directed in subsection (2) of this section. These additional funds are expected to result in up to $5,000,000 per fiscal biennium in additional revenues through increasing the sale of surplus property. By December 1, 2014, the department shall report to the governor and the chairs and ranking members of the senate and house of representatives transportation committees on the number of surplus property parcels sold and the amount of revenue generated from those sales during 2014.

Sec. 914. 2014 c 222 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation ..... (($~~$589,000~~)) $588,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature finds that the efforts started in the 2011-2013 fiscal biennium regarding the transition to a road usage charge system represent an important first step in the policy and conceptual development of potential alternative systems to fund transportation projects, but that the governance for the development needs clarification. The legislature also finds that significant amounts of research and public education are occurring in similar efforts in several states and that these efforts can and should be leveraged to advance the evaluation in Washington. The legislature intends, therefore, that the transportation commission and its staff lead the policy development of the business case for a road usage charge system, with the goal of providing the business case to the governor and the legislative committees of the legislature in time for inclusion in the 2014 supplemental omnibus transportation appropriations act. The legislature intends for additional oversight in the business case development, with guidance from a steering committee as provided in chapter 86, Laws of 2012 for the transportation commission, augmented with participation by the joint transportation committee. The legislature further intends that, through the economic partnerships program, the department continue to address administrative, technical, and conceptual operational issues related to road usage charge systems, and that the department serve as a resource for information gleaned from other states on this topic for the transportation commission's efforts.

(2) The economic partnerships program must continue to explore retail partnerships at state-owned park-and-ride facilities, as authorized in RCW 47.04.295.

(3) The department, in collaboration with the transportation commission, shall work with the office of the state treasurer and the state's bond counsel to explore legal approaches for ensuring that any reduction, refunding, crediting, or repeal of the motor vehicle fuel tax, in whole or in part, can be accomplished without unlawfully impairing the legal rights of motor vehicle fuel tax bond holders. The results of this work must be shared with the transportation committees of the legislature and the office of financial management by September 1, 2014.

(4) $21,000 of the motor vehicle account—state appropriation is provided solely as matching funds for the department to partner with other transportation agencies located in the western region of North America to develop strategies and methods for reporting, collecting, crediting, and remitting road usage charges resulting from inter-jurisdictional travel. At least one partnering jurisdiction must share a common border with Washington. The results of this work must be reported to the governor, the transportation commission, and the transportation committees of the legislature by September 1, 2014.

Sec. 915. 2014 c 222 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Highway Safety Account—State Appropriation $10,000,000

Motor Vehicle Account—State Appropriation ..... (($~~$391,358,000~~))

$390,394,000
Motor Vehicle Account—Federal Appropriation $7,000,000
TOTAL APPROPRIATION ..... ~~$408,358,000~~
$407,394,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $10,910,000 of the motor vehicle account—state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) $2,605,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(3) The department shall submit a budget decision for the 2014 legislative session package that details all costs associated with utility fees assessed by local governments as authorized under RCW 90.03.525.

(4) $50,000 of the motor vehicle account—state appropriation is provided solely for clearing and pruning dangerous trees along state route number 542 between mile markers 43 and 48 to prevent safety hazards and delays.

(5) $2,277,000 of the motor vehicle account—state appropriation is provided solely to replace or rehabilitate critical equipment needed to perform snow and ice removal activities and roadway maintenance. These funds may not be used to purchase passenger cars as defined in RCW 46.04.382.

Sec. 916. 2014 c 222 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State Appropriation ..... ((~~$50,055,000~~))
$49,879,000
Motor Vehicle Account—Federal Appropriation $2,050,000
Motor Vehicle Account—Private/Local Appropriation $250,000
TOTAL APPROPRIATION ..... ~~$52,355,000~~
$52,179,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) $9,000,000 of the motor vehicle account—state appropriation is provided solely for the department's incident response program.

(3) During the 2013-2015 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(4) The department shall work with the cities of Lynnwood and Edmonds to provide traffic light synchronization on state route number 524.

(5) The department, in consultation with the Washington state patrol, must continue a pilot program for the state patrol to issue infractions based on information from automated traffic safety cameras in roadway construction zones on state highways. For the purpose of this pilot program, during the 2013-2015 fiscal biennium, a roadway construction zone includes areas where public employees or private contractors may be present or where a driving condition exists that would make it unsafe to drive at higher speeds, such as, when the department is redirecting or realigning lanes on any public roadway pursuant to ongoing construction. The department shall use the following guidelines to administer the program:

(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(b) The department shall plainly mark the locations where the automated traffic safety cameras are used by placing signs on locations that clearly indicate to a driver that he or she is entering a roadway construction zone where traffic laws are enforced by an automated traffic safety camera;

(c) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(d) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving notification of the violation, mails to the patrol, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner, or any other extenuating circumstances;

(e) For purposes of the 2013-2015 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (5) for an infraction generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

(f) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction must be dismissed against the business if it mails to the patrol, within fourteen days of receiving the notice, a declaration under penalty of perjury of

the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under penalty of perjury to this effect. The declaration must be mailed to the patrol within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must be included with each automated traffic safety camera infraction notice issued, along with instructions for its completion and use.

(6) $102,000 of the motor vehicle account—state appropriation is provided solely to replace or rehabilitate critical equipment needed to perform traffic control. These funds may not be used to purchase passenger cars as defined in RCW 46.04.382.

Sec. 917. 2014 c 222 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation ..... ((~~$27,079,000~~))
$26,871,000
Motor Vehicle Account—Federal Appropriation $280,000
Multimodal Transportation Account—State
Appropriation..... $1,131,000
TOTAL APPROPRIATION ..... ~~$28,490,000~~
$28,282,000

The appropriations in this section are subject to the following conditions and limitations: ((~~$200,000~~)) $80,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts. The department must submit a status report on disadvantaged business enterprise outreach to the transportation committees of the legislature by November 15, 2014.

Sec. 918. 2014 c 222 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Motor Vehicle Account—State Appropriation ..... ((~~$19,818,000~~))
$19,716,000
Motor Vehicle Account—Federal Appropriation $26,085,000
Multimodal Transportation Account—State
Appropriation..... $662,000
Multimodal Transportation Account—Federal
Appropriation..... $2,809,000
Multimodal Transportation Account—Private/Local
Appropriation..... $100,000
TOTAL APPROPRIATION ..... ~~$49,474,000~~
$49,372,000

The appropriations in this section are subject to the following conditions and limitations: Within available resources, the department must collaborate with the affected metropolitan planning organizations, regional transportation planning organizations, transit agencies, and private transportation providers to develop a plan to reduce vehicle demand, increase public transportation options, and reduce vehicle miles traveled on corridors affected by growth at Joint Base Lewis-McChord.

Sec. 919. 2014 c 222 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Motor Vehicle Account—State Appropriation ..... ((~~$74,198,000~~))
$73,941,000
Motor Vehicle Account—Federal Appropriation $400,000
Multimodal Transportation Account—State
Appropriation..... $3,068,000
TOTAL APPROPRIATION ..... ~~$77,666,000~~
$77,409,000

The appropriations in this section are subject to the following conditions and limitations: The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

Sec. 920. 2014 c 222 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State Appropriation..... $754,000
Regional Mobility Grant Program Account—State
Appropriation..... ((~~$51,111,000~~))
$41,111,000
Rural Mobility Grant Program Account—State
Appropriation..... $17,000,000
Multimodal Transportation Account—State
Appropriation..... ((~~$39,325,000~~))
$39,313,000
Multimodal Transportation Account—Federal
Appropriation..... $3,280,000
Motor Vehicle Account—Federal Appropriation $160,000
TOTAL APPROPRIATION ..... ~~$111,630,000~~

$101,618,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $25,000,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) $5,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) $19,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2011 as reported in the "Summary of Public Transportation - 2011" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) $17,000,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) $6,000,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least $1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) $520,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127. The department's public transportation division is authorized to purchase vans in the 2013-2015 fiscal biennium, on behalf of public transit agencies, exclusively for the purpose of compliance with the terms of this subsection (3)(c).

(4) ((~~$11,111,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2014-2 ALL PROJECTS - Public Transportation - Program (V) as developed March 10, 2014.~~

~~(5)(a) $40,000,000~~)) (a) $41,111,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS ((~~- Public Transportation - Program (V)~~)) as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2013, and December 15, 2014, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2013-2015 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) $6,424,000 of the total appropriation in this section is provided solely for CTR grants and activities. Of this amount:

(a) $3,900,000 of the multimodal transportation account—state appropriation is provided solely for grants to local jurisdictions, selected by the CTR board, for the purpose of assisting employers meet CTR goals;

(b) $1,770,000 of the multimodal transportation account—state appropriation is provided solely for state costs associated with CTR. The department shall develop more efficient methods of CTR assistance and survey procedures; and

(c) $754,000 of the state vehicle parking account—state appropriation is provided solely for CTR-related expenditures, including all expenditures related to the guaranteed ride home program and the STAR pass program.

(8) An affected urban growth area that has not previously implemented a commute trip reduction program as of the effective date of this section is exempt from the requirements in RCW 70.94.527.

(9) $200,000 of the multimodal transportation account—state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(10) $160,000 of the motor vehicle account—federal appropriation is provided solely for King county metro to study demand potential for a state route number 18 and Interstate 90 park and ride location, to size the facilities appropriately, to perform site analysis, and to develop preliminary design concepts. When studying potential park and ride locations pursuant to this subsection, King county metro must take into consideration the effect of the traffic using the weigh station at the Interstate 90 and state route number 18 interchange at exit 25 and, to the

maximum extent practicable, choose a park and ride location that minimizes traffic impacts for the Interstate 90 and state route number 18 interchange and the weigh station.

Sec. 921. 2014 c 222 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State

Appropriation..... ((~~$483,404,000~~))
$475,915,000

Puget Sound Ferry Operations Account—Private/Local

Appropriation..... $121,000

TOTAL APPROPRIATION ..... ~~$483,525,000~~
$476,036,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2013-2015 supplemental and 2015-2017 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2013-2015 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) ((~~$113,157,000~~)) $106,497,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2013-2015 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, are contingent upon the enactment of section 701, chapter 306, Laws of 2013. The amount provided in this subsection represent the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall develop a fuel reduction plan to be submitted as part of its 2014 supplemental budget proposal. The plan must include fuel saving proposals, such as vessel modifications, vessel speed reductions, and changes to operating procedures, along with anticipated fuel saving estimates.

(5) $100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(6) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(7) $3,049,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the operating program share of the $7,259,000 in lease payments for the ferry division's headquarters building. Consistent with the 2012 facilities oversight plan, the department shall strive to consolidate office space in downtown Seattle by the end of 2015. The department shall consider renewing the lease for the ferry division's current headquarters building only if the lease rate is reduced at least ((~~fifty~~)) forty percent and analysis shows that this is the least cost and risk option for the department. Consolidation with other divisions or state agencies, or a reduction in leased space, must also be considered as part of any headquarters lease renewal analysis.

(8) $5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the purchase of a 2013-2015 marine insurance policy. Within this amount, the department is expected to purchase a policy with the lowest deductible possible, while maintaining at least existing coverage levels for ferry vessels, and providing coverage for all terminals.

(9) Within existing resources, the department must evaluate the feasibility of using re-refined used motor oil processed in Washington state as a ferry fuel source. The evaluation must include, but is not limited to, research on existing entities currently using the process for re-refined fuel, any required combustible engine modifications, additional needed equipment on the vessels or fueling locations, cost analysis, compatibility with B-5 blended diesel, and meeting engine performance specifications. The department must establish an evaluation group that includes, but is not limited to, persons experienced in the re-refined motor oil industry. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2014.

(10) $71,000 of the Puget Sound ferry operations account—state appropriation is provided solely for one traffic attendant for ferry terminal traffic control at the Fauntleroy ferry terminal.

Sec. 922. 2014 c 222 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State

Appropriation..... ((~~$46,026,000~~))
$45,963,000

Multimodal Transportation Account—Private/Local

Appropriation..... $57,000

TOTAL APPROPRIATION $46,020,000

The appropriations in this section are subject to the following conditions and limitations:

(1) $40,289,000 of the multimodal transportation account—state appropriation is provided solely for operating and maintaining state-supported passenger rail service. In recognition of the increased costs the state is expected to absorb due to changes in federal law, the department is directed to analyze the Amtrak contract proposal and find cost saving alternatives. The department shall report to the transportation committees of the legislature before the 2014 regular legislative session on its revisions to the Amtrak contract, including a review of the appropriate costs within the contract for concession services, policing, host railroad incentives, and station services and staffing needs. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report any changes that would affect the state subsidy amount appropriated in this subsection. Through a competitive process, the department may contract with a private entity for services related to operations and maintenance of the Amtrak Cascades route, including, but not limited to, concession services.

(2) Amtrak Cascades runs may not be eliminated.

(3) The department shall continue a pilot program by partnering with the travel industry on the Amtrak Cascades service between Vancouver, British Columbia, and Seattle to test opportunities for increasing ridership, maximizing farebox recovery, and stimulating private investment. The pilot program must run from December 31, 2013, to December 31, 2014, and evaluate seasonal differences in the program and the effect of advertising. The department may offer to Washington universities an opportunity for business students to work as interns on the analysis of the pilot program process and results. The department shall report on the results of the pilot program to the office of financial management and the legislature by January 31, 2015.

(4) $150,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop an inventory of short line rail infrastructure that can be used to support a data-driven approach to identifying system needs. The department shall work with short line rail owners and operators within the state, provide status updates periodically to the joint transportation committee, submit a progress report of its findings to the transportation committees of the legislature and the office of financial management by December 15, 2014, submit a preliminary report of key findings and recommendations to the transportation committees of the legislature and the office of financial management by March 1, 2015, and submit a final report to the transportation committees of the legislature and the office of financial management by June 30, 2015.

Sec. 923. 2014 c 222 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation ..... ((~~$8,672,000~~))
$8,647,000

Motor Vehicle Account—Federal Appropriation $2,567,000

TOTAL APPROPRIATION ..... ~~$11,239,000~~
$11,214,000

TRANSPORTATION AGENCIES—CAPITAL

Sec. 1001. 2014 c 222 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation ..... ((~~$11,930,000~~))
$6,270,000

Freight Mobility Multimodal Account—State Appropriation ..... ((~~$9,826,000~~))
$6,011,000

((~~Freight Mobility Multimodal Account—Private/Local Appropriation~~ ..... ~~$1,320,000~~))

Highway Safety Account—State Appropriation $2,606,000

((~~Motor Vehicle Account—State Appropriation~~ ..... ~~$84,000~~))

Motor Vehicle Account—Federal Appropriation ..... ((~~$5,750,000~~))
$2,500,000

TOTAL APPROPRIATION ..... ~~$31,516,000~~
$17,387,000

Sec. 1002. 2014 c 222 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation ..... ((~~$57,394,000~~))
$49,095,000

Highway Safety Account—State Appropriation $10,000,000

Motor Vehicle Account—State Appropriation $706,000

County Arterial Preservation Account—State Appropriation $32,000,000

TOTAL APPROPRIATION ..... ~~$100,100,000~~
$91,801,000

Sec. 1003. 2014 c 222 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State Appropriation $5,250,000

Highway Safety Account—State Appropriation $10,000,000

Transportation Improvement Account—State Appropriation ..... ((~~$231,851,000~~))
$230,851,000

TOTAL APPROPRIATION ..... ~~$247,101,000~~
$246,101,000

The appropriations in this section are subject to the following conditions and limitations: The highway safety account—state appropriation is provided solely for:

(1) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(2) The small city pavement program to help cities meet urgent preservation needs; and

(3) The small city low-energy street light retrofit demonstration program.

Sec. 1004. 2014 c 222 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Transportation Partnership Account—State
Appropriation..... ((~~$14,390,000~~)) $13,390,000
Motor Vehicle Account—State Appropriation $9,469,000
TOTAL APPROPRIATION ..... ~~$23,859,000~~ $22,859,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The legislature recognizes that the Marginal Way site (King county parcel numbers 3024049182 & 5367202525) is surplus state-owned real property under the jurisdiction of the department and that the public would benefit significantly if this site is used to provide important social services. Therefore, the legislature declares that committing the Marginal Way site to this use is consistent with the public interest.

Pursuant to RCW 47.12.063, the department shall work with the owner of King county parcel number 7643400010, which abuts both parcels of the Marginal Way site, and shall convey the Marginal Way site to that abutting property owner for the appraised fair market value of the parcels, the proceeds of which must be deposited in the motor vehicle fund. The conveyance is conditional upon the purchaser's agreement to commit the use of the Marginal Way site to operations with the goal of ending hunger in western Washington. The department may not make this conveyance before September 1, 2013, and may not make this conveyance after September 1, 2014.

The Washington department of transportation is not responsible for any costs associated with the cleanup or transfer of the Marginal Way site.

(2) ((~~$14,390,000~~)) $13,390,000 of the transportation partnership account—state appropriation is provided solely for the construction of a new traffic management and emergency operations center on property owned by the department on Dayton Avenue in Shoreline (project 100010T). Consistent with the office of financial management's 2012 study, it is the intent of the legislature to appropriate no more than $15,000,000 for the total construction costs. The department shall report to the transportation committees of the legislature and the office of financial management by June 30, 2014, on the progress of the construction of the traffic management and emergency operations center, including a schedule for terminating the current lease of the Goldsmith building in Seattle.

Sec. 1005. 2014 c 222 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

((~~Multimodal Transportation Account—State Appropriation~~..... ~~$1,000,000~~))
Transportation Partnership Account—State
Appropriation..... ((~~$1,313,555,000~~)) $935,899,000
Motor Vehicle Account—State Appropriation ..... ((~~$69,478,000~~)) $58,888,000
Motor Vehicle Account—Federal Appropriation ..... ((~~$516,181,000~~)) $508,032,000
Motor Vehicle Account—Private/Local Appropriation..... ((~~$166,357,000~~)) $157,553,000
Transportation 2003 Account (Nickel Account)—State
Appropriation..... ((~~$325,778,000~~)) $261,599,000
State Route Number 520 Corridor Account—State
Appropriation..... $880,111,000
State Route Number 520 Corridor Account—Federal
Appropriation..... $300,000,000
Special Category C Account—State Appropriation..... $124,000
TOTAL APPROPRIATION ..... ~~$3,572,584,000~~ $3,102,206,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2014-1~~)) 2015-1 as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section ((~~601 of this act~~)) 1201, chapter . . . (Engrossed Substitute House Bill No. 1299), Laws of 2015 1st sp. sess.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Highway Improvements Program (I). The department shall apply any federal funds gained through efficiencies or the redistribution process in an amount up to $27,200,000 for cost overruns related to the pontoon design errors on the SR 520 Bridge Replacement and HOV project (8BI1003) as described in subsection (12)(f) of this section. Any federal funds gained through efficiencies or the redistribution process that are in excess of $27,200,000 must then be applied to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2014-2 ALL PROJECTS as developed March 10, 2014, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to ((~~$246,710,000~~)) $189,996,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account—state appropriation includes up to ((~~$811,595,000~~)) $564,989,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) The motor vehicle account—state appropriation includes up to ((~~$30,000,000~~)) $14,997,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(7)(a) ((~~$6,174,000~~)) $1,514,000 of the motor vehicle account—federal appropriation and ((~~$269,000~~)) $21,000 of the motor vehicle account—state appropriation are provided solely for the I-90 Comprehensive Tolling Study and Environmental Review project (100067T). The department shall prepare a detailed environmental impact statement that complies with the national environmental policy act regarding tolling Interstate 90 between Interstate 5 and Interstate 405 for the purposes of both managing traffic and providing funding for the construction of the unfunded state route number 520 from Interstate 5 to Medina project. As part of the preparation of the statement, the department must review any impacts to the network of highways and roads surrounding Lake Washington. In developing this statement, the department must provide significant outreach to potential affected communities. The department may consider traffic management options that extend as far east as Issaquah.

(b)(i) As part of the project in this subsection (7), the department shall perform a study of all funding alternatives to tolling Interstate 90 to provide funding for construction of the unfunded state route number 520 and explore and evaluate options to mitigate the effect of tolling on affected residents and all other users of the network of highways and roads surrounding Lake Washington including, but not limited to:

(A) Allowing all Washington residents to traverse a portion of the tolled section of Interstate 90 without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island;

(B) Assessing a toll only when a driver traverses, in either direction, the entire portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing east of Mercer Island; and

(C) Allowing affected residents to choose one portion of the tolled section of Interstate 90 upon which they may travel without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island.

(ii) The department may also consider any alternative mitigation options that conform to the purpose of this subsection (7).

(iii) For the purposes of this subsection (7), "affected resident" means anyone who must use a portion of Interstate 90 west of Interstate 405 upon which tolling is considered in order to access necessary medical services, such as a hospital.

(8) ((~~$490,796,000~~)) $203,317,000 of the transportation partnership account—state appropriation, ((~~$156,979,000~~)) $156,879,000 of the motor vehicle account—federal appropriation, ((~~$132,191,000~~)) $131,327,000 of the motor vehicle account—private/local appropriation, and ((~~$123,305,000~~)) $86,401,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct - Replacement project (809936Z). Amounts appropriated in this subsection may not be spent for the purpose of public transportation mitigation, except pursuant to an agreement or agreements between the department and King county as that agreement or agreements existed on January 1, 2013.

(9) The department shall reconvene an expert review panel of no more than three members as described under RCW 47.01.400 for the purpose of updating the work that was previously completed by the panel on the Alaskan Way viaduct replacement project and to ensure that an appropriate and viable financial plan is created and regularly reviewed. The expert review panel must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor. The expert review panel must report findings and recommendations to the transportation committees of the legislature, the governor's Alaskan Way viaduct project oversight committee, and the transportation commission annually until the project is operationally complete. This subsection takes effect if chapter ... (Substitute House Bill No. 1957), Laws of 2013 is not enacted by June 30, 2013.

(10) ((~~$7,103,000~~)) $6,955,000 of the transportation partnership account—state appropriation, ((~~$22,774,000~~)) $23,285,000 of the transportation 2003 account (nickel account)—state appropriation, ((~~$1,000,000 of the multimodal transportation account—state appropriation~~)) $3,776,000 of the motor vehicle account—state appropriation, $70,000 of the motor vehicle account—private/local appropriation, and ((~~$51,712,000~~)) $45,688,000 of the motor vehicle account—federal appropriation are provided solely for the US 395/North Spokane Corridor projects (600010A & 600003A). Any future savings on the projects must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor projects or any future phase of the projects.

(11) ((~~$129,952,000~~)) $115,807,000 of the transportation partnership account—state appropriation, $145,000 of the motor vehicle account—private/local appropriation, and ((~~$58,583,000~~)) $48,227,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project.

(12)(a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a $300,000,000 TIFIA loan, $923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account—state appropriation includes up to $814,784,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to $300,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) $165,175,000 of the transportation partnership account—state appropriation, $300,000,000 of the state route number 520 corridor account—federal appropriation, and $880,111,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). Of the amounts appropriated in this subsection (12)(d), $84,001,000 of the

state route number 520 corridor account—federal appropriation and $354,411,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and are subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(f) The legislature finds that the most appropriate way to pay for the cost overruns related to change orders, additional sales tax, and future risks associated with pontoon design errors is for the state to issue triple pledge bonds in the 2015-2017 fiscal biennium resulting in $110,961,000 in proceeds, and use efficiencies, including the use of least cost planning or practical design, and favorable bids in the highway construction program to generate an additional $61,066,000 towards paying for the estimated project overruns. Of this additional $61,066,000, $33,866,000 should come from the transportation partnership account—state appropriation and $27,200,000 should come from federal funds. As the department identifies savings in federal funds during the 2013-2015 fiscal biennium, the department shall prioritize the use of these funds towards the anticipated $27,200,000 in federal funds needed to address cost overruns before expending state funds during this fiscal biennium. The legislature assumes that issuing bonds to complete this project as listed in LEAP Transportation Document 2014-1 as developed March 10, 2014, does not require a comprehensive financial plan for a project that completes the state route number 520 corridor to Interstate 5.

(g) The department's 2014 supplemental budget allotment submittal must include a project-specific plan detailing how the department will achieve the mandatory budget savings in (f) of this subsection, including the use of least cost planning or practical design as a means to generate savings, as referenced in subsection (23) of this section. The use of least cost planning or practical design may result in a reduction of project cost, but not a reduction of functional scope. The director of financial management shall notify the transportation committees of the legislature in writing seven days prior to approving any allotment modifications under this subsection.

(13) Within the amounts provided in this section, the department must continue to work with the Seattle department of transportation in their joint planning, design, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) ((~~$1,062,000~~)) $514,000 of the motor vehicle account—federal appropriation ((~~is~~)) and $19,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) ((~~$25,243,000~~)) $18,016,000 of the motor vehicle account—state appropriation is provided solely to advance the design, preliminary engineering, and rights-of-way acquisition for the priority projects identified in LEAP Transportation Document 2014-3 as developed March 10, 2014. Funds must be used to advance the emergent, initial development of these projects for the purpose of expediting delivery of the associated major investments when funding for such investments becomes available. Funding may be reallocated between projects to maximize the accomplishment of design and preliminary engineering work and rights-of-way acquisition, provided that all projects are addressed. It is the intent of the legislature that, while seeking to maximize the outcomes in this section, the department shall provide for continuity of both the state and consulting engineer workforce, while strategically utilizing private sector involvement to ensure consistency with the department's business plan for staffing in the highway construction program in the current fiscal biennium.

(16) If a planned roundabout in the vicinity of state route number 526 and 84th Street SW would divert commercial traffic onto neighborhood streets, the department may not proceed with improvements at state route number 526 and 84th Street SW until the traffic impacts in the vicinity of state route number 526 and 40th Avenue West are addressed.

(17) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2015, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(18) The legislature finds that "right-sizing" is a lean, metric-based approach to determining project investments. This concept entails compromise between project cost and design, incorporating local community needs, desired outcomes, and available funding. Furthermore, the legislature finds that the concepts and principles the department has utilized in the safety analyst program have been effective tools to prioritize projects and reduce project costs. Therefore, the department shall establish a pilot project on the SR 3/Belfair Bypass - New Alignment (300344C) to begin implementing the concept of "right-sizing" in the highway construction program.

(19) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(20) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2014 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(21) $19,513,000 of the motor vehicle account—state appropriation and $9,450,000 of the motor vehicle account—federal appropriation are provided solely for improvement program support activities (095901X). $18,000,000 of this amount must be held in unallotted status until the office of financial management certifies that the department's 2014 supplemental budget request conforms to the terms of subsection (20) of this section.

(22) Any new advisory group that the department convenes during the 2013-2015 fiscal biennium must be representative of the interests of the entire state of Washington.

(23) Practical design offers targeted benefits to a state transportation system within available fiscal resources. This delivers value not just for individual projects, but for the entire system. Applying practical design standards will also preserve and enhance safety and mobility. The department shall implement a practical design strategy for transportation design standards. By June 30, 2015, the department shall report to the governor and the house of representatives and senate transportation committees on where practical design has been applied or is intended to be applied in the department and the cost savings resulting from the use of practical design.

Sec. 1006. 2014 c 222 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Transportation Partnership Account—State Appropriation.... ((~~$34,966,000~~)) $26,954,000

Highway Safety Account—State Appropriation.... ((~~$13,500,000~~)) $13,502,000

Motor Vehicle Account—State Appropriation.... ((~~$59,796,000~~)) $51,379,000

Motor Vehicle Account—Federal Appropriation.... ((~~$595,604,000~~)) $549,666,000

Motor Vehicle Account—Private/Local Appropriation.... ((~~$11,827,000~~)) $11,871,000

Transportation 2003 Account (Nickel Account)—State Appropriation.... ((~~$2,650,000~~)) $1,809,000

Tacoma Narrows Toll Bridge Account—State Appropriation.... ((~~$120,000~~)) $1,177,000

High Occupancy Toll Lanes Operations Account—State Appropriation.... $200,000

TOTAL APPROPRIATION.... ~~$718,463,000~~ $656,558,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2014-1~~)) 2015-1 as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section ((~~601 of this act~~)) 1201, chapter . . . (Engrossed Substitute House Bill No. 1299), Laws of 2015 1st sp. sess.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Highway Preservation Program (P). The department shall apply any federal funds gained through efficiencies or the redistribution process in an amount up to $27,200,000 for cost overruns related to the pontoon design errors on the SR 520 Bridge Replacement and HOV project (8BI1003) as described in section 306(12)(f) ((~~of this act~~)), chapter 222, Laws of 2014. Any federal funds gained through efficiencies or the redistribution process that are in excess of $27,200,000 must then be applied to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2014-2 ALL PROJECTS as developed March 10, 2014, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) ((~~$26,610,000~~)) $25,480,000 of the motor vehicle account—federal appropriation((~~, $51,000 of the motor vehicle account—state appropriation,~~)) and ((~~$769,000~~)) $605,000 of the highway safety account—state appropriation are provided solely for the SR 167/Puyallup River Bridge Replacement project (316725A). This project must be completed as a design-build project. The department must work with local jurisdictions and the community during the environmental review process to develop appropriate esthetic design elements, at no additional cost to the department, and traffic management plans pertaining to this project. The department must report to the transportation committees of the legislature on estimated cost and/or time savings realized as a result of using the design-build process.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

Sec. 1007. 2014 c 222 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation.... ((~~$4,915,000~~)) $4,648,000

Motor Vehicle Account—Federal Appropriation.... ((~~$9,152,000~~)) $7,191,000

Motor Vehicle Account—Private/Local Appropriation.... $200,000

TOTAL APPROPRIATION.... ~~$14,267,000~~ $12,039,000

The appropriations in this section are subject to the following conditions and limitations: ((~~$195,000~~)) $100,000 of the motor vehicle account—state appropriation is provided solely for project 000005Q as state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.

Sec. 1008. 2014 c 222 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State

Appropriation..... ((~~$63,825,000~~)) $61,877,000

Puget Sound Capital Construction Account—Federal
Appropriation..... ((~~$118,444,000~~)) $89,152,000

Puget Sound Capital Construction Account—Private/Local
Appropriation..... ((~~$1,312,000~~)) $1,187,000

Multimodal Transportation Account—State
Appropriation..... ((~~$2,588,000~~)) $1,544,000

Transportation 2003 Account (Nickel Account)—State
Appropriation..... ((~~$190,031,000~~)) $189,255,000

Transportation Partnership Account—State
Appropriation..... $2,813,000

TOTAL APPROPRIATION ..... ~~$379,013,000~~ $345,828,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Washington State Ferries Capital Program (W).

(2) The Puget Sound capital construction account—state appropriation includes up to $20,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(3) ((~~$137,425,000~~)) $136,957,000 of the transportation 2003 account (nickel account)—state appropriation, $2,338,000 of the transportation partnership account—state appropriation, and ((~~$300,000~~)) $768,000 of the Puget Sound capital construction account—federal appropriation are provided solely for the acquisition of two 144-car vessels (((~~projects~~)) L2200038 and L2200039). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(4) ((~~$14,728,000~~)) $8,773,000 of the Puget Sound capital construction account—federal appropriation, ((~~$4,038,000~~)) $1,600,000 of the Puget Sound capital construction account—state appropriation, and ((~~$1,535,000~~)) $490,000 of the multimodal transportation account—state appropriation are provided solely for the Mukilteo ferry terminal (((~~project~~)) 952515P). To the greatest extent practicable, the department shall seek additional federal funding for this project. Within the multimodal transportation account—state appropriation amount provided in this subsection, the department shall lease to the city in which the project is located a portion of the department's property associated with this project to provide safe, temporary public access from the easterly terminus of First Street to the vicinity of Front Street. The department shall provide the lease at no cost in recognition of the impacts of this project to the city and require appropriate liability and maintenance coverage in the terms of the lease. Public access must be installed and removed at no cost to the state prior to construction of the multimodal terminal project.

(5) ((~~$4,935,000~~)) $7,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (((~~project~~)) 999910K). Funds may only be spent after approval by the office of financial management.

(6) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future modifications at the terminal.

(7) ((~~$4,026,000~~)) $4,788,000 of the Puget Sound capital construction account—state appropriation is provided solely for the reservation and communications system projects (L200041 & L200042).

(8) $4,210,000 of the Puget Sound capital construction account—state appropriation is provided solely for the capital program share of $7,259,000 in lease payments for the ferry division's headquarters building. Consistent with the 2012 facilities oversight plan, the department shall strive to consolidate office space in downtown Seattle by the end of 2015. The department shall consider renewing the lease for the ferry division's current headquarters building only if the lease rate is reduced at least ((~~fifty~~)) forty percent and analysis shows that this is the least cost and risk option for the department. Consolidation with other divisions or state agencies, or a reduction in leased space, must also be considered as part of any headquarters lease renewal analysis.

(9) ((~~$23,737,000 of the total appropriation is for preservation work on the Hyak super class vessel (project 944431D), including installation of a power management system and more efficient propulsion systems, that in combination are anticipated to save up to twenty percent in fuel and reduce maintenance costs. Upon completion of this project, the department shall provide a report to the transportation committees of the legislature on the fuel and maintenance savings achieved for this vessel and the potential to save additional funds through other vessel conversions.~~

~~(10)~~)) The transportation 2003 account (nickel account)—state appropriation includes up to $50,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(((~~(11)~~)) (10) $50,000,000 of the transportation 2003 account (nickel account)—state appropriation is provided solely for the acquisition of one 144-car vessel (((~~project~~)) L1000063). If chapter . . . (Engrossed Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June 30, 2014, the amount provided in the subsection lapses.

(((~~(12)~~)) (11) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(((~~(13)~~)) (12) $350,000 of the Puget Sound capital construction account—state appropriation is provided solely for the issuance of a request for proposals to convert the Issaquah class vessels to use liquefied natural gas and to provide a one-time stipend to the entity awarded the conversion contract. Of the amounts provided in this subsection:

(a) $100,000 of the Puget Sound capital construction account—state appropriation is for the department to issue a request for proposals for a design-build contract consistent with RCW 47.20.780 to convert six Issaquah class vessels to be powered by liquefied natural gas. Consistent with RCW 47.56.030(2)(c), the legislature finds that the performance needs of the department in converting to liquefied natural gas are for engines with the lowest life-cycle costs, and the department must weigh this criteria as a priority when evaluating the proposals. To encourage cost saving ideas, the department shall limit prescribing design elements in the proposal to those approved or required by the United States coast guard in the liquefied natural gas waterways suitability assessment or those otherwise essential to provide clear direction to bidders. The request for proposals must include a process for evaluating proposals that may include alternative financing arrangements that are in compliance with state private financing law. When evaluating the financial merits of any liquefied natural gas conversion request for proposals, the department shall give consideration to the inability of the state to fund a liquefied natural gas conversion using currently available public resources. The department shall issue the request for proposals within forty-five days of rejecting the liquefied natural gas request for proposals issued under section 308(11), chapter 86, Laws of 2012 or receiving final findings from the United States coast guard on the liquefied natural gas waterways suitability assessment, whichever is later.

(b) $250,000 of the Puget Sound capital construction account—state appropriation is for the entity awarded the contract pursuant to this subsection.

Sec. 1009. 2014 c 222 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Essential Rail Assistance Account—State
Appropriation..... ((~~$1,020,000~~))
$899,000

Transportation Infrastructure Account—State
Appropriation..... ((~~$9,190,000~~))
$7,369,000

Multimodal Transportation Account—State
Appropriation..... ((~~$44,085,000~~))
$40,395,000

Multimodal Transportation Account—Federal
Appropriation..... ((~~$430,193,000~~))
$388,418,000

Multimodal Transportation Account—Private/Local
Appropriation..... $409,000

TOTAL APPROPRIATION ..... ~~$484,897,000~~
$437,490,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Rail Program (Y).

(b) Within the amounts provided in this section, $7,669,000 of the transportation infrastructure account—state appropriation is for low-interest loans through the freight rail investment bank program identified in the LEAP transportation document referenced in (a) of this subsection. The department shall issue freight rail investment bank program loans with a repayment period of no more than ten years, and only so much interest as is necessary to recoup the department's costs to administer the loans.

(c) Within the amounts provided in this section, $2,440,000 of the multimodal transportation account—state appropriation, $1,250,000 of the transportation infrastructure account—state appropriation, and $311,000 of the essential rail assistance account—state appropriation are for statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in (a) of this subsection.

(2) Unsuccessful 2012 freight rail assistance program grant applicants may be awarded freight rail investment bank program loans, if eligible. The department shall issue a call for projects for the freight rail investment bank loan program and the freight rail assistance grant program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 1, 2014, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(3) ((~~$424,400,000~~)) $382,625,000 of the multimodal transportation account—federal appropriation and ((~~$10,658,000~~)) $10,084,000 of the multimodal transportation account—state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account—state appropriation funds reflect one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement. ((~~Of the amounts provided in this subsection, $31,500,000 of the multimodal transportation account—federal appropriation is provided solely for the purchase of two new train sets for the state-supported intercity passenger rail service. The department must apply for any federal waivers required to purchase the new train sets, as allowable under existing competitive bidding practices, and seek federal funds in addition to those available from the high-speed rail grants.~~))

(4) As allowable under federal rail authority rules and existing competitive bidding practices, when purchasing new train sets, the department shall give preference to bidders that propose train sets with characteristics and maintenance requirements most similar to those currently owned by the department.

(5) The department shall provide quarterly reports to the office of financial management and the transportation committees of the legislature regarding applications that the department submits for federal funds and the status of such applications.

(6)(a) $709,000 of the essential rail assistance account—state appropriation, $241,000 of the transportation infrastructure account—state appropriation, and $1,893,000 of the multimodal transportation account—state appropriation are provided solely for the purpose of rehabilitation and maintenance of the Palouse river and Coulee City railroad line (project F01111B). The department shall complete an evaluation and assessment of future maintenance needs on the line to ensure appropriate levels of state investment.

(b) Expenditures from the essential rail assistance account—state appropriation in this section may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad line.

((~~(7)~~))

Sec. 1010. 2014 c 222 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

((~~Highway Infrastructure Account—State Appropriation~~.....~~$207,000~~))

Highway Infrastructure Account—Federal Appropriation..... ((~~$1,602,000~~)) $1,400,000

Transportation Partnership Account—State Appropriation..... ((~~$9,236,000~~)) $7,912,000

Highway Safety Account—State Appropriation..... ((~~$8,915,000~~)) $5,700,000

Motor Vehicle Account—State Appropriation $2,201,000

Motor Vehicle Account—Federal Appropriation ..... ((~~$34,581,000~~)) $23,141,000

Multimodal Transportation Account—State Appropriation..... ((~~$18,740,000~~)) $11,419,000

TOTAL APPROPRIATION ..... ~~$75,482,000~~ $51,773,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2014-2~~)) 2015-2 ALL PROJECTS as developed ((~~March 10, 2014~~)) May 26, 2015, Program - Local Programs Program (Z).

(2) With each department budget submittal, the department shall provide an update on the status of the repayment of the twenty million dollars of unobligated federal funds authority advanced by the department in September 2010 to the city of Tacoma for the Murray Morgan/11th Street bridge project. The department may negotiate with the city of Tacoma an agreement for repayment of the funds over a period of up to twenty-five years at terms agreed upon by the department and the city. The funds previously advanced by the department to the city are not to be considered a general obligation of the city but instead an obligation payable from identified revenues set aside for the repayment of the funds.

(3) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ((~~$16,543,000~~)) $9,600,000 of the multimodal transportation account—state appropriation, ((~~$8,724,000~~)) $7,400,000 of the transportation partnership account—state appropriation, and ((~~$62,000~~)) $60,000 of the motor vehicle account—federal appropriation are provided solely for pedestrian and bicycle safety program projects.

(b) ((~~$11,700,000~~)) $6,200,000 of the motor vehicle account—federal appropriation and ((~~$6,750,000~~)) $3,900,000 of the highway safety account—state appropriation are provided solely for newly selected safe routes to school projects, and ((~~$6,503,000~~)) $5,500,000 of the motor vehicle account—federal appropriation and ((~~$2,165,000~~)) $1,800,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia. The amount provided for new projects is consistent with federal funding levels from the 2011-2013 omnibus transportation appropriations act and the intent of the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws of 2012.

(4) The department may enter into contracts and make expenditures for projects on behalf of and selected by the freight mobility strategic investment board from the amounts provided in section 301 ((~~of this act~~)), chapter 306, Laws of 2013 and section 301, chapter 222, Laws of 2014.

(5) The department shall submit a report to the transportation committees of the legislature by December 1, 2013, and December 1, 2014, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program (0LP600P). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(6) $50,000 of the motor vehicle account—state appropriation is provided solely for the installation of a guard rail on Deer Harbor Road in San Juan county (L2220054).

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2014 c 222 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation..... $3,099,000

Motor Vehicle Account—State Appropriation ..... ((~~$187,000~~)) $229,000

State Route Number 520 Corridor Account—State Appropriation..... ((~~$3,866,000~~)) $866,000

Highway Bond Retirement Account—State Appropriation..... ((~~$1,086,801,000~~))

$1,068,801,000
Ferry Bond Retirement Account—State Appropriation.... ((~~$31,824,000~~))
$30,824,000
Transportation Improvement Board Bond Retirement Account—State Appropriation $16,268,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation.... $25,825,000
Toll Facility Bond Retirement Account—State Appropriation.... $52,050,000
Transportation 2003 Account (Nickel Account)—State Appropriation.... $682,000
TOTAL APPROPRIATION .... ~~$1,220,602,000~~
$1,198,644,000

Sec. 1102. 2014 c 222 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State Appropriation.... $588,000
Motor Vehicle Account—State Appropriation .... ((~~$32,000~~))
$43,000
State Route Number 520 Corridor Account—State Appropriation.... $531,000
Transportation 2003 Account (Nickel Account)—State Appropriation.... $123,000
TOTAL APPROPRIATION .... ~~$1,274,000~~
$1,285,000

Sec. 1103. 2014 c 222 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax distributions to cities and counties.... ((~~$478,598,000~~))
$480,931,994

Sec. 1104. 2014 c 222 s 405 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers .... ((~~$1,242,728,000~~))
$1,248,403,000

Sec. 1105. 2014 c 222 s 406 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers.... ((~~$138,494,000~~))
$137,953,014

Sec. 1106. 2014 c 222 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Recreational Vehicle Account—State Appropriation: For transfer to the Motor Vehicle Account—State.... $1,300,000
(2) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State.... $13,000,000
(3) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State $3,000,000
(4) ((~~Motor Vehicle Account—State Appropriation: For transfer to the Special Category C Account—State~~.... ~~$1,500,000~~
~~(5) Capital Vessel Replacement Account—State Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)—State~~ .... ~~$7,571,000~~
~~(6)~~)) Multimodal Transportation Account—State Appropriation: For transfer to the Public Transportation Grant Program Account—State.... $26,000,000
(((~~(7)~~))) (5) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations

Account—State..... $28,000,000
(((~~(8)~~))) (6) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Capital Construction
Account—State..... $28,000,000
(((~~(9)~~))) (7) State Route Number 520 Civil Penalties
Account—State Appropriation: For transfer to the
State Route Number 520 Corridor Account—State..... $886,000
(((~~(10)~~))) (8) Multimodal Transportation Account—State
Appropriation: For transfer to the Highway Safety
Account—State..... $14,000,000
(((~~(11)~~))) (9) Motor Vehicle Account—State Appropriation:
For transfer to the State Patrol Highway
Account—State..... $27,000,000
(((~~(12)~~))) (10) Highway Safety Account—State
Appropriation: For transfer to the Puget Sound Ferry
Operations Account—State..... $42,000,000
(((~~(13)~~))) (11) Advanced Environmental Mitigation Revolving
Account—State Appropriation: For transfer to the
Motor Vehicle Account—State..... $2,000,000
(((~~(14)~~))) (12) Advanced Right-of-Way Revolving Fund—State
Appropriation: For transfer to the Motor Vehicle
Account—State..... $6,000,000
(((~~(15)~~))) (13) Tacoma Narrows Toll Bridge Account—State
Appropriation: For transfer to the Motor Vehicle
Account—State..... $950,000
(((~~(16)~~))) (14) License Plate Technology Account—State
Appropriation: For transfer to the Highway Safety
Account—State..... $3,000,000
(((~~(17)~~))) (15) Motor Vehicle Account—State Appropriation:
For transfer to the Transportation Equipment
Fund—State..... $3,915,000
~~(((18)(a) Capital Vessel Replacement Account—State~~
~~Appropriation: For transfer to Transportation 2003~~
~~Account (Nickel Account)—State..... $11,128,000~~
~~(b) If chapter . . . (Engrossed Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June 30, 2014, the amount transferred in (a) of this subsection lapses.~~
~~(19)~~))) (16) Motor Vehicle Account—State
Appropriation: For transfer to the Interstate 405
Express Toll Lanes Operations Account—State..... $2,019,000

IMPLEMENTING PROVISIONS

Sec. 1201. 2014 c 222 s 601 (uncodified) is amended to read as follows:

FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in the LEAP list titled ((~~2014-1~~)) 2015-1 as developed ((~~March 10, 2014~~)) May 26, 2015, which consists of a list of specific projects by fund source and amount over a ten-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a ten-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2011-2013 and 2013-2015 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2014 supplemental omnibus transportation appropriations act, any unexpended 2011-2013 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

(d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;

(e) Transfers may not occur for projects not identified on the applicable project list;

(f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project,

whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

NEW SECTION. **Sec. 1202.** A new section is added to 2013 c 306 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 222, Laws of 2014 and this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2015, unless specifically prohibited, the department may transfer state appropriations for the 2013-2015 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature no fewer than ten business days before approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by program and appropriation, both before and after any allotment modifications or transfers.

MISCELLANEOUS

NEW SECTION. **Sec. 1301.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1302.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representative Clibborn spoke in favor of the adoption of the striking amendment.

Representative Orcutt spoke against the adoption of the striking amendment.

Amendment (504) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Orcutt, Wylie, Fey and Johnson spoke in favor of the passage of the bill.

Representatives Pike, Manweller and Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1299.

MOTIONS

On motion of Representative Harris, Representatives Hargrove and Kretz were excused. On motion of Representative Van De Wege, Representatives Cody and Hansen were excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1299, and the bill passed the House by the following vote: Yeas, 74; Nays, 20; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Scott, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, G. Hunt, Griffey, Harmsworth, Holy, Klippert, MacEwen, Manweller, McCabe, McCaslin, Pike, Schmick, Shea, Short, Taylor and Van Werven.

Excused: Representatives Cody, Hansen, Hargrove and Kretz.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2214, by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride, Hurst, Schmick, S. Hunt, Griffey and Young

Increasing academic rigor and streamlining assessment requirements for high school students.

The bill was read the second time.

Representative Magendanz moved the adoption of amendment (503):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1303.** (1) The legislature finds that high school students in Washington have been required to meet a standard on high school assessments since 2008 to earn a certificate of academic achievement and graduate. The majority of high school students have taken these assessments for the first time by the conclusion of tenth grade. Over time, the state has adopted several alternative methods to allow students who do not meet the standard on the tenth grade assessment to demonstrate their competency to graduate. These alternatives include the opportunity to retake the assessment, a comparison of grades earned, collections of evidence, and college entrance or dual credit course exams.

(2) The legislature recognizes that, in today's competitive global economy, it is not enough for Washington's students to meet a minimum level of competency. Success in postsecondary education, gainful employment, and citizenship requires increased rigor and achievement. To that end, the state has recently adopted new, academically rigorous policies to better prepare students for future success. Starting in spring 2015, Washington students will be tested using a comprehensive assessment system developed with a multistate consortium. This system, the smarter balanced assessment, will evaluate students in grades three through eight and grade eleven on their college and career readiness based on the Washington state learning standards in English language arts and mathematics, and will be used for state and federal accountability purposes. In addition, students beginning with the graduating class of 2019 will also have the requirement to earn twenty-four credits for high school graduation to obtain a more meaningful diploma. Schools also have put a great deal of time and effort into ensuring quality instruction through the teacher and principal evaluation program, a four-tiered system that establishes eight new criteria for teachers' and principals' evaluations. Finally, Washington adopted new, academically rigorous next generation science standards (NGSS) in 2013. A comprehensive science assessment of the next generation science standards is being developed and is expected to become operational statewide in spring 2017 or 2018.

(3) The legislature further finds that the transition to the smarter balanced assessment system has markedly complicated the development and administration of the statewide assessment graduation requirement and the state's confusing array of alternative assessments. The classes of 2016 through 2018 are required to take end-of-course exams or comprehensive assessments in the tenth grade to fulfill graduation requirements for English language arts, mathematics, and biology. In addition, they are required to take the smarter balanced assessments in the eleventh grade to determine if they are college and career ready and for school and district accountability.

(4) The legislature finds that requiring schools to administer six high school assessments—the smarter balanced English language arts assessment, smarter balanced mathematics, the end-of-course assessment for biology, two mathematics end-of-course assessments, and the English language arts exit exam—creates a

costly system in which too much classroom time and too many state resources are devoted to taking and retaking tests for graduation purposes. The time and funding that are now invested in Washington's current state graduation assessments do not result in students meeting a college or career ready measure accepted by postsecondary institutions and organizations.

(5) The legislature further finds that locally directed remediation and intervention strategies, including twelfth grade transition courses, opportunities to retake courses, and more sustained focus on providing college and career guidance through students' high school and beyond plans, would better prepare students for postsecondary college and career opportunities. State and local resources that are now directed to develop and administer alternative graduation assessments should be redirected to courses and programs better suited for student needs during high school.

(6) The legislature further finds that taxpayers and tuition payers can save substantial money by avoiding remedial courses taught at public institutions of higher education. An unprecedented agreement among Washington's public institutions of higher education now ensures that high school graduates who meet the standard on the smarter balanced assessment or who successfully complete twelfth grade high school transition courses in English language arts and mathematics will move directly to college-level English and mathematics courses at participating institutions without remediation or additional placement testing.

(7)(a) The legislature therefore intends to eliminate the tenth grade assessments in reading, writing, and mathematics and the myriad of alternative assessments that students may use to obtain a certificate of academic achievement. In their place, students will be required to either meet the standard on the smarter balanced English language arts and mathematics assessments administered in high school, or demonstrate by the beginning of their senior year that they have met state standards using the SAT or ACT. The legislature further intends for students who fail to meet the standard to take and pass locally determined courses in their senior year that align with their college or career goals, including, when available, high school transition courses.

(b) The legislature recognizes that many students in the graduating class of 2016 have already satisfied current requirements for obtaining a certificate of academic achievement and does not intend that these efforts go for naught. The legislature intends to allow students in the graduating class of 2016 who have, by the beginning of the 2015-16 school year, already met the standard on the tenth grade assessments in reading, writing, and mathematics, or satisfied the alternative assessments, to earn a certificate of academic achievement by these means, by the means identified in section 101(3) of this act, or by a combination of the two in the event that a student has, by the beginning of the 2015-16 school year, already met the standard or satisfied an alternative in one, but not both, of the content areas.

(8) It is the intent of the legislature for Washington to administer only three statewide assessments for high school graduation: The smarter balanced assessment in English language arts; the smarter balanced assessment in mathematics; and the statewide assessment in science, including, when operational, the comprehensive next generation science standards assessment.

PART I

STUDENT ASSESSMENTS, GRADUATION, AND ASSOCIATED REQUIREMENTS—GENERAL PROVISIONS

NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) The high school assessment system shall include the statewide student assessment and opportunities for a student to retake the content areas of the assessment in which the student was not successful.

(2) Subject to the conditions in this section, students shall obtain a certificate of academic achievement as evidence that they have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045, acquisition of the certificate is required for graduation from a public high school but is not the sole requirement for graduation.

(3) Beginning with the graduating class of 2016, a student shall earn a certificate of academic achievement if the student:

(a) Earns a score of level 3 or level 4 on the high school English language arts and mathematics assessments identified in RCW 28A.655.070;

(b) Before the beginning of the student's senior year, earns a score on the mathematics, reading or English, or writing portion of the SAT or the ACT that is identified by the state board of education as meeting the state standard in the relevant content area on the high school English language arts and mathematics assessments; or

(c) Takes and passes a locally determined course in English language arts or mathematics under RCW 28A.230.090(1)(e).

(4)(a) The state board of education shall identify the scores on the mathematics, reading or English, or writing portions of the SAT or ACT that are equivalent to a level 3 on both the high school English language arts and mathematics assessments identified in RCW 28A.655.070.

(b) The state board of education shall promptly notify school districts of the scores identified under (a) of this subsection.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6)(a) If a student does not earn a score of level 3 or level 4 in one or more content areas required for the certificate of academic achievement, the student may retake the assessment in the content area at least once a year and at no charge to the student. If the student earns a score of level 3 or level 4 on a retake of the assessment, the student shall earn a certificate of academic achievement.

(b) School districts must make available to students at no charge, the following options:

(i) If the student is enrolled in a public school, retaking the high school English language arts and mathematics assessments identified in RCW 28A.655.070 at least once a year in the content areas in which the student did not earn a score of level 3 or level 4; or

(ii) If the student is enrolled in a high school completion program at a community or technical college, retaking the high school English language arts and mathematics assessments identified in RCW 28A.655.070 at least once a year in the content areas in which the student did not earn a score of level 3 or level 4. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(c) Students who achieve the standard in a content area of the high school English language arts or mathematics assessments identified in RCW 28A.655.070, but who wish to improve their results, must be assessed a charge for retaking the assessment according to a uniform cost determined by the superintendent of public instruction.

(7) A student may retain and use the highest result from each successfully completed content area of the high school English language arts and mathematics assessments identified in RCW 28A.655.070.

Sec. 102. RCW 28A.230.090 and 2014 c 217 s 202 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under ((~~RCW 28A.655.061~~)) section 101 of this act or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c)(i) Each student must have a high school and beyond plan to guide the student's high school experience and prepare the student for postsecondary education or training and career.

(ii) A high school and beyond plan must be initiated for each student during the eighth grade. In preparation for initiating that plan, each student must first be administered a career interest and skills inventory.

(iii) The plan must be updated annually during the high school grades to review transcripts, assess progress toward identified goals, and revise as necessary for changing interests, goals, and needs. School districts are encouraged to involve parents and guardians in the process of developing and updating the high school and beyond plan.

(iv) All high school and beyond plans must, at a minimum, include the following elements:

(A) Identification of career goals, aided by a skills and interest assessment;

(B) Identification of educational goals;

(C) A four-year plan for course-taking that fulfills state and local graduation requirements and aligns with the student's career and educational goals;

(D) Identification of assessments needed to graduate from high school and achieve postsecondary goals identified in the high school and beyond plan; and

(E) By the end of the twelfth grade, a current resume or activity log that provides a written compilation of the student's education, any work experience, and any community service and how the school district has recognized the community service pursuant to RCW 28A.320.193.

(d) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. A district may establish additional, local requirements for a high school and beyond plan to serve the needs and interests of its students and the purposes of this section.

(e)(i)(A) Beginning in the 2015-16 school year, students who have not earned a certificate of academic achievement under section 101 or 201 of this act before the beginning of grade twelve must take and pass a locally determined course in the content area in which the student was not successful. The course shall be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in English language arts or mathematics adopted pursuant to RCW 28A.230.097.

(B) A course shall be deemed rigorous if it is at a higher course level than the student's most recent coursework in the content area in which the student received a passing grade of C or higher, or its equivalent.

(C) School districts should prioritize enrolling students who must take and pass locally determined courses under this subsection (1)(e)(i) in available high school transition courses.

(ii) School districts shall record students' participation in locally determined courses under this section in the statewide individual data system. Separate data codes must be provided for high school transition courses and other locally determined courses.

(iii) As used in this subsection (1)(e), "high school transition course" means an English language arts, mathematics, or science course offered in high school whose successful completion by a high school student will ensure the student college-level placement at participating institutions of higher education as defined in RCW 28B.10.016. High school transition courses must, in accordance with this section, satisfy core or elective credit graduation requirements established by the state board of education. A student's successful completion of a high school transition course does not entitle the student to be admitted to any institution of higher education as defined in RCW 28B.10.016.

(iv) This subsection (1)(e) does not apply to students satisfying the provisions of RCW 28A.155.045.

(f) Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

(((~~(d)~~))) (g)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)(((~~(d)~~))) (g). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)(((~~(d)~~))) (g) to an applying school district at the next subsequent meeting of the board after receiving an application.

(iii) A school district that has implemented the career and college ready graduation requirements must update the high school and beyond plans for each student in grade nine who failed to earn a score of level 3 or level 4 on the middle school mathematics assessment identified in RCW 28A.655.070 for the purpose of ensuring that the student takes one or more credits of mathematics coursework in each of grades nine, ten, and eleven. These courses may include career and technical education

equivalencies in mathematics adopted pursuant to RCW 28A.230.097.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review and to the quality education council established under RCW 28A.290.010. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 103. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment ((~~and, for high school students, to obtain a certificate of academic achievement~~)). The board shall also determine student scores that identify levels of student performance below and beyond the standard. ((~~The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates.~~)) The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) ((~~By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.~~

~~(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the~~

~~consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.~~

~~(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature.~~)) The legislature shall be advised of the initial performance standards and any changes made to the elementary ((~~level performance standards and the~~)), middle, and high school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

Sec. 104. RCW 28A.655.068 and 2013 2nd sp.s. c 22 s 4 are each amended to read as follows:

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2)(a) The superintendent of public instruction may develop or adopt science end-of-course assessments or a comprehensive science assessment ((~~that includes subjects in addition to biology for purposes of RCW 28A.655.061,~~)) when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. ((~~The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.~~))

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(((~~(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.~~))

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) ((~~The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment for purposes of RCW 28A.655.061.~~)) After the superintendent of public instruction adopts a comprehensive science assessment under this section and RCW 28A.655.070, there shall be a two-year transition period, including one year to pilot the comprehensive science assessment and a second year to administer the assessment statewide, before students are required to meet the standard on the comprehensive assessment to earn a certificate of academic achievement.

Sec. 105. RCW 28A.655.070 and 2015 c 211 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding

assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of ((~~reading, writing~~)) English language arts, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) ((~~Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.~~

~~(c) By the 2014-15 school year,~~)) (i) The superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium((~~, as provided in this subsection:~~

~~(i)~~)).

(ii) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(((~~(ii)~~))) (iii) The high school ((~~assessments in~~)) English language arts and mathematics ((~~in (c)(i) of this subsection~~)) assessments developed with the multistate consortium shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in ((~~RCW 28A.655.061~~)) section 101 of this act and for assessing student career and college readiness.

(((~~(iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.~~))

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

(14) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) Beginning with the graduating class of 2015, and until the first graduating class following the transition period identified in RCW 28A.655.068(4), a student is not required to meet the state standard in science in order to earn a certificate of academic achievement.

(2)(a) Beginning with the first graduating class following the transition period identified in RCW 28A.655.068(4), a student must meet the state standard on the comprehensive science assessment, in addition to the other content areas required under section 101 of this act, to earn a certificate of academic achievement.

(b)(i) Students in grade twelve who have not met the state standard on the comprehensive science assessment must take and pass a locally determined course in science to earn a certificate of academic achievement. The course shall be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in science pursuant to RCW 28A.230.097.

(ii) For purposes of this subsection (2)(b), a course shall be deemed rigorous if it is at a higher course level than the student's most recent coursework in the content area in which the student received a passing grade of C or higher, or its equivalent.

(c) When available, school districts should prioritize enrolling students who must take and pass a locally determined course in science in a high school transition course.

(d) For the purpose of this section, "high school transition course" has the definition in RCW 28A.230.090(1)(e)(iii).

Sec. 107. RCW 28A.230.125 and 2014 c 102 s 3 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, and the workforce training and education coordinating board, shall develop for use by all public school districts a standardized high school transcript. The superintendent shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.

(2) The standardized high school transcript shall include a notation of whether the student has earned a certificate of individual achievement or a certificate of academic achievement.

(3) The standardized high school transcript may include a notation of whether the student has earned the Washington state seal of biliteracy established under RCW 28A.300.575.

(4) If a student has earned a level 3 or level 4 score on the high school English language and mathematics assessments identified in RCW 28A.655.070, the student's standardized high school transcript must include a notation of "career and college ready high honors." School districts are encouraged to also include a notation of "career and college ready high honors" on the student's diploma.

NEW SECTION. **Sec. 108.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The superintendent of public instruction shall conduct a study of the locally determined courses in English language arts or mathematics under RCW 28A.230.090(1)(e) offered by school districts in the 2015-16 and 2016-17 school years to students in grade twelve who are participating in locally determined courses. The study shall analyze how the transition courses and other locally determined courses are aligned with the Washington state learning standards in English language arts and mathematics. The study shall also determine whether the state has an adequate number of certificated teachers qualified to teach transition courses and other locally determined courses aligned with the Washington state learning standards in English language arts and mathematics. The superintendent of public instruction shall submit a report on the results of this study to the legislature, in accordance with RCW 43.01.036, before January 1, 2018.

(2) Beginning in 2018, the superintendent of public instruction, in consultation with the education data center in RCW 43.41.400, shall annually produce a summary report of the outcomes of Washington state high school graduates who earned a certificate of academic achievement under section 101 of this act. The report must include data identifying students' employment, participation in higher education, and workforce training after a period of one year following graduation from high school. The report must also include data identifying remedial precollege coursework that students take in postsecondary institutions following graduation from high school. The data must be disaggregated into the following categories: (a) Students who earned a certificate of academic achievement by earning a level 3 or level 4 on the high school English language arts and mathematics assessments identified in RCW 28A.655.070; (b) students who earned a certificate of academic achievement by earning equivalent scores on the SAT or ACT; (c) students who earned a certificate of academic achievement by taking and passing transition courses in English language arts or mathematics in grade twelve; and (d) students who earned a certificate of academic achievement by taking and passing other locally determined courses in English language arts or mathematics in grade twelve.

Sec. 109. RCW 28A.320.195 and 2013 c 184 s 2 are each amended to read as follows:

(1) Each school district board of directors is encouraged to adopt an academic acceleration policy for high school students as provided under this section.

(2) Under an academic acceleration policy:

(a) The district automatically enrolls any student who meets the state standard on the high school statewide student assessment in the next most rigorous level of advanced courses offered by the high school. Students who successfully complete such an advanced course are then enrolled in the next most rigorous level of advanced course, with the objective that students will eventually be automatically enrolled in courses that offer the opportunity to earn dual credit for high school and college.

(b) The subject matter of the advanced courses in which the student is automatically enrolled depends on the content area or areas of the statewide student assessment where the student has met the state standard. Students who meet the state standard on (i) both end-of-course mathematics assessments or (ii) the high school mathematics assessment identified in RCW 28A.655.070 are considered to have met the state standard for high school mathematics. Students who meet the state standard ((~~in both reading and writing~~)) on the high school English language arts assessment identified in RCW 28A.655.070 are eligible for enrollment in advanced courses in English, social studies, humanities, and other related subjects.

(c) The district must notify students and parents or guardians regarding the academic acceleration policy and the advanced courses available to students.

(d) The district must provide a parent or guardian with an opportunity to opt out of the academic acceleration policy and enroll a student in an alternative course.

Sec. 110. RCW 28A.700.080 and 2008 c 170 s 301 are each amended to read as follows:

(1) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall develop and conduct an ongoing campaign for career and technical education to increase awareness among teachers, counselors, students, parents, principals, school administrators, and the general public about the opportunities offered by rigorous career and technical education programs. Messages in the campaign shall emphasize career and technical education as a high quality educational pathway for students, including for students who seek advanced education that includes a bachelor's degree or beyond. In

particular, the office shall provide information about the following:

(a) The model career and technical education programs of study developed under RCW 28A.700.060;

(b) Career and technical education course equivalencies and dual credit for high school and college;

(c) ((~~The career and technical education alternative assessment guidelines under RCW 28A.655.065;~~

~~(d)~~)) The availability of scholarships for postsecondary workforce education, including the Washington award for vocational excellence, and apprenticeships through the opportunity grant program under RCW 28B.50.271, grants under RCW 28A.700.090, and other programs; and

(((~~(e)~~))) (d) Education, apprenticeship, and career opportunities in emerging and high-demand programs.

(2) The office shall use multiple strategies in the campaign depending on available funds, including developing an interactive web site to encourage and facilitate career exploration; conducting training and orientation for guidance counselors and teachers; and developing and disseminating printed materials.

(3) The office shall seek advice, participation, and financial assistance from the workforce training and education coordinating board, higher education institutions, foundations, employers, apprenticeship and training councils, workforce development councils, and business and labor organizations for the campaign.

PART II

PROVISIONS PERTAINING TO THE GRADUATING CLASS OF 2016

NEW SECTION. **Sec. 201.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) In addition to the means identified in section 101(3) of this act for earning a certificate of academic achievement, a student in the graduating class of 2016 may earn a certificate of academic achievement if, before the beginning of the 2015-16 school year, the student:

(a) Met the standard pursuant to RCW 28A.655.061(3)(b)(i) as it existed on September 1, 2014; or

(b) Satisfied the alternative assessment options available to students of the graduating class of 2016 under RCW 28A.655.061(10) and 28A.655.065, each as they existed on September 1, 2014.

(2) This section expires June 30, 2017.

PART III

MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 301.** The following acts or parts of acts are each repealed:

(1)RCW 28A.655.061 (High school assessment system—Certificate of academic achievement—Exemptions—Options to retake high school assessment—Objective alternative assessment—Student learning plans) and 2013 2nd sp.s. c 22 s 2, 2011 1st sp.s. c 22 s 2, 2010 c 244 s 1, 2009 c 524 s 5, & 2008 c 321 s 2;

(2)RCW 28A.655.063 (Objective alternative assessments—Reimbursement of costs—Testing fee waivers) and 2007 c 354 s 7 & 2006 c 115 s 5;

(3)RCW 28A.655.065 (Objective alternative assessment methods—Appeals from assessment scores—Waivers and appeals from assessment requirements—Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354 s 6, & 2006 c 115 s 1; and

(4)RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3.

NEW SECTION. **Sec. 302.** Section 106 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Magendanz and Reykdal spoke in favor of the adoption of the striking amendment.

Amendment (503) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Magendanz, Taylor, Santos, Walsh, Ortiz-Self and Johnson spoke in favor of the passage of the bill.

Representatives Hunter and Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2214.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2214, and the bill passed the House by the following vote: Yeas, 87; Nays, 7; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Hunter, Kirby, Kristiansen, Orcutt, Stokesbary and Wilcox.

Excused: Representatives Cody, Hansen, Hargrove and Kretz.

ENGROSSED HOUSE BILL NO. 2214, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., May 28, 2015, the 30th Day of the First Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTIETH DAY

House Chamber, Olympia, Thursday, May 28, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Dick Yunker and Tever Czarnecki. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Melanie Stambaugh, 25th District Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HCR 4407 by Representatives Sullivan and Kretz he 132.96Tw 8m

Representative Harris, Representatives Holy and Kretz were excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5177, and the bill passed the House by the following vote: Yeas, 81; Nays, 12; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Dent, Dye, G. Hunt, Griffey, Klippert, McCaslin, Schmick, Scott, Shea, Short and Taylor.

Excused: Representatives Cody, Hansen, Holy, Kretz and Morris.

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SUBSTITUTE HOUSE BILL NO. 1021
SUBSTITUTE HOUSE BILL NO. 1813
ENGROSSED HOUSE BILL NO. 1859

There being no objection, the House reverted to the fourth order of business.

SECOND SUPPLEMENTAL INTRODUCTIONS & FIRST READING

HB 2258 by Representative Haler

AN ACT Relating to requiring a study to evaluate the impact of the property tax levy limitation on cities, counties, special purpose districts, and property owners; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

SB 5015 by Senators Honeyford and Ericksen

AN ACT Relating to extending the dairy inspection program assessment expiration date; amending RCW 15.36.551; and providing an expiration date.

Referred to Committee on General Government & Information Technology.

SSB 5317 by Senate Committee on Health Care (originally sponsored by Senators Frockt, Becker, Mullet, Miloscia, Jayapal, Dammeier, Kohl-Welles, Litzow, Pedersen, Hatfield, Keiser, Darneille, Rivers, McAuliffe, Hasegawa, Rolfes, Conway and Chase)

AN ACT Relating to increasing child health equity by requiring screening for autism and developmental delays for children in medical assistance programs; amending RCW 74.09.520; and creating a new section.

Referred to Committee on Health Care & Wellness.

ESB 5761 by Senators Pearson, Hobbs, McCoy, Bailey and Benton

AN ACT Relating to providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas; and adding a new chapter to Title 84 RCW.

Referred to Committee on Finance.

SSB 6125 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Keiser and Warnick)

AN ACT Relating to emergency drought response; adding a new section to 2013 2nd sp.s. c 19 (uncodified); creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE BILL NO. 5015, SUBSTITIUTE SENATE BILL NO. 5317, and ENGROSSED SENATE BILL NO. 5761 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299.

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1021, by House Committee on Public Safety (originally sponsored by Representatives Appleton, Orwall, Robinson, Bergquist, Cody, Hudgins, Senn, Santos and Fey).

Creating a silver alert system.

The bill was read the third time.

Representative Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1021.

MOTIONS

On motion of Representative Van De Wege, Representative Santos was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 88; Nays, 4; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Condotta, DeBolt, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, Klippert and Schmick.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

SUBSTITUTE HOUSE BILL NO. 1021, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1813, by House Committee on Appropriations (originally sponsored by Representatives Hansen, Magendanz, Reykdal, Muri, Tarleton, Zeiger, Lytton, Haler, Senn, Harmsworth, Tharinger, Young, Walkinshaw, Stanford, S. Hunt and Pollet).

Expanding computer science education.

The bill was read the third time.

Representatives Ortiz-Self and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1813.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1813, and the bill passed the House by the following vote: Yeas, 88; Nays, 4; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Klippert, Scott, Shea and Taylor.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

SUBSTITUTE HOUSE BILL NO. 1813, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1859, by Representatives Kilduff, Smith and Dunshee.

Concerning the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington.

The bill was read the third time.

Representative Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1859.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1859, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

ENGROSSED HOUSE BILL NO. 1859, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

May 28, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5079
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

May 28, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

May 28, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

THIRD SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

SB 5079 by Senators O'Ban, Conway and Dammeier

AN ACT Relating to notifying the military regarding child abuse and neglect allegations of families with an active military status; and reenacting and amending RCW 26.44.030.

Referred to Committee on Early Learning & Human Services.

There being no objection, SENATE BILL NO. 5079 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5015, by Senators Honeyford and Ericksen

Extending the dairy inspection program assessment expiration date.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5015.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5015, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

SENATE BILL NO. 5015, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5317, by Senate Committee on Health Care (originally sponsored by Senators Frockt, Becker, Mullet, Miloscia, Jayapal, Dammeier, Kohl-Welles, Litzow, Pedersen, Hatfield, Keiser, Darneille, Rivers, McAuliffe, Hasegawa, Rolfes, Conway and Chase)

Requiring universal screening and provider payment for autism and developmental delays for children in medicaid programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5317.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5317, and the bill passed the House by the following vote: Yeas, 89; Nays, 3; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

SUBSTITUTE SENATE BILL NO. 5317, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5079, by Senators O'Ban, Conway and Dammeier

Requiring the department of social and health services to notify the military regarding child abuse and neglect allegations of families with an active military status.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Muri spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5079.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5079, and the bill passed the House by the following vote: Yeas, 86; Nays, 6; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, McCaslin, Scott, Shea, Short and Taylor.

Excused: Representatives Cody, Hansen, Holy, Kretz, Morris and Santos.

SENATE BILL NO. 5079, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5761, by Senators Pearson, Hobbs, McCoy, Baion4oa(e)-3(ny n)-101dsBanaor-13.7(7)]TJ 0TT201 Tf - Tc 0 Tw 18.166 0 Td ( )Tj E.253 0 Td (D)Tj EMC /P <

HOUSE CONCURRENT RESOLUTION NO. 4408, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4408.

HOUSE CONCURRENT RESOLUTION NO. 4408 was adopted.

MESSAGE FROM THE SENATE

May 28, 2015

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5015
SENATE BILL NO. 5079
SUBSTITUTE SENATE BILL NO. 5317
ENGROSSED SENATE BILL NO. 5761

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177
SUBSTITUTE HOUSE BILL NO. 1021
SUBSTITUTE HOUSE BILL NO. 1813
ENGROSSED HOUSE BILL NO. 1859
SENATE BILL NO. 5015
SENATE BILL NO. 5079
SUBSTITUTE SENATE BILL NO. 5317
ENGROSSED SENATE BILL NO. 5761

The Speaker called upon Representative Orwall to preside.

MESSAGES FROM THE SENATE

May 28, 2015

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4407
HOUSE CONCURRENT RESOLUTION NO. 4408

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

May 28, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1021
SUBSTITUTE HOUSE BILL NO. 1813
ENGROSSED HOUSE BILL NO. 1859

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4407
HOUSE CONCURRENT RESOLUTION NO. 4408

The Speaker called upon Representative Orwall to preside.

MESSAGES FROM THE SENATE

May 28, 2015

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4407
HOUSE CONCURRENT RESOLUTION NO. 4408

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

May 28, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following House Bills were returned to the House of Representatives:

ENGROSSED HOUSE BILL NO. 2214

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

May 28, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following House Bills were returned to the House of Representatives:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491
SUBSTITUTE HOUSE BILL NO. 1570
SUBSTITUTE HOUSE BILL NO. 1676
SUBSTITUTE HOUSE BILL NO. 1696
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
SUBSTITUTE HOUSE BILL NO. 2107
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136
ENGROSSED HOUSE BILL NO. 2151
HOUSE BILL NO. 2217

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following Senate bills are returned to the Senate:

SECOND SUBSTITUTE SENATE BILL NO. 5105
SUBSTITUTE SENATE BILL NO. 5355
SENATE BILL NO. 5442

SUBSTITUTE SENATE BILL NO. 5681
ENGROSSED SENATE BILL NO. 5944
ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
SENATE BILL NO. 5978
ENGROSSED SENATE BILL NO. 6092
SUBSTITUTE SENATE BILL NO. 6125

On motion of Representative Moeller, the reading of the Journal of the 30th Day of the 2015 First Special Session of the 64th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Moeller, the 2015 First Special Session of the 64th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIRST DAY

House Chamber, Olympia, Friday, May 29, 2015

The House was called to order at 9:00 a.m. by the Speaker (Representative Ormsby presiding).

MESSAGE FROM THE GOVERNOR

PROCLAMATION BY THE GOVERNOR 15-09

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2015 regular session on April 24, 2015, the 103rd day of the session; and

WHEREAS, the Legislature reconvened on April 29, 2015, to continue work on the 2015-2017 biennial operating and capital budget, 2015-2017 biennial transportation budget, critical policy bills and related bills; and

WHEREAS, the Legislature has failed to approve a 2015-2017 biennial operating and capital budget, 2015-2017 biennial transportation budget, and the bills necessary to implement those budgets; and

WHEREAS, the State enters a new fiscal biennium on July 1, 2015; and

WHEREAS, State law requires the adoption of a budget providing appropriations for the operation of state government prior to the beginning of the fiscal biennium; and

WHEREAS, work remains to be done with respect to the 2015-2017 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, the Washington State Supreme Court has determined that the State is not meeting its "paramount duty . . . to make ample provision for the education of all children residing within its borders"; and

WHEREAS, work remains to be done with respect to the 2015-2017 biennial transportation budget and bills necessary to implement that budget; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Friday, May 29, 2015, at 9:00 a.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 28th day of May, A.D. Two-thousand and Fifteen at Olympia, Washington.

Jay Inslee
Governor

MESSAGE FROM THE SENATE

May 29, 2015

MR. SPEAKER:

The Senate has adopted:
SENATE CONCURRENT RESOLUTION NO. 8403
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8403 was read the first time, and under suspension of the rules was placed on the third reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SENATE CONCURRENT RESOLUTION NO. 8403, by Senators Schoesler and Fraser

Specifying the status of bills, memorials, and resolutions for the 2015 regular and first special sessions of the Sixty-fourth Legislature.

The concurrent resolution was read the third time.

The Speaker (Representative Ormsby presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8403.

SENATE CONCURRENT RESOLUTION NO. 8403 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 1, 2015, the 4th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTH DAY

House Chamber, Olympia, Monday, June 1, 2015

BARBARA BAKER, Chief Clerk

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2259 by Representatives Klippert and Hayes

AN ACT Relating to the crime of indecent exposure; amending RCW 9A.88.010; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2260 by Representatives Klippert and Hayes

AN ACT Relating to adding the crime of sexual misconduct with a minor in the first degree to crimes that can be prosecuted up to six years after the offense; and amending RCW 9A.04.080.

Referred to Committee on Public Safety.

HB 2261 by Representatives Shea, Reykdal, Taylor and Scott

AN ACT Relating to protecting utility customers by modifying the authority of utilities to backbill customers for charges missed due to utility error; amending RCW 35.92.050, 54.16.040, and 80.28.080; and creating a new section.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106 and the bill was referred to the Committee on Appropriations.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 2, 2015, the 5th Day of the Second Special Session.

FRANK CHOPP, Speaker

FIFTH DAY

House Chamber, Olympia, Tuesday, June 2, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 3, 2015, the 6th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTH DAY

House Chamber, Olympia, Wednesday, June 3, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2262 by Representatives Bergquist, Muri and Gregerson

AN ACT Relating to Washington tennis special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 4, 2015, the 7th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTH DAY

House Chamber, Olympia, Thursday, June 4, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

June 1, 2015

MR. SPEAKER:

The President has signed:
SENATE CONCURRENT RESOLUTION NO. 8403
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2263 by Representatives Springer, Walkinshaw, Robinson and Tharinger

AN ACT Relating to providing local governments with options to strengthen their communities by providing services and facilities for people with mental illness, developmental disabilities, and other vulnerable populations, and by increasing access to educational experiences through cultural organizations; amending RCW 84.52.010 and 84.52.010; adding new sections to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; adding a new chapter to Title 36 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 2264 by Representative Smith

AN ACT Relating to amending the statewide minimum privacy policy for disclosure of customer energy use information; and amending RCW 19.29A.---.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SENATE CONCURRENT RESOLUTION NO. 8403.

The Speaker called upon Representative Ormsby to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 5, 2015, the 8th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTH DAY

House Chamber, Olympia, Friday, June 5, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2265 by Representative Manweller

AN ACT Relating to providing additional detail in the tax preference performance statement, including a 79,500 employment baseline, for the aerospace tax incentives; and amending 2013 3rd sp.s. c 2 s 1 (uncodified).

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 8, 2015, the 11th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ELEVENTH DAY

House Chamber, Olympia, Monday, June 8, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 9, 2015, the 12th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWELFTH DAY

House Chamber, Olympia, Tuesday, June 9, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 10, 2015, the 13th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTEENTH DAY

House Chamber, Olympia, Wednesday, June 10, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 2122 and the bill was placed on the second reading calendar.

There being no objection, the Committee on State Government was relieved of HOUSE BILL NO. 2253 and the bill was placed on the second reading calendar.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SUBSTITUTE HOUSE BILL NO. 1037
SUBSTITUTE HOUSE BILL NO. 1157
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276
SECOND SUBSTITUTE HOUSE BILL NO. 1469
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472
HOUSE BILL NO. 1561
SUBSTITUTE HOUSE BILL NO. 1738
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
SUBSTITUTE HOUSE BILL NO. 1855
HOUSE BILL NO. 1918
SUBSTITUTE HOUSE BILL NO. 2160
ENGROSSED HOUSE BILL NO. 2214

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 11:00 a.m., June 11, 2015, the 14th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTEENTH DAY

House Chamber, Olympia, Thursday, June 11, 2015

The House was called to order at 11:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The Speaker (Representative Moeller presiding) called upon Representative Ormsby to preside.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Mitchell Larsson and Philip Harralson. The Speaker (Representative Ormsby presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative June Robinson, 38th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Ormsby presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2122, by Representatives McBride, Nealey, Peterson, Fey, Muri, Ryu, Walsh and Springer

Concerning real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions.

The bill was read the second time.

Representative McBride moved the adoption of amendment (506):

Strike everything after the enacting clause and insert the following:

"**Sec. 303.** RCW 82.46.010 and 2014 c 44 s 1 are each amended to read as follows:

(1) The legislative authority of any county or city must identify in the adopted budget the capital projects funded in whole or in part from the proceeds of the tax authorized in this section, and must indicate that such tax is intended to be in addition to other funds that may be reasonably available for such capital projects.

(2)(a) The legislative authority of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-quarter of one percent of the selling price. The revenues from this tax must be used by any city or county with a population of five thousand or less and any city or county that does not plan under RCW 36.70A.040 for any capital purpose identified in a capital improvements plan and local capital improvements, including those listed in RCW 35.43.040.

(b) After April 30, 1992, revenues generated from the tax imposed under this subsection (2) in counties over five thousand population and cities over five thousand population that are required or choose to plan under RCW 36.70A.040 must be used solely for financing capital projects specified in a capital facilities plan element of a comprehensive plan and housing relocation assistance under RCW 59.18.440 and 59.18.450. However, revenues (i) pledged by such counties and cities to debt retirement prior to April 30, 1992, may continue to be used for that purpose until the original debt for which the revenues were pledged is retired, or (ii) committed prior to April 30, 1992, by such counties or cities to a project may continue to be used for that purpose until the project is completed.

(3) In lieu of imposing the tax authorized in RCW 82.14.030(2), the legislative authority of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

(4) Taxes imposed under this section must be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

(5) Taxes imposed under this section must comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes as imposed by the state under chapter 82.45 RCW.

(6) ((~~As used in this section,~~)) The definitions in this subsection (6) apply throughout this section unless the context clearly requires otherwise.

(a) "City" means any city or town ((~~and~~)).

(b) "Capital project" means those public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets; roads; highways; sidewalks; street and road lighting systems; traffic signals; bridges; domestic water systems; storm and sanitary sewer systems; parks; recreational facilities; law enforcement facilities; fire protection facilities; trails; libraries; administrative ((~~and/or~~)) facilities; judicial facilities; river ((~~and/or~~)) flood control projects; waterway flood control projects by those jurisdictions that, prior to June 11, 1992, have expended funds derived from the tax authorized by this section for such purposes; ((~~and,~~)) until December 31, 1995, housing projects for those jurisdictions that, prior to June 11, 1992, have expended or committed to expend funds derived from the tax authorized by this section or the tax authorized by RCW 82.46.035 for such purposes; and technology infrastructure that is integral to the capital project.

(7) From July 22, 2011, until December 31, 2016, a city or county may use the greater of one hundred thousand dollars or thirty-five percent of available funds under this section, but not to exceed one million dollars per year, for the operations and maintenance of existing capital projects as defined in subsection (6) of this section.

NEW SECTION. **Sec. 304.** A new section is added to chapter 82.46 RCW to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.010 for the maintenance of capital projects, as defined in RCW 82.46.010(6)(b).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.010, identified in its capital facilities plan for the succeeding two-year period. Cities or counties not required to prepare a capital facilities plan may satisfy this provision by using a document that, at a minimum, identifies capital project needs and available public funding sources for the succeeding two-year period; and

(b) The city or county has not enacted, after the effective date of this section, any requirement on the listing, leasing, or sale of real property, unless the requirement is either specifically authorized by state or federal law or is a seller or landlord disclosure requirement pursuant to section 4 of this act.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.010 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.010 compared to all other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.010(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project. "Maintenance" does not include labor or material costs for routine operations of a capital project.

NEW SECTION. **Sec. 305.** A new section is added to chapter 82.46 RCW to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.035 for:

(a) The maintenance of capital projects, as defined in RCW 82.46.035(5); or

(b) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, improvement, or maintenance of capital projects as defined in RCW 82.46.010(6)(b) that are not also included within the definition of capital projects in RCW 82.46.035(5).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.035(5), identified in its capital facilities plan for the succeeding two-year period; and

(b) The city or county has not enacted, after the effective date of this section, any requirement on the listing, leasing, or sale of real property, unless the requirement is either specifically authorized by state or federal law or is a seller or landlord disclosure requirement pursuant to section 4 of this act.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.035 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.035 compared to all other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.035(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project. "Maintenance" does not include labor or material costs for routine operations of a capital project.

NEW SECTION. **Sec. 306.** A new section is added to chapter 64.06 RCW to read as follows:

(1) Any ordinance, resolution, or policy adopted by a city or county that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area is effective only after the ordinance, resolution, or policy is posted electronically in accordance with RCW 43.110.030(2)(e).

(2) If, prior to the effective date of this section, a city or county adopted an ordinance, resolution, or policy that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area, the city or county must cause the ordinance, resolution, or policy to be posted electronically in accordance with RCW 43.110.030(2)(e) within ninety days of the effective date of this section, or the requirement shall thereafter cease to be in effect.

Sec. 307. RCW 43.110.030 and 2012 2nd sp.s. c 5 s 5 are each amended to read as follows:

(1) The department of commerce must contract for the provision of municipal research and services to cities, towns, and counties. Contracts for municipal research and services must be made with state agencies, educational institutions, or private consulting firms, that in the judgment of the department are qualified to provide such research and services. Contracts for staff support may be made with state agencies, educational institutions, or private consulting firms that in the judgment of the department are qualified to provide such support.

(2) Munici6(s)-1.7(f)9(o)-10.7(r)-4.38(ear)-4.4(ch)-10.7(an)-10.7(d)-10.7(s)

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1037, by House Committee on Judiciary (originally sponsored by Representatives Moeller, Ormsby and Kilduff).

Implementing changes to child support based on the child support schedule work group report.

The bill was read the third time.

Representative Moeller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1037.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 88; Nays, 1; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SUBSTITUTE HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE HOUSE BILL NO. 1469, by House Committee on Appropriations (originally sponsored by Representatives Hudgins, Magendanz, Stanford, Ormsby and Tarleton).

Addressing removal of payment credentials and other sensitive data from state data networks.

The bill was read the third time.

Representative Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1469.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1469, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1469, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1561, by Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith, S. Hunt and Wylie.

Concerning the consideration of information technology security matters.

The bill was read the third time.

Representatives Hudgins and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1561.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1561, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

HOUSE BILL NO. 1561, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1738, by House Committee on Transportation (originally sponsored by Representatives Orcutt, Clibborn, Hayes, Fey, Hargrove, Farrell, Zeiger, Moscoso, Muri, Condotta, Buys and Harmsworth).

Concerning marine, off-road recreational vehicle, and snowmobile fuel tax refunds based on actual fuel taxes paid.

The bill was read the third time.

Representatives Orcutt and Moscoso spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1738.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1738, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SUBSTITUTE HOUSE BILL NO. 1738, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, by House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Gregory, Haler, Riccelli, Walkinshaw, Zeiger and McBride)

Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read the second time.

Representative Kilduff moved the adoption of amendment (509):

Strike everything after the enacting clause and insert the following:

"**Sec. 308.** RCW 28B.15.012 and 2015 c 55 s 207 are each reenacted and amended to read as follows:

Whenever used in this chapter:

(1) The term "institution" shall mean a public university, college, or community or technical college within the state of Washington.

(2) The term "resident student" shall mean:

(a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational;

(b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;

(c) A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;

(d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year;

(e) Any person who has completed the full senior year of high school and obtained a high school diploma, both at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an institution of higher education under subsection (1) of this section; and who provides to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses;

(f) Any person who has lived in Washington, primarily for purposes other than educational, for at least one year immediately before the date on which the person has enrolled in an institution, and who holds lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii), (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse or child of a person having nonimmigrant status under one of those subsections, or who, holding or having previously held such lawful nonimmigrant status as a principal or derivative, has filed an application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

(g) A student who is on active military duty stationed in the state or who is a member of the Washington national guard;

(h) A student who is on active military duty or a member of the national guard who entered service as a Washington resident and who has maintained Washington as his or her domicile but is not stationed in the state;

(i) A student who is the spouse or a dependent of a person who is on active military duty or a member of the national guard who entered service as a Washington resident and who has maintained Washington as his or her domicile but is not stationed in the state. If the person on active military duty is reassigned out-of-state, the student maintains the status as a resident student so long as the student is continuously enrolled in a degree program;

(j) A student who resides in the state of Washington and is the spouse or a dependent of a person who is a member of the Washington national guard;

(k) A student who has separated from the ((~~military under honorable conditions after at least two years of service, and who enters an institution of higher education in Washington within one year of the date of separation who:~~

~~(i) At the time of separation designated Washington as his or her intended domicile; or~~

~~(ii) Has Washington as his or her official home of record; or~~

~~(iii) Moves to Washington and establishes a domicile as determined in RCW 28B.15.013;~~

~~(l) A student who is the spouse or a dependent of an individual who has separated from the military under honorable conditions after at least two years of service who:~~

~~(i) At the time of discharge designates Washington as his or her intended domicile; and~~

~~(ii) Has Washington as his or her primary domicile as determined in RCW 28B.15.013; and~~

~~(iii) Enters an institution of higher education in Washington within one year of the date of discharge~~)) uniformed services with any period of honorable service after at least ninety days of active duty service; is eligible for benefits under the federal all-volunteer force educational assistance program (38 U.S.C. Sec. 3001 et seq.), the federal post-9/11 veterans educational assistance act of 2008 (38 U.S.C. Sec. 3301 et seq.), or any other federal law authorizing educational assistance benefits for veterans; and enters an institution of higher education in Washington within three years of the date of separation;

(l) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship as a spouse, former spouse, or child to an individual who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service, and who enters an institution of higher education in Washington within three years of the service member's date of separation;

(m) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship with a deceased member of the uniformed services who completed at least ninety days of active duty service and died in the line of duty, and the student enters an institution of higher education in Washington within three years of the service member's death;

(((~~(m)~~))) (n) A student of an out-of-state institution of higher education who is attending a Washington state institution of higher education pursuant to a home tuition agreement as described in RCW 28B.15.725;

(((~~(n)~~))) (o) A student who meets the requirements of RCW 28B.15.0131 or 28B.15.0139: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational;

(((~~(o)~~))) (p) A student who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington; or

(((~~(p)~~))) (q) A student who resides in Washington and is the spouse or a dependent of a person who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington. If the person on active military duty moves from Washington or is reassigned out of the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the student maintains the status as a resident student so long as the student resides in Washington and is continuously enrolled in a degree program.

(3)(a) A student who qualifies under subsection (2)(k), (l), or (m) of this section and who remains continuously enrolled at an institution of higher education shall retain resident student status.

(b) Nothing in subsection (2)(k), (l), or (m) of this section applies to students who have a dishonorable discharge from the uniformed services, or to students who are the spouse or child of an individual who has had a dishonorable discharge from the uniformed services, unless the student is receiving veterans administration educational assistance benefits.

(4) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of this section and RCW 28B.15.013. Except for students qualifying under subsection (2)(e) or (((~~(m)~~))) (n) of this section, a nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter. This condition shall not apply to students from Columbia, Multnomah, Clatsop, Clackamas, or Washington county, Oregon participating in the border county pilot project under RCW ((~~28B.80.806, 28B.80.807~~)) 28B.76.685, 28B.76.690, and 28B.15.0139.

(b) A person who is not a citizen of the United States of America who does not have permanent or temporary resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States citizenship immigration services or is not otherwise permanently residing in the United States under color of law and who does not also meet and comply with all the applicable requirements in this section and RCW 28B.15.013.

(((~~(4)~~))) (5) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(((~~(5)~~))) (6) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules adopted by the student achievement council and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the council may require.

(((~~(6)~~))) (7) The term "active military duty" means the person is serving on active duty in:

(a) The armed forces of the United States government; or

(b) The Washington national guard; or

(c) The coast guard, merchant mariners, or other nonmilitary organization when such service is recognized by the United States government as equivalent to service in the armed forces.

(8) The term "active duty service" means full-time duty, other than active duty for training, as a member of the uniformed services of the United States. Active duty service as a national guard member under Title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training and active service under 32 U.S.C. Sec. 502(f) for the purpose of responding to a national emergency is recognized as active duty service.

(9) The term "uniformed services" is defined by Title 10 U.S.C.; subsequently structured and organized by Titles 14, 33, and

42 U.S.C.; consisting of the United States army, United States marine corps, United States navy, United States air force, United States coast guard, United States public health service commissioned corps, and the national oceanic and atmospheric administration commissioned officer corps.

NEW SECTION. **Sec. 309.** Section 1 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 24, 2015."

Correct the title.

Representatives Kilduff and Zeiger spoke in favor of the adoption of the striking amendment.

Amendment (509) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1825.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1825, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1855, by House Committee on Education (originally sponsored by Representatives Caldier, Santos, Parker, Reykdal, Magendanz, Hayes, Young, Pollet and Tharinger).

Waiving local graduation requirements for certain students.

The bill was read the third time.

Representatives Caldier and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1855.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1855, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SUBSTITUTE HOUSE BILL NO. 1855, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1918, by Representatives Shea, Orcutt, Hayes and Scott.

Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers.

The bill was read the third time.

Representatives Orcutt and Moscoso spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1918.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1918, and the bill passed the House by the following vote: Yeas, 86; Nays, 3; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Taylor, Tharinger,

Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Stanford and Tarleton.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

HOUSE BILL NO. 1918, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED HOUSE BILL NO. 2214 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2214, by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride, Hurst, Schmick, S. Hunt, Griffey and Young

Increasing academic rigor and streamlining assessment requirements for high school students.

The bill was read the second time.

Representative Magendanz moved the adoption of amendment (508):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 310.** (1) The legislature finds that high school students in Washington have been required to meet a standard on high school assessments since 2008 to earn a certificate of academic achievement and graduate. The majority of high school students have taken these assessments for the first time by the conclusion of tenth grade. Over time, the state has adopted several alternative methods to allow students who do not meet the standard on the tenth grade assessment to demonstrate their competency to graduate. These alternatives include the opportunity to retake the assessment, a comparison of grades earned, collections of evidence, and college entrance or dual credit course exams.

(2) The legislature recognizes that, in today's competitive global economy, it is not enough for Washington's students to meet a minimum level of competency. Success in postsecondary education, gainful employment, and citizenship requires increased rigor and achievement. To that end, the state has recently adopted new, academically rigorous policies to better prepare students for future success. Starting in spring 2015, Washington students will be tested using a comprehensive assessment system developed with a multistate consortium. This system, the smarter balanced assessment, will evaluate students in grades three through eight and grade eleven on their college and career readiness based on the Washington state learning standards in English language arts and mathematics, and will be used for state and federal accountability purposes. In addition, students beginning with the graduating class of 2019 will also have the requirement to earn twenty-four credits for high school graduation to obtain a more meaningful diploma. Schools also have put a great deal of time and effort into ensuring quality instruction through the teacher and principal evaluation program, a four-tiered system that establishes eight new criteria for teachers' and principals' evaluations. Finally, Washington adopted new, academically rigorous next generation science standards (NGSS) in 2013. A comprehensive science assessment of the next generation science standards is being developed and is expected to become operational statewide in spring 2017 or 2018.

(3) The legislature further finds that the transition to the smarter balanced assessment system has markedly complicated the development and administration of the statewide assessment graduation requirement and the state's confusing array of alternative assessments. The classes of 2016 through 2018 are required to take end-of-course exams or comprehensive assessments in the tenth grade to fulfill graduation requirements for English language arts, mathematics, and biology. In addition, they are required to take the smarter balanced assessments in the eleventh grade to determine if they are college and career ready and for school and district accountability.

(4) The legislature finds that requiring schools to administer six high school assessments—the smarter balanced English language arts assessment, smarter balanced mathematics, the end-of-course assessment for biology, two mathematics end-of-course assessments, and the English language arts exit exam—creates a costly system in which too much classroom time and too many state resources are devoted to taking and retaking tests for graduation purposes. The time and funding that are now invested in Washington's current state graduation assessments do not result in students meeting a college or career ready measure accepted by postsecondary institutions and organizations.

(5) The legislature further finds that locally directed remediation and intervention strategies, including twelfth grade transition courses, opportunities to retake courses, and more sustained focus on providing college and career guidance through st75(uie)13(nt)5(set) 0.6 08g ganizations.i556(r)-43.72(z)11(a)1MCID 25 >>BD

satisfied the alternative assessments, to earn a certificate of academic achievement by these means, by the means identified in section 101(3) of this act, or by a combination of the two in the event that a student has, by the beginning of the 2015-16 school year, already met the standard or satisfied an alternative in one, but not both, of the content areas.

(8) It is the intent of the legislature for Washington to administer only three statewide assessments for high school graduation: The smarter balanced assessment in English language arts; the smarter balanced assessment in mathematics; and the statewide assessment in science, including, when operational, the comprehensive next generation science standards assessment.

PART I
STUDENT ASSESSMENTS, GRADUATION, AND ASSOCIATED REQUIREMENTS—GENERAL PROVISIONS

NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) The high school assessment system shall include the statewide student assessment and opportunities for a student to retake the content areas of the assessment in which the student was not successful.

(2) Subject to the conditions in this section, students shall obtain a certificate of academic achievement as evidence that they have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045, acquisition of the certificate is required for graduation from a public high school but is not the sole requirement for graduation.

(3) Beginning with the graduating class of 2016, a student shall earn a certificate of academic achievement if the student:

(a) Earns a score of level 3 or level 4 on the high school English language arts and mathematics assessments identified in RCW 28A.655.070;

(b) Before the beginning of the student's senior year, earns a score on the mathematics, reading or English, or writing portion of the SAT or the ACT that is identified by the state board of education as meeting the state standard in the relevant content area on the high school English language arts and mathematics assessments; or

(c) Takes and passes a locally determined course in English language arts or mathematics under RCW 28A.230.090(1)(e).

(d) A student may use the means identified in (b) and (c) of this subsection for purposes of earning a certificate of academic achievement if the student has taken, at least once, the high school English language arts and mathematics assessments identified in RCW 28A.655.070.

(4)(a) The state board of education shall identify the scores on the mathematics, reading or English, or writing portions of the SAT or ACT that are equivalent to a level 3 on both the high school English language arts and mathematics assessments identified in RCW 28A.655.070.

(b) The state board of education shall promptly notify school districts of the scores identified under (a) of this subsection.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6)(a) If a student does not earn a score of level 3 or level 4 in one or more content areas required for the certificate of academic achievement, the student may retake the assessment in the content area at least once a year and at no charge to the student. If the student earns a score of level 3 or level 4 on a retake of the assessment, the student shall earn a certificate of academic achievement.

(b) School districts must make available to students at no charge, the following options:

(i) If the student is enrolled in a public school, retaking the high school English language arts and mathematics assessments identified in RCW 28A.655.070 at least once a year in the content areas in which the student did not earn a score of level 3 or level 4; or

(ii) If the student is enrolled in a high school completion program at a community or technical college, retaking the high school English language arts and mathematics assessments identified in RCW 28A.655.070 at least once a year in the content areas in which the student did not earn a score of level 3 or level 4. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(c) Students who achieve the standard in a content area of the high school English language arts or mathematics assessments identified in RCW 28A.655.070, but who wish to improve their results, must be assessed a charge for retaking the assessment according to a uniform cost determined by the superintendent of public instruction.

(7) A student may retain and use the highest result from each successfully completed content area of the high school English language arts and mathematics assessments identified in RCW 28A.655.070.

Sec. 102. RCW 28A.230.090 and 2014 c 217 s 202 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under ((~~RCW 28A.655.061~~)) section 101 of this act or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c)(i) Each student must have a high school and beyond plan to guide the student's high school experience and prepare the student for postsecondary education or training and career.

(ii) A high school and beyond plan must be initiated for each student during the eighth grade. In preparation for initiating that plan, each student must first be administered a career interest and skills inventory.

(iii) The plan must be updated annually during the high school grades to review transcripts, assess progress toward identified goals, and revise as necessary for changing interests, goals, and needs. School districts are encouraged to involve parents and guardians in the process of developing and updating the high school and beyond plan.

(iv) All high school and beyond plans must, at a minimum, include the following elements:

(A) Identification of career goals, aided by a skills and interest assessment;

(B) Identification of educational goals;

(C) A four-year plan for course-taking that fulfills state and local graduation requirements and aligns with the student's career and educational goals;

(D) Identification of assessments needed to graduate from high school and achieve postsecondary goals identified in the high school and beyond plan; and

(E) By the end of the twelfth grade, a current resume or activity log that provides a written compilation of the student's education, any work experience, and any community service and how the school district has recognized the community service pursuant to RCW 28A.320.193.

(d) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. A district may establish additional, local requirements for a high school and beyond plan to serve the needs and interests of its students and the purposes of this section.

(e)(i)(A) Beginning in the 2015-16 school year, students who have not earned a certificate of academic achievement under section 101 or 201 of this act before the beginning of grade twelve must take and pass a locally determined course in the content area in which the student was not successful. The course shall be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in English language arts or mathematics adopted pursuant to RCW 28A.230.097.

(B) A course shall be deemed rigorous if it is at a higher course level than the student's most recent coursework in the content area in which the student received a passing grade of C or higher, or its equivalent.

(C) School districts should prioritize enrolling students who must take and pass locally determined courses under this subsection (1)(e)(i) in available high school transition courses.

(ii) School districts shall record students' participation in locally determined courses under this section in the statewide individual data system. Separate data codes must be provided for high school transition courses and other locally determined courses.

(iii) As used in this subsection (1)(e), "high school transition course" means an English language arts, mathematics, or science course offered in high school whose successful completion by a high school student will ensure the student college-level placement at participating institutions of higher education as defined in RCW 28B.10.016. High school transition courses must, in accordance with this section, satisfy core or elective credit graduation requirements established by the state board of education. A student's successful completion of a high school transition course does not entitle the student to be admitted to any institution of higher education as defined in RCW 28B.10.016.

(iv) This subsection (1)(e) does not apply to students satisfying the provisions of RCW 28A.155.045.

(f) Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

((~~(d)~~)) (g)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)((~~(d)~~)) (g). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)((~~(d)~~)) (g) to an applying school district at the next subsequent meeting of the board after receiving an application.

(iii) A school district that has implemented the career and college ready graduation requirements must update the high school and beyond plans for each student in grade nine who failed to earn a score of level 3 or level 4 on the middle school mathematics assessment identified in RCW 28A.655.070 for the purpose of ensuring that the student takes one or more credits of mathematics coursework in each of grades nine, ten, and eleven. These courses may include career and technical education equivalencies in mathematics adopted pursuant to RCW 28A.230.097.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review and to the quality education council established under RCW 28A.290.010. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency

examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 103. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment ((~~and, for high school students, to obtain a certificate of academic achievement~~)). The board shall also determine student scores that identify levels of student performance below and beyond the standard. ((~~The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates.~~)) The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) ((~~By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.~~

~~(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.~~

~~(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature.~~)) The legislature shall be advised of the initial performance standards and any changes made to the elementary ((~~level performance standards and the~~)), middle, and high school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board

including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

Sec. 104. RCW 28A.655.068 and 2013 2nd sp.s. c 22 s 4 are each amended to read as follows:

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2)(a) The superintendent of public instruction may develop or adopt science end-of-course assessments or a comprehensive science assessment ((~~that includes subjects in addition to biology for purposes of RCW 28A.655.061,~~)) when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. ((~~The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.~~))

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(((~~(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.~~))

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) ((~~The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment for purposes of RCW 28A.655.061.~~)) After the superintendent of public instruction adopts a comprehensive science assessment under this section and RCW 28A.655.070, there shall be a two-year transition period, including one year to pilot the comprehensive science assessment and a second year to administer the assessment statewide, before students are required to meet the standard on the comprehensive assessment to earn a certificate of academic achievement.

Sec. 105. RCW 28A.655.070 and 2015 c 211 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of ((~~reading, writing~~)) English language arts, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) ((~~Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.~~

~~(c) By the 2014-15 school year,~~)) (i) The superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium((~~, as provided in this subsection:~~

~~(i)~~)).

(ii) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(((~~(ii)~~))) (iii) The high school ((~~assessments in~~)) English language arts and mathematics ((~~in (c)(i) of this subsection~~)) assessments developed with the multistate consortium shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in ((~~RCW~~

~~28A.655.061~~)) section 101 of this act and for assessing student career and college readiness.

(((~~iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.~~))

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

(14) The superintendent shall integrate financial education skills and content knowledge into the state learning standards pursuant to RCW 28A.300.460(2)(d).

NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) Beginning with the graduating class of 2015, and until the first graduating class following the transition period identified in RCW 28A.655.068(4), a student is not required to meet the state standard in science in order to earn a certificate of academic achievement.

(2)(a) Beginning with the first graduating class following the transition period identified in RCW 28A.655.068(4), a student must meet the state standard on the comprehensive science assessment, in addition to the other content areas required under section 101 of this act, to earn a certificate of academic achievement.

(b)(i) Students in grade twelve who have not met the state standard on the comprehensive science assessment must take and pass a locally determined course in science to earn a certificate of academic achievement. The course shall be rigorous and consistent with the student's educational and career goals identified in his or her high school and beyond plan, and may include career and technical education equivalencies in science pursuant to RCW 28A.230.097.

(ii) For purposes of this subsection (2)(b), a course shall be deemed rigorous if it is at a higher course level than the student's most recent coursework in the content area in which the student received a passing grade of C or higher, or its equivalent.

(c) When available, school districts should prioritize enrolling students who must take and pass a locally determined course in science in a high school transition course.

(d) For the purpose of this section, "high school transition course" has the definition in RCW 28A.230.090(1)(e)(iii).

Sec. 107. RCW 28A.230.125 and 2014 c 102 s 3 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, and the workforce training and education coordinating board, shall develop for use by all public school districts a standardized high school transcript. The superintendent shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.

(2) The standardized high school transcript shall include a notation of whether the student has earned a certificate of individual achievement or a certificate of academic achievement.

(3) The standardized high school transcript may include a notation of whether the student has earned the Washington state seal of biliteracy established under RCW 28A.300.575.

(4) If a student has earned a level 3 or level 4 score on the high school English language arts and mathematics assessments identified in RCW 28A.655.070, the student's standardized high school transcript must include a notation of "career and college ready high honors." School districts are encouraged to also include a notation of "career and college ready high honors" on the student's diploma.

NEW SECTION. **Sec. 108.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The superintendent of public instruction shall conduct a study of the locally determined courses in English language arts or mathematics under RCW 28A.230.090(1)(e) offered by school districts in the 2015-16 and 2016-17 school years to students in

(3)RCW 28A.655.065 (Objective alternative assessment methods—Appeals from assessment scores—Waivers and appeals from assessment requirements—Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354 s 6, & 2006 c 115 s 1; and

(4)RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3.

NEW SECTION. **Sec. 302.** Section 106 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Magendanz and Reykdal spoke in favor of the adoption of the striking amendment.

Amendment (508) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Magendanz and Johnson spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 2214.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 2214, and the bill passed the House by the following vote: Yeas, 83; Nays, 6; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Hunter, Kristiansen, Orcutt, Stokesbary and Wilcox.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SECOND ENGROSSED HOUSE BILL NO. 2214, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1157, by House Committee on Transportation (originally sponsored by Representatives Pike, Wylie, Wilson and Moeller).

Modifying the apportionment of quick title service fees collected by appointed subagents.

The bill was read the third time.

Representatives Pike and Moscoso spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1157.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1157, and the bill passed the House by the following vote: Yeas, 88; Nays, 1; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representatives Clibborn, Fey, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SUBSTITUTE HOUSE BILL NO. 1157, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, by House Committee on General Government & Information Technology (originally sponsored by Representatives Buys, Orwall and Pollet)

Creating the crime of wrongfully distributing intimate images. Revised for 2nd Substitute: Concerning the crime of disclosing intimate images.

The bill was read the second time.

Representative Orwall moved the adoption of amendment (510):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 303.** (1) A person commits the crime of disclosing intimate images when the person knowingly discloses an intimate image of another person and the person disclosing the image:

(a) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private;

(b) Knows or should have known that the depicted person has not consented to the disclosure; and

(c) Knows or reasonably should know that disclosure would cause harm to the depicted person.

(2) A person who is under the age of eighteen is not guilty of the crime of disclosing intimate images unless the person:

(a) Intentionally and maliciously disclosed an intimate image of another person;

(b) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private; and

(c) Knows or should have known that the depicted person has not consented to the disclosure.

(3) This section does not apply to:

(a) Images involving voluntary exposure in public or commercial settings; or

(b) Disclosures made in the public interest including, but not limited to, the reporting of unlawful conduct, or the lawful and common practices of law enforcement, criminal reporting, legal proceedings, or medical treatment.

(4) This section does not impose liability upon the following entities solely as a result of content provided by another person:

(a) An interactive computer service, as defined in 47 U.S.C. Sec. 230(f)(2);

(b) A provider of public or private mobile service, as defined in section 13-214 of the public utilities act; or

(c) A telecommunications network or broadband provider.

(5) It shall be an affirmative defense to a violation of this section that the defendant is a family member of a minor and did not intend any harm or harassment in disclosing the images of the minor to other family or friends of the defendant. This affirmative defense shall not apply to matters defined under RCW 9.68A.011.

(6) For purposes of this section:

(a) "Disclosing" includes transferring, publishing, or disseminating, as well as making a digital depiction available for distribution or downloading through the facilities of a telecommunications network or through any other means of transferring computer programs or data to a computer;

(b) "Intimate image" means any photograph, motion picture film, videotape, digital image, or any other recording or transmission of another person who is identifiable from the image itself or from information displayed with or otherwise connected to the image, and that was taken in a private setting, is not a matter of public concern, and depicts:

(i) Sexual activity, including sexual intercourse as defined in RCW 9A.44.010 and masturbation; or

(ii) A person's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or post-pubescent female nipple.

(7) The crime of disclosing intimate images:

(a) Is a gross misdemeanor on the first offense; or

(b) Is a class C felony if the defendant has one or more prior convictions for disclosing intimate images.

(8) Nothing in this section is construed to:

(a) Alter or negate any rights, obligations, or immunities of an interactive service provider under 47 U.S.C. Sec. 230; or

(b) Limit or preclude a plaintiff from securing or recovering any other available remedy.

NEW SECTION. **Sec. 304.** Section 1 of this act constitutes a new chapter in Title 9A RCW."

Correct the title.

Representatives Orwall and Buys spoke in favor of the adoption of the striking amendment.

Amendment (510) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Buys and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1272.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1272, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276, by House Committee on General Government & Information Technology (originally sponsored by Representatives Klippert, Goodman, Hayes, Orwall, Moscoso, Pettigrew, Zeiger, Kilduff and Fey)

Concerning impaired driving.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (511):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 305.** The legislature finds that impaired driving continues to be a significant cause of motor vehicle crashes and that additional measures need to be taken to identify people who are driving under the influence, provide appropriate sanctions, and ensure compliance with court-ordered restrictions. The legislature intends to increase the availability of forensic phlebotomists so that offenders can be appropriately and efficiently identified. The legislature further intends to require consecutive sentencing in certain cases to increase punishment and supervision of offenders. The legislature intends to clarify ignition interlock processes and requirements to ensure that those offenders ordered to have ignition interlock devices do not drive vehicles without the required devices.

Conditions of release—Requirements—Ignition interlock device—24/7 sobriety program monitoring

Sec. 306. RCW 10.21.055 and 2013 2nd sp.s. c 35 s 1 are each amended to read as follows:

(1)(a) When any person charged with ((~~or arrested for~~)) a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, in which the person has a prior offense as defined in RCW 46.61.5055 and the current offense involves alcohol, is released from custody ((~~before~~)) at arraignment or trial on bail or personal recognizance, the court authorizing the release shall require, as a condition of release((~~,~~)) that person ((~~to (a)~~)) comply with one of the following four requirements:

(i) Have a functioning ignition interlock device installed on all motor vehicles operated by the person, with proof of installation filed with the court by the person or the certified interlock provider within five business days of the date of release from custody or as soon thereafter as determined by the court based on availability within the jurisdiction; or ((~~(b)~~))

(ii) Comply with 24/7 sobriety program monitoring, as defined in RCW 36.28A.330; or ((~~both~~))

(iii) Have an ignition interlock device on all motor vehicles operated by the person pursuant to (a)(i) of this subsection and submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c); or

(iv) Have an ignition interlock device on all motor vehicles operated by the person and that such person agrees not to operate any motor vehicle without an ignition interlock device as required by the court. Under this subsection (1)(a)(iv), the person must file a sworn statement with the court upon release at arraignment that states the person will not operate any motor vehicle without an ignition interlock device while the ignition interlock restriction is imposed by the court. Such person must also submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c).

(b) The court shall immediately notify the department of licensing when an ignition interlock restriction is imposed: (i) As a condition of release pursuant to (a) of this subsection; or (ii) in instances where a person is charged with, or convicted of, a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, and the offense involves alcohol. If the court imposes an ignition interlock restriction, the department of licensing shall attach or imprint a notation on the driving record of any person restricted under this section stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device.

(2)(a) Upon acquittal or dismissal of all pending or current charges relating to a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, or equivalent local ordinance, the court shall authorize removal of the ignition interlock device and lift any requirement to comply with electronic alcohol/drug monitoring imposed under subsection (1) of this section. Nothing in this section limits the authority of the court or department under RCW 46.20.720.

(b) If the court authorizes removal of an ignition interlock device imposed under (a) of this subsection the court shall immediately notify the department of licensing regarding the lifting of the ignition interlock restriction and the department of licensing shall release any attachment, imprint, or notation on such person's driving record relating to the ignition interlock requirement imposed under this section.

(3) When an ignition interlock restriction imposed as a condition of release is canceled, the court shall provide a defendant with a written order confirming release of the restriction. The written order shall serve as proof of release of the restriction until which time the department of licensing updates the driving record.

Ignition interlock driver's license—Application—Eligibility—Cancellation—Costs—Rules

Sec. 307. RCW 46.20.385 and 2013 2nd sp.s. c 35 s 20 are each amended to read as follows:

(1)(a) ((~~Beginning January 1, 2009,~~)) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied. ((~~A person receiving an ignition interlock driver's license waives his or her right to a hearing or appeal under RCW 46.20.308.~~))

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial. Subject to the provisions of RCW 46.20.720(3)(b)(ii), the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the

department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(iii) The time period during which the person is licensed under this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is required under RCW 46.20.720 ((~~and~~)), 46.61.5055, 10.05.140, 46.61.500(3), and 46.61.5249(4). Beginning with incidents occurring on or after September 1, 2011, when calculating the period of time for the restriction under RCW 46.20.720 (2) or (3), the department must also give the person a day-for-day credit for the time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates. For the purposes of this subsection (1)(c)(iii), the term "all vehicles" does not include vehicles that would be subject to the employer exception under RCW 46.20.720(3).

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional twenty dollar fee to the department.

(b) The department shall deposit the proceeds of the twenty dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Notation on driving record—Verification of interlock—Penalty

Sec. 308. RCW 46.20.740 and 2010 c 269 s 8 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device. The department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock required under this section is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction imposed as a condition of release and the restriction has been released by the court prior to driving.

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

Implied consent—Test refusal—Procedures

Sec. 309. RCW 46.20.308 and 2013 2nd sp.s. c 35 s 36 are each amended to read as follows:

(1) Any person who operates a motor vehicle within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of his or her breath for the purpose of determining the alcohol concentration((~~, THC concentration, or presence of any drug~~)) in his or her breath if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of RCW 46.61.503. ((~~Neither consent nor this section precludes a police~~

~~officer from obtaining a search warrant for a person's breath or blood.~~))

(2) The test or tests of breath shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or any drug or the person to have been driving or in actual physical control of a motor vehicle while having alcohol ((~~or THC~~)) in a concentration in violation of RCW 46.61.503 in his or her system and being under the age of twenty-one. Prior to administering a breath test pursuant to this section, the officer shall inform the person of his or her right under this section to refuse the breath test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver, in substantially the following language, that:

(a) If the driver refuses to take the test, the driver's license, permit, or privilege to drive will be revoked or denied for at least one year; and

(b) If the driver refuses to take the test, the driver's refusal to take the test may be used in a criminal trial; and

(c) If the driver submits to the test and the test is administered, the driver's license, permit, or privilege to drive will be suspended, revoked, or denied for at least ninety days if:

(i) The driver is age twenty-one or over and the test indicates either that the alcohol concentration of the driver's breath is 0.08 or more ((~~or that the THC concentration of the driver's blood is 5.00 or more~~)); or

(ii) The driver is under age twenty-one and the test indicates either that the alcohol concentration of the driver's breath is 0.02 or more ((~~or that the THC concentration of the driver's blood is above 0.00~~)); or

(iii) The driver is under age twenty-one and the driver is in violation of RCW 46.61.502 or 46.61.504; and

(d) If the driver's license, permit, or privilege to drive is suspended, revoked, or denied the driver may be eligible to immediately apply for an ignition interlock driver's license.

(3) ((~~Except as provided in this section, the test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of felony driving under the influence of intoxicating liquor or drugs under RCW 46.61.502(6), felony physical control of a motor vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6), vehicular homicide as provided in RCW 46.61.520, or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.502, which arrest results from an accident in which there has been serious bodily injury to another person, a breath or blood test may be administered without the consent of the individual so arrested pursuant to a search warrant, a valid waiver of the warrant requirement, or when exigent circumstances exist.~~

~~(4)~~)) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested ((~~refuses~~)) exercises the right, granted herein, by refusing upon the request of a law enforcement officer to submit to a test or tests of his or her breath, no test shall be given except as otherwise authorized by ((~~a search warrant~~)) law.

(4) Nothing in subsection (1), (2), or (3) of this section precludes a law enforcement officer from obtaining a person's blood to test for alcohol, marijuana, or any drug, pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under any other authority of law. Any blood drawn for the purpose of determining the person's alcohol, marijuana levels, or any drug, is drawn pursuant to this section when the officer has reasonable grounds to believe that the person is in physical control or driving a vehicle under the influence or in violation of RCW 46.61.503.

(5) If, after arrest and after ((~~the~~)) any other applicable conditions and requirements of this section have been satisfied, a test or tests of the person's blood or breath is administered and the test results indicate that the alcohol concentration of the person's breath or blood is 0.08 or more, or the THC concentration of the person's blood is 5.00 or more, if the person is age twenty-one or over, or that the alcohol concentration of the person's breath or blood is 0.02 or more, or the THC concentration of the person's blood is above 0.00, if the person is under the age of twenty-one, or the person refuses to submit to a test, the arresting officer or other law

report made under RCW 10.05.050, or if treatment is rejected by the court, or if the person declines to accept an offered treatment plan, or if the person violates any condition imposed by the court, then the court shall immediately direct the department to cancel the stay and any temporary ((~~marked~~)) license or extension of a temporary license issued under this subsection.

(b) A suspension, revocation, or denial imposed under this section, other than as a result of a breath test refusal, shall be stayed if the person is accepted for deferred prosecution as provided in chapter 10.05 RCW for the incident upon which the suspension, revocation, or denial is based. If the deferred prosecution is terminated, the stay shall be lifted and the suspension, revocation, or denial reinstated. If the deferred prosecution is completed, the stay shall be lifted and the suspension, revocation, or denial canceled.

(c) The provisions of (b) of this subsection relating to a stay of a suspension, revocation, or denial and the cancellation of any suspension, revocation, or denial do not apply to the suspension, revocation, denial, or disqualification of a person's commercial driver's license or privilege to operate a commercial motor vehicle.

(10) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been suspended, revoked, or denied, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he or she has a license.

Circumventing ignition interlock—Penalty

Sec. 310. RCW 46.20.750 and 2005 c 200 s 2 are each amended to read as follows:

(1) A person who is restricted to the use of a vehicle equipped with an ignition interlock device ((~~and who tampers with the device or directs, authorizes, or requests another to tamper with the device, in order to circumvent the device by modifying, detaching, disconnecting, or otherwise disabling it,~~)) is guilty of a gross misdemeanor if the restricted driver:

(a) Tampers with the device by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle;

(b) Uses or requests another person to use a filter or other device to circumvent the ignition interlock or to start or operate the vehicle to allow the restricted driver to operate the vehicle;

(c) Has, directs, authorizes, or requests another person to tamper with the device by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle; or

(d) Has, allows, directs, authorizes, or requests another person to blow or otherwise exhale into the device in order to circumvent the device to allow the restricted driver to operate the vehicle.

(2) A person who knowingly assists another person who is restricted to the use of a vehicle equipped with an ignition interlock device to circumvent the device or to start and operate that vehicle ((~~in violation of a court order~~)) is guilty of a gross misdemeanor. The provisions of this subsection do not apply if the starting of a motor vehicle, or the request to start a motor vehicle, equipped with an ignition interlock device is done for the purpose of safety or mechanical repair of the device or the vehicle and the person subject to the court order does not operate the vehicle.

(3) Any sentence imposed for a violation of subsection (1) of this section shall be served consecutively with any sentence imposed under RCW 46.20.740, 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1)(a), or 46.61.522(1)(b).

Commercial vehicles—Test for alcohol or drugs—Disqualification for refusal of test or positive test—Procedures

Sec. 311. RCW 46.25.120 and 2013 2nd sp.s. c 35 s 12 are each amended to read as follows:

(1) A person who drives a commercial motor vehicle within this state is deemed to have given consent, subject to RCW 46.61.506, to take a test or tests of that person's ((~~blood or~~)) breath for the purpose of determining that person's alcohol concentration ((~~or the presence of other drugs~~)).

(2) A test or tests may be administered at the direction of a law enforcement officer, who after stopping or detaining the commercial motor vehicle driver, has ((~~probable cause~~)) reasonable grounds to believe that driver was driving a commercial motor vehicle while having alcohol in his or her system or while under the influence of any drug.

(3) The law enforcement officer requesting the test under subsection (1) of this section shall warn the person requested to submit to the test that a refusal to submit will result in that person being disqualified from operating a commercial motor vehicle under RCW 46.25.090.

(4) A law enforcement officer who at the time of stopping or detaining a commercial motor vehicle driver has reasonable grounds to believe that driver was driving a commercial motor vehicle while having alcohol, marijuana, or any drug in his or her system or while under the influence of alcohol, marijuana, or any drug may obtain a blood test pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under any other authority of law.

(5) If the person refuses testing, or ((~~submits to~~)) a test is administered that discloses an alcohol concentration of 0.04 or more or any measurable amount of THC concentration, the law enforcement officer shall submit a sworn report to the department certifying that the test was requested pursuant to subsection (1) of this section or a blood test was administered pursuant to subsection (4) of this section and that the person refused to submit to testing, or ((~~submitted to~~)) a test was administered that disclosed an alcohol concentration of 0.04 or more or any measurable amount of THC concentration.

(((~~(5)~~))) (6) Upon receipt of the sworn report of a law enforcement officer under subsection (((~~(4)~~))) (5) of this section, the department shall disqualify the driver from driving a commercial motor vehicle under RCW 46.25.090, subject to the hearing provisions of RCW 46.20.329 and 46.20.332. The hearing shall be conducted in the county of the arrest. For the purposes of this section, the hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a commercial motor vehicle within this state while having alcohol in the person's system or while under the influence of any drug, whether the person refused to submit to the test or tests upon request of the officer after having been informed that the refusal would result in the disqualification of the person from driving a commercial motor vehicle, if applicable, and, if the test was administered, whether the results indicated an alcohol concentration of 0.04 percent or more or any measurable amount of THC concentration. The department shall order that the disqualification of the person either be rescinded or sustained. Any decision by the department disqualifying a person from driving a commercial motor vehicle is stayed and does not take effect while a formal hearing is pending under this section or during the pendency of a subsequent appeal to superior court so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction that is a moving violation during the pendency of the hearing and appeal. If the disqualification of the person is sustained after the hearing, the person who is disqualified may file a petition in the superior court of the county of arrest to review the final order of disqualification by the department in the manner provided in RCW 46.20.334.

(((~~(6)~~))) (7) If a motor carrier or employer who is required to have a testing program under 49 C.F.R. 382 knows that a commercial driver in his or her employ has refused to submit to

testing under this section and has not been disqualified from driving a commercial motor vehicle, the employer may notify law enforcement or his or her medical review officer or breath alcohol technician that the driver has refused to submit to the required testing.

(((~~(7)~~))) (8) The hearing provisions of this section do not apply to those persons disqualified from driving a commercial motor vehicle under RCW 46.25.090(7).

Open container law for marijuana

NEW SECTION. **Sec. 312.** A new section is added to chapter 46.61 RCW to read as follows:

(1)(a) It is a traffic infraction:

(i) For the registered owner of a motor vehicle, or the driver if the registered owner is not then present, or passengers in the vehicle, to keep marijuana in a motor vehicle when the vehicle is upon a highway, unless it is (A) in the trunk of the vehicle, (B) in some other area of the vehicle not normally occupied or directly accessible by the driver or passengers if the vehicle does not have a trunk, or (C) in a package, container, or receptacle that has not been opened or the seal broken or contents partially removed. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers;

(ii) To consume marijuana in any manner including, but not limited to, smoking or ingesting in a motor vehicle when the vehicle is upon the public highway; or

(iii) To place marijuana in a container specifically labeled by the manufacturer of the container as containing a nonmarijuana substance and to then violate (a)(i) of this subsection.

(b) There is a rebuttable presumption that it is a traffic infraction if the original container of marijuana is incorrectly labeled and there is a subsequent violation of (a)(i) of this subsection.

(2) As used in this section, "marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

Alcohol and drug violators—Penalty schedule

Sec. 313. RCW 46.61.5055 and 2015 c 265 s 33 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory minimum term of sixty days electronic home monitoring, the court may order at least an additional four days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ninety days electronic home monitoring, the court may order at least an additional six days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two or three prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two or three prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Four or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.**

(a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or

municipality where the penalty is being imposed shall determine the cost.

(c) **Ignition interlock device substituted for 24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive ((~~and~~)); (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (((~~(ii)~~))) (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; ((~~and (iii)~~)) (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical

control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720(3). The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), ((~~or~~)) (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728((~~(3)~~)) (1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

((~~(vi)~~)) (vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

((~~(vii)~~)) (ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

((~~(viii)~~)) (x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

((~~(ix)~~)) (xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

((~~(x)~~)) (xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

((~~(xi)~~)) (xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), ((~~(viii)~~)) (x), ((~~(ix)~~)) (xi), or ((~~(x)~~)) (xii) of this subsection if committed in this state;

((~~(xii)~~)) (xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

((~~(xiii)~~)) (xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

((~~(xiv)~~)) (xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

((~~(xv)~~)) (xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means alcohol or drug treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 314. RCW 46.01.260 and 2010 c 161 s 208 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the director may destroy applications for vehicle registrations, copies of vehicle registrations issued, applications for drivers' licenses, copies of issued drivers' licenses, certificates of title and registration or other documents, and records or supporting papers on file in the department that have been microfilmed or photographed or are more than five years old. The director may destroy applications for vehicle registrations that are renewal applications when the computer record of the applications has been updated.

(2)(a) The director shall not destroy records of convictions or adjudications of RCW 46.61.502, 46.61.503, 46.61.504, 46.61.520, and 46.61.522, or records of deferred prosecutions granted under RCW 10.05.120 and shall maintain such records permanently on file.

(b) The director shall not, within fifteen years from the date of conviction or adjudication, destroy records if the offense was originally charged as one of the offenses designated in (a) of this subsection, convictions or adjudications of the following offenses: RCW 46.61.500 or 46.61.5249 or any other violation that was originally charged as one of the offenses designated in (a) of this subsection.

(c) For purposes of RCW 46.52.101 and 46.52.130, offenses subject to this subsection shall be considered "alcohol-related" offenses.

Ignition interlock devices—Standards—Compliance

Sec. 315. RCW 43.43.395 and 2013 2nd sp.s. c 35 s 9 are each amended to read as follows:

(1) The state patrol shall by rule provide standards for the certification, installation, repair, maintenance, monitoring, inspection, and removal of ignition interlock devices, as defined under RCW 46.04.215, and equipment as outlined under this section, and may inspect the records and equipment of manufacturers and vendors during regular business hours for compliance with statutes and rules and may suspend or revoke certification for any noncompliance.

(2)(a) When a certified service provider or individual installer of ignition interlock devices is found to be out of compliance, the installation privileges of that certified service provider or individual installer may be suspended or revoked until the certified service provider or individual installer comes into compliance. During any suspension or revocation period, the certified service provider or individual installer is responsible for notifying affected customers of any changes in their service agreement.

(b) A certified service provider or individual installer whose certification is suspended or revoked for noncompliance has a right to an administrative hearing under chapter 34.05 RCW to contest the suspension or revocation, or both. For the administrative hearing, the procedure and rules of evidence are as specified in chapter 34.05 RCW, except as otherwise provided in this chapter. Any request for an administrative hearing must be made in writing and must be received by the state patrol within twenty days after the receipt of the notice of suspension or revocation.

(3)(a) An ignition interlock device must employ:

(i) Fuel cell technology. For the purposes of this subsection, "fuel cell technology" consists of the following electrochemical method: An electrolyte designed to oxidize the alcohol and release electrons to be collected by an active electrode; a current flow is generated within the electrode proportional to the amount of alcohol oxidized on the fuel cell surface; and the electrical current is measured and reported as breath alcohol concentration. Fuel cell technology is highly specific for alcohols((.

~~(b) When reasonably available in the area, as determined by the state patrol, an ignition interlock device must employ~~));

(ii) Technology capable of taking a photo identification of the user giving the breath sample and recording on the photo the time the breath sample was given; and

(iii) Technology capable of providing the global positioning coordinates at the time of each test sequence. Such coordinates must be displayed within the data log that is downloaded by the manufacturer and must be made available to the state patrol to be used for circumvention and tampering investigations.

(((~~(c)~~))) (b) To be certified, an ignition interlock device must:

(i) Meet or exceed the minimum test standards according to rules adopted by the state patrol. Only a notarized statement from a laboratory that is accredited and certified ((~~by~~)) under the current edition of ISO (the international organization of standardization) 17025 standard for testing and calibration laboratories and is capable of performing the tests specified will be accepted as proof of meeting or exceeding the standards. The notarized statement must include the name and signature of the person in charge of the tests under the certification statement. The state patrol must adopt by rule the required language of the certification statement that must, at a minimum, outline that the testing meets or exceeds all specifications listed in the federal register adopted in rule by the state patrol; and

(ii) Be maintained in accordance with the rules and standards adopted by the state patrol.

Abstract of driving record—Access—Fee—Violations

Sec. 316. RCW 46.52.130 and 2015 c 265 s 4 are each amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

(i) The total number of vehicles involved;

(ii) Whether the vehicles were legally parked or moving;

(iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract or that named individual's attorney, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open

infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.** (i)(A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement. The statement must also note that any information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee may not be used by the employer or prospective employer, or an agent authorized to obtain this information on their behalf, unless required by federal regulation or law. The employer or prospective employer must afford the employee or prospective employee an opportunity to demonstrate that an adjudication contained in the abstract is subject to a court order sealing the juvenile record.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(D) No employer or prospective employer, nor any agent of an employer or prospective employer, may use information contained in the abstract related to an adjudication that is subject to a court order sealing the juvenile record of an employee or prospective employee for any purpose unless required by federal regulation or law. The employee or prospective employee must furnish a copy of the court order sealing the juvenile record to the employer or prospective employer, or the agent of the employer or prospective employer, as may be required to ensure the application of this subsection.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the information is necessary for purposes related to driving by the individual at the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

(C) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **Attorneys—City attorneys** ((~~and~~)), **county prosecuting attorneys, and named individual's attorney of record.** An abstract of the full driving record maintained by the department, including whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys ((~~or~~)), county prosecuting attorneys, or the named individual's attorney of record. City attorneys ((~~and~~)), county prosecuting attorneys, or the named individual's attorney of record may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. Fifty percent of the fee must be deposited in the highway safety fund, and fifty percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

(6) Effective July 1, 2019, the contents of a driving abstract pursuant to this section shall not include any information related to sealed juvenile records unless that information is required by federal law or regulation.

Sec. 317. RCW 9.94A.589 and 2002 c 175 s 7 are each amended to read as follows:

(1)(a) Except as provided in (b) ((~~or~~)), (c), or (d) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score: PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.535. "Same criminal conduct," as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition applies in cases involving vehicular assault or vehicular homicide even if the victims occupied the same vehicle.

(b) Whenever a person is convicted of two or more serious violent offenses arising from separate and distinct criminal conduct, the standard sentence range for the offense with the highest seriousness level under RCW 9.94A.515 shall be determined using the offender's prior convictions and other current convictions that are not serious violent offenses in the offender score and the standard sentence range for other serious violent offenses shall be determined by using an offender score of zero. The standard sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under ((~~(b) of~~)) this subsection (1)(b) shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(c) If an offender is convicted under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, the standard sentence range for each of these current offenses shall be determined by using all other current and prior convictions, except other current convictions for the felony crimes listed in this subsection (1)(c), as if they were prior convictions. The offender shall serve consecutive sentences for each conviction of the felony crimes listed in this subsection (1)(c), and for each firearm unlawfully possessed.

(d) All sentences imposed under RCW 46.61.502(6), 46.61.504(6), or 46.61.5055(4) shall be served consecutively to any sentences imposed under RCW 46.20.740 and 46.20.750.

(2)(a) Except as provided in (b) of this subsection, whenever a person while under sentence for conviction of a felony commits another felony and is sentenced to another term of confinement, the latter term shall not begin until expiration of all prior terms.

(b) Whenever a second or later felony conviction results in community supervision with conditions not currently in effect, under the prior sentence or sentences of community supervision the court may require that the conditions of community supervision contained in the second or later sentence begin during the immediate term of community supervision and continue throughout the duration of the consecutive term of community supervision.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence for conviction of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) In the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community restitution, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.535, if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months.

Sec. 318. RCW 46.61.503 and 2013 c 3 s 34 are each amended to read as follows:

(1) Notwithstanding any other provision of this title, a person is guilty of driving or being in physical control of a motor vehicle after consuming alcohol or marijuana if the person operates or is in physical control of a motor vehicle within this state and the person:

(a) Is under the age of twenty-one; and

(b) Has, within two hours after operating or being in physical control of the motor vehicle, either:

(i) An alcohol concentration of at least 0.02 but less than the concentration specified in RCW 46.61.502, as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(ii) A THC concentration above 0.00 but less than the concentration specified in RCW 46.61.502, as shown by analysis of the person's blood made under RCW 46.61.506.

(2) It is an affirmative defense to a violation of subsection (1) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol or marijuana after the time of driving or being in physical control and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol or THC concentration to be in violation of subsection (1) of this section within two hours after driving or being in physical control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the earlier of: (a) Seven days prior to trial; or (b) the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(3) No person may be convicted under this section for being in physical control of a motor vehicle and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive, if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(4) Analyses of blood or breath samples obtained more than two hours after the alleged driving or being in physical control may be used as evidence that within two hours of the alleged driving or being in physical control, a person had an alcohol or THC concentration in violation of subsection (1) of this section.

(((~~(4)~~))) (5) A violation of this section is a misdemeanor.

Sec. 319. RCW 46.20.755 and 2010 c 269 s 5 are each amended to read as follows:

If a person is required, as part of the person's judgment and sentence or as a condition of release, to install an ignition interlock device on all motor vehicles operated by the person and the person is under the jurisdiction of the municipality or county probation or supervision department, the probation or supervision department must verify the installation of the ignition interlock device or devices. The municipality or county probation or supervision department satisfies the requirement to verify the installation or installations if the municipality or county probation or supervision department receives written verification by one or more companies doing business in the state that it has installed the required device on a vehicle owned or operated by the person. The municipality or county shall have no further obligation to supervise the use of the ignition interlock device or devices by the person and shall not be civilly liable for any injuries or damages caused by the person for failing to use an ignition interlock device or for driving under the influence of intoxicating liquor or any drug or being in actual physical control of a motor vehicle under the influence of intoxicating liquor or any drug.

Sec. 320. RCW 36.28A.320 and 2014 c 221 s 913 are each amended to read as follows:

There is hereby established in the state treasury the 24/7 sobriety account. The account shall be maintained and administered by the criminal justice training commission to reimburse the state for costs associated with establishing and operating the 24/7 sobriety program and the Washington association of sheriffs and police chiefs for ongoing 24/7 sobriety program administration costs. ((~~\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay014\The.doc~~)) An appropriation is not required for expenditures and the account is not subject to allotment procedures under chapter 43.88 RCW. Funds in the account may not lapse and must carry forward from biennium to biennium. Interest earned by the account must be retained in the account. The criminal justice training commission may accept for deposit in the account money from donations, gifts, grants, participation fees, and user fees or payments. ((~~Expenditures from the account shall be budgeted through the normal budget process.~~))

Sec. 321. RCW 36.28A.330 and 2013 2nd sp.s. c 35 s 26 are each amended to read as follows:

The definitions in this section apply throughout RCW 36.28A.300 through 36.28A.390 unless the context clearly requires otherwise.

(1) "24/7 ((~~electronic alcohol/drug monitoring~~)) sobriety program" means ((~~the monitoring by the use of any electronic instrument that is capable of determining and monitoring the presence of alcohol or drugs in a person's body and includes any associated equipment a participant needs in order for the device to properly perform. Monitoring may also include mandatory urine analysis tests as ordered by the court~~)) a program in which a participant submits to testing of the participant's blood, breath, urine, or other bodily substance to determine the presence of alcohol or any drug as defined in RCW 46.61.540. Testing must take place at a location or locations designated by the participating agency, or, with the concurrence of the Washington association of sheriffs and police chiefs, by an alternate method.

(2) "Participant" means a person who has ((~~one or more prior convictions for~~)) been charged with or convicted of a violation of RCW 46.61.502 ((~~or~~)), 46.61.504, or those crimes listed in RCW 46.61.5055(14), in which the use of alcohol or drugs as defined in RCW 46.61.540 was a contributing factor in the commission of the crime and who has been ordered by a court to participate in the 24/7 sobriety program.

(3) "Participating agency" means ((~~a sheriff's office or a designated entity named by a sheriff that has agreed to participate in the 24/7 sobriety program by enrolling participants, administering one or more of the tests, and submitting reports to the Washington association of sheriffs and police chiefs~~)) any entity located in the state of Washington that has a written agreement with the Washington association of sheriffs and police chiefs to participate in the 24/7 sobriety program, and includes, but is not limited to, a sheriff, a police chief, any other local, regional, or state corrections or probation entity, and any other entity designated by a sheriff, police chief, or any other local, regional, or state corrections or probation entity to perform testing in the 24/7 sobriety program.

(4) "Participation agreement" means a written document executed by a participant agreeing to participate in the 24/7 sobriety program in a form approved by the Washington association of sheriffs and police chiefs that contains the following information:

(a) The type, frequency, and time period of testing;

(b) The location of testing;

(c) The fees and payment procedures required for testing; and

(d) The responsibilities and obligations of the participant under the 24/7 sobriety program.

(((~~(5) "24/7 sobriety program" means a twenty-four-hour and seven-day-a-week sobriety program in which a participant submits to the testing of the participant's blood, breath, urine, or other bodily substances in order to determine the presence of alcohol, marijuana, or any controlled substance in the participant's body.~~)))

Sec. 322. RCW 36.28A.370 and 2013 2nd sp.s. c 35 s 30 are each amended to read as follows:

(1) ((~~Funds in the 24/7 sobriety account shall be distributed as follows:~~

(~~a~~))) Any daily user fee, installation fee, deactivation fee, enrollment fee, or monitoring fee ((~~collected under the 24/7 sobriety program shall~~)) must be collected by the ((~~sheriff or chief, or an entity designated by the sheriff or chief, and deposited with the county or city treasurer of the proper county or city, the proceeds of which shall be applied~~)) participating agency and used ((~~only~~)) to defray the ((~~recurring~~)) participating agency's costs of the 24/7

sobriety program ((~~including maintaining equipment, funding support services, and ensuring compliance; and~~)).

(((~~(b)~~))) (2) Any participation fee must be collected ((~~in the administration of testing under~~)) by the participating agency and deposited in the state 24/7 sobriety ((~~program~~)) account to cover 24/7 sobriety program administration costs incurred by the Washington association of sheriffs and police chiefs ((~~shall be collected by the sheriff or chief, or an entity designated by the sheriff or chief, and deposited in the 24/7 sobriety account~~)).

(((~~(2)~~))) (3) All applicable fees shall be paid by the participant contemporaneously or in advance of the time when the fee becomes due; however, cities and counties may subsidize or pay any applicable fees.

(4) A city or county may accept donations, gifts, grants, and other assistance to defray the participating agency's costs of the 24/7 sobriety program.

Sec. 323. RCW 36.28A.390 and 2013 2nd sp.s. c 35 s 32 are each amended to read as follows:

(1) A general authority Washington peace officer, as defined in RCW 10.93.020, who has probable cause to believe that a participant has violated the terms of participation in the 24/7 sobriety program may immediately take the participant into custody and cause him or her to be held until an appearance before a judge on the next judicial day.

(2) A participant who violates the terms of participation in the 24/7 sobriety program or does not pay the required fees or associated costs pretrial or posttrial shall, at a minimum:

(a) Receive a written warning notice for a first violation;

(b) Serve ((~~a term~~)) the lesser of two days imprisonment or if posttrial, the entire remaining sentence imposed by the court for a second violation;

(c) Serve ((~~a term of up to~~)) the lesser of five days imprisonment or if posttrial, the entire remaining sentence imposed by the court for a third violation;

(d) Serve ((~~a term of up to~~)) the lesser of ten days imprisonment or if posttrial, the entire remaining sentence imposed by the court for a fourth violation; and

(e) For a fifth or subsequent violation pretrial, the participant shall abide by the order of the court. For posttrial participants, the participant shall serve the entire remaining sentence imposed by the court.

(((~~(2) A sheriff or chief, or the designee of a sheriff or chief, who has probable cause to believe that a participant has violated the terms of participation in the 24/7 sobriety program or has not paid the required fees or associated costs shall immediately take the participant into custody and cause him or her to be held until an appearance before a a judge on the next judicial day.~~)) (3) The court may remove a participant from the 24/7 sobriety program at any time for noncompliance with the terms of participation.

Sec. 324. RCW 10.21.015 and 2014 c 24 s 1 are each amended to read as follows:

(1) Under this chapter, "pretrial release program" is any program, either run directly by a county or city, or by a private or public entity through contract with a county or city, into whose custody an offender is released prior to trial and which agrees to supervise the offender. As used in this section, "supervision" includes, but is not limited to, work release, day monitoring, ((~~or~~)) electronic monitoring, or participation in a 24/7 sobriety program.

(2) A pretrial release program may not agree to supervise, or accept into its custody, an offender who is currently awaiting trial for a violent offense or sex offense, as defined in RCW 9.94A.030, who has been convicted of one or more violent offenses or sex offenses in the ten years before the date of the current offense, unless the offender's release before trial was secured with a payment of bail.

NEW SECTION. **Sec. 325.** A new section is added to chapter 18.130 RCW to read as follows:

It is not professional misconduct for a physician licensed under chapter 18.71 RCW; osteopathic physician licensed under chapter 18.57 RCW; registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; physician assistant licensed under chapter 18.71A RCW; osteopathic physician assistant licensed under chapter 18.57A

pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of marijuana after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by marijuana in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has four or more prior offenses within ten years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

Sec. 329. RCW 18.360.030 and 2012 c 153 s 4 are each amended to read as follows:

(1) The secretary shall adopt rules specifying the minimum qualifications for a medical assistant-certified, medical assistant-hemodialysis technician, and medical assistant-phlebotomist. The qualifications for a medical assistant-hemodialysis technician must be equivalent to the qualifications for hemodialysis technicians regulated pursuant to chapter 18.135 RCW as of January 1, 2012.

(2) The secretary shall adopt rules that establish the minimum requirements necessary for a health care practitioner, clinic, or group practice to endorse a medical assistant as qualified to perform the duties authorized by this chapter and be able to file an attestation of that endorsement with the department.

(3) The medical quality assurance commission, the board of osteopathic medicine and surgery, the podiatric medical board, the nursing care quality assurance commission, the board of naturopathy, and the optometry board shall each review and identify other specialty assistive personnel not included in this chapter and the tasks they perform. The department of health shall compile the information from each disciplining authority listed in this subsection and submit the compiled information to the legislature no later than December 15, 2012.

(4)(a) The secretary shall adopt rules specifying requirements for delegation, training, and supervision for a medical assistant-phlebotomist who is also a local, state, federal, or tribal law enforcement employee or correctional employee, and whose practice is limited to collecting venipuncture blood samples for forensic testing under the provisions of RCW 46.20.308 or pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under any other authority of law. The rules shall provide standards for the minimum number of venipuncture collections necessary to maintain endorsement for collecting blood samples for forensic testing. The rules shall provide standards for location, conditions, and supervision of venipuncture collections.

(b) Until July 1, 2020, pursuant to (a) of this subsection, the rules shall include, but are not limited to:

(i) Requiring each medical assistant-phlebotomist to perform fifty venipuncture collections during the first year of certification;

(ii) Requiring mandatory annual ongoing training in order for such person to maintain certification as a medical assistant-phlebotomist; and

(iii) Requiring that any venipuncture blood samples collected for forensic testing take place at a site that provides for antiseptic techniques and that all such sites are inspected annually by the department."

Correct the title.

Representatives Klippert and Goodman spoke in favor of the adoption of the striking amendment.

Amendment (511) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klippert and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1276.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1276, and the bill passed the House by the following vote: Yeas, 88; Nays, 2; Absent, 0; Excused, 8.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Cody, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert,

Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta and Taylor.

Excused: Representatives Clibborn, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 2160 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2160, by House Committee on Judiciary (originally sponsored by Representatives Wylie, Orwall, Klippert and Buys)

Concerning the distribution of intimate images.

The bill was read the second time.

Representative McCabe moved the adoption of amendment (512):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 329.2.** A new section is added to chapter 4.24 RCW to read as follows:

(1) A person distributes an intimate image of another person when that person intentionally and without consent distributes, transmits, or otherwise makes available an intimate image or images of that other person that was:

(a) Obtained under circumstances in which a reasonable person would know or understand that the image was to remain private; or

(b) Knowingly obtained by that person without authorization or by exceeding authorized access from the other person's property, accounts, messages, files, or resources.

(2) Any person who distributes an intimate image of another person as described in subsection (1) of this section and at the time of such distribution knows or reasonably should know that disclosure would cause harm to the depicted person shall be liable to that other person for actual damages including, but not limited to, pain and suffering, emotional distress, economic damages, and lost earnings, reasonable attorneys' fees, and costs. The court may also, in its discretion, award injunctive relief as it deems necessary.

(3) Factors that may be used to determine whether a reasonable person would know or understand that the image was to remain private include:

(a) The nature of the relationship between the parties;

(b) The circums.3(s)12ances under which the intimate image was .3(s)12aken;

(c) The

Excused: Representatives Clibborn, Gregerson, Hargrove, Jinkins, Kretz, Manweller, Shea and Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2160, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

A Second Special Session started June 11th. My professional duties outside of the legislature prevented my attendance and I was excused. All bills considered had already been voted upon during the regular session. My positions are part of that record. My absence did not affect the passage of any bills. *(Please see appendix for list of votes)*

Representative Shea, 4th District

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 12, 2015, the 15th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTEENTH DAY

House Chamber, Olympia, Friday, June 12, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 15, 2015, the 18th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTEENTH DAY

House Chamber, Olympia, Monday, June 15, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

June 12, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration Second Engrossed Substitute House Bill 1299 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 12th day of June, 2015.

Kim Wyman
Secretary of State

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 16, 2015, the 19th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETEENTH DAY

House Chamber, Olympia, Tuesday, June 16, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

June 8, 2015

HB 2120 Prime Sponsor, Representative Fitzgibbon: Concerning a leasehold excise tax credit for properties of market value in excess of ten million dollars. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Stokesbary; Vick and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Nealey, Ranking Minority Member and Condotta.

There being no objection, HOUSE BILL NO. 2120 was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 17, 2015, the 20th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTIETH DAY

House Chamber, Olympia, Wednesday, June 17, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 18, 2015, the 21st Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIRST DAY

House Chamber, Olympia, Thursday, June 18, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

June 12, 2015

HB 1912 Prime Sponsor, Representative Morris: Relating to distributed generation. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Magendanz; Ryu; Santos and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Fey; Nealey and Young.

Referred to Committee on Finance.

June 8, 2015

HB 2156 Prime Sponsor, Representative Reykdal: Relating to promoting the fiscal sustainability of cities and counties. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Pollet; Reykdal; Robinson; Ryu; Springer; Stokesbary; Wilcox and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Referred to Committee on Appropriations.

June 12, 2015

HB 2264 Prime Sponsor, Representative Smith: Amending the statewide minimum privacy policy for disclosure of customer energy use information. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Magendanz; Nealey; Ryu; Santos; Wylie and Young.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 19, 2015, the 22nd Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SECOND DAY

House Chamber, Olympia, Friday, June 19, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 22, 2015, the 25th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIFTH DAY

House Chamber, Olympia, Monday, June 22, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2266 by Representative Sullivan

AN ACT Relating to deferring implementation of class size reduction and school employee staffing formula changes; amending RCW 28A.150.261; amending 2015 c 2 s 5 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2267 by Representative Hunter

AN ACT Relating to temporarily suspending the state expenditure limit in order to implement the state's Article IX obligation to amply fund basic education; amending RCW 43.135.010 and 43.135.025; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2268 by Representative Hunter

AN ACT Relating to directing the treasurer to transfer budget stabilization account deposits that are attributable to extraordinary revenue growth in the 2013-2015 and 2017-2019 fiscal biennia; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2269 by Representatives Hunter, Carlyle and Sullivan

AN ACT Relating to investing in education and essential public services by modifying and improving the fairness of Washington's tax system.

Referred to Committee on Appropriations.

HB 2270 by Representative Hudgins

AN ACT Relating to building safer communities in Washington by modifying sentencing laws related to property crimes and other crimes and implementing recommendations of the Washington state justice reinvestment task force; amending RCW 9.94A.506, 9.94A.515, 9.94A.585, 9.94A.702, 9.94A.171, and 9.94A.860; reenacting and amending RCW 9.94A.030, 9.94A.501, 9.94A.505, and 9.94A.701; adding new sections to chapter 9.94A RCW; adding a new section to chapter 72.09 RCW; creating new sections; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 23, 2015, the 26th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Dent; Haler; Hunt, G.; MacEwen; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representatives Parker, Assistant Ranking Minority Member and Buys.

Referred to Committee on .

June 23, 2015

HB 2268 Prime Sponsor, Representative Hunter: Directing the treasurer to transfer budget stabilization account deposits that are attributable to extraordinary revenue growth in the 2013-2015 and 2017-2019 fiscal biennia. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Hansen; Harris; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Magendanz; Pettigrew; Sawyer; Schmick; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Condotta; Dent; Haler; Hunt, G.; MacEwen; Stokesbary; Taylor and Van Werven.

Referred to Committee on .

June 23, 2015

HB 2269 Prime Sponsor, Representative Hunter: Relating to investing in education and essential public services by modifying and improving the fairness of Washington's tax system. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Condotta; Dent; Haler; Harris; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

Referred to Committee on .

June 23, 2015

HB 2270 Prime Sponsor, Representative Hudgins: Modifying sentencing laws related to property crimes and other crimes and implementing recommendations of the Washington state justice reinvestment task force. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Hansen; Hudgins; Hunt, S.; Jinkins; Kagi; Lytton; Pettigrew; Sawyer; Senn; Springer; Sullivan; Tharinger and Walkinshaw.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Buys; Condotta; Dent; Haler; Harris; Hunt, G.; MacEwen; Magendanz; Schmick; Stokesbary; Taylor and Van Werven.

MINORITY recommendation: Without recommendation. Signed by Representative Wilcox, Assistant Ranking Minority Member.

Referred to Committee on .

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the second reading calendar.

The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Greg Dickey and Dave Johnson. The Speaker (Representative Ormsby led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Norma Smith, 10th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Ormsby presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and ENGROSSED HOUSE BILL NO. 2151 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2151, by Representatives Jinkins, Schmick and Bergquist

Extending the hospital safety net assessment.

The bill was read the second time.

With the consent of the house, amendment (513) was withdrawn.

Representative Jinkins moved the adoption of amendment (517):

On page 2, line 5, after "approximately" strike "four hundred" and insert "((~~four hundred~~))"

On page 2, line 6, after "~~eight thousand~~))" strike "eighty-nine million" and insert "nine hundred and seventy-five million"

On page 2, line 7, strike "year" and insert "((~~year~~)) biennium"

On page 2, line 14, after "sources" insert ", but which include quality improvement incentive payments under RCW 74.09.611"

On page 2, line 16, after "two hundred" strike "eighty-three" and insert "ninety-two"

On page 2, line 23, strike "and" and insert "((~~and~~))"

On page 2, after line 32, insert "and (f) For each of the two biennia starting with fiscal year 2016 to generate:

(i) Four million dollars for new integrated evidence-based psychiatry residency program slots that did not receive state funding prior to 2016 at the integrated psychiatry residency program at the university of Washington, and

(ii) Eight million two hundred thousand dollars for new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the university of Washington, for slots where residents are employed by hospitals."

On page 4, line 16, after "RCW 74.09.611" insert "; and

(g) For each state fiscal year 2016 through 2019 to generate:

(i) Two million dollars for new integrated evidence-based psychiatry residency program slots that did not receive state funding prior to 2016 at the integrated psychiatry residency program at the university of Washington, and

(ii) Four million one hundred thousand dollars for new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the university of Washington, for slots where residents are employed by hospitals"

On page 5, line 9, after "((~~forty-four~~))" strike "forty-five" and insert "fifty"

On page 5, line 21, after "((~~sixty-seven~~))" strike "sixty-eight" and insert "seventy"

On page 5, line 25, after "((~~sixty-seven~~))" strike "sixty-eight" and insert "seventy"

On page 10, line six, after "~~by July 1,~~))" strike "Four million four hundred" and insert "Ten million five hundred"

On page 10, line 8, after "2019" insert "paid as follows, except if the full amount of the payments required under RCW 74.60.120 and RCW 74.60.130 cannot be distributed in a given fiscal year, the amounts in this subsection (ii) and (iii) must be reduced proportionately:

(i) Four million four hundred fifty-five thousand dollars;

(ii) Two million dollars to new integrated, evidence-based psychiatry residency program slots that did not receive state funding prior to 2016, at the integrated psychiatry residency program at the university of Washington; and

(iii) Four million one hundred thousand dollars to new family medicine residency program slots that did not receive state funding prior to 2016, as directed through the family medicine residency network at the university of Washington, for slots where residents are employed by hospitals"

On page 14, line 17, after "less than" strike "one hundred" and insert "ninety-six ((~~one hundred~~))"

Representatives Jinkins and Schmick spoke in favor of the adoption of the amendment.

Amendment (517) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 2151.

MOTION

On motion of Representative Harris, Representative Hargrove was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 2151, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, G. Hunt, Harmsworth, Holy, Klippert, McCaslin, Orcutt, Scott, Shea and Taylor.

Excused: Representative Hargrove.

SECOND ENGROSSED HOUSE BILL NO. 2151, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 2212, by Representatives Cody, Schmick and Fagan.

Exempting hospitals licensed under chapter 70.41 RCW that receive capital funds to operate new psychiatric services from certain certificate of need requirements.

The bill was read the third time.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2212.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2212, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt,

Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton,

Representatives Hudgins and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1391.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1391, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Haler, Holy, McCaslin, Reykdal, S. Hunt, Scott, Shea, Taylor and Young.

Excused: Representative Hargrove.

SECOND SUBSTITUTE HOUSE BILL NO. 1391, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1067, by Representatives Jinkins, Holy, Magendanz, Nealey, Goodman, Muri, Gregerson, Cody, Kilduff and Pollet

Reauthorizing the medicaid fraud false claims act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1067 was substituted for House Bill No. 1067 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1067 was read the second time.

Representative Rodne moved the adoption of amendment (523):

On page 2, after line 6, insert the following:

"**Sec. 3.** RCW 74.66.070 and 2012 c 241 s 207 are each amended to read as follows:

(1)(a) Subject to (b) of this subsection, if the attorney general proceeds with a qui tam action, the relator must receive at least fifteen percent but not more than twenty-five percent of the proceeds of the action or settlement of the claim, depending upon the extent to which the relator substantially contributed to the prosecution of the action.

(b) Where the action is one which the court finds to be based primarily on disclosures of specific information, other than information provided by the relator, relating to allegations or transactions in a criminal, civil, or administrative hearing, in a legislative or administrative report, hearing, audit, or investigation, or from the news media, the court may award an amount it considers appropriate, but in no case more than ten percent of the proceeds, taking into account the significance of the information and the role of the relator in advancing the case to litigation.

(c) Any payment to a relator under (a) or (b) of this subsection must be made from the proceeds. The relator must also receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorneys' fees and costs. All expenses, fees, and costs must be awarded against the defendant.

(2) If the attorney general does not proceed with a qui tam action, the relator shall receive an amount which the court decides is reasonable for collecting the civil penalty and damages. The amount may not be less than twenty-five percent and not more than thirty percent of the proceeds of the action or settlement and must be paid out of the proceeds. The relator must also receive an amount for reasonable expenses, which the court finds to have been necessarily incurred, plus reasonable attorneys' fees and costs. All expenses, fees, and costs must be awarded against the defendant.

(3) Whether or not the attorney general proceeds with the qui tam action, if the court finds that the action was brought by a person who planned and initiated the violation of RCW 74.66.020 upon which the action was brought, then the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action which the person would otherwise receive under subsection (1) or (2) of this section, taking into account the role of that person in advancing the case to litigation and any relevant circumstances pertaining to the violation. If the person bringing the action is convicted of criminal conduct arising from his or her role in the violation of RCW 74.66.020, that person must be dismissed from the civil action and may not receive any share of the proceeds of the action. The dismissal may not prejudice the right of the state to continue the action, represented by the attorney general.

(4) If the attorney general does not proceed with the qui tam action and the relator conducts the action, the court ((~~may~~)) shall award to the defendant reasonable attorneys' fees and expenses if the defendant prevails in the action ((~~and the court finds that the claim of the relator was clearly frivolous, clearly vexatious, or brought primarily for purposes of harassment~~)).

(5) Any funds recovered that remain after calculation and distribution under subsections (1) through (3) of this section must be deposited into the medicaid fraud penalty account established in RCW 74.09.215."

Correct the title.

Representatives Rodne, Shea, Holy and Shea (again) spoke in favor of the adoption of the amendment.

Representative Kilduff and Kilduff (again) spoke against the adoption of the amendment.

Amendment (523) was not adopted.

Representative Haler moved the adoption of amendment (521):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.66.010 and 2012 c 241 s 201 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1)(a) "Claim" means any request or demand made for a medicaid payment under chapter 74.09 RCW, whether under a contract or otherwise, for money or property and whether or not a government entity has title to the money or property, that:

(i) Is presented to an officer, employee, or agent of a government entity; or

(ii) Is made to a contractor, grantee, or other recipient, if the money or property is to be spent or used on the government entity's behalf or to advance a government entity program or interest, and the government entity:

(A) Provides or has provided any portion of the money or property requested or demanded; or

(B) Will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded.

(b) A "claim" does not include requests or demands for money or property that the government entity has paid to an individual as compensation for employment or as an income subsidy with no restrictions on that individual's use of the money or property.

(2) "Custodian" means the custodian, or any deputy custodian, designated by the attorney general.

(3) "Documentary material" includes the original or any copy of any book, record, report, memorandum, paper, communication, tabulation, chart, or other document, or data compilations stored in or accessible through computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret the data compilations, and any product of discovery.

(4) "False claims act investigation" means any inquiry conducted by any false claims act investigator for the purpose of ascertaining whether any person is or has been engaged in any violation of this chapter.

(5) "False claims act investigator" means any attorney or investigator employed by the state attorney general who is charged with the duty of enforcing or carrying into effect any provision of this chapter, or any officer or employee of the state of Washington acting under the direction and supervision of the attorney or investigator in connection with an investigation pursuant to this chapter.

(6) "Government entity" means all Washington state agencies that administer medicaid-funded programs under this title.

(7)(a) "Knowing" and "knowingly" mean that a person, with respect to information:

(i) Has actual knowledge of the information;

(ii) Acts in deliberate ignorance of the truth or falsity of the information; or

(iii) Acts in reckless disregard of the truth or falsity of the information.

(b) "Knowing" and "knowingly" do not require proof of specific intent to defraud.

(8) "Material" means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.

(9) "Obligation" means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, from a fee-based or similar relationship, from statute or rule, or from the retention of any overpayment.

(10) "Official use" means any use that is consistent with the law, and the rules and policies of the attorney general, including use in connection with: Internal attorney general memoranda and reports; communications between the attorney general and a federal, state, or local government agency, or a contractor of a federal, state, or local government agency, undertaken in furtherance of an investigation or prosecution of a case; interviews of any ((~~qui tam relator or other~~)) witness; oral examinations; depositions; preparation for and response to civil discovery requests; introduction into the record of a case or proceeding; applications, motions, memoranda, and briefs submitted to a court or other tribunal; and communications with attorney general investigators, auditors, consultants and experts, the counsel of other parties, and arbitrators or mediators, concerning an investigation, case, or proceeding.

(11) "Person" means any natural person, partnership, corporation, association, or other legal entity, including any local or political subdivision of a state.

(12) "Product of discovery" includes:

(a) The original or duplicate of any deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission, which is obtained by any method of discovery in any judicial or administrative proceeding of an adversarial nature;

(b) Any digest, analysis, selection, compilation, or derivation of any item listed in (a) of this subsection; and

(c) Any index or other manner of access to any item listed in (a) of this subsection.

((~~(13) "Qui tam action" is an action brought by a person under RCW 74.66.050.~~

~~(14) "Qui tam relator" or "relator" is a person who brings an action under RCW 74.66.050.~~))

Sec. 2. RCW 74.66.100 and 2012 c 241 s 210 are each amended to read as follows:

(1) A subpoena requiring the attendance of a witness at a trial or hearing conducted under RCW 74.66.040 ((~~or 74.66.050~~)) may be served at any place in the state of Washington.

(2) A civil action under RCW 74.66.040 ((~~or 74.66.050~~)) may be brought at any time, without limitation after the date on which the violation of RCW 74.66.020 is committed.

(3) ((~~If the attorney general elects to intervene and proceed with a qui tam action, the attorney general may file its own complaint or amend the complaint of a relator to clarify or add detail to the claims in which the attorney general is intervening and to add any additional claims with respect to which the attorney general contends it is entitled to relief.~~

~~(4)~~)) In any action brought under RCW 74.66.040 ((~~or 74.66.050~~)), the attorney general is required to prove all essential elements of the cause of action, including damages, by a preponderance of the evidence.

((~~(5)~~)) (4) Notwithstanding any other provision of law or the rules for superior court, a final judgment rendered in favor of the government entity in any criminal proceeding charging fraud or false statements, whether upon a verdict after trial or upon a plea of guilty or nolo contendere, estops the defendant from denying the essential elements of the offense in any action which involves the same transaction as in the criminal proceeding and which is brought under RCW 74.66.040 ((~~or 74.66.050~~)).

Sec. 3. RCW 74.66.110 and 2012 c 241 s 211 are each amended to read as follows:

(1) Any action under RCW 74.66.040 ((~~or 74.66.050~~)) may be brought in the superior court in any county in which the defendant or, in the case of multiple defendants, any one defendant can be found, resides, transacts business, or in which any act proscribed by RCW 74.66.020 occurred. The appropriate court must issue a summons as required by the superior court civil rules and service must occur at any place within the state of Washington.

(2) The superior courts have jurisdiction over any action brought under the laws of any city or county for the recovery of

funds paid by a government entity if the action arises from the same transaction or occurrence as an action brought under RCW 74.66.040 ((~~or 74.66.050.~~

~~(3) With respect to any local government that is named as a coplaintiff with the state in an action brought under RCW 74.66.050, a seal on the action ordered by the court under RCW 74.66.050 does not preclude the attorney general or the person bringing the action from serving the complaint, any other pleadings, or the written disclosure of substantially all material evidence and information possessed by the person bringing the action on the law enforcement authorities that are authorized under the law of the local government to investigate and prosecute the action on behalf of the local government, except that the seal applies to the law enforcement authorities so served to the same extent as the seal applies to other parties in the action~~)).

Sec. 4. RCW 74.66.120 and 2012 c 241 s 212 are each amended to read as follows:

(1)(a) Whenever the attorney general, or a designee, for purposes of this section, has reason to believe that any person may be in possession, custody, or control of any documentary material or information relevant to a false claims act investigation, the attorney general, or a designee, may, before commencing a civil proceeding under RCW 74.66.040 ((~~or making an election under RCW 74.66.050~~)), issue in writing and serve upon the person, a civil investigative demand requiring the person:

(i) To produce the documentary material for inspection and copying;

(ii) To answer in writing written interrogatories with respect to the documentary material or information;

(iii) To give oral testimony concerning the documentary material or information; or

(iv) To furnish any combination of such material, answers, or testimony.

(b) The attorney general may delegate the authority to issue civil investigative demands under this subsection (1). Whenever a civil investigative demand is an express demand for any product of discovery, the attorney general, the deputy attorney general, or an assistant attorney general must serve, in any manner authorized by this section, a copy of the demand upon the person from whom the discovery was obtained and must notify the person to whom the demand is issued of the date on which the copy was served. ((~~Any information obtained by the attorney general or a designee of the attorney general under this section may be shared with any qui tam relator if the attorney general or designee determines it is necessary as part of any false claims act investigation.~~))

(2)(a) Each civil investigative demand issued under subsection (1) of this section must state the nature of the conduct constituting the alleged violation of this chapter which is under investigation, and the applicable provision of law alleged to be violated.

(b) If the demand is for the production of documentary material, the demand must:

(i) Describe each class of documentary material to be produced with such definiteness and certainty as to permit the material to be fairly identified;

(ii) Prescribe a return date for each class which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying; and

(iii) Identify the false claims act investigator to whom such material must be made available.

(c) If the demand is for answers to written interrogatories, the demand must:

(i) Set forth with specificity the written interrogatories to be answered;

(ii) Prescribe dates at which time answers to written interrogatories must be submitted; and

(iii) Identify the false claims law investigator to whom such answers must be submitted.

(d) If the demand is for the giving of oral testimony, the demand must:

(i) Prescribe a date, time, and place at which oral testimony must be commenced;

(ii) Identify a false claims act investigator who must conduct the examination and the custodian to whom the transcript of the examination must be submitted;

(iii) Specify that the attendance and testimony are necessary to the conduct of the investigation;

(iv) Notify the person receiving the demand of the right to be accompanied by an attorney and any other representative; and

(v) Describe the general purpose for which the demand is being issued and the general nature of the testimony, including the primary areas of inquiry, which will be taken pursuant to the demand.

(e) Any civil investigative demand issued under this section which is an express demand for any product of discovery is not due until thirty days after a copy of the demand has been served upon the person from whom the discovery was obtained.

(f) The date prescribed for the commencement of oral testimony pursuant to a civil investigative demand issued under

of the partnership, corporation, association, or entity, or to any agent authorized by appointment or by law to receive service of process on behalf of such partnership, corporation, association, or entity;

(b) Delivering an executed copy of the demand or petition to the principal office or place of business of the partnership, corporation, association, or entity; or

(c) Depositing an executed copy of the demand or petition in the United States mail by registered or certified mail, with a return receipt requested, addressed to such partnership, corporation, association, or entity at its principal office or place of business.

(7) Service of any demand or petition may be made upon any natural person by:

(a) Delivering an executed copy of the demand or petition to the person; or

(b) Depositing an executed copy of the demand or petition in the United States mail by registered or certified mail, with a return receipt requested, addressed to the person at the person's residence or principal office or place of business.

(8) A verified return by the individual serving any civil investigative demand issued under subsection (1) or (2) of this section or any petition filed under subsection (25) of this section setting forth the manner of the service constitutes proof of the service. In the case of service by registered or certified mail, the return must be accompanied by the return post office receipt of delivery of the demand.

(9)(a) The production of documentary material in response to a civil investigative demand served under this section must be made under a sworn certificate, in the form as the demand designates, by:

(i) In the case of a natural person, the person to whom the demand is directed; or

(ii) In the case of a person other than a natural person, a person having knowledge of the facts and circumstances relating to the production and authorized to act on behalf of the person.

(b) The certificate must state that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the false claims act investigator identified in the demand.

(10) Any person upon whom any civil investigative demand for the production of documentary material has been served under this section shall make such material available for inspection and copying to the false claims act investigator identified in the demand at the principal place of business of the person, or at another place as the false claims act investigator and the person thereafter may agree and prescribe in writing, or as the court may direct under subsection (25) of this section. The material must be made available on the return date specified in the demand, or on a later date as the false claims act investigator may prescribe in writing. The person may, upon written agreement between the person and the false claims act investigator, substitute copies for originals of all or any part of the material.

(11)(a) Each interrogatory in a civil investigative demand served under this section must be answered separately and fully in writing under oath and must be submitted under a sworn certificate, in the form as the demand designates, by:

(i) In the case of a natural person, the person to whom the demand is directed; or

(ii) In the case of a person other than a natural person, the person or persons responsible for answering each interrogatory.

(b) If any interrogatory is objected to, the reasons for the objection must be stated in the certificate instead of an answer. The certificate must state that all information required by the demand and in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted. To the extent that any information is not furnished, the information must be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

(12) The examination of any person pursuant to a civil investigative demand for oral testimony served under this section must be taken before an officer authorized to administer oaths and affirmations by the laws of the state of Washington or of the place where the examination is held. The officer before whom the testimony is to be taken must put the witness on oath or affirmation and must, personally or by someone acting under the direction of the officer and in the officer's presence, record the testimony of the witness. The testimony must be recorded and must be transcribed. When the testimony is fully transcribed, the officer before whom the testimony is taken shall promptly transmit a copy of the transcript of the testimony to the custodian. This subsection does not preclude the taking of testimony by any means authorized by, and in a manner consistent with, the superior court civil rules.

(13) The false claims act investigator conducting the examination shall exclude from the place where the examination is held all persons except the person giving the testimony, the attorney for and any other representative of the person giving the testimony, the attorney general, any person who may be agreed upon by the attorney for the government and the person giving the testimony, the officer before whom the testimony is to be taken, and any stenographer taking the testimony.

(14) The oral testimony of any person taken pursuant to a civil investigative demand served under this section must be taken in the county within which such person resides, is found, or transacts business, or in another place as may be agreed upon by the false claims act investigator conducting the examination and the person.

(15) When the testimony is fully transcribed, the false claims act investigator or the officer before whom the testimony is taken must afford the witness, who may be accompanied by counsel, a reasonable opportunity to examine and read the transcript, unless the examination and reading are waived by the witness. Any changes in form or substance which the witness desires to make must be entered and identified upon the transcript by the officer or the false claims act investigator, with a statement of the reasons given by the witness for making the changes. The transcript must then be signed by the witness, unless the witness in writing waives the signing, is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within thirty days after being afforded a reasonable opportunity to examine it, the officer or the false claims act investigator must sign it and state on the record the fact of the waiver, illness, absence of the witness, or the refusal to sign, together with the reasons given.

(16) The officer before whom the testimony is taken must certify on the transcript that the witness was sworn by the officer and that the transcript is a true record of the testimony given by the witness, and the officer or false claims act investigator must promptly deliver the transcript, or send the transcript by registered or certified mail, to the custodian.

(17) Upon payment of reasonable charges therefor, the false claims act investigator must furnish a copy of the transcript to the witness only, except that the attorney general, the deputy attorney general, or an assistant attorney general may, for good cause, limit the witness to inspection of the official transcript of the witness' testimony.

(18)(a) Any person compelled to appear for oral testimony under a civil investigative demand issued under subsection (1) or (2) of this section may be accompanied, represented, and advised by counsel. Counsel may advise the person, in confidence, with respect to any question asked of the person. The person or counsel may object on the record to any question, in whole or in part, and

must briefly state for the record the reason for the objection. An objection may be made, received, and entered upon the record when it is claimed that the person is entitled to refuse to answer the question on the grounds of any constitutional or other legal right or privilege, including the privilege against self-incrimination. The person may not otherwise object to or refuse to answer any question, and may not directly or through counsel otherwise interrupt the oral examination. If the person refuses to answer any question, a special injury proceeding petition may be filed in the superior court under subsection (25) of this section for an order compelling the person to answer the question.

(b) If the person refuses to answer any question on the grounds of the privilege against self-incrimination, the testimony of the person may be compelled in accordance with the provisions of the superior court civil rules.

(19) Any person appearing for oral testimony under a civil investigative demand issued under subsection (1) or (2) of this section is entitled to the same fees and allowances which are paid to witnesses in the superior courts.

(20) The attorney general must designate a false claims act investigator to serve as custodian of documentary material, answers to interrogatories, and transcripts of oral testimony received under this section, and must designate such additional false claims act investigators as the attorney general determines from time to time to be necessary to serve as deputies to the custodian.

(21)(a) A false claims act investigator who receives any documentary material, answers to interrogatories, or transcripts of oral testimony under this section must transmit them to the custodian. The custodian shall take physical possession of the material, answers, or transcripts and is responsible for the use made of them and for the return of documentary material under subsection (23) of this section.

(b) The custodian may cause the preparation of the copies of the documentary material, answers to interrogatories, or transcripts of oral testimony as may be required for official use by any false claims act investigator, or employee of the attorney general. The material, answers, and transcripts may be used by any authorized false claims act investigator or other officer or employee in connection with the taking of oral testimony under this section.

(c)(i) Except as otherwise provided in this subsection (21), no documentary material, answers to interrogatories, or transcripts of oral testimony, or copies thereof, while in the possession of the custodian, may be available for examination by any individual other than a false claims act investigator or other officer or employee of the attorney general authorized under (b) of this subsection.

(ii) The prohibition in (c)(i) of this subsection on the availability of material, answers, or transcripts does not apply if consent is given by the person who produced the material, answers, or transcripts, or, in the case of any product of discovery produced pursuant to an express demand for the material, consent is given by the person from whom the discovery was obtained. Nothing in this subsection \\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay027\(21).doc(c)(ii) is intended to prevent disclosure to the legislature, including any committee or subcommittee for use by such an agency in furtherance of its statutory responsibilities.

(d) While in the possession of the custodian and under the reasonable terms and conditions as the attorney general shall prescribe:

(i) Documentary material and answers to interrogatories must be available for examination by the person who produced the material or answers, or by a representative of that person authorized by that person to examine the material and answers; and

(ii) Transcripts of oral testimony must be available for examination by the person who produced the testimony, or by a representative of that person authorized by that person to examine the transcripts.

(22) Whenever any official has been designated to appear before any court, special inquiry judge, or state administrative judge in any case or proceeding, the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony received under this section may deliver to the official the material, answers, or transcripts for official use in connection with any case or proceeding as the official determines to be required. Upon the completion of such a case or proceeding, the official must return to the custodian any material, answers, or transcripts so delivered which have not passed into the control of any court, grand jury, or agency through introduction into the record of such a case or proceeding.

(23) If any documentary material has been produced by any person in the course of any false claims act investigation pursuant to a civil investigative demand under this section, and:

(a) Any case or proceeding before the court or special inquiry judge arising out of the investigation, or any proceeding before any administrative judge involving the material, has been completed; or

(b) No case or proceeding in which the material may be used has been commenced within a reasonable time after completion of the examination and analysis of all documentary material and other information assembled in the course of the investigation:

Then, the custodian shall, upon written request of the person who produced the material, return to the person the material, other than copies furnished to the false claims act investigator under subsection (10) of this section or made for the attorney general under subsection (21)(b) of this section, which has not passed into the control of any court, grand jury, or agency through introduction into the record of the case or proceeding.

(24)(a) In the event of the death, disability, or separation from service of the attorney general of the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony produced pursuant to civil investigative demand under this section, or in the event of the official relief of the custodian from responsibility for the custody and control of the material, answers, or transcripts, the attorney general must promptly:

(i) Designate another false claims act investigator to serve as custodian of the material, answers, or transcripts; and

(ii) Transmit in writing to the person who produced the material, answers, or testimony notice of the identity and address of the successor so designated.

(b) Any person who is designated to be a successor under this subsection (24) has, with regard to the material, answers, or transcripts, the same duties and responsibilities as were imposed by this section upon that person's predecessor in office, except that the successor may not be held responsible for any default or dereliction which occurred before that designation.

(25) Whenever any person fails to comply with any civil investigative demand issued under subsection (1) or (2) of this section, or whenever satisfactory copying or reproduction of any material requested in the demand cannot be done and the person refuses to surrender the material, the attorney general may file, in any superior court of the state of Washington for any county in which the person resides, is found, or transacts business, and serve upon the person a petition for an order of the court for the enforcement of the civil investigative demand.

(26)(a) Any person who has received a civil investigative demand issued under subsection (1) or (2) of this section may file, in the superior court of the state of Washington for the county

within which the person resides, is found, or transacts business, and serve upon the false claims act investigator identified in the demand a petition for an order of the court to modify or set aside the demand. In the case of a petition addressed to an express demand for any product of discovery, a petition to modify or set aside the demand may be brought only in the district court of the United States for the judicial district in which the proceeding in which the discovery was obtained is or was last pending. Any petition filed under this subsection (26)(a) must be filed:

(i) Within thirty days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier; or

(ii) Within a longer period as may be prescribed in writing by any false claims act investigator identified in the demand.

(b) The petition must specify each ground upon which the petitioner relies in seeking relief under (a) of this subsection, and may be based upon any failure of the demand to comply with the provisions of this section or upon any constitutional or other legal right or privilege of the person. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the demand, in whole or in part, except that the person filing the petition shall comply with any portions of the demand not sought to be modified or set aside.

(27)(a) In the case of any civil investigative demand issued under subsection (1) or (2) of this section which is an express demand for any product of discovery, the person from whom the discovery was obtained may file, in the superior court of the state of Washington for the county in which the proceeding in which the discovery was obtained is or was last pending, and serve upon any false claims act investigator identified in the demand and upon the recipient of the demand, a petition for an order of the court to modify or set aside those portions of the demand requiring production of any product of discovery. Any petition under this subsection (27)(a) must be filed:

(i) Within twenty days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier; or

(ii) Within a longer period as may be prescribed in writing by any false claims act investigator identified in the demand.

(b) The petition must specify each ground upon which the petitioner relies in seeking relief under (a) of this subsection, and may be based upon any failure of the portions of the demand from which relief is sought to comply with the provisions of this section, or upon any constitutional or other legal right or privilege of the petitioner. During the pendency of the petition, the court may stay, as it deems proper, compliance with the demand and the running of the time allowed for compliance with the demand.

(28) At any time during which any custodian is in custody or control of any documentary material or answers to interrogatories produced, or transcripts of oral testimony given, by any person in compliance with any civil investigative demand issued under subsection (1) or (2) of this section, the person, and in the case of an express demand for any product of discovery, the person from whom the discovery was obtained, may file, in the superior court of the state of Washington for the county within which the office of the custodian is situated, and serve upon the custodian, a petition for an order of the court to require the performance by the custodian of any duty imposed upon the custodian by this section.

(29) Whenever any petition is filed in any superior court of the state of Washington under this section, the court has jurisdiction to hear and determine the matter so presented, and to enter an order or orders as may be required to carry out the provisions of this section. Any final order so entered is subject to appeal under the rules of appellate procedure. Any disobedience of any final order entered under this section by any court must be punished as a contempt of the court.

(30) The superior court civil rules apply to any petition under this section, to the extent that the rules are not inconsistent with the provisions of this section.

(31) Any documentary material, answers to written interrogatories, or oral testimony provided under any civil investigative demand issued under subsection (1) or (2) of this section are exempt from disclosure under the public records act, chapter 42.56 RCW.

NEW SECTION. **Sec. 5.** The following acts or parts of acts are each repealed:

(1) RCW 43.131.419 (Medicaid fraud false claims act—Termination) and 2012 c 241 s 216;

(2) RCW 43.131.420 (Medicaid fraud false claims act—Repeal) and 2012 c 241 s 217;

(3) RCW 74.66.050 (Qui tam action—Relator rights and duties) and 2012 c 241 s 205;

(4) RCW 74.66.060 (Qui tam action—Attorney general authority) and 2012 c 241 s 206;

(5) RCW 74.66.070 (Qui tam action—Award—Proceeds of action or settlement of claim) and 2012 c 241 s 207;

(6) RCW 74.66.080 (Qui tam action—Restrictions—Dismissal)

Excused: Representative Hargrove.

SUBSTITUTE HOUSE BILL NO. 1067, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2195, by Representatives Lytton, Walkinshaw, Orwall, Chandler and Fagan

Modifying certain auditor's fees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Lytton spoke in favor of the passage of the bill.

Representative Parker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2195.

ROLL CALL

SIXTY FOURTH LEGISLATURE - SECOND SPECIAL SESSION

TWENTY EIGHTH DAY

House Chamber, Olympia, Thursday, June 25, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Freddy Williams and James Gallagher. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Larry Haler, 8th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 24, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5152
ENGROSSED SUBSTITUTE SENATE BILL NO. 5355
ENGROSSED SUBSTITUTE SENATE BILL NO. 6125
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 24, 2015

MR. SPEAKER:

The Senate has passed:
SECOND SUBSTITUTE SENATE BILL NO. 5105
SENATE BILL NO. 5171
SENATE BILL NO. 5174
SENATE BILL NO. 5180
SUBSTITUTE SENATE BILL NO. 5186
SENATE BILL NO. 5442
SUBSTITUTE SENATE BILL NO. 5463
ENGROSSED SENATE BILL NO. 6092
SUBSTITUTE SENATE BILL NO. 6099
SUBSTITUTE SENATE BILL NO. 6134
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 4645, by Representatives Chopp, Kristiansen, Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, G. Hunt, S. Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

WHEREAS, Dr. Elson S. Floyd became the 10th president of Washington State University in 2007, after 29 years in higher education and presidencies at two other universities; and

WHEREAS, President Floyd epitomized the belief of his hardworking parents, particularly his mother, that education is the ticket to a better life, with his academic performance leading to scholarships at the University of North Carolina at Chapel Hill, in his home state; and

WHEREAS, President Floyd earned a bachelor of arts degree in political science, a master of education degree in adult education, and a doctorate in higher and adult education at the University of North Carolina before embarking on a career that included leadership posts at Eastern Washington University and the Washington State Higher Education Coordinating Board; and

WHEREAS, President Floyd was highly sought after for leadership positions at higher education institutions around the nation until he and his wife, Carmento, finally came back "home" to Washington eight years ago for what he called "the best job in the country"—that of leading Washington State University; and

WHEREAS, In Pullman, the man who became known affectionately as President "E Flo" recognized and acknowledged that there is something special about Washington State University and something even more special about being a Coug, a quality that endeared himself to students and staff; and

WHEREAS, As an administrator, President Floyd expertly steered Washington State University through some of the most difficult financial times ever faced by the university, all while strengthening its academic programs, enhancing its reputation, and resolving to meet new levels of excellence; and

WHEREAS, President Floyd worked to eliminate boundaries to higher education, even when the barrier was a mountain range, expanding Washington State University's footprint beyond Pullman to reach every corner of the state—from Spokane and the Tri-Cities, to Vancouver and Everett—and increasing enrollment to record highs, including a record high number of students from diverse backgrounds; and

WHEREAS, President Floyd's tenure included many substantial accomplishments that will serve as lasting legacies for Washington State University, including the installation of the Edward R. Murrow College of Communication, the completion of the Ste. Michelle Wine Estates Wine Science Center, the opening of the Paul G. Allen School for Global Animal Health, and increasing research funding by an astounding 57.5 percent; and

WHEREAS, President Floyd's final contribution to Washington State University would prove to be his tireless and successful advocacy in Olympia for a change in the law that limited Washington to one medical school; and

WHEREAS, President Floyd undertook this initiative out of the belief that his adopted state would be better if more students could stay in Washington to attend medical school and have opportunities to learn and practice east of the Cascades, benefiting smaller communities where medical professionals are scarce; and

WHEREAS, It is now apparent that in recent months President Floyd served his beloved Cougar nation tirelessly while battling the disease that claimed his life so unexpectedly on June 20, 2015, just over two weeks after he took medical leave; and

WHEREAS, Even more importantly, President Floyd's devotion to his cherished wife Carmento, his children, his parents, and even his brothers will serve as his lasting personal legacy; and

WHEREAS, Great accomplishments aside, all who knew President Floyd knew him to be a genuine and kind man of strong faith who spoke his mind and treated those around him with the same respect and care, regardless of whether they were students, university staff, elected officials, or influential business leaders; and

WHEREAS, President Floyd always supported Washington State University in academics, community leadership, and athletics, and meant it when he said, "Go Cougs!";

NOW, THEREFORE, BE IT RESOLVED, That with great sadness the Washington State House of Representatives honor and remember the life and legacy of Dr. Elson S. Floyd, Washington State University president and dedicated public servant and leader, who will be missed by his family, friends, students, and colleagues more than words and a shout of "GO COUGS!" in his honor can convey; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to President Floyd's wife, Carmento Floyd; his two children, Jessica and Kenneth; his mother, Dorothy; and the Washington State University Board of Regents.

Representative S. Hunt moved adoption of HOUSE RESOLUTION NO. 4645.

Representatives S. Hunt, Haler, Riccelli and Parker spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4645 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Acting Washington State University President Dan Bernardo, Director of Legislative Relations Chris Mulick, and Vice President for External Affairs and Government Relations Colleen Kerr to the Chamber and asked the members to acknowledge them.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2271 by Representatives S. Hunt, Riccelli, Reykdal, Sullivan, Schmick, Ormsby, Wilcox, Hansen, Johnson, McCaslin, Appleton, Holy, Pike, Kilduff, Carlyle, Haler, Zeiger and McCabe

AN ACT Relating to naming a school of medicine at Washington State University after Elson S. Floyd; and amending RCW 28B.30.---.

Referred to Committee on Higher Education.

HB 2272 by Representatives Magendanz, Wilcox, Parker, Pike, Caldier, Hayes and Haler

AN ACT Relating to the state's constitutional basic education obligation; amending RCW 28A.300.173, 28A.320.330, 28A.505.140, 28A.505.040, 28A.505.050, 28A.505.060, 28A.505.100, 43.09.265, 28A.175.075, 28A.230.090, 28A.300.136, and 28A.400.201; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 43.09 RCW; adding a new chapter to Title 28A RCW; creating a new section; repealing RCW 28A.290.010 and 28A.290.020; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, by House Committee on Appropriations (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson).

Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

The bill was read the third time.

Representatives Santos and Ortiz-Self spoke in favor of the passage of the bill.

Representatives Manweller and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1541.

MOTIONS

On motion of Representative Harris, Representative Hargrove was excused. On motion of Representative Van De Wege, Representative Hurst was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells,

Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

Excused: Representatives Hargrove and Hurst.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Pettigrew to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 26, 2015, the 29th Day of the Second Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY NINTH DAY

House Chamber, Olympia, Friday, June 26, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Kilduff presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrument.

(5) No hearing ((~~shall~~)) may be required under this section until demanded by the applicant ((~~or~~)), licensee, or person issued a notice of unpaid trust fund taxes under section 202 of this act.

(((~~4~~))) (6) The state liquor ((~~control~~)) and cannabis board may summarily suspend a license for a period of up to one hundred eighty days without a prior hearing if it finds that public health, safety, or welfare imperatively require emergency action, and it incorporates a finding to that effect in its order. Proceedings for revocation or other action must be promptly instituted and determined. An administrative law judge may extend the summary suspension period for up to one calendar year from the first day of the initial summary suspension in the event the proceedings for revocation or other action cannot be completed during the initial one hundred eighty-day period due to actions by the licensee. The state liquor ((~~control~~)) and cannabis board's enforcement division shall complete a preliminary staff investigation of the violation before requesting an emergency suspension by the state liquor ((~~control~~)) and cannabis board.

NEW SECTION. **Sec. 202.** A new section is added to chapter 69.50 RCW under the subchapter heading "article V" to read as follows:

(1) Whenever the board determines that a limited liability business entity has collected trust fund taxes and has failed to remit those taxes to the board and that business entity has been terminated, dissolved, or abandoned, or is insolvent, the board may pursue collection of the entity's unpaid trust fund taxes, including penalties on those taxes, against any or all of the responsible individuals. For purposes of this subsection, "insolvent" means the condition that results when the sum of the entity's debts exceeds the fair market value of its assets. The board may presume that an entity is insolvent if the entity refuses to disclose to the board the nature of its assets and liabilities.

(2)(a) For a responsible individual who is the current or a former chief executive or chief financial officer, liability under this section applies regardless of fault or whether the individual was or should have been aware of the unpaid trust fund tax liability of the limited liability business entity.

(b) For any other responsible individual, liability under this section applies only if he or she willfully failed to pay or to cause to be paid to the board the trust fund taxes due from the limited liability business entity.

(3)(a) Except as provided in this subsection (3)(a), a responsible individual who is the current or a former chief executive or chief financial officer is liable under this section only for trust fund tax liability accrued during the period that he or she was the chief executive or chief financial officer. However, if the responsible individual had the responsibility or duty to remit payment of the limited liability business entity's trust fund taxes to the board during any period of time that the person was not the chief executive or chief financial officer, that individual is also liable for trust fund tax liability that became due during the period that he or she had the duty to remit payment of the limited liability business entity's taxes to the board but was not the chief executive or chief financial officer.

(b) All other responsible individuals are liable under this section only for trust fund tax liability that became due during the period he or she had the responsibility or duty to remit payment of the limited liability business entity's taxes to the board.

(4) Persons described in subsection (3)(b) of this section are exempt from liability under this section in situations where nonpayment of the limited liability business entity's trust fund taxes was due to reasons beyond their control as determined by the board by rule.

(5) Any person having been issued a notice of unpaid trust fund taxes under this section is entitled to an administrative hearing under RCW 69.50.334 and any such rules the board may adopt.

(6) This section does not relieve the limited liability business entity of its trust fund tax liability or otherwise impair other tax collection remedies afforded by law.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Board" means the state liquor and cannabis board.

(b) "Chief executive" means: The president of a corporation or for other entities or organizations other than corporations or if the corporation does not have a president as one of its officers, the highest ranking executive manager or administrator in charge of the management of the company or organization.

(c) "Chief financial officer" means: The treasurer of a corporation or for entities or organizations other than corporations or if a corporation does not have a treasurer as one of its officers, the highest senior manager who is responsible for overseeing the financial activities of the entire company or organization.

(d) "Limited liability business entity" means a type of business entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity, or a business entity that is managed or owned in whole or in part by an entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity. Limited liability business entities include corporations, limited liability companies, limited liability partnerships, trusts, general partnerships and joint ventures in which one or more of the partners or parties are also limited liability business entities, and limited partnerships in which one or more of the general partners are also limited liability business entities.

(e) "Manager" has the same meaning as in RCW 25.15.005.

(f) "Member" has the same meaning as in RCW 25.15.005, except that the term only includes members of member-managed limited liability companies.

(g) "Officer" means any officer or assistant officer of a corporation, including the president, vice president, secretary, and treasurer.

(h)(i) "Responsible individual" includes any current or former officer, manager, member, partner, or trustee of a limited liability business entity with unpaid trust fund tax liability.

(ii) "Responsible individual" also includes any current or former employee or other individual, but only if the individual had the responsibility or duty to remit payment of the limited liability business entity's unpaid trust fund tax liability.

(iii) Whenever any taxpayer has one or more limited liability business entities as a member, manager, or partner, "responsible individual" also includes any current and former officers, members, or managers of the limited liability business entity or entities or of any other limited liability business entity involved directly in the management of the taxpayer. For purposes of this subsection (7)(h)(iii), "taxpayer" means a limited liability business entity with unpaid trust fund taxes.

(i) "Trust fund taxes" means taxes collected from buyers and deemed held in trust under RCW 69.50.535.

(j) "Willfully failed to pay or to cause to be paid" means that the failure was the result of an intentional, conscious, and voluntary course of action.

Sec. 203. RCW 69.50.357 and 2015 c 70 s 12 are each amended to read as follows:

(1) Retail outlets ((~~shall sell no~~)) may not sell products or services other than marijuana concentrates, useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(2) Licensed marijuana retailers ((~~shall~~)) may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-

one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Licensed marijuana retailers ((~~shall~~)) may not display any signage ((~~in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than one thousand six hundred square inches identifying the retail outlet by the licensee's business or trade name. Retail outlets that hold medical marijuana endorsements may include this information on signage.~~

~~(5) Licensed marijuana retailers shall not display marijuana concentrates, useable marijuana, or marijuana-infused products in a manner that is visible to the general public from a public right-of-way.~~

~~(6)~~)) outside of the licensed premises, other than two signs identifying the retail outlet by the licensee's business or trade name. Each sign must be no larger than one thousand six hundred square inches, be permanently affixed to a building or other structure, and be posted not less than one thousand feet from any elementary school, secondary school, or playground.

(5) No licensed marijuana retailer or employee of a retail outlet ((~~shall~~)) may open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

(((~~(7)~~))) (6) The state liquor and cannabis board ((~~shall~~)) must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana ((~~fund~~)) account created under RCW 69.50.530.

Sec. 204. RCW 69.50.369 and 2013 c 3 s 18 are each amended to read as follows:

(1) No licensed marijuana producer, processor, researcher, or retailer ((~~shall~~)) may place or maintain, or cause to be placed or maintained, an advertisement of marijuana, useable marijuana, marijuana concentrates, or a marijuana-infused product in any form or through any medium whatsoever:

(a) Within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older;

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property.

(2) Merchandising within a retail outlet is not advertising for the purposes of this section.

(3) This section does not apply to a noncommercial message.

(4) The state liquor ((~~control~~)) and cannabis board ((~~shall~~)) must fine a licensee one thousand dollars for each violation of subsection (1) of this section. Fines collected under this subsection must be deposited into the dedicated marijuana ((~~fund~~)) account created under RCW 69.50.530.

Sec. 205. RCW 69.50.535 and 2014 c 192 s 7 are each amended to read as follows:

(1) ((~~There is levied and collected a marijuana excise tax equal to twenty-five percent of the selling price on each wholesale sale in this state of marijuana by a licensed marijuana producer to a licensed marijuana processor or another licensed marijuana producer. This tax is the obligation of the licensed marijuana producer.~~

~~(2) There is levied and collected a marijuana excise tax equal to twenty-five percent of the selling price on each wholesale sale in this state of marijuana concentrates, useable marijuana, and marijuana-infused products by a licensed marijuana processor to a licensed marijuana retailer. This tax is the obligation of the licensed marijuana processor.~~

~~(3)~~)) (a) There is levied and collected a marijuana excise tax equal to ((~~twenty-five~~)) thirty-seven percent of the selling price on each retail sale in this state of marijuana concentrates, useable marijuana, and marijuana-infused products. This tax is ((~~the obligation of the licensed marijuana retailer, is~~)) separate and in addition to general state and local sales and use taxes that apply to retail sales of tangible personal property, and is not part of the total retail price to which general state and local sales and use taxes apply. The tax must be separately itemized from the state and local retail sales tax on the sales receipt provided to the buyer.

(b) The tax levied in this section must be reflected in the price list or quoted shelf price in the licensed marijuana retail store and in any advertising that includes prices for all useable marijuana, marijuana concentrates, or marijuana-infused products.

(((~~(4)~~))) (2) All revenues collected from the marijuana excise ((~~taxes~~)) tax imposed under ((~~subsections (1) through (3) of~~)) this section ((~~shall~~)) must be deposited each day in ((~~a depository approved by the state treasurer and transferred to the state treasurer to be credited to~~)) the dedicated marijuana ((~~fund~~)) account.

(((~~(5)~~))) (3) The ((~~state liquor control board shall~~)) tax imposed in this section must be paid by the buyer to the seller. Each seller must collect from the buyer the full amount of the tax payable on each taxable sale. The tax collected as required by this section is deemed to be held in trust by the seller until paid to the board. If any seller fails to collect the tax imposed in this section or, having collected the tax, fails to pay it as prescribed by the board, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is, nevertheless, personally liable to the state for the amount of the tax.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Board" means the state liquor and cannabis board.

(b) "Retail sale" has the same meaning as in RCW 82.08.010.

(c) "Selling price" has the same meaning as in RCW 82.08.010, except that when product is sold under circumstances where the total amount of consideration paid for the product is not indicative of its true value, "selling price" means the true value of the product sold.

(d) "Product" means marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products.

(e) "True value" means market value based on sales at comparable locations in this state of the same or similar product of like quality and character sold under comparable conditions of sale to comparable purchasers. However, in the absence of such sales of the same or similar product, true value means the value of the product sold as determined by all of the seller's direct and indirect costs attributable to the product.

(5)(a) The board must regularly review the tax level((~~s~~)) established under this section and make recommendations, in

consultation with the department of revenue, to the legislature as appropriate regarding adjustments that would further the goal of discouraging use while undercutting illegal market prices.

(b) The state liquor and cannabis board must report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature every two years. The report at a minimum must include the following:

(i) The specific recommendations required under (a) of this subsection;

(ii) A comparison of gross sales and tax collections prior to and after any marijuana tax change;

(iii) The increase or decrease in the volume of legal marijuana sold prior to and after any marijuana tax change;

(iv) Increases or decreases in the number of licensed marijuana producers, processors, and retailers;

(v) The number of illegal and noncompliant marijuana outlets the board requires to be closed;

(vi) Gross marijuana sales and tax collections in Oregon; and

(vii) The total amount of reported sales and use taxes exempted for qualifying patients. The department of revenue must provide the data of exempt amounts to the board.

(c) The board is not required to report to the legislature as required in (b) of this subsection after January 1, 2025.

(6) The legislature does not intend and does not authorize any person or entity to engage in activities or to conspire to engage in activities that would constitute per se violations of state and federal antitrust laws including, but not limited to, agreements among retailers as to the selling price of any goods sold.

Sec. 206. RCW 69.50.540 and 2013 c 3 s 28 are each amended to read as follows:

((~~All marijuana excise taxes collected from sales of marijuana, useable marijuana, and marijuana-infused products under RCW 69.50.535, and the license fees, penalties, and forfeitures derived under chapter 3, Laws of 2013 from marijuana producer, marijuana processor, and marijuana retailer licenses shall every three months be disbursed by the state liquor control board as follows:~~

~~(1)~~)) The legislature must annually appropriate moneys in the dedicated marijuana account created in RCW 69.50.530 as follows:

(1) For the purposes listed in this subsection (1), the legislature must appropriate to the respective agencies amounts sufficient to make the following expenditures on a quarterly basis:

(a) Beginning July 1, 2015, one hundred twenty-five thousand dollars to the department of social and health services to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor ((~~control~~)) and cannabis board. The survey ((~~shall~~)) must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(((~~2~~))) (b) Beginning July 1, 2015, fifty thousand dollars to the department of social and health services for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in RCW 69.50.550. This appropriation ((~~shall~~)) ends after production of the final report required by RCW 69.50.550;

(((~~3~~))) (c) Beginning July 1, 2015, five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(((~~4~~))) (d) An amount not ((~~exceeding~~)) less than one million two hundred fifty thousand dollars to the state liquor ((~~control board as is necessary for administration of chapter 3, Laws of 2013;~~

~~(5) Of the funds remaining after the disbursements identified in subsections (1) through (4) of this section~~)) and cannabis board for administration of this chapter as appropriated in the omnibus appropriations act;

(e) Twenty-three thousand seven hundred fifty dollars to the department of enterprise services provided solely for the state building code council established under RCW 19.27.070, to develop and adopt fire and building code provisions related to marijuana processing and extraction facilities. The distribution under this subsection (1)(e) is for fiscal year 2016 only;

(2) From the amounts in the dedicated marijuana account after appropriation of the amounts identified in subsection (1) of this section, the legislature must appropriate for the purposes listed in this subsection (2) as follows:

(a) ((~~Fifteen percent~~)) (i) Up to fifteen percent to the department of social and health services division of behavioral health and recovery for ((~~implementation and maintenance~~)) the development, implementation, maintenance, and evaluation of programs and practices aimed at the prevention or reduction of maladaptive substance use, substance-use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle school and high school age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women; PROVIDED, That:

(((~~i~~))) (A) Of the funds ((~~disbursed~~)) appropriated under (a)(i) of this subsection for new programs and new services, at least eighty-five percent must be directed to evidence-based ((~~and cost-beneficial~~)) or research-based programs and practices that produce objectively measurable results and, by September 1, 2020, are cost-beneficial; and

(((~~ii~~))) (B) Up to fifteen percent of the funds ((~~disbursed~~)) appropriated under (a)(i) of this subsection for new programs and new services may be directed to ((~~research-based and~~)) proven and tested practices, emerging best practices, or promising practices.

(ii) In deciding which programs and practices to fund, the secretary of the department of social and health services ((~~shall~~)) must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute.

(iii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of twenty-five million five hundred thirty-six thousand dollars under this subsection (2)(a);

(b) ((~~Ten percent~~)) (i) Up to ten percent to the department of health for the following, subject to (b)(ii) of this subsection (2):

(A) Creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(((~~i~~))) (I) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and does not solely advocate an abstinence-only approach;

(((~~(ii)~~))) (II) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(((~~(iii)~~))) (III) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(B) The Washington poison control center.

(ii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of nine million seven hundred fifty thousand dollars under this subsection (2)(b);

(c)(i) Up to six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research.

(ii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of one million twenty-one thousand dollars to the University of Washington and a minimum of six hundred eighty-one thousand dollars to Washington State University under this subsection (2)(c);

(d) Fifty percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f)(i) Up to three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW.

(ii) For the fiscal year beginning July 1, 2016, and each subsequent fiscal year, the legislature must appropriate a minimum of five hundred eleven thousand dollars to the office of the superintendent of public instruction under this subsection (2)(f); and

(g) ((~~The remainder to the general fund.~~)) At the end of each fiscal year, the treasurer must transfer any amounts in the dedicated marijuana account that are not appropriated pursuant to subsection (1) of this section and this subsection (2) into the general fund, except as provided in (g)(i) of this subsection (2).

(i) Beginning in fiscal year 2018, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities, and towns as follows:

(A) Thirty percent must be distributed to counties, cities, and towns where licensed marijuana retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one hundred percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities, and towns ratably on a per capita basis. Counties must receive sixty percent of the distribution, which must be disbursed based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer.

(ii) Distribution amounts allocated to each county, city, and town must be distributed in four installments by the last day of each fiscal quarter.

(iii) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in (g)(i) of this subsection (2).

(iv) The total share of marijuana excise tax revenues distributed to counties and cities in (g)(i) of this subsection (2) may not exceed fifteen million dollars in fiscal years 2018 and 2019 and twenty million dollars per fiscal year thereafter.

For the purposes of this section, "marijuana products" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as those terms are defined in RCW 69.50.101.

NEW SECTION. **Sec. 207.** A new section is added to chapter 82.08 RCW to read as follows:

(1) Beginning July 1, 2016, the tax levied by RCW 82.08.020 does not apply to:

(a) Sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.--- (section 10, chapter 70, Laws of 2015) to be beneficial for medical use, by marijuana retailers with medical marijuana endorsements to qualifying patients or designated providers who have been issued recognition cards;

(b) Sales of products containing THC with a THC concentration of 0.3 percent or less to qualifying patients or designated providers who have been issued recognition cards by marijuana retailers with medical marijuana endorsements;

(c) Sales of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.--- (section 10, chapter 70, Laws of 2015) to have a low THC, high CBD ratio, and to be beneficial for medical use, by marijuana retailers with medical marijuana endorsements, to any person;

(d) Sales of topical, noningestible products containing THC with a THC concentration of 0.3 percent or less by health care professionals under RCW 69.51A.--- (section 35, chapter 70, Laws of 2015);

(e)(i) Marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less produced by a cooperative and provided to its members; and

(ii) Any nonmonetary resources and labor contributed by an individual member of the cooperative in which the individual is a member. However, nothing in this subsection (1)(e) may be construed to exempt the individual members of a cooperative from the tax imposed in RCW 82.08.020 on any purchase of property or services contributed to the cooperative.

(2) From the effective date of this section until July 1, 2016, the tax levied by RCW 82.08.020 does not apply to sales of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by collective gardens under RCW 69.51A.085 to qualifying patients or designated providers, if such sales are in compliance with chapter 69.51A RCW.

(3) Each seller making exempt sales under subsection (1) or (2) of this section must maintain information establishing eligibility for the exemption in the form and manner required by the department.

(4) The department must provide a separate tax reporting line for exemption amounts claimed under this section.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Cooperative" means a cooperative authorized by and operating in compliance with RCW 69.51A.--- (section 26, chapter 70, Laws of 2015).

(b) "Marijuana retailer with a medical marijuana endorsement" means a marijuana retailer permitted under RCW 69.50.--- (section 10, chapter 70, Laws of 2015) to sell marijuana for medical use to qualifying patients and designated providers.

(c) "Products containing THC with a THC concentration of 0.3 percent or less" means all products containing THC with a THC concentration not exceeding 0.3 percent and that, when used as intended, are inhalable, ingestible, or absorbable.

(d) "THC concentration," "marijuana," "marijuana concentrates," "useable marijuana," "marijuana retailer," and "marijuana-infused products" have the same meanings as provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," and "recognition card" have the same meaning as provided in RCW 69.51A.010.

NEW SECTION. **Sec. 208.** A new section is added to chapter 82.12 RCW to read as follows:

(1) From the effective date of this section until July 1, 2016, the provisions of this chapter do not apply to the use of marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a collective garden under RCW 69.51A.085, and the qualifying patients or designated providers participating in the collective garden, if such use is in compliance with chapter 69.51A RCW.

(2) Beginning July 1, 2016, the provisions of this chapter do not apply to:

(a) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.--- (section 10, chapter 70, Laws of 2015) to be beneficial for medical use, by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a marijuana retailer with a medical marijuana endorsement.

(b) The use of products containing THC with a THC concentration of 0.3 percent or less by qualifying patients or designated providers who have been issued recognition cards and have obtained such products from a marijuana retailer with a medical marijuana endorsement.

(c)(i) Marijuana retailers with a medical marijuana endorsement with respect to:

(A) Marijuana concentrates, useable marijuana, or marijuana-infused products; or

(B) Products containing THC with a THC concentration of 0.3 percent or less;

(ii) The exemption in this subsection (2)(c) applies only if such products are provided at no charge to a qualifying patient or designated provider who has been issued a recognition card. Each such retailer providing such products at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(d) The use of marijuana concentrates, useable marijuana, or marijuana-infused products, identified by the department of health under RCW 69.50.--- (section 10, chapter 70, Laws of 2015) to have a low THC, high CBD ratio, and to be beneficial for medical use, purchased from marijuana retailers with a medical marijuana endorsement.

(e) Health care professionals with respect to the use of products containing THC with a THC concentration of 0.3 percent or less provided at no charge by the health care professionals under RCW 69.51A.--- (section 35, chapter 70, Laws of 2015). Each health care professional providing such products at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(f) The use of topical, noningestible products containing THC with a THC concentration of 0.3 percent or less by qualifying patients when purchased from or provided at no charge by a health care professional under RCW 69.51A.--- (section 35, chapter 70, Laws of 2015).

(g) The use of:

(i) Marijuana, marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less, by a cooperative and its members, when produced by the cooperative; and

(ii) Any nonmonetary resources and labor by a cooperative when contributed by its members. However, nothing in this subsection (2)(g) may be construed to exempt the individual members of a cooperative from the tax imposed in RCW 82.12.020 on the use of any property or services purchased by the member and contributed to the cooperative.

(3) The definitions in section 207 of this act apply to this section.

NEW SECTION. **Sec. 209.** The provisions of RCW 82.32.805 and 82.32.808(8) do not apply to the exemptions in sections 207 and 208 of this act.

NEW SECTION. **Sec. 210.** A new section is added to chapter 69.50 RCW to read as follows:

(1)(a) Except as provided in (b) of this subsection, a retail sale of a bundled transaction that includes marijuana product is subject to the tax imposed under RCW 69.50.535 on the entire selling price of the bundled transaction.

(b) If the selling price is attributable to products that are taxable and products that are not taxable under RCW 69.50.535, the portion of the price attributable to the nontaxable products are subject to the tax imposed by RCW 69.50.535 unless the seller can identify by reasonable and verifiable standards the portion that is not subject to tax from its books and records that are kept in the regular course of business for other purposes including, but not limited to, nontax purposes.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Bundled transaction" means:

(i) The retail sale of two or more products where the products are otherwise distinct and identifiable, are sold for one nonitemized price, and at least one product is a marijuana product subject to the tax under RCW 69.50.535; and

(ii) A marijuana product provided free of charge with the required purchase of another product. A marijuana product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the marijuana product provided free of charge.

(b) "Distinct and identifiable products" does not include packaging such as containers, boxes, sacks, bags, and bottles, or materials such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof. Examples of packaging that are incidental or immaterial include grocery sacks, shoeboxes, and dry cleaning garment bags.

(c) "Marijuana product" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as defined in RCW 69.50.101.

(d) "Selling price" has the same meaning as in RCW 82.08.010, except that when product is sold under circumstances where the total amount of consideration paid for the product is not indicative of its true value, "selling price" means the true value of the product sold.

(e) "True value" means market value based on sales at comparable locations in this state of the same or similar product of like quality and character sold under comparable conditions of sale to comparable purchasers. However, in the absence of such sales of the same or similar product, "true value" means the value of the

product sold as determined by all of the seller's direct and indirect costs attributable to the product.

NEW SECTION. **Sec. 211.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Marijuana producers, processors, and retailers are prohibited from making sales of any marijuana or marijuana product, if the sale of the marijuana or marijuana product is conditioned upon the buyer's purchase of any service or nonmarijuana product. This subsection applies whether the buyer purchases such service or nonmarijuana product at the time of sale of the marijuana or marijuana product, or in a separate transaction.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Marijuana product" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products," as those terms are defined in RCW 69.50.101.

(b) "Nonmarijuana product" includes paraphernalia, promotional items, lighters, bags, boxes, containers, and such other items as may be identified by the state liquor and cannabis board.

(c) "Selling price" has the same meaning as in RCW 69.50.535.

(d) "Service" includes memberships and any other services identified by the state liquor and cannabis board.

PART III

Marijuana Business: Buffers and Licensee Residency

Sec. 301. RCW 69.50.331 and 2015 c 70 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under section 502 of this act, or sell marijuana, or for the renewal of a license to produce, process, research, transport, or deliver marijuana, useable marijuana, marijuana concentrates, or marijuana-infused products subject to the regulations established under section 502 of this act, or sell marijuana, the state liquor and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The state liquor and cannabis board must develop a competitive, merit-based application process that includes, at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. The state liquor and cannabis board ((~~shall~~)) must give preference between competing applications in the licensing process to applicants that have the following experience and qualifications, in the following order of priority:

(i) First priority is given to applicants who:

(A) Applied to the state liquor and cannabis board for a marijuana retailer license prior to July 1, 2014;

(B) Operated or were employed by a collective garden before January 1, 2013;

(C) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(D) Have had a history of paying all applicable state taxes and fees;

(ii) Second priority ((~~shall~~)) must be given to applicants who:

(A) Operated or were employed by a collective garden before January 1, 2013;

(B) Have maintained a state business license and a municipal business license, as applicable in the relevant jurisdiction; and

(C) Have had a history of paying all applicable state taxes and fees; and

(iii) Third priority ((~~shall~~)) must be given to all other applicants who do not have the experience and qualifications identified in (a)(i) and (ii) of this subsection.

(b) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor and cannabis board and a criminal history record information check. The state liquor and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board ((~~shall~~)) must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW ((~~shall~~)) do not apply to these cases. Subject to the provisions of this section, the state liquor and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (9) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor and cannabis board to any staff member the board designates in writing. Conditions for granting this authority ((~~shall~~)) must be adopted by rule.

(c) No license of any kind may be issued to:

(i) A person under the age of twenty-one years;

(ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least ((~~three~~)) six months prior to applying to receive a license;

(iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

(iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, researching, or selling marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products thereunder ((~~shall~~)) must be suspended or terminated, as the case may be.

(b) The state liquor and cannabis board ((~~shall~~)) must immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license ((~~shall be~~)) is automatic upon the state liquor and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor and cannabis board may adopt.

(d) Witnesses ((~~shall~~)) must be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in

advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor and cannabis board or a subpoena issued by the state liquor and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, ((~~shall~~)) compels obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee ((~~shall~~)) must forthwith deliver up the license to the state liquor and cannabis board. Where the license has been suspended only, the state liquor and cannabis board ((~~shall~~)) must return the license to the licensee at the expiration or termination of the period of suspension. The state liquor and cannabis board ((~~shall~~)) must notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under this chapter ((~~3, Laws of 2013 shall be~~)) is subject to all conditions and restrictions imposed by this chapter ((~~3, Laws of 2013~~)) or by rules adopted by the state liquor and cannabis board to implement and enforce this chapter ((~~3, Laws of 2013~~)). All conditions and restrictions imposed by the state liquor and cannabis board in the issuance of an individual license ((~~shall~~)) must be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee ((~~shall~~)) must post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee ((~~shall~~)) may employ any person under the age of twenty-one years.

(7)(a) Before the state liquor and cannabis board issues a new or renewed license to an applicant it ((~~shall~~)) must give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, ((~~shall have~~)) has the right to file with the state liquor and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor and cannabis board may extend the time period for submitting written objections.

(c) The written objections ((~~shall~~)) must include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor and cannabis board representatives ((~~shall~~)) must present and defend the state liquor and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor and cannabis board ((~~shall~~)) must send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) through (d) of this subsection, the state liquor and cannabis board ((~~shall~~)) may not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) A city, county, or town may permit the licensing of premises within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection, except elementary schools, secondary schools, and playgrounds, by enacting an ordinance authorizing such distance reduction, provided that such distance reduction will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

(c) A city, county, or town may permit the licensing of research premises allowed under RCW 69.50.--- (section 1, chapter 71, Laws of 2015) within one thousand feet but not less than one hundred feet of the facilities described in (a) of this subsection by enacting an ordinance authorizing such distance reduction, provided that the ordinance will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement, public safety, or public health.

(d) The state liquor and cannabis board may license premises located in compliance with the distance requirements set in an ordinance adopted under (b) or (c) of this subsection. Before issuing or renewing a research license for premises within one thousand feet but not less than one hundred feet of an elementary school, secondary school, or playground in compliance with an ordinance passed pursuant to (c) of this subsection, the board must ensure that the facility:

(i) Meets a security standard exceeding that which applies to marijuana producer, processor, or retailer licensees;

(ii) Is inaccessible to the public and no part of the operation of the facility is in view of the general public; and

(iii) Bears no advertising or signage indicating that it is a marijuana research facility.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor and cannabis board ((~~shall~~)) must give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

PART IV

Consumption of Marijuana in a Public Place

Sec. 401. RCW 69.50.445 and 2013 c 3 s 21 are each amended to read as follows:

(1) It is unlawful to open a package containing marijuana, useable marijuana, ((~~or a~~)) marijuana-infused products, or marijuana concentrates, or consume marijuana, useable marijuana, ((~~or a~~))

marijuana-infused products, or marijuana concentrates, in view of the general public or in a public place.

(2) For the purposes of this section, "public place" has the same meaning as defined in RCW 66.04.010, but the exclusions in RCW 66.04.011 do not apply.

(3) A person who violates this section is guilty of a class 3 civil infraction under chapter 7.80 RCW.

PART V

Transportation of Marijuana Products

NEW SECTION. **Sec. 501.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A licensed marijuana producer, marijuana processor, marijuana researcher, or marijuana retailer, or their employees, in accordance with the requirements of this chapter and the administrative rules adopted thereunder, may use the services of a common carrier subject to regulation under chapters 81.28 and 81.29 RCW and licensed in compliance with the regulations established under section 502 of this act, to physically transport or deliver marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products between licensed marijuana businesses located within the state.

(2) An employee of a common carrier engaged in marijuana-related transportation or delivery services authorized under subsection (1) of this section is prohibited from carrying or using a firearm during the course of providing such services, unless:

(a) Pursuant to section 502 of this act, the state liquor and cannabis board explicitly authorizes the carrying or use of firearms by such employee while engaged in the transportation or delivery services;

(b) The employee has an armed private security guard license issued pursuant to RCW 18.170.040; and

(c) The employee is in full compliance with the regulations established by the state liquor and cannabis board under section 502 of this act.

(3) A common carrier licensed under section 502 of this act may, for the purpose of transporting and delivering marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products, utilize Washington state ferry routes for such transportation and delivery.

(4) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under section 502(3) of this act, by a licensed employee of a common carrier when performing the duties authorized under, and in accordance with, this section and section 502 of this act, is not a violation of this section, this chapter, or any other provision of Washington state law.

NEW SECTION. **Sec. 502.** A new section is added to chapter 69.50 RCW to read as follows:

(1) The state liquor and cannabis board must adopt rules providing for an annual licensing procedure of a common carrier who seeks to transport or deliver marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products within the state.

(2) The rules for licensing must:

(a) Establish criteria for considering the approval or denial of a common carrier's original application or renewal application;

(b) Provide minimum qualifications for any employee authorized to drive or operate the transportation or delivery vehicle, including a minimum age of at least twenty-one years;

(c) Address the safety of the employees transporting or delivering the products, including issues relating to the carrying of firearms by such employees;

(d) Address the security of the products being transported, including a system of electronically tracking all products at both the point of pickup and the point of delivery; and

(e) Set reasonable fees for the application and licensing process.

(3) The state liquor and cannabis board may adopt rules establishing the maximum amounts of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products that may be physically transported or delivered at one time by a common carrier as provided under section 501 of this act.

Sec. 503. RCW 69.50.4013 and 2015 c 70 s 14 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under section 502(3) of this act, by a licensed employee of a common carrier when performing the duties authorized in accordance with sections 501 and 502 of this act, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(5) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 504. RCW 18.170.020 and 2007 c 154 s 2 are each amended to read as follows:

The requirements of this chapter do not apply to:

(1) A person who is employed exclusively or regularly by one employer and performs the functions of a private security guard solely in connection with the affairs of that employer, if the employer is not a private security company. However, in accordance with section 501 of this act, an employee engaged in marijuana-related transportation or delivery services on behalf of a common carrier must be licensed as an armed private security guard under this chapter in order to be authorized to carry or use a firearm while providing such services;

(2) A sworn peace officer while engaged in the performance of the officer's official duties;

(3) A sworn peace officer while employed by any person to engage in off-duty employment as a private security guard, but only if the employment is approved by the chief law enforcement officer of the jurisdiction where the employment takes place and the sworn peace officer does not employ, contract with, or broker for profit other persons to assist him or her in performing the duties related to his or her private employer; or

(4)(a) A person performing crowd management or guest services including, but not limited to, a person described as a ticket taker, usher, door attendant, parking attendant, crowd monitor, or event staff who:

(((~~(a)~~))) (i) Does not carry a firearm or other dangerous weapon including, but not limited to, a stun gun, taser, pepper mace, or nightstick;

(((~~(b)~~))) (ii) Does not wear a uniform or clothing readily identifiable by a member of the public as that worn by a private security officer or law enforcement officer; and

(((~~(c)~~))) (iii) Does not have as his or her primary responsibility the detainment of persons or placement of persons under arrest.

(b) The exemption provided in this subsection applies only when a crowd has assembled for the purpose of attending or taking part in an organized event, including preevent assembly, event operation hours, and postevent departure activities.

Sec. 505. RCW 69.50.4014 and 2003 c 53 s 335 are each amended to read as follows:

Except as provided in RCW 69.50.401(2)(c) or as otherwise authorized by this chapter, any person found guilty of possession of forty grams or less of ((~~marihuana~~)) marijuana is guilty of a misdemeanor.

PART VI

Funding for Marijuana Health Awareness Program

Sec. 601. RCW 66.08.050 and 2014 c 63 s 3 are each amended to read as follows:

The board, subject to the provisions of this title and the rules, must:

(1) Determine the nature, form and capacity of all packages to be used for containing liquor kept for sale under this title;

(2) Execute or cause to be executed, all contracts, papers, and documents in the name of the board, under such regulations as the board may fix;

(3) Pay all customs, duties, excises, charges and obligations whatsoever relating to the business of the board;

(4) Require bonds from all employees in the discretion of the board, and to determine the amount of fidelity bond of each such employee;

(5) Perform services for the state lottery commission to such extent, and for such compensation, as may be mutually agreed upon between the board and the commission;

(6) Accept and deposit into the general fund-local account and disburse, subject to appropriation, federal grants or other funds or donations from any source for the purpose of improving public awareness of the health risks associated with alcohol and marijuana consumption by youth and the abuse of alcohol and marijuana by adults in Washington state. The board's alcohol awareness program must cooperate with federal and state agencies, interested organizations, and individuals to effect an active public beverage alcohol awareness program;

(7) Monitor and regulate the practices of licensees as necessary in order to prevent the theft and illegal trafficking of liquor pursuant to RCW 66.28.350;

(8) Perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this title, and has full power to do each and every act necessary to the conduct of its regulatory functions, including all supplies procurement, preparation and approval of forms, and every other undertaking necessary to perform its regulatory functions whatsoever, subject only to audit by the state auditor. However, the board has no authority to regulate the content of spoken language on licensed premises where wine and other liquors are served and where there is not a clear and present danger of disorderly conduct being provoked by such language or to restrict advertising of lawful prices.

PART VII

Cannabis Health and Beauty Aid Exemption

NEW SECTION. **Sec. 701.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Cannabis health and beauty aids are not subject to the regulations and penalties of this chapter that apply to marijuana, marijuana concentrates, or marijuana-infused products.

(2) For purposes of this section, "cannabis health and beauty aid" means a product containing parts of the cannabis plant and which:

(a) Is intended for use only as a topical application to provide therapeutic benefit or to enhance appearance;

(b) Contains a THC concentration of not more than 0.3 percent;

(c) Does not cross the blood-brain barrier; and

(d) Is not intended for ingestion by humans or animals.

PART VIII

Signage and Public Notice Requirements

NEW SECTION. **Sec. 801.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Applicants for a marijuana producer's, marijuana processor's, marijuana researcher's or marijuana retailer's license under this chapter must display a sign provided by the state liquor and cannabis board on the outside of the premises to be licensed notifying the public that the premises are subject to an application for such license. The sign must:

(a) Contain text with content sufficient to notify the public of the nature of the pending license application, the date of the application, the name of the applicant, and contact information for the state liquor and cannabis board;

(b) Be conspicuously displayed on, or immediately adjacent to, the premises subject to the application and in the location that is most likely to be seen by the public;

(c) Be of a size sufficient to ensure that it will be readily seen by the public; and

(d) Be posted within seven business days of the submission of the application to the state liquor and cannabis board.

(2) The state liquor and cannabis board must adopt such rules as are necessary for the implementation of this section, including rules pertaining to the size of the sign and the text thereon, the textual content of the sign, the fee for providing the sign, and any other requirements necessary to ensure that the sign provides adequate notice to the public.

(3)(a) A city, town, or county may adopt an ordinance requiring individual notice by an applicant for a marijuana producer's, marijuana processor's, marijuana researcher's, or marijuana retailer's license under this chapter, sixty days prior to issuance of the license, to any elementary or secondary school, playground, recreation center or facility, child care center, church, public park, public transit center, library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older, that is within one thousand feet of the perimeter of the grounds of the establishment seeking licensure. The notice must provide the contact information for the liquor and cannabis board where any of the owners or operators of these entities may submit comments or concerns about the proposed business location.

(b) For the purposes of this subsection, "church" means a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith.

PART IX

Marijuana-Infused Products and Concentrates

Sec. 901. RCW 69.50.101 and 2015 c 70 s 4 are each amended to read as follows:

((~~Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "Commission" means the pharmacy quality assurance commission.

(d) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(e)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(f) "Deliver" or "delivery," means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(g) "Department" means the department of health.

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(i) "Dispenser" means a practitioner who dispenses.

(j) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(k) "Distributor" means a person who distributes.

(l) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

(n) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(o) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(p) "Isomer" means an optical isomer, but in subsection ((~~(z)~~)) (bb)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(q) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(r) "Lot number" ((~~shall~~)) must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(t) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(u) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ((~~sixty~~)) ten percent.

(v) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(w) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(x) "Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section.

(y) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (t) of this section, and have a THC concentration no greater than ((~~0.3~~)) ten percent ((~~and no greater than sixty percent~~)). The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(((~~(y)~~))) (z) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(aa) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(((~~(z)~~))) (bb) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(((~~(aa)~~))) (cc) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(((~~(bb)~~))) (dd) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(((~~(cc)~~))) (ee) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(((~~(dd)~~))) (ff) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(((~~(ee)~~))) (gg) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(((~~(ff)~~))) (hh) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(((~~(gg)~~))) (ii) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(((~~(hh)~~))) (jj) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(((~~(ii)~~))) (kk) "Secretary" means the secretary of health or the secretary's designee.

(((~~(jj)~~))) (ll) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(((~~(kk)~~))) (mm) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(((~~(ll)~~))) (nn) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(((~~(mm)~~))) (oo) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

(((~~(nn)~~))) (pp) "Designated provider" has the meaning provided in RCW 69.51A.010.

(((~~(oo)~~))) (qq) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(((~~(pp)~~))) (rr) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(((~~(qq)~~))) (ss) "Plant" has the meaning provided in RCW 69.51A.010.

(((~~(rr)~~))) (tt) "Recognition card" has the meaning provided in RCW 69.51A.010.

PART X

Medical Use of Marijuana

Sec. 1001. RCW 69.51A.--- and 2015 c 70 s 26 are each amended to read as follows:

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member of a cooperative on the qualifying patient's behalf.

(2) ((~~Cooperatives may not be located within one mile of a marijuana retailer. People~~)) Qualifying patients and designated providers who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location.

(3) No cooperative may be located in any of the following areas:

(a) Within one mile of a marijuana retailer;

(b) Within the smaller of either:

(i) One thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that admission to which is not restricted to persons aged twenty-one years or older; or

(ii) The area restricted by ordinance, if the cooperative is located in a city, county, or town that has passed an ordinance pursuant to RCW 69.50.331(8); or

(c) Where prohibited by a city, town, or county zoning provision.

(4) The state liquor and cannabis board must deny the registration of any cooperative if the location ((~~is within one mile of a marijuana retailer~~)) does not comply with the requirements set forth in subsection (3) of this section.

(((~~(3)~~))) (5) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(((~~(4)~~))) (6) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(((~~(5)~~))) (7) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(((~~(6)~~))) (8) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(((~~(7)~~))) (9) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections.

NEW SECTION. **Sec. 1002.** A new section is added to chapter 42.56 RCW to read as follows:

(1) Registration information submitted to the state liquor and cannabis board under RCW 69.51A.--- (section 26, chapter 70, Laws of 2015) including the names of all participating members of a cooperative, copies of each member's recognition card, location of the cooperative, and other information required for registration by the state liquor and cannabis board is exempt from disclosure under this chapter.

(2) The definitions in this section apply throughout this section unless the context clearly requires otherwise.

(a) "Cooperative" means a cooperative established under RCW 69.51A.--- (section 26, chapter 70, Laws of 2015) to produce and process marijuana only for the medical use of members of the cooperative.

(b) "Recognition card" has the same meaning as provided in RCW 69.51A.010.

PART XI

Dedicated Marijuana Account

Sec. 1101. RCW 69.50.530 and 2013 c 3 s 26 are each amended to read as follows:

(((~~(1) There shall be a fund, known as the dedicated marijuana fund, which shall consist of all marijuana excise taxes, license fees, penalties, forfeitures, and all other moneys, income, or revenue received by the state liquor control board from marijuana-related activities. The state treasurer shall be custodian of the fund.~~

(~~2~~))) The dedicated marijuana account is created in the state treasury. All moneys received by the state liquor ((~~control~~)) and cannabis board, or any employee thereof, from marijuana-related activities ((~~shall~~)) must be deposited ((~~each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the dedicated marijuana fund.~~

~~(3) Disbursements from the dedicated marijuana fund shall be on authorization of the state liquor control board or a duly authorized representative thereof~~)) in the account. Unless otherwise provided in this act, all marijuana excise taxes collected from sales of

marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products under RCW 69.50.535, and the license fees, penalties, and forfeitures derived under this chapter from marijuana producer, marijuana processor, marijuana researcher, and marijuana retailer licenses, must be deposited in the account. Moneys in the account may only be spent after appropriation.

PART XII

Synthetic Cannabinoids and Bath Salts

NEW SECTION. **Sec. 1201.** A new section is added to chapter 69.50 RCW to read as follows:

(1) It is an unfair or deceptive practice under RCW 19.86.020 for any person or entity to distribute, dispense, manufacture, display for sale, offer for sale, attempt to sell, or sell to a purchaser any product that contains any amount of any synthetic cannabinoid. The legislature finds that practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this section are not reasonable in relation to the development and preservation of business.

(2) "Synthetic cannabinoid" includes any chemical compound identified in RCW 69.50.204(c)(30) or by the pharmacy quality assurance commission under RCW 69.50.201.

NEW SECTION. **Sec. 1202.** A new section is added to chapter 69.50 RCW to read as follows:

It is an unfair or deceptive practice under RCW 19.86.020 for any person or entity to distribute, dispense, manufacture, display for sale, offer for sale, attempt to sell, or sell to a purchaser any product that contains any amount of any cathinone or methcathinone as identified in RCW 69.50.204(e) (3) and (5). The legislature finds that practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this section are not reasonable in relation to the development and preservation of business.

Sec. 1203. RCW 69.50.204 and 2010 c 177 s 2 are each amended to read as follows:

Unless specifically excepted by state or federal law or regulation or more specifically included in another schedule, the following controlled substances are listed in Schedule I:

(a) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl (N-\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay029\1-(1-methyl-2-phenethyl)-4-piperidinyl.doc-N-phenylacetamide);

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol, except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl) ethyl-4-piperidyl] propionanilide); (1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(8) Alpha-methylthiofentanyl (N-\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay029\1-methyl-2-(2-thienyl)ethyl-4-piperidinyl.doc-N-phenylpropanamide);

(9) Benzethidine;

(10) Betacetylmethadol;

(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

(12) Beta-hydroxy-3-methylfentanyl, some trade or other names: N-\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay029\1-(2-hydrox-2-phenethyl)-3-methyl-4-piperidinyl.doc-N-phenylpropanamide;

(13) Betameprodine;

(14) Betamethadol;

(15) Betaprodine;

(16) Clonitazene;

(17) Dextromoramide;

(18) Diampromide;

(19) Diethylthiambutene;

(20) Difenoxin;

(21) Dimenoxadol;

(22) Dimepheptanol;

(23) Dimethylthiambutene;

(24) Dioxaphetyl butyrate;

(25) Dipipanone;

(26) Ethylmethylthiambutene;

(27) Etonitazene;

(28) Etoxeridine;

(29) Furethidine;

(30) Hydroxypethidine;

(31) Ketobemidone;

(32) Levomoramide;

(33) Levophenacylmorphan;

(34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylprop anamide);

(35) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(36) Morpheridine;

(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(38) Noracymethadol;

(39) Norlevorphanol;

(40) Normethadone;

(41) Norpipanone;

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide);

(43) PEPAP(1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

(44) Phenadoxone;

(45) Phenampromide;

(46) Phenomorphan;

(47) Phenoperidine;

(48) Piritramide;

(49) Proheptazine;

(50) Properidine;

(51) Propiram;

(52) Racemoramide;

(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanaminde);

(54) Tilidine;

(55) Trimeperidine.

(b) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;

(2) Acetyldihydrocodeine;

(3) Benzylmorphine;

(4) Codeine methylbromide;

(5) Codeine-N-Oxide;

(6) Cyprenorphine;

(7) Desomorphine;

(8) Dihydromorphine;

(9) Drotebanol;

(10) Etorphine, except hydrochloride salt;

(11) Heroin;
(12) Hydromorphinol;
(13) Methyldesorphine;
(14) Methyldihydromorphine;
(15) Morphine methylbromide;
(16) Morphine methylsulfonate;
(17) Morphine-N-Oxide;
(18) Myrophine;
(19) Nicocodeine;
(20) Nicomorphine;
(21) Normorphine;
(22) Pholcodine;
(23) Thebacon.

(c) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation. For the purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers:

(1) Alpha-ethyltryptamine: Some trade or other names: Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; and AET;

(2) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

(3) 4-bromo-2,5-dimethoxyphenethylamine: Some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, nexus;

(4) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;

(5) 2,5-dimethoxy-4-ethylamphetamine (DOET);

(6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine: Other name: 2C-T-7;

(7) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;

(8) 5-methoxy-3,4-methylenedioxy-amphetamine;

(9) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";

(10) 3,4-methylenedioxy amphetamine;

(11) 3,4-methylenedioxymethamphetamine (MDMA);

(12) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA;

(13) N-hydroxy-3,4-methylenedioxyamphetamine also known as
N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine,N-hydroxy MDA;

(14) 3,4,5-trimethoxy amphetamine;

(15) Alpha-methyltryptamine: Other name: AMT;

(16) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

(17) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;

(18) Dimethyltryptamine: Some trade or other names: DMT;

(19) 5-methoxy-N,N-diisopropyltryptamine: Other name: 5-MeO-DIPT;

(20) Ibogaine: Some trade or other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9-methano-5H-pyndo (1',2' 1,2) azepino (5,4-b) indole; Tabernanthe iboga;

(21) Lysergic acid diethylamide;

(22) Marihuana or marijuana;

(23) Mescaline;

(24) Parahexyl-7374: Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;

(25) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 U.S.C. Sec. 812 (c), Schedule I (c)(12));

(26) N-ethyl-3-piperidyl benzilate;

(27) N-methyl-3-piperidyl benzilate;

(28) Psilocybin;

(29) Psilocyn;

(30) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, species, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

(i) 1 - cis - or trans tetrahydrocannabinol, and their optical isomers, excluding tetrahydrocannabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;

(ii) 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;

(iii) 3,4 - cis - or trans tetrahydrocannabinol, and its optical isomers; or

(iv) That is chemically synthesized and either:

(a) Has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(b) Is a chemical analog or isomer of a compound that has been demonstrated to have binding activity at one or more cannabinoid receptors;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

(31) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1phenylcyclohexalymine, (1-phenylcyclohexl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;

(32) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phencyclohexyl)pyrrolidine; PCPy; PHP;

(33) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexly)-pipendine; 2-thienylanalog of phencyclidine; TPCP; TCP;

(34) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine: A trade or other name is TCPy.

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(1) Gamma-hydroxybutyric acid: Some other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate;

(2) Mecloqualone;

(3) Methaqualone.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a

stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex: Some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4, 5-dihydro-5-phenly-2-oxazolamine;

(2) N-Benzylpiperazine: Some other names: BZP,1-benzylpiperazine;

(3) Cathinone, also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone;

(4) Fenethylline;

(5) Methcathinone: Some other names: 2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432, its salts, optical isomers, and salts of optical isomers;

(6) (+-)cis-4-methylaminorex ((+-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

(7) N-ethylamphetamine;

(8) N,N-dimethylamphetamine: Some trade or other names: N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenoethylene.

The controlled substances in this section may be added, rescheduled, or deleted as provided for in RCW 69.50.201.

Sec. 1204. RCW 69.50.430 and 2015 c 265 s 36 are each amended to read as follows:

(1) Every adult offender convicted of a felony violation of RCW 69.50.401 through 69.50.4013, 69.50.4015, 69.50.402, 69.50.403, 69.50.406, 69.50.407, 69.50.410, or 69.50.415 ((~~shall~~)) must be fined one thousand dollars in addition to any other fine or penalty imposed. Unless the court finds the adult offender to be indigent, this additional fine ((~~shall~~)) may not be suspended or deferred by the court.

(2) On a second or subsequent conviction for violation of any of the laws listed in subsection (1) of this section, the adult offender ((~~shall~~)) must be fined two thousand dollars in addition to any other fine or penalty imposed. Unless the court finds the adult offender to be indigent, this additional fine ((~~shall~~)) may not be suspended or deferred by the court.

(3) In addition to any other civil or criminal penalty, every person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling to a purchaser any product that contains any amount of any synthetic cannabinoid, as identified in RCW 69.50.204, must be fined not less than ten thousand dollars and not more than five hundred thousand dollars. If, however, the person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling any product that contains any amount of any synthetic cannabinoid, as identified in RCW 69.50.204, to a purchaser under the age of eighteen, the minimum penalty is twenty-five thousand dollars if the person is at least two years older than the minor. Unless the court finds the person to be indigent, this additional fine may not be suspended or deferred by the court.

NEW SECTION. **Sec. 1205.** A new section is added to chapter 69.50 RCW to read as follows:

In addition to any other civil or criminal penalty, every person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling to a purchaser any product that contains any amount of any cathinone or methcathinone, as identified in RCW 69.50.204, must be fined not less than ten thousand dollars and not more than five hundred thousand dollars. If, however, the person who violates or causes another to violate RCW 69.50.401 by distributing, dispensing, manufacturing, displaying for sale, offering for sale, attempting to sell, or selling any product that contains any amount of any cathinone or methcathinone, as identified in RCW 69.50.204, to a purchaser under the age of eighteen, the minimum penalty is twenty-five thousand dollars if the person is at least two years older than the minor. Unless the court finds the person to be indigent, this additional fine may not be suspended or deferred by the court.

PART XIII
Restricting Certain Methods of Selling Marijuana

NEW SECTION. **Sec. 1301.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter may use a vending machine for the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products, subject to approval from the board prior to the installation or use of the machine in the licensed premises.

(2) The board is granted general authority to adopt rules necessary for the implementation of this section, including, but not limited to, rules governing:

(a) The operational characteristics of the vending machines;

(b) Identification and age verification processes and requirements for customers who make purchases from the machines;

(c) The location of vending machines within the licensed premises and measures to prevent access to the machines by persons under age 21;

(d) The types and quantities of marijuana-related products that may be purchased from the vending machines; and

(e) Signs and labeling that must be affixed to vending machines pertaining to public health and safety notifications, legal warnings and requirements, and other disclosures and information as deemed necessary by the board.

(3) The products sold through vending machines, and the use of such machines, must comply with the pertinent provisions of this chapter regarding the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products.

(4) For the purposes of this section, "vending machine" means a machine or other mechanical device that accepts payment and:

(a) Dispenses tangible personal property; or

(b) Provides a service to the buyer.

NEW SECTION. **Sec. 1302.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter is prohibited from operating a drive-through purchase facility where marijuana concentrates, marijuana-infused products, or useable marijuana are sold at retail and dispensed through a window or door to a purchaser who is either in or on a motor vehicle or otherwise located outside of the licensed premises at the time of sale.

(2) The state liquor and cannabis board may not issue, transfer, or renew a marijuana retail license for any licensee in violation of the provisions of subsection (1) of this section.

PART XIV
Marijuana Clubs

NEW SECTION. **Sec. 1401.** A new section is added to chapter 69.50 RCW to read as follows:

(1) It is unlawful for any person to conduct or maintain a marijuana club by himself or herself or by associating with others, or in any manner aid, assist, or abet in conducting or maintaining a marijuana club.

(2) It is unlawful for any person to conduct or maintain a public place where marijuana is held or stored, except as provided for a licensee under this chapter, or consumption of marijuana is permitted.

(3) Any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(4) The following definitions apply throughout this section unless the context clearly requires otherwise.

(a) "Marijuana club" means a club, association, or other business, for profit or otherwise, that conducts or maintains a premises for the primary or incidental purpose of providing a location where members or other persons may keep or consume marijuana on the premises.

(b) "Public place" means, in addition to the definition provided in RCW 66.04.010, any place to which admission is charged or for which any pecuniary gain is realized by the owner or operator of such place.

PART XV

Marijuana Research Licenses

Sec. 1501. RCW 69.50.--- and 2015 c 71 s 1 are each amended to read as follows:

(1) There shall be a marijuana research license that permits a licensee to produce, process, and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the life sciences discovery fund authority a description of the research that is intended to be conducted. The life sciences discovery fund authority must review the project and determine that it meets the requirements of subsection (1) of this section. If the life sciences discovery fund authority determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The state liquor ((~~control~~)) and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects, not including those projects conducted pursuant to a contract entered into under RCW 28B.20.502(3), must be approved by the life sciences discovery fund authority and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the state liquor ((~~control~~)) and cannabis board may adopt rules on the following:

(a) Application requirements;

(b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;

(c) Conditions for license revocation;

(d) Security measures to ensure marijuana is not diverted to purposes other than research;

(e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;

(f) Licensee reporting requirements;

(g) Conditions under which marijuana grown by marijuana processors may be donated to marijuana research licensees; and

(h) Additional requirements deemed necessary by the state liquor ((~~control~~)) and cannabis board.

(6) The production, processing, possession, delivery, donation, and sale of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license ((~~shall~~)) must be issued in the name of the applicant, ((~~shall~~)) must specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof ((~~shall~~)) may not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. Fifty percent of the application fee, the issuance fee, and the renewal fee must be deposited to the life sciences discovery fund under RCW 43.350.070, or, if that fund ceases to exist, to the general fund.

Sec. 1502. RCW 28B.20.502 and 2015 c 71 s 2 are each amended to read as follows:

(1) The University of Washington and Washington State University may conduct scientific research on the efficacy and safety of administering marijuana as part of medical treatment. As part of this research, the University of Washington and Washington State University may develop and conduct studies to ascertain the general medical safety and efficacy of marijuana, and may develop medical guidelines for the appropriate administration and use of marijuana.

(2) The University of Washington and Washington State University may, in accordance with RCW 69.50.--- (section 1, chapter 71, Laws of 2015), contract with marijuana research licensees to conduct research permitted under this section and RCW 69.50.--- (section 1, chapter 71, Laws of 2015).

(3) The University of Washington and Washington State University may contract to conduct marijuana research with an entity licensed to conduct such research by a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.

Sec. 1503. RCW 43.350.030 and 2015 c 71 s 3 are each amended to read as follows:

In addition to other powers and duties prescribed in this chapter, the authority is empowered to:

(1) Use public moneys in the life sciences discovery fund, leveraging those moneys with amounts received from other public and private sources in accordance with contribution agreements, to promote life sciences research;

(2) Solicit and receive gifts, grants, and bequests, and enter into contribution agreements with private entities and public entities other than the state to receive moneys in consideration of the authority's promise to leverage those moneys with amounts received through appropriations from the legislature and contributions from other public entities and private entities, in order to use those moneys to promote life sciences research. Nonstate moneys received by the authority for this purpose shall be deposited in the life sciences discovery fund created in RCW 43.350.070;

(3) Hold funds received by the authority in trust for their use pursuant to this chapter to promote life sciences research;

(4) Manage its funds, obligations, and investments as necessary and as consistent with its purpose including the segregation of revenues into separate funds and accounts;

(5) Make grants to entities pursuant to contract for the promotion of life sciences research to be conducted in the state. Grant agreements ((~~shall~~)) must specify deliverables to be provided by the recipient pursuant to the grant. The authority shall solicit requests for funding and evaluate the requests by reference to factors such as: (a) The quality of the proposed research; (b) its potential to improve health outcomes, with particular attention to the likelihood that it will also lower health care costs, substitute for a more costly diagnostic or treatment modality, or offer a breakthrough treatment for a particular disease or condition; (c) its potential for leveraging additional funding; (d) its potential to provide health care benefits or benefit human learning and development; (e) its potential to stimulate the health care delivery, biomedical manufacturing, and life sciences related employment in the state; (f) the geographic diversity of the grantees within Washington; (g) evidence of potential royalty income and contractual means to recapture such

income for purposes of this chapter; and (h) evidence of public and private collaboration;

(6) Create one or more advisory boards composed of scientists, industrialists, and others familiar with life sciences research;

(7) Review and approve or disapprove marijuana research license applications under RCW 69.50.--- (section 1, chapter 71, Laws of 2015);

(8) Review any reports made by marijuana research licensees under state liquor ((~~control~~)) and cannabis board rule and provide the state liquor ((~~control~~)) and cannabis board with its determination on whether the research project continues to meet research qualifications under RCW 69.50.---(1) (section 1, chapter 71, Laws of 2015); and

(9) Adopt policies and procedures to facilitate the orderly process of grant application, review, and reward.

Sec. 1504. RCW 42.56.--- and 2015 c 71 s 4 are each amended to read as follows:

Reports submitted by marijuana research licensees in accordance with rules adopted by the state liquor ((~~control~~)) and cannabis board under RCW 69.50.--- (section 1, chapter 71, Laws of 2015) that contain proprietary information are exempt from disclosure under this chapter.

PART XVI

Preemption and Public Vote

NEW SECTION. **Sec. 1601.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Except as provided in subsections (2) through (6) of this section, no city, town, or county may enact or enforce a moratorium or prohibition on the production, processing, researching, or retail sale of marijuana under this chapter.

(2)(a) Any registered voter of a city, town, or county may submit a petition calling for the city, town, or county to prohibit the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under this chapter. The petition must be signed by thirty percent or more of the voters of the jurisdiction and must be filed with the legislative authority of the applicable city, town, or county. With respect to petitions to be filed with a county under this subsection, only registered voters in the unincorporated area of the county may initiate and sign the petition.

(b) If the legislative authority determines the petition to be sufficient, it must, within sixty days of determining the petition to be sufficient, hold a public hearing on the petition and an implementing ordinance. Following the public hearing, the legislative authority of the city, town, or county must submit the question of prohibiting siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana products under this chapter to the voters of the jurisdiction at a general election.

(c) If a majority of the voters of the city, town, or county voting in the election approves the prohibition, the prohibition will take effect on the date specified in the petition. If no effective date is specified in the petition, the prohibition takes effect sixty days after the election.

(3) As an alternative to the petition process established in subsection (2) of this section, the legislative authority of any city, town, or county may initiate an ordinance provided for in subsection (2) of this section by submitting a ballot proposition at a general election prohibiting the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under this chapter. If a majority of the voters of the county, city, or town voting in the election approves the prohibition, the prohibition takes effect on the date specified in the ballot proposition. If no effective date is specified in the ballot proposition, the prohibition takes effect sixty days after the election.

(4) With respect to a county enacting an ordinance under this section, the ordinance may only apply to unincorporated areas of the county. No voters within the boundaries of an incorporated city or town may participate in a county election under this section.

(5) Following the passage of an ordinance under subsections (2) and (3) of this section, the state liquor control board may not issue or renew any license under RCW 69.50.325 or section 1501 of this act for the production, processing, researching, or retail sale of marijuana with respect to businesses that are either located or proposed to be located within an area subject to the ordinance.

(6) The legislative authority of a city, town, or county may, by ordinance, repeal a prohibition enacted under this section not less than two years after the prohibition's effective date. After a repeal under this subsection, the state liquor control board may issue and renew licenses under RCW 69.50.325 or section 1501 of this act within the area that had been subject to a prohibition.

(7) Nothing in this section may be construed to extend powers to cities, towns, or counties beyond the power to prohibit the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana.

NEW SECTION. **Sec. 1602.** A new section is added to chapter 36.01 RCW to read as follows:

Notwithstanding any other provision of law, counties also have the authority granted in section 1601 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW.

NEW SECTION. **Sec. 1603.** A new section is added to chapter 35.21 RCW to read as follows:

Notwithstanding any other provision of law, cities and towns also have the authority granted in section 1601 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW.

NEW SECTION. **Sec. 1604.** A new section is added to chapter 35A.21 RCW to read as follows:

Notwithstanding any other provision of law, code cities also have the authority granted in section 1601 of this act to prohibit by ordinance the siting or operation of any business or facility to be used for the production, processing, researching, or retail sale of marijuana under chapter 69.50 RCW.

PART XVII

Miscellaneous Provisions

Sec. 1701. RCW 69.50.342 and 2015 c 70 s 7 are each amended to read as follows:

(1) For the purpose of carrying into effect the provisions of chapter 3, Laws of 2013 according to their true intent or of supplying any deficiency therein, the state liquor and cannabis board may adopt rules not inconsistent with the spirit of chapter 3, Laws of 2013 as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor and cannabis board is empowered to adopt rules regarding the following:

(a) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises where marijuana is produced or processed;

(b) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor and cannabis board, and inspection of the books and records;

(c) Methods of producing, processing, and packaging marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products; conditions of sanitation; safe handling requirements; approved pesticides and pesticide testing requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, and

marijuana-infused products produced, processed, packaged, or sold by licensees;

(d) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(e) Screening, hiring, training, and supervising employees of licensees;

(f) Retail outlet locations and hours of operation;

(g) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, cannabis health and beauty aids, and marijuana-infused products for sale in retail outlets;

(h) Forms to be used for purposes of this chapter and chapter 69.51A RCW or the rules adopted to implement and enforce these chapters, the terms and conditions to be contained in licenses issued under this chapter and chapter 69.51A RCW, and the qualifications for receiving a license issued under this chapter and chapter 69.51A RCW, including a criminal history record information check. The state liquor and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor and cannabis board ((~~shall~~)) must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;

(i) Application, reinstatement, and renewal fees for licenses issued under this chapter and chapter 69.51A RCW, and fees for anything done or permitted to be done under the rules adopted to implement and enforce this chapter and chapter 69.51A RCW;

(j) The manner of giving and serving notices required by this chapter and chapter 69.51A RCW or rules adopted to implement or enforce these chapters;

(k) Times and periods when, and the manner, methods, and means by which, licensees ((~~shall~~)) transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

(l) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter or chapter 69.51A RCW or the rules adopted to implement and enforce these chapters.

(2) Rules adopted on retail outlets holding medical marijuana endorsements must be adopted in coordination and consultation with the department.

NEW SECTION. **Sec. 1702.** RCW 69.50.425 (Misdemeanor violations—Minimum penalties) and 2015 c 265 s 35, 2002 c 175 s 44, & 1989 c 271 s 105 are each repealed.

NEW SECTION. **Sec. 1703.** (1) Subject to appropriation, if, in addition to any distributions required by section 206 of this act, funding of at least six million dollars per fiscal year for fiscal years 2016 and 2017 is not provided by June 30, 2015, in the omnibus appropriations act for distribution to local governments for marijuana enforcement, this section is null and void. The appropriation in the omnibus appropriations act must reference this section by bill and section number. Distributions to local governments are based on the distribution formula in subsection (2) of this section.

(2)(a) The distribution amount allocated to each county, including the portion for eligible cities within the county, is ratably based on the total amount of taxable sales of marijuana products subject to the marijuana excise tax under RCW 69.50.535 in the prior fiscal year within the county, including all taxable sales attributable to the incorporated areas within the county. Distribution amounts allocated to each county, and eligible cities within the county, must be distributed in four installments by the last day of each fiscal quarter as follows.

(b) Sixty percent must be distributed to each county, except where there is no eligible city with taxable sales of marijuana products in the prior fiscal year, in which case the county must receive one hundred percent of the distribution amount allocated to the county as determined in (a) of this subsection. A county in which the producing, processing, or retailing of marijuana products is prohibited in the unincorporated area of the county is not entitled to a distribution and the distribution amount must be distributed instead to the eligible cities within the county as provided in (c) of this subsection.

(c) After making any distribution to counties as provided in (b) of this subsection, the treasurer must distribute the remaining amount to eligible cities within the counties. The share to each eligible city within a county must be determined by a division among the eligible cities within each county ratably based on total sales, from the prior fiscal year, of all marijuana products subject to the marijuana excise tax under RCW 69.50.535 within the boundaries of each eligible city located within the county. "Eligible city" means any city or town in which sales of marijuana products are attributable to a marijuana retailer, as defined in RCW 69.50.101, located within the boundaries of the city or town.

(d) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in subsection (2) of this section.

NEW SECTION. **Sec. 1704.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 1705.** (1) Except as provided otherwise in this section, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

(2) Except for section 503 of this act, part V of this act takes effect October 1, 2015.

(3) Sections 203 and 1001 of this act take effect July 1, 2016.

(4) Sections 302, 503, 901, 1204, and 1701 of this act and part XV of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 24, 2015."

Correct the title.

Representative Carlyle moved the adoption of amendment (528) to amendment (532):

On page 26, line 18 of the striking amendment, after "(9)" insert "Subject to section 1601 of this act, a city, town, or county may adopt an ordinance prohibiting a marijuana producer or marijuana processor from operating or locating a business within areas zoned primarily for residential use or rural use with a minimum lot size of five acres or smaller.

(10)"

Representatives Carlyle and Condotta spoke in favor of the adoption of the amendment to the striking amendment.

Representative Taylor spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 54 - YEAS; 43 - NAYS.

Amendment (528) to amendment (532) was adopted.

Representative Kilduff moved the adoption of amendment (536) to amendment (532):

On page 52, beginning on line 8 of the striking amendment, strike all of section 1301

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 53, line 2 of the striking amendment, after "operating" insert "a vending machine, as defined in RCW 82.08.080(3) for the sale of marijuana products at retail or"

On page 53, at the beginning of line 3 of the striking amendment, strike "concentrates, marijuana-infused products, or useable marijuana" and insert "products"

Representatives Kilduff, Kilduff (again) and Klippert spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Hurst and Condotta spoke against the adoption of the amendment to the striking amendment.

Amendment (536) to amendment (532) was adopted.

Representative Condotta moved the adoption of amendment (539) to amendment (532):

On page 57, after line 25 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 1705.1601.** A new section is added to chapter 69.50 RCW to read as follows:

Except as provided in section 1601 of this act, no city, town, or county may enact or enforce a moratorium or prohibition on the production, processing, researching, or retail sale of marijuana under this chapter."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 57, beginning on line 28 of the striking amendment, strike all of subsection (1)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 63, line 10 of the striking amendment, after (3) insert "Section 1601 of this act taxes effect December 31, 2015.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Condotta and Hurst spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (539) to amendment (532) was adopted.

Representative Rodne moved the adoption of amendment (529) to amendment (532):

On page 57, beginning on line 24, strike all of part XVI

Renumber the remaining part and sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Rodne, Kochmar, Klippert, Reykdal and Springer spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Hurst, Sawyer, Condotta and Walsh spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (529) to the striking amendment (532) to Engrossed Second Substitute House Bill No. 2136.

ROLL CALL

The Clerk called the roll on the adoption of amendment (529) to the striking amendment (532) to Engrossed Second Substitute House Bill No. 2136, and the amendment was not adopted by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Buys, Caldier, Carlyle, Chandler, Clibborn, DeBolt, Dent, Dye, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hawkins, Hayes, Hudgins, Hunt, G., Johnson, Kilduff, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, McCabe, Morris, Moscoso, Muri, Nealey, Orcutt, Orwall, Parker, Pettigrew, Pike, Reykdal, Robinson, Rodne, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van Werven, Vick, Young, and Zeiger

Voting nay: Representatives Blake, Chopp, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Harris, Holy, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kirby, Manweller, McBride, McCaslin, Moeller, Ormsby, Ortiz-Self, Peterson, Pollet, Riccelli, Ryu, Sawyer, Stanford, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, and Wylie

Excused: Representative MacEwen

Representatives Carlyle and Hurst spoke in favor of the adoption of the striking amendment.

Representatives Condotta, Klippert and Appleton spoke against the adoption of the striking amendment.

Amendment (532), as amended, was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Hurst, Cody and Pollet spoke in favor of the passage of the bill.

Representatives Condotta, Orcutt and Condotta (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 2136.

MOTION

On motion of Representative Harris, Representative MacEwen was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 2136, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Manweller, McCabe, McCaslin, Orcutt, Orwall, Parker, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Wilcox, Wilson and Young.

Excused: Representative MacEwen.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2239, by Representatives Hunter, Lytton, Sullivan and Carlyle

Concerning implementation of a plan for fulfilling Article IX obligations. Revised for 1st Substitute: Concerning implementation of a plan for fulfilling Article IX basic education obligations.

The bill was read the second time.

There being no objection, Engrossed Substitute House Bill No. 2239 was substituted for House Bill No. 2239 and the substitute bill was placed on the second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239 was read the second time.

With the consent of the house, amendment (515) was withdrawn.

Representative Lytton moved the adoption of amendment (526):

On page 4, at the beginning of line 19, strike "outside" and insert "beyond"

On page 7, after line 19, insert the following:

"(5) Recommendations of the council require the affirmative vote of eight of its members."

Renumber the remaining subsections consecutively and correct any
internal references accordingly.

On page 9, line 17, after "enrichments" strike "outside" and insert "beyond"

On page 10, line 5, after "expenditures are" strike "outside" and insert "beyond"

On page 11, after line 31, insert the following:

"**Sec. 9.** RCW 28A.175.075 and 2013 c 23 s 46 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall establish a state-level building bridges work group that includes K-12 and state agencies that work with youth who have dropped out or are at risk of dropping out of school. The following agencies shall appoint representatives to the work group: The office of the superintendent of public instruction, the workforce training and education coordinating board, the department of early learning, the employment security department, the state board for community and technical colleges, the department of health, the community mobilization office, and the children's services and behavioral health and recovery divisions of the department of social and health services. The work group should also consist of one representative from each of the following agencies and organizations: A statewide organization representing career and technical education programs including skill centers; the juvenile courts or the office of juvenile justice, or both; the Washington association of prosecuting attorneys; the Washington state office of public defense; accredited institutions of higher education; the educational service districts; the area workforce development councils; parent and educator associations; educational opportunity gap oversight and accountability committee; office of the education ombuds; local school districts; agencies or organizations that provide services to special education students; community organizations serving youth; federally recognized tribes and urban tribal centers; each of the major political caucuses of the senate and house of representatives; and the minority commissions.

(2) To assist and enhance the work of the building bridges programs established in RCW 28A.175.025, the state-level work group shall:

(a) Identify and make recommendations to the legislature for the reduction of fiscal, legal, and regulatory barriers that prevent coordination of program resources across agencies at the state and local level;

(b) Develop and track performance measures and benchmarks for each partner agency or organization across the state including performance measures and benchmarks based on student characteristics and outcomes specified in RCW 28A.175.035(1)(e); and

(c) Identify research-based and emerging best practices regarding prevention, intervention, and retrieval programs.

(3)(a) The work group shall report to the ((~~quality education council,~~)) appropriate committees of the legislature((~~,~~)) and the governor on an annual basis beginning December 1, 2007, with proposed strategies for building K-12 dropout prevention, intervention, and reengagement systems in local communities throughout the state including, but not limited to, recommendations for implementing emerging best practices, needed additional resources, and eliminating barriers.

(b) By September 15, 2010, the work group shall report on:

(i) A recommended state goal and annual state targets for the percentage of students graduating from high school;

(ii) A recommended state goal and annual state targets for the percentage of youth who have dropped out of school who should be reengaged in education and be college and work ready;

(iii) Recommended funding for supporting career guidance and the planning and implementation of K-12 dropout prevention, intervention, and reengagement systems in school districts and a plan for phasing the funding into the program of basic education, beginning in the 2011-2013 biennium; and

(iv) A plan for phasing in the expansion of the current school improvement planning program to include state-funded, dropout-focused school improvement technical assistance for

school districts in significant need of improvement regarding high school graduation rates.

(4) State agencies in the building bridges work group shall work together, wherever feasible, on the following activities to support school/family/community partnerships engaged in building K-12 dropout prevention, intervention, and reengagement systems:

(a) Providing opportunities for coordination and flexibility of program eligibility and funding criteria;

(b) Providing joint funding;

(c) Developing protocols and templates for model agreements on sharing records and data;

(d) Providing joint professional development opportunities that provide knowledge and training on:

(i) Research-based and promising practices;

(ii) The availability of programs and services for vulnerable youth; and

(iii) Cultural competence.

(5) The building bridges work group shall make recommendations to the governor and the legislature by December 1, 2010, on a state-level and regional infrastructure for coordinating services for vulnerable youth. Recommendations must address the following issues:

(a) Whether to adopt an official conceptual approach or framework for all entities working with vulnerable youth that can support coordinated planning and evaluation;

(b) The creation of a performance-based management system, including outcomes, indicators, and performance measures relating to vulnerable youth and programs serving them, including accountability for the dropout issue;

(c) The development of regional and/or county-level multipartner youth consortia with a specific charge to assist school districts and local communities in building K-12 comprehensive dropout prevention, intervention, and reengagement systems;

(d) The development of integrated or school-based one-stop shopping for services that would:

(i) Provide individualized attention to the neediest youth and prioritized access to services for students identified by a dropout early warning and intervention data system;

(ii) Establish protocols for coordinating data and services, including getting data release at time of intake and common assessment and referral processes; and

(iii) Build a system of single case managers across agencies;

(e) Launching a statewide media campaign on increasing the high school graduation rate; and

(f) Developing a statewide database of available services for vulnerable youth.

Sec. 10. RCW 28A.230.090 and 2014 c 217 s 202 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

(d)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)(d). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)(d) to an applying school district at the next subsequent meeting of the board after receiving an application.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review ((~~and to the quality education council established under RCW 28A.290.010~~)). The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American

sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 11. RCW 28A.300.136 and 2013 c 23 s 49 are each amended to read as follows:

(1) An educational opportunity gap oversight and accountability committee is created to synthesize the findings and recommendations from the 2008 achievement gap studies into an implementation plan, and to recommend policies and strategies to the superintendent of public instruction, the professional educator standards board, and the state board of education to close the achievement gap.

(2) The committee shall recommend specific policies and strategies in at least the following areas:

(a) Supporting and facilitating parent and community involvement and outreach;

(b) Enhancing the cultural competency of current and future educators and the cultural relevance of curriculum and instruction;

(c) Expanding pathways and strategies to prepare and recruit diverse teachers and administrators;

(d) Recommending current programs and resources that should be redirected to narrow the gap;

(e) Identifying data elements and systems needed to monitor progress in closing the gap;

(f) Making closing the achievement gap part of the school and school district improvement process; and

(g) Exploring innovative school models that have shown success in closing the achievement gap.

(3) Taking a multidisciplinary approach, the committee may seek input and advice from other state and local agencies and organizations with expertise in health, social services, gang and violence prevention, substance abuse prevention, and other issues that disproportionately affect student achievement and student success.

(4) The educational opportunity gap oversight and accountability committee shall be composed of the following members:

(a) The chairs and ranking minority members of the house and senate education committees, or their designees;

(b) One additional member of the house of representatives appointed by the speaker of the house and one additional member of the senate appointed by the president of the senate;

(c) A representative of the office of the education ombuds;

(d) A representative of the center for the improvement of student learning in the office of the superintendent of public instruction;

(e) A representative of federally recognized Indian tribes whose traditional lands and territories lie within the borders of Washington state, designated by the federally recognized tribes; and

(f) Four members appointed by the governor in consultation with the state ethnic commissions, who represent the following populations: African-Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans.

(5) The governor and the tribes are encouraged to designate members who have experience working in and with schools.

(6) The committee may convene ad hoc working groups to obtain additional input and participation from community members. Members of ad hoc working groups shall serve without compensation and shall not be reimbursed for travel or other expenses.

(7) The chair or cochairs of the committee shall be selected by the members of the committee. Staff support for the committee shall be provided by the center for the improvement of student learning. Members of the committee shall serve without compensation but must be reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative members of the committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120.

(8) The superintendent of public instruction, the state board of education, and the professional educator standards board((~~, and the quality education council~~)) shall work collaboratively with the educational opportunity gap oversight and accountability committee to close the achievement gap.

Sec. 12. RCW 28A.400.201 and 2011 1st sp.s. c 43 s 468 are each amended to read as follows:

(1) The legislature recognizes that providing students with the opportunity to access a world-class educational system depends on our continuing ability to provide students with access to world-class educators. The legislature also understands that continuing to attract and retain the highest quality educators will require increased investments. The legislature intends to enhance the current salary allocation model and recognizes that changes to the current model cannot be imposed without great deliberation and input from teachers, administrators, and classified employees. Therefore, it is the intent of the legislature to begin the process of developing an enhanced salary allocation model that is collaboratively designed to ensure the rationality of any conclusions regarding what constitutes adequate compensation.

(2) Beginning July 1, 2011, the office of the superintendent of public instruction, in collaboration with the human resources director in the office of financial management, shall convene a technical working group to recommend the details of an enhanced salary allocation model that aligns state expectations for educator development and certification with the compensation system and establishes recommendations for a concurrent implementation schedule. In addition to any other details the technical working group deems necessary, the technical working group shall make recommendations on the following:

(a) How to reduce the number of tiers within the existing salary allocation model;

(b) How to account for labor market adjustments;

(c) How to account for different geographic regions of the state where districts may encounter difficulty recruiting and retaining teachers;

(d) The role of and types of bonuses available;

(e) Ways to accomplish salary equalization over a set number of years; and

(f) Initial fiscal estimates for implementing the recommendations including a recognition that staff on the existing salary allocation model would have the option to grandfather in permanently to the existing schedule.

(3) As part of its work, the technical working group shall conduct or contract for a preliminary comparative labor market analysis of salaries and other compensation for school district employees to be conducted and shall include the results in any reports to the legislature. For the purposes of this subsection, "salaries and other compensation" includes average base salaries, average total salaries, average employee basic benefits, and retirement benefits.

(4) The analysis required under subsection (1) of this section must:

(a) Examine salaries and other compensation for teachers, other certificated instructional staff, principals, and other building-level certificated administrators, and the types of classified employees for whom salaries are allocated;

(b) Be calculated at a statewide level that identifies labor markets in Washington through the use of data from the United States bureau of the census and the bureau of labor statistics; and

(c) Include a comparison of salaries and other compensation to the appropriate labor market for at least the following subgroups of educators: Beginning teachers and types of educational staff associates.

(5) The working group shall include representatives of the office of financial management, the professional educator standards board, the office of the superintendent of public instruction, the Washington education association, the Washington association of school administrators, the association of Washington school principals, the Washington state school directors' association, the public school employees of Washington, and other interested stakeholders with appropriate expertise in compensation related matters. The working group may convene advisory subgroups on specific topics as necessary to assure participation and input from a broad array of diverse stakeholders.

(6) The working group shall be monitored and overseen by the legislature ((~~and the quality education council created in RCW 28A.290.010~~)). The working group shall make an initial report to the legislature by June 30, 2012, and shall include in its report recommendations for whether additional further work of the group is necessary.

NEW SECTION. **Sec. 13.** The following acts or parts of acts are each repealed:

(1)RCW 28A.290.010 (Quality education council—Purpose—Membership and staffing—Reports) and 2013 2nd sp.s. c 25 s 7 & 2011 1st sp.s. c 21 s 54; and

(2)RCW 28A.290.020 (Funding formulas to support instructional program—Technical working group) and 2010 c 236 s 5 & 2009 c 548 s 112."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Lytton and Magendanz spoke in favor of the adoption of the amendment.

Amendment (526) was adopted.

Representative Magendanz moved the adoption of amendment (518):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1706.** INTENT. (1) In its January 2012 ruling in *McCleary v. State*, the state supreme court declared that Engrossed Substitute House Bill No. 2261 (chapter 548, Laws of 2009), "if fully funded," constituted a "promising reform" that would remedy deficiencies in the state's compliance with its paramount duty to make ample provision for the education of its children. In Engrossed Substitute House Bill No. 2261, the legislature revised its previous formulas to establish the prototypical school model, and it directed the quality education council and its technical working groups to recommend the details of necessary formula enhancements to the prototypical school model. The following year, the legislature enacted Substitute House Bill No. 2776 (chapter 236, Laws of 2010), which provided in statute quantification of the formula enhancements and established statutory deadlines for funding and implementation of these deadlines. Specifically, Substitute House Bill No. 2776 called for (a) full funding of the expected cost transportation formula by the 2013-2015 biennium, which the legislature implemented in the budget for the 2013-2015 biennium, fully funding the model in the 2014-15 school year; (b) full funding of the enhanced formula for materials, supplies, and operating costs by the 2015-16 school year, which both houses of the legislature have funded in the respective 2015-2017 proposed budgets that have passed each chamber; (c) full funding for all-day kindergarten by the 2017-18 school year, which both houses of the legislature have funded in the respective 2015-2017 budgets that have passed each chamber, one year ahead of the statutory deadline; and (d) full funding for K-3 class size reduction by the 2017-18 school year, which both houses of the legislature have funded in a phase-in schedule in the respective 2015-2017 proposed budgets that have passed each chamber, with full implementation planned for the 2017-18 school year.

(2) In its September 2014 order in *McCleary*, the court indicated that it expects the legislature to provide the court with a plan against which to measure the state's progress toward full implementation. As described in subsection (1) of this section, in Substitute House Bill No. 2776 the legislature enacted a comprehensive plan for funding the enhancements to the prototypical school formula, and the legislature has not failed to meet a statutorily prescribed deadline. These enhancements to the funding formula address transportation and materials, supplies, and operating costs, two of the areas identified by the court in which state funding allocations were insufficient to support the state's program of basic education, thereby causing school districts to rely on local levies for implementation of the state's basic education program.

(3) The 2012 *McCleary* ruling also identified a constitutional flaw in the funding formula that predated Engrossed Substitute House Bill No. 2261 and Substitute House Bill No. 2776: State allocations for state-funded staff salaries were insufficient to provide districts with adequate funding to hire and retain teachers for the state's program of basic education. To correct the identified inadequacies of the state salary allocation formulas, the legislature intends to review and quantify the need for additional state allocations so that the state may implement its new salary funding formula in the 2018-19 school year. As a starting point for this task, the legislature finds that the review process should begin with the assumption that the minimum salary cost for the state's program of basic education is the sum of total statewide salary allocations for state-funded employees in the 2014-15 school year plus eighty-five percent of the difference between that amount and total statewide

school district actual salary expenditures for state-funded employees in the 2014-15 school year.

(4) The legislature further finds that increased state salary allocations, while a necessary part of the solution, are not a complete solution. The legislature intends to correct the inadequate state salary allocations identified by the court, but it cannot do so without simultaneously addressing the use of and accountability for local levies for enrichments to the state-funded program of basic education, as well as state-funded levy equalization to mitigate the effect of above-average property tax rates for local levies. Revisions to local levy laws must consider sensitivity to tax rates for districts that have relatively low property values. The intricacies of these entwined topics mean that a piecemeal or interim solution is not feasible. Further, due to the complexity of any plan that requires changes to property taxes, a solution requires sufficient lead time to align local levy and state property tax revisions with school year allocations in the state budget.

(5) To fund the constitutionally required revisions to state salary allocations for state-funded employees, and to prevent local levies from being used for the state's program of basic education, the legislature must revise the state property tax while decreasing the amount that school districts may collect in local levies. The changes to total property tax collections must be revenue-neutral on a statewide basis.

(6) For these reasons, the legislature intends to enact a schedule for researching and enacting policies for fully funding all elements of Engrossed Substitute House Bill No. 2261 on September 1, 2018. As set forth in this act, the legislature intends to review and enact legislation on:

(a)(i) State salary allocations. The state must quantify the portion of salaries for state-funded employees that is part of the state's program of basic education. To ensure that each district receives sufficient state allocations to hire and retain state-funded staff without obligating the state to fund all districts at the highest district cost level, new state funding formulas must contain a localization mechanism. Further, new state funding formulas must eliminate the practice of "grandfathering" salary allocations based on outdated historical funding practices, and they must contain mechanisms for inflationary adjustment; and

(ii) State allocations and purchasing methods for health insurance benefits.

(b) Enrichment and TRI. The state must enact definitions of "enrichment" and authorized TRI that provide school districts with sufficient flexibility to implement local education priorities beyond the state's program of basic education while protecting the state's ability to demonstrate that its allocations fund the state's program of basic education.

(c) State property taxes and local levies. The state must enact new laws governing local levy collections, including local levy bases, rates, or lids, with reductions to local levies offset by changes to the state property tax that are revenue-neutral on a statewide basis. The new local levy system must eliminate the practice of "grandfathering" levy formulas based on outdated historical funding formulas.

(d) State levy equalization. The state must make corresponding changes to its system of levy equalization to mitigate the effect that above-average property tax rates for local levies have on districts' ability to fund enrichments beyond the state's program of basic education.

(e) Transparency and accountability. The state must establish accountability procedures to provide greater clarity and transparency for expenditures of state, federal, and local revenues, including expenditures for the state program of basic education and for local enrichment beyond this program.

PART I

WASHINGTON EDUCATION FUNDING COUNCIL

NEW SECTION. **Sec. 101.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise. These definitions apply only for purposes of establishing the duties of the council and the legislature under this chapter. As provided elsewhere in this chapter, the legislature recognizes that some of the terms defined in this section are expressly intended to be redefined by the legislature in future legislation.

(1) "Council" means the Washington education funding council created in section 102 of this act.

(2) "Enrichment" means additional services, instruction, supplies, or similar expenditures that supplement and are not within the state's program of basic education, and that may be funded by local levies consistent with *Seattle School District v. State* (1978) and *McCleary v. State* (2012).

(3) "Levy equalization" means a state-funded program of aid that assists school districts in funding enrichment that supplements the state's program of basic education, and that is intended to mitigate the effect that variations in local property values might have on the ability to fund these supplements locally. The program of local effort assistance established in chapter 28A.500 RCW is an example of "levy equalization."

(4) "Local levies" means maintenance and operation levies collected by school districts under RCW 84.52.053 and 84.52.0531.

(5) "Localization" means a methodology for adjusting state salary allocations to reflect local or regional differences in the cost of salaries necessary to allow school districts to hire and retain state-funded employees for the state's program of basic education.

(6) "State-funded employees" means school district employees for which the state allocates funding pursuant to the prototypical school formula in RCW 28A.150.260 and the omnibus operating appropriations act.

(7) "State's program of basic education" means the instructional program of basic education defined in RCW 28A.150.220.

(8) "TRI" means separate contracts for additional time, responsibility, or incentive, which pursuant to RCW 28A.400.200, may not be used for the provision of services that are part of the state's program of basic education.

NEW SECTION. **Sec. 102.** WASHINGTON EDUCATION FUNDING COUNCIL CREATED. (1) The legislature intends to fulfill its obligations under Article IX of the state Constitution by completing its implementation of all aspects of chapter 548, Laws of 2009 by September 1, 2018. The funding formulas under chapter 28A.150 RCW to support the state's instructional program must be revised and fully implemented by that date under the schedule of annual benchmarks prescribed in this chapter.

(2) The Washington education funding council is created to advise the legislature as the state moves toward full implementation of the state's program of basic education established pursuant to chapter 548, Laws of 2009 and the financing and revenues necessary to support such program. The council must make recommendations on how the legislature should meet the requirements outlined in chapter 548, Laws of 2009 by September 1, 2018, thereby fulfilling the requirements of the state supreme court in *McCleary v. State*. As provided in this chapter, the council must submit to the legislature recommended changes to state salary allocation formulas and state tax laws to support the state's program of basic education as established under chapter 548, Laws of 2009, along with corresponding recommendations on the state property tax, local levy laws, levy equalization, and other state laws.

(3) As provided in sections 201 and 203 of this act, the council shall submit reports to the governor and the legislature detailing its recommendations, including recommendations for resolving issues or decisions requiring legislative action during the 2016 and 2017 legislative sessions, and recommendations for any funding necessary to complete development and implementation of chapter

548, Laws of 2009. The recommendations must also include the technical details for implementing the recommendations.

(4)(a) The council consists of the following members:

(i) Eight legislators, with two members from each of the two largest caucuses of the senate appointed by the president of the senate and two members from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;

(ii) The governor, or the governor's designee; and

(iii) The state superintendent of public instruction, or the superintendent's designee.

(b) The council shall select cochairs from among its legislative members.

(c) The council is staffed by the house of representatives office of program research, senate committee services, and the office of financial management, with additional staff support provided by the state entities with representatives on the council.

(5) Recommendations of the council require the affirmative vote of seven of its members.

(6) Legislative members of the council must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) The expenses of the council must be paid jointly by the senate and the house of representatives. Council expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

NEW SECTION. **Sec. 103.** WASHINGTON EDUCATION FUNDING COUNCIL MAY ESTABLISH TECHNICAL WORKING GROUPS. (1) The council may also establish technical working groups to advise the task force on technical and practical aspects of proposed policies and formulas.

(2) The technical working group or groups may include representatives of the legislative evaluation and accountability program committee, school district and educational service district financial managers, the Washington association of school business officers, the Washington education association, the Washington association of school administrators, the association of Washington school principals, the Washington state school directors' association, the public school employees of Washington, and other interested stakeholders with expertise in education finance or state revenue.

PART II

SCHEDULE FOR COUNCIL RECOMMENDATIONS AND LEGISLATIVE ENACTMENTS

NEW SECTION. **Sec. 201.** WASHINGTON EDUCATION FUNDING COUNCIL RECOMMENDATIONS TO THE 2016 LEGISLATURE. By December 1, 2015, the council shall provide the legislature and governor with a report that contains:

(1) Preliminary recommendations for statewide minimum and average salary allocations for certificated instructional staff, certificated administrative staff, and classified staff, including recommendations on localization, to take effect with the 2018-19 school year;

(2) Preliminary recommendations for amount of and mechanisms for state allocations for state-funded school district employee health insurance benefits. In making the recommendations, the council must consider data and analysis submitted by the health care authority to the legislature in June 2015 pursuant to chapter 3, Laws of 2012 2nd sp. sess. to consider the adequacy of and mechanisms for these allocations;

(3)(a) Research describing the current use of TRI and supplemental contracts, broken down by use and estimated dollar amount per use. This research must distinguish among (i) additional services, such as coaching, or similar services rendered outside the school day; (ii) additional services performed during the school day, such as service as a department head; (iii) salary supplements for work "deemed done" or work such as grading papers that would ordinarily be considered part of the teacher's job; (iv) supplemental contracts that are part of the state's program of basic education, such as preparation of individualized education plans; (v) other types of supplemental contracts; and (vi) extra time for professional development;

(b) Research describing, and quantifying if possible, other factors that affect TRI and other supplemental contracts including, but not limited to: Difficulty of attracting staff to particular schools or programs, collective bargaining laws and practices, local compensation philosophy, local cost-of-living differences, and community expectations;

(c) Research describing local levy expenditures on items other than salaries, broken down into specific categories, such as technology, the transitional bilingual instruction program, special education, the highly capable program, athletics, extracurricular activities, other intermural activities, or equipment;

(4) In light of the research in subsection (3) of this section, recommendations for a statutory definition of enrichment and authorized TRI. The recommendations must be sufficiently specific to provide guidance to school districts and auditors while being sufficiently flexible to allow local innovation. The recommended definition of enrichment may not prohibit use of local levies to hire additional staff for class size reduction beyond that specified in the omnibus appropriations act;

(5) Recommendations on protections for the state to ensure that local levy funding is used only for enrichment, in addition to the provisions of sections 301 through 310 of this act. These may include additional auditing requirements, additional requirements for school district accounting, additional reporting by school districts, and changes to collective bargaining laws or practices; and

(6) Recommendations on policies for levy equalization.

NEW SECTION. **Sec. 202.** LEGISLATION TO BE ENACTED DURING THE 2016 LEGISLATIVE SESSION. By June 30, 2016, the legislature shall enact legislation that:

(1) Quantifies the portion of locally funded salaries that is the responsibility of the state's program of basic education and establishes preliminary policy guidance for the council to develop a new state salary model for implementation in the 2018-19 school year, which (a) must include localization, (b) may include simplification or elimination of the state certificated instructional staff salary grid, or both, and (c) may include a mechanism for inflationary adjustment;

(2) Establishes preliminary policy guidance for the amount of and mechanisms for state allocations for health insurance benefits for state-funded school district employees. The legislation must consider the work of the joint legislative audit and review committee under chapter 3, Laws of 2012 2nd sp. sess.;

(3) Effective September 1, 2018:

(a) Defines "enrichment";

(b) Defines appropriate use of local levy funding to supplement salaries for state-funded employees; and

(c) Establishes protections that allow the state to demonstrate its funding of the state's program of basic education and that ensures local levy expenditures are outside the state's program of basic education;

(4) Establishes preliminary policy guidance for state property taxes for collection beginning in calendar year 2018. Taken together with the guidance on local levies, the policies must be revenue-neutral on a statewide basis;

(5) Establishes preliminary policy guidance for local levies for collection beginning in calendar year 2018, including a combination of rates, bases, or lids, or any of these. The local levy policy must reflect the newly enacted definition of "enrichment" and the new

policies regarding use of local levies to supplement state salary allocations for the state's program of basic education. Taken together with the guidance on state property taxes, the policies must be revenue-neutral on a statewide basis; and

(6) Establishes preliminary policy guidance for any use of state funding as levy equalization beginning in calendar year 2018.

NEW SECTION. **Sec. 203.** WASHINGTON EDUCATION FUNDING COUNCIL RECOMMENDATIONS TO THE 2017 LEGISLATURE. By December 1, 2016, the council and its technical working groups must make recommendations in a report to the legislature on the following:

(1) Quantification, including methods for future adjustment, of a new salary model for implementation in the 2018-19 school year, including quantification and methods for localization and simplification or elimination of the existing grid;

(2) Quantification of state property tax rates and local levy bases, rates, or lids, with recommended legislation for collection in calendar year 2019, and any necessary state property tax rates or local levy policies to address any need for transition in calendar year 2018; and

(3) Quantification of formulas for levy equalization, beginning by calendar year 2019.

NEW SECTION. **Sec. 204.** LEGISLATION TO BE ENACTED IN THE 2017 LEGISLATIVE SESSION. By June 30, 2017, the legislature must enact legislation that accomplishes the following:

(1) Enacts a new salary allocation model for the 2018-19 school year, which must include localization, and makes appropriations in the 2017-2019 operating budget for distribution to districts under this model;

(2) Beginning with the 2017-18 school year, establishes a statutory mechanism and appropriates funding for state allocations for health insurance benefits for state-funded employees, which may include a state-operated school employees' benefits board;

(3) Establishes state property tax rates and new bases, rates, or lids for local levies for collection beginning in calendar year 2018 or calendar year 2019, depending on any need for a transitional year in calendar year 2018. These changes to property tax rates must be revenue-neutral on a statewide basis; and

(4) Enacts formulas and makes appropriations for the program of levy equalization, beginning by calendar year 2019.

PART III
TRANSPARENCY AND ACCOUNTABILITY

Sec. 301. RCW 28A.300.173 and 2010 c 236 s 12 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall implement and maintain an internet-based portal that provides ready public access to the state's prototypical school funding model for basic education under RCW 28A.150.260.

(2) The portal must provide ((~~citizens~~)) the opportunity to view, for each local school building, the following:

(a) Staffing levels and other prototypical school funding elements that are assumed under the state funding formula((~~. The portal must also provide~~));

(b) A matrix displaying how individual school districts are deploying those same state resources through their allocation of staff and other resources to school buildings, so that citizens are able to compare the state assumptions to district allocation decisions for each local school building; and

(c) Beginning with the 2018-19 school year financial data, how local levy and other funds are expended to enhance the state-provided staffing levels and other prototypical school funding elements in RCW 28A.150.260.

Sec. 302. RCW 28A.320.330 and 2009 c 460 s 1 are each amended to read as follows:

School districts shall establish the following funds in addition to those provided elsewhere by law:

(1) A general fund for maintenance and operation of the school district to account for all financial operations of the school district except those required to be accounted for in another fund.

(2) A capital projects fund shall be established for major capital purposes. All statutory references to a "building fund" shall mean the capital projects fund so established. Money to be deposited into the capital projects fund shall include, but not be limited to, bond proceeds, proceeds from excess levies authorized by RCW 84.52.053, state apportionment proceeds as authorized by RCW 28A.150.270, earnings from capital projects fund investments as authorized by RCW 28A.320.310 and 28A.320.320, and state forest revenues transferred pursuant to subsection (3) of this section.

Money derived from the sale of bonds, including interest earnings thereof, may only be used for those purposes described in RCW 28A.530.010, except that accrued interest paid for bonds shall be deposited in the debt service fund.

Money to be deposited into the capital projects fund shall include but not be limited to rental and lease proceeds as authorized by RCW 28A.335.060, and proceeds from the sale of real property as authorized by RCW 28A.335.130.

Money legally deposited into the capital projects fund from other sources may be used for the purposes described in RCW 28A.530.010, and for the purposes of:

(a) Major renovation and replacement of facilities and systems where periodical repairs are no longer economical or extend the useful life of the facility or system beyond its original planned useful life. Such renovation and replacement shall include, but shall not be limited to, major repairs, exterior painting of facilities, replacement and refurbishment of roofing, exterior walls, windows, heating and ventilating systems, floor covering in classrooms and public or common areas, and electrical and plumbing systems.

(b) Renovation and rehabilitation of playfields, athletic fields, and other district real property.

(c) The conduct of preliminary energy audits and energy audits of school district buildings. For the purpose of this section:

(i) "Preliminary energy audits" means a determination of the energy consumption characteristics of a building, including the size, type, rate of energy consumption, and major energy using systems of the building.

(ii) "Energy audit" means a survey of a building or complex which identifies the type, size, energy use level, and major energy using systems; which determines appropriate energy conservation maintenance or operating procedures and assesses any need for the acquisition and installation of energy conservation measures, including solar energy and renewable resource measures.

(iii) "Energy capital improvement" means the installation, or modification of the installation, of energy conservation measures in a building which measures are primarily intended to reduce energy consumption or allow the use of an alternative energy source.

(d) Those energy capital improvements which are identified as being cost-effective in the audits authorized by this section.

(e) Purchase or installation of additional major items of equipment and furniture: PROVIDED, That vehicles shall not be purchased with capital projects fund money.

(f)(i) Costs associated with implementing technology systems, facilities, and projects, including acquiring hardware, licensing software, and online applications and training related to the installation of the foregoing. However, the software or applications must be an integral part of the district's technology systems, facilities, or projects.

(ii) Costs associated with the application and modernization of technology systems for operations and instruction including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and

ongoing training related to the installation and integration of these products and services. However, to the extent the funds are used for the purpose under this subsection (2)(f)(ii), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations.

(g) Major equipment repair, painting of facilities, and other major preventative maintenance purposes. However, to the extent the funds are used for the purpose under this subsection (2)(g), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations. Based on the district's most recent two-year history of general fund maintenance expenditures, funds used for this purpose may not replace routine annual preventive maintenance expenditures made from the district's general fund.

(3) A debt service fund to provide for tax proceeds, other revenues, and disbursements as authorized in chapter 39.44 RCW. State forest land revenues that are deposited in a school district's debt service fund pursuant to RCW 79.64.110 and to the extent not necessary for payment of debt service on school district bonds may be transferred by the school district into the district's capital projects fund.

(4) An associated student body fund as authorized by RCW 28A.325.030.

(5) Advance refunding bond funds and refunded bond funds to provide for the proceeds and disbursements as authorized in chapter 39.53 RCW.

(6) By the 2018-19 school year, each school district must establish a local revenue fund for the purpose of accounting for the financial operations of a school district that are paid for from local revenue. Money deposited into the local revenue fund must include, but is not limited to, proceeds from maintenance and operations levies as authorized by RCW 84.52.053, and local effort assistance payments from the state as authorized by RCW 84.52.0531. Districts must track expenditures from this fund separately to account for the usage of local funds within a school district.

Sec. 303. RCW 28A.505.140 and 2006 c 263 s 202 are each amended to read as follows:

(1) Notwithstanding any other provision of law, the superintendent of public instruction shall adopt such rules as will ensure proper budgetary procedures and practices, including monthly financial statements consistent with the provisions of RCW 43.09.200, and this chapter. By the 2018-19 school year, the rules shall require school districts to provide separate accounting of state, federal, and local revenues and expenditures, and also separate accounting of basic education and nonbasic education expenditures.

(2) If the superintendent of public instruction determines upon a review of the budget of any district that said budget does not comply with the budget procedures established by this chapter or by rules adopted by the superintendent of public instruction, or the provisions of RCW 43.09.200, the superintendent shall give written notice of this determination to the board of directors of the local school district.

(3) The local school district, notwithstanding any other provision of law, shall, within thirty days from the date the superintendent of public instruction issues a notice pursuant to subsection (2) of this section, submit a revised budget which meets the requirements of RCW 43.09.200, this chapter, and the rules of the superintendent of public instruction.

Sec. 304. RCW 28A.505.040 and 1995 c 121 s 1 are each amended to read as follows:

(1) On or before the tenth day of July in each year, all school districts shall prepare their budget for the ensuing fiscal year. Beginning with the 2018-19 school year, the annual budget development process shall include the development or update of a four-year budget projection that includes a four-year enrollment projection.

(2) The completed budget must include a summary of the four-year budget projection and four-year enrollment projection and set forth the complete financial plan of the district for the ensuing fiscal year.

(3)(a) Upon completion of their budgets, every school district shall electronically publish a notice stating that the district has completed the budget, posted it electronically, placed it on file in the school district administration office, and that a copy ((~~thereof~~)) of the budget and a summary of the four-year budget projection and enrollment projection will be furnished to any person who calls upon the district for it. ((~~The district shall provide a sufficient number of copies of the budget to meet the reasonable demands of the public.~~))

(b) School districts shall submit one copy of their budget and, beginning with the 2018-19 school year, the four-year budget projection summary and the four-year enrollment projection, to their educational service districts and the office of the superintendent of public instruction for review and comment by July 10th. The superintendent of public instruction may delay the date in this section if the state's operating budget is not finally approved by the legislature until after June 1st.

Sec. 305. RCW 28A.505.050 and 1995 c 121 s 2 are each amended to read as follows:

(1) Upon completion of their budgets as provided in RCW 28A.505.040, every school district shall publish a notice stating that the board of directors will meet for the purpose of fixing and adopting the budget of the district for the ensuing fiscal year.

(2) Such notice shall designate the date, time, and place of said meeting which shall occur no later than the thirty-first day of August for first-class school districts, and the first day of August for second-class school districts.

(3) The notice shall also state that any person may appear ((~~thereat~~)) at the meeting and be heard for or against any part of such budget or, beginning with the 2018-19 school year, the four-year budget projection summary and the four-year enrollment projection. ((~~Said~~)) The notice shall be electronically published and published at least once each week for two consecutive weeks in a newspaper of general circulation in the district, or, if there be none, in a newspaper of general circulation in the county or counties in which such district is a part. The last notice shall be published no later than seven days immediately prior to the hearing.

Sec. 306. RCW 28A.505.060 and 1990 c 33 s 418 are each amended to read as follows:

(1) On the date given in said notice as provided in RCW 28A.505.050 the school district board of directors shall meet at the time and place designated. Any person may appear ((~~thereat~~)) at the meeting and be heard for or against any part of such budget or, beginning with the 2018-19 school year, the four-year budget projection summary and the four-year enrollment projection.

(2) Such hearing may be continued not to exceed a total of two days: PROVIDED, That the budget must be adopted no later than August 31st in first-class school districts, and not later than August 1st in second-class school districts.

(3) Upon conclusion of the hearing, the board of directors shall fix and determine the appropriation from each fund contained in the budget separately, and shall by resolution adopt the budget and the appropriations as so finally determined, and, beginning with the 2018-19 school year, enter the same in the official minutes of the board: PROVIDED, That first-class school districts shall file copies of their adopted budget with their educational service district no later than September 3rd, and second-class school districts shall forward copies of their adopted budget to their educational service district no later than August 3rd for review, alteration, and approval

as provided for in RCW 28A.505.070 by the budget review committee.

Sec. 307. RCW 28A.505.100 and 1990 c 33 s 420 are each amended to read as follows:

(1) The budget shall set forth the estimated revenues for the ensuing fiscal year, the estimated revenues from all sources for the fiscal year current at the time of budget preparation, the actual revenues for the last completed fiscal year, and the reserved and unreserved fund balances for each year. The estimated revenues from all sources for the ensuing fiscal year shall not include any revenue not anticipated to be available during that fiscal year: PROVIDED, That school districts, pursuant to RCW 28A.505.110, can be granted permission by the superintendent of public instruction to include as revenues in their budgets, receivables collectible in future fiscal years.

(2)(a) The budget shall set forth by detailed items or classes the estimated expenditures for the ensuing fiscal year, the estimated expenditures for the fiscal year current at the time of budget preparation, and the actual expenditures for the last completed fiscal year.

(b) The budget shall set forth the state-funded salary amounts, locally funded salary amounts, total salary amounts, full-time equivalents((,)) for each individual certificated instructional staff, certificated administrative staff, and classified staff; and the high, low, and average annual salaries, which shall be displayed by job classification within each budget classification. ((~~If individual salaries within each job classification are not displayed, districts shall provide the individual salaries together with the title or position of the recipient and the total amounts of salary under each budget class upon request.~~)) Additionally, the district's salary schedules shall be displayed.

(3) In districts where negotiations have not been completed, the district may budget the salaries at the current year's rate and restrict fund balance for the amount of anticipated increase in salaries, so long as an explanation shall be attached to the budget on such restriction of fund balance.

NEW SECTION. **Sec. 308.** A new section is added to chapter 28A.320 RCW to read as follows:

Beginning with the 2018-19 school year, each school district is encouraged to annually use the four-year budget projection and the four-year enrollment projection developed under RCW 28A.505.140 to inform the school district's decisions regarding the district's instructional priorities and program offerings and to communicate this information to the local community.

NEW SECTION. **Sec. 309.** A new section is added to chapter 43.09 RCW to read as follows:

Beginning with the 2018-19 school year, to ensure local funds are not being expended for basic education purposes except for locally provided salaries as authorized in law, the state auditor's regular financial audits of school districts must include a review of the expenditure of local levy funds, including any supplemental contracts entered into under RCW 28A.400.200.

Sec. 310. RCW 43.09.265 and 1995 c 301 s 16 are each amended to read as follows:

(1) The state auditor shall review the tax levies of all local governments in the regular examinations under RCW 43.09.260.

(2) Beginning with the 2018-19 school year, the state auditor, with the assistance of the department of revenue, shall report within ninety days to the office of the superintendent of public instruction and the education and finance committees of the legislature any findings of local school district noncompliance with statutory restrictions on the use of school district levies.

PART IV
ELIMINATING AND CORRECTING REFERENCES TO THE QUALITY EDUCATION COUNCIL

Sec. 401. RCW 28A.175.075 and 2013 c 23 s 46 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall establish a state-level building bridges work group that includes K-12 and state agencies that work with youth who have dropped out or are at risk of dropping out of school. The following agencies shall appoint representatives to the work group: The office of the superintendent of public instruction, the workforce training and education coordinating board, the department of early learning, the employment security department, the state board for community and technical colleges, the department of health, the community mobilization office, and the children's services and behavioral health and recovery divisions of the department of social and health services. The work group should also consist of one representative from each of the following agencies and organizations: A statewide organization representing career and technical education programs including skill centers; the juvenile courts or the office of juvenile justice, or both; the Washington association of prosecuting attorneys; the Washington state office of public defense; accredited institutions of higher education; the educational service districts; the area workforce development councils; parent and educator associations; educational opportunity gap oversight and accountability committee; office of the education ombuds; local school districts; agencies or organizations that provide services to special education students; community organizations serving youth; federally recognized tribes and urban tribal centers; each of the major political caucuses of the senate and house of representatives; and the minority commissions.

(2) To assist and enhance the work of the building bridges programs established in RCW 28A.175.025, the state-level work group shall:

(a) Identify and make recommendations to the legislature for the reduction of fiscal, legal, and regulatory barriers that prevent coordination of program resources across agencies at the state and local level;

(b) Develop and track performance measures and benchmarks for each partner agency or organization across the state including performance measures and benchmarks based on student characteristics and outcomes specified in RCW 28A.175.035(1)(e); and

(c) Identify research-based and emerging best practices regarding prevention, intervention, and retrieval programs.

(3)(a) The work group shall report to the ((~~quality education council,~~)) appropriate committees of the legislature((,)) and the governor on an annual basis beginning December 1, 2007, with proposed strategies for building K-12 dropout prevention, intervention, and reengagement systems in local communities throughout the state including, but not limited to, recommendations for implementing emerging best practices, needed additional resources, and eliminating barriers.

(b) By September 15, 2010, the work group shall report on:

(i) A recommended state goal and annual state targets for the percentage of students graduating from high school;

(ii) A recommended state goal and annual state targets for the percentage of youth who have dropped out of school who should be reengaged in education and be college and work ready;

(iii) Recommended funding for supporting career guidance and the planning and implementation of K-12 dropout prevention, intervention, and reengagement systems in school districts and a plan for phasing the funding into the program of basic education, beginning in the 2011-2013 biennium; and

(iv) A plan for phasing in the expansion of the current school improvement planning program to include state-funded, dropout-focused school improvement technical assistance for school districts in significant need of improvement regarding high school graduation rates.

(4) State agencies in the building bridges work group shall work together, wherever feasible, on the following activities to support school/family/community partnerships engaged in building K-12 dropout prevention, intervention, and reengagement systems:

(a) Providing opportunities for coordination and flexibility of program eligibility and funding criteria;

(b) Providing joint funding;

(c) Developing protocols and templates for model agreements on sharing records and data;

(d) Providing joint professional development opportunities that provide knowledge and training on:

(i) Research-based and promising practices;

(ii) The availability of programs and services for vulnerable youth; and

(iii) Cultural competence.

(5) The building bridges work group shall make recommendations to the governor and the legislature by December 1, 2010, on a state-level and regional infrastructure for coordinating services for vulnerable youth. Recommendations must address the following issues:

(a) Whether to adopt an official conceptual approach or framework for all entities working with vulnerable youth that can support coordinated planning and evaluation;

(b) The creation of a performance-based management system, including outcomes, indicators, and performance measures relating to vulnerable youth and programs serving them, including accountability for the dropout issue;

(c) The development of regional and/or county-level multipartner youth consortia with a specific charge to assist school districts and local communities in building K-12 comprehensive dropout prevention, intervention, and reengagement systems;

(d) The development of integrated or school-based one-stop shopping for services that would:

(i) Provide individualized attention to the neediest youth and prioritized access to services for students identified by a dropout early warning and intervention data system;

(ii) Establish protocols for coordinating data and services, including getting data release at time of intake and common assessment and referral processes; and

(iii) Build a system of single case managers across agencies;

(e) Launching a statewide media campaign on increasing the high school graduation rate; and

(f) Developing a statewide database of available services for vulnerable youth.

Sec. 402. RCW 28A.230.090 and 2014 c 217 s 202 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

(d)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)(d). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)(d) to an applying school district at the next subsequent meeting of the board after receiving an application.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review ((~~and to the quality education council established under RCW 28A.290.010~~)). The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

Sec. 403. RCW 28A.300.136 and 2013 c 23 s 49 are each amended to read as follows:

(1) An educational opportunity gap oversight and accountability committee is created to synthesize the findings and recommendations from the 2008 achievement gap studies into an implementation plan, and to recommend policies and strategies to the superintendent of public instruction, the professional educator standards board, and the state board of education to close the achievement gap.

(2) The committee shall recommend specific policies and strategies in at least the following areas:

(a) Supporting and facilitating parent and community involvement and outreach;

(b) Enhancing the cultural competency of current and future educators and the cultural relevance of curriculum and instruction;

(c) Expanding pathways and strategies to prepare and recruit diverse teachers and administrators;

(d) Recommending current programs and resources that should be redirected to narrow the gap;

(e) Identifying data elements and systems needed to monitor progress in closing the gap;

(f) Making closing the achievement gap part of the school and school district improvement process; and

(g) Exploring innovative school models that have shown success in closing the achievement gap.

(3) Taking a multidisciplinary approach, the committee may seek input and advice from other state and local agencies and organizations with expertise in health, social services, gang and violence prevention, substance abuse prevention, and other issues that disproportionately affect student achievement and student success.

(4) The educational opportunity gap oversight and accountability committee shall be composed of the following members:

(a) The chairs and ranking minority members of the house and senate education committees, or their designees;

(b) One additional member of the house of representatives appointed by the speaker of the house and one additional member of the senate appointed by the president of the senate;

(c) A representative of the office of the education ombuds;

(d) A representative of the center for the improvement of student learning in the office of the superintendent of public instruction;

(e) A representative of federally recognized Indian tribes whose traditional lands and territories lie within the borders of Washington state, designated by the federally recognized tribes; and

(f) Four members appointed by the governor in consultation with the state ethnic commissions, who represent the following populations: African-Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans.

(5) The governor and the tribes are encouraged to designate members who have experience working in and with schools.

(6) The committee may convene ad hoc working groups to obtain additional input and participation from community members. Members of ad hoc working groups shall serve without compensation and shall not be reimbursed for travel or other expenses.

(7) The chair or cochairs of the committee shall be selected by the members of the committee. Staff support for the committee shall be provided by the center for the improvement of student learning. Members of the committee shall serve without compensation but must be reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative members of the committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120.

(8) The superintendent of public instruction, the state board of education, and the professional educator standards board((~~, and the quality education council~~)) shall work collaboratively with the educational opportunity gap oversight and accountability committee to close the achievement gap.

Sec. 404. RCW 28A.400.201 and 2011 1st sp.s. c 43 s 468 are each amended to read as follows:

(1) The legislature recognizes that providing students with the opportunity to access a world-class educational system depends on our continuing ability to provide students with access to world-class educators. The legislature also understands that continuing to attract and retain the highest quality educators will require increased investments. The legislature intends to enhance the current salary allocation model and recognizes that changes to the current model cannot be imposed without great deliberation and input from teachers, administrators, and classified employees. Therefore, it is the intent of the legislature to begin the process of developing an enhanced salary allocation model that is collaboratively designed to ensure the rationality of any conclusions regarding what constitutes adequate compensation.

(2) Beginning July 1, 2011, the office of the superintendent of public instruction, in collaboration with the human resources director in the office of financial management, shall convene a technical working group to recommend the details of an enhanced salary allocation model that aligns state expectations for educator development and certification with the compensation system and establishes recommendations for a concurrent implementation schedule. In addition to any other details the technical working group deems necessary, the technical working group shall make recommendations on the following:

(a) How to reduce the number of tiers within the existing salary allocation model;

(b) How to account for labor market adjustments;

(c) How to account for different geographic regions of the state where districts may encounter difficulty recruiting and retaining teachers;

(d) The role of and types of bonuses available;

(e) Ways to accomplish salary equalization over a set number of years; and

(f) Initial fiscal estimates for implementing the recommendations including a recognition that staff on the existing salary allocation model would have the option to grandfather in permanently to the existing schedule.

(3) As part of its work, the technical working group shall conduct or contract for a preliminary comparative labor market analysis of salaries and other compensation for school district employees to be conducted and shall include the results in any reports to the legislature. For the purposes of this subsection, "salaries and other compensation" includes average base salaries,

average total salaries, average employee basic benefits, and retirement benefits.

(4) The analysis required under subsection (1) of this section must:

(a) Examine salaries and other compensation for teachers, other certificated instructional staff, principals, and other building-level certificated administrators, and the types of classified employees for whom salaries are allocated;

(b) Be calculated at a statewide level that identifies labor markets in Washington through the use of data from the United States bureau of the census and the bureau of labor statistics; and

(c) Include a comparison of salaries and other compensation to the appropriate labor market for at least the following subgroups of educators: Beginning teachers and types of educational staff associates.

(5) The working group shall include representatives of the office of financial management, the professional educator standards board, the office of the superintendent of public instruction, the Washington education association, the Washington association of school administrators, the association of Washington school principals, the Washington state school directors' association, the public school employees of Washington, and other interested stakeholders with appropriate expertise in compensation related matters. The working group may convene advisory subgroups on specific topics as necessary to assure participation and input from a broad array of diverse stakeholders.

(6) The working group shall be monitored and overseen by the legislature ((~~and the quality education council created in RCW 28A.290.010~~)). The working group shall make an initial report to the legislature by June 30, 2012, and shall include in its report recommendations for whether additional further work of the group is necessary.

NEW SECTION. **Sec. 405.** The following acts or parts of acts are each repealed:

(1)RCW 28A.290.010 (Quality education council—Purpose—Membership and staffing—Reports) and 2013 2nd sp.s. c 25 s 7 & 2011 1st sp.s. c 21 s 54; and

(2)RCW 28A.290.020 (Funding formulas to support instructional program—Technical working group) and 2010 c 236 s 5 & 2009 c 548 s 112.

PART V

MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 501.** EXPIRATION DATE FOR WASHINGTON EDUCATION FUNDING COUNCIL AND IMPLEMENTATION SCHEDULE. This chapter expires August 1, 2019.

NEW SECTION. **Sec. 502.** CODIFICATION. Sections 101 through 103, 201 through 204, and 501 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. **Sec. 503.** EFFECTIVE DATE. Section 307 of this act takes effect September 1, 2018.

NEW SECTION. **Sec. 504.** EMERGENCY CLAUSE. Sections 1, 101 through 103, and 201 through 204 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

Correct the title.

Representative Magendanz spoke in favor of the adoption of the striking amendment.

Representative Carlyle spoke against the adoption of the striking amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of the striking amendment (518) to Substitute House Bill No. 2239.

ROLL CALL

The Clerk called the roll on the adoption of the striking amendment (518) to Substitute House Bill No. 2239, and the amendment was not adopted by the following vote: Yeas, 45; Nays, 52; Absent, 0; Excused, 1.

Voting yea: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Johnson, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Klippert, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, and Wylie

Excused: Representative MacEwen

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Sullivan spoke in favor of the passage of the bill.

Representatives Magendanz and Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2239.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2239, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative MacEwen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

June 25, 2015

HB 2211 Prime Sponsor, Representative Pollet: Concerning vapor products, e-cigarette, and nicotine products tax and regulatory reform to support youth substance prevention. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Pollet; Robinson; Ryu; Springer; Stokesbary and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta; Manweller; Vick and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Reykdal.

Passed to Committee on Rules for second reading.

June 25, 2015

ESHB 2263 Prime Sponsor, Committee on Finance: Providing local governments with options to strengthen their communities by providing services and facilities for people with mental illness, developmental disabilities, and other vulnerable populations, and by increasing access to educational experiences through cultural organizations. Reported by Committee on No committee found

MAJORITY recommendation:

Referred to Committee on .

There being no objection, the bills, memorials and resolutions listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of ENGROSSED SUBSTITUTE HOUSE BILL NO. 2263 which was placed on the second reading calendar.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2263, by Representatives Springer, Walkinshaw, Robinson, Tharinger, Carlyle, McBride, Fitzgibbon and Reykdal

Providing local governments with options to strengthen their communities by providing services and facilities for people with mental illness, developmental disabilities, and other vulnerable populations, and by increasing access to educational experiences through cultural organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2263 was substituted for House Bill No. 2263 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2263 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer, Robinson and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2263.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2263, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, McCaslin, Orcutt, Sawyer, Scott, Shea, Short and Taylor.

Excused: Representative MacEwen.

SUBSTITUTE HOUSE BILL NO. 2263, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Riccelli to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 27, 2015, the 30th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTIETH DAY

House Chamber, Olympia, Saturday, June 27, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Robert Jones and Joseph Owen. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Cindy Ryu, 32nd District Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 26, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6141

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 26, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1274
SECOND ENGROSSED HOUSE BILL NO. 2151

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2274 by Representatives Harmsworth, Bergquist, Hayes, Morris, Moscoso, Pollet, Vick, Wilson, Van Werven and Haler

AN ACT Relating to protecting individuals from reports of sale filed with an incorrect buyer of a subsequently abandoned vehicle; amending RCW 46.12.650, 46.55.105, and 19.16.250; adding a new section to chapter 46.64 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HJM 4010 by Representatives Dunshee, Santos, Stanford, Wylie, S. Hunt, Tharinger, Ortiz-Self, Fitzgibbon, Sells, Ryu, Walkinshaw, Kagi, Peterson, Hudgins, Robinson and Bergquist

Requesting that state route number 99 be named the "William P. Stewart Memorial Highway."

Referred to Committee on Transportation.

HCR 4409 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4410 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

FIRST SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

ESB 6092 by Senator Roach

AN ACT Relating to providing funding for certain commissioned court marshals of county sheriff's offices to be added to the definition of uniformed personnel for the purposes of public employees' collective bargaining; and amending RCW 41.56.030 and 12.40.020.

Referred to Committee on Labor.

There being no objection, the bills listed on the day's introduction sheet and first supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SENATE BILL NO. 6092, HOUSE CONCURRENT RESOLUTION NO. 4409 and HOUSE CONCURRENT RESOLUTION NO. 4410, which were read the first time under suspension of the rules and placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Riccelli to preside.

SECOND SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

HB 2275 by Representative Klippert

AN ACT Relating to prohibiting the use of voluntary intoxication as a defense against a criminal charge; amending RCW 9A.16.090 and 9A.08.010; adding a new section to chapter 9A.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2276 by Representatives Klippert and Hayes

AN ACT Relating to governmental liability; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 2277 by Representatives Klippert and Hayes

AN ACT Relating to peace officers; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 2278 by Representative Klippert

AN ACT Relating to permitting failure to use a safety belt assembly or approved child restraint system or device to be admissible as evidence of negligence in any civil action; amending RCW 46.61.687; and reenacting and amending RCW 46.61.688.

Referred to Committee on Judiciary.

HB 2279 by Representative Klippert

AN ACT Relating to probable cause for persons in violation of an impaired driving offense; and reenacting and amending RCW 10.31.100.

Referred to Committee on Public Safety.

HB 2280 by Representatives Klippert and Hayes

AN ACT Relating to making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony; amending RCW 46.61.502; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2281 by Representative Klippert

AN ACT Relating to increasing the punishment for vehicular homicide; amending RCW 46.61.520 and 9.94A.533; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2282 by Representative Klippert

AN ACT Relating to standards for detention of persons with mental disorders or chemical dependency; amending RCW 70.96B.045 and 71.05.050; and reenacting and amending RCW 71.05.153.

Referred to Committee on Judiciary.

HB 2283 by Representative Klippert

AN ACT Relating to the mental health evaluation and treatment of individuals who threaten to murder a family member or other person who resides with the individual; reenacting and amending RCW 71.05.020 and 71.05.020; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2284 by Representative Klippert

AN ACT Relating to authorizing attempts to determine proof of legal status in this country when a person is lawfully detained by law enforcement while ensuring constitutional due process; and adding a new section to chapter 10.31 RCW.

Referred to Committee on Public Safety.

HB 2285 by Representatives Hunter, Lytton, Orwall, Moscoso, Wylie, Kagi, Appleton, Van De Wege, Ortiz-Self, Ryu, Springer, McBride, Blake, Moeller, Hudgins, Magendanz, Bergquist, Tarleton and Stanford

AN ACT Relating to increasing opportunities for accessible and effective family planning; adding new sections to 2015 2nd sp.s. c ... (ESHB 1106); making appropriations; providing an effective date; and declaring an emergency.

There being no objection, the bills listed on the day's second supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2285 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

The Speaker (Representative Riccelli presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 6092, by Senator Roach

Providing funding for certain commissioned court marshals of county sheriff's offices to be added to the definition of uniformed personnel for the purposes of public employees' collective bargaining. (REVISED FOR ENGROSSED: Adding certain commissioned court marshals of county sheriff's offices to the definition of uniformed personnel for the purposes of public employees' collective bargaining.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Manweller and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6092.

MOTIONS

On motion of Representative Harris, Representative Johnson was excused. On motion of Representative Van De Wege, Representatives Farrell and Hurst were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6092, and the bill passed the House by the following vote: Yeas, 62; Nays, 33; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Harmsworth, Hawkins,

Hudgins, Hunter, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Caldier, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harris, Hayes, Holy, Klippert, Kretz, MacEwen, Magendanz, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

Excused: Representatives Farrell, Hurst and Johnson.

ENGROSSED SENATE BILL NO. 6092, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4409.

HOUSE CONCURRENT RESOLUTION NO. 4409 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4410, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4410.

HOUSE CONCURRENT RESOLUTION NO. 4410 was adopted.

The Speaker (Representative Orwall presiding) called upon Representative Tharinger to preside.

MESSAGES FROM THE SENATE

June 27, 2015

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4409
HOUSE CONCURRENT RESOLUTION NO. 4410

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker (Representative Orwall presiding) called upon Representative Tharinger to preside.

MESSAGES FROM THE SENATE

June 27, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1157
SUBSTITUTE HOUSE BILL NO. 1738
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2015

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 6092

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272
SUBSTITUTE HOUSE BILL NO. 1274
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276
ENGROSSED HOUSE BILL NO. 2122
SECOND ENGROSSED HOUSE BILL NO. 2151
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2160
ENGROSSED HOUSE BILL NO. 2253
HOUSE CONCURRENT RESOLUTION NO. 4409
HOUSE CONCURRENT RESOLUTION NO. 4410
ENGROSSED SENATE BILL NO. 6092

The Speaker called upon Representative Tharinger to preside.

MESSAGES FROM THE SENATE

June 27, 2015

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1157
SUBSTITUTE HOUSE BILL NO. 1738
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2015

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272
SUBSTITUTE HOUSE BILL NO. 1274
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276
ENGROSSED HOUSE BILL NO. 2122
SECOND ENGROSSED HOUSE BILL NO. 2151
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2160
ENGROSSED HOUSE BILL NO. 2253

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2015

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4409
HOUSE CONCURRENT RESOLUTION NO. 4410

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following House Bills were returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1037
HOUSE BILL NO. 1062
HOUSE BILL NO. 1065
SUBSTITUTE HOUSE BILL NO. 1067
SUBSTITUTE HOUSE BILL NO. 1257
SECOND SUBSTITUTE HOUSE BILL NO. 1391
SECOND SUBSTITUTE HOUSE BILL NO. 1469
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
HOUSE BILL NO. 1561
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1761
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
SUBSTITUTE HOUSE BILL NO. 1855
HOUSE BILL NO. 1871
HOUSE BILL NO. 2195
ENGROSSED HOUSE BILL NO. 2212
SECOND ENGROSSED HOUSE BILL NO. 2214
HOUSE BILL NO. 2217
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2263

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2015

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following Senate bills are returned to the Senate:

SECOND SUBSTITUTE SENATE BILL NO. 5105
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5152
SENATE BILL NO. 5171
SENATE BILL NO. 5174
SENATE BILL NO. 5180
SUBSTITUTE SENATE BILL NO. 5186
ENGROSSED SUBSTITUTE SENATE BILL NO. 5355
SENATE BILL NO. 5442
SUBSTITUTE SENATE BILL NO. 5463
THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5857
SUBSTITUTE SENATE BILL NO. 6099
ENGROSSED SUBSTITUTE SENATE BILL NO. 6125
SUBSTITUTE SENATE BILL NO. 6134
SENATE BILL NO. 6141

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTIONS

On motion of Representative Riccelli, the reading of the Journal of the Thirtieth Day of the 2015 Second Special Session of the 64th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Riccelli, the 2015 Second Special Session of the 64th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIRST DAY

House Chamber, Olympia, Sunday, June 28, 2015

The House was called to order at 12:00 p.m. by the Speaker (Representative Ormsby presiding).

MESSAGE FROM THE GOVERNOR

PROCLAMATION BY THE GOVERNOR 15-12

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2015 regular session on April 24, 2015, the 103rd day of the session; and

WHEREAS, the Legislature reconvened on April 29, 2015, to continue work on the 2015- 2017 biennial operating and capital budgets, the 2015-2017 biennial transportation budget, and critical policy and related bills; and

WHEREAS, the Legislature failed to approve the 2015-2017 biennial operating and capital budgets, a 2015-2017 biennial transportation budget, the bills necessary to implement those budgets, and critical policy and related bills and

WHEREAS, the Legislature reconvened on May 29, 2015, to continue work on the 2015- 2017 biennial operating and capital budgets, 2015-2017 biennial transportation budget, critical policy bills and related bills; and

WHEREAS, the Legislature has again failed to approve the 2015-2017 biennial operating and capital budgets, and the bills necessary to implement those budgets; and

WHEREAS, the State enters a new fiscal biennium on July 1, 2015; and

WHEREAS, State law requires the adoption of a budget providing appropriations for the operation of state government prior to the beginning of the fiscal biennium; and

WHEREAS, work remains to be done with respect to the 20l5-2017 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, the Washington State Supreme Court has determined that the State is not meeting its "paramount duty . . . to make ample provision for the education of all children residing within its borders"; and

WHEREAS, the Legislature has vital work do to on a transportation investment package; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Sunday, June 28, 2015, at 12:00 p.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 27th day of June,

A.D. Two-thousand and Fifteen at Olympia, Washington.

Jay Inslee
Governor

The Speaker (Representative Ormsby presiding) called upon Representative Kilduff to preside.

The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Robert Jones and Mick Watts. The Speaker (Representative Kilduff presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Drew MacEwen, 35th District Washington.

MESSAGE FROM THE SENATE

June 28, 2015

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8404

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106
HOUSE BILL NO. 1897
HOUSE BILL NO. 1965
HOUSE BILL NO. 2128
HOUSE BILL NO. 2264
HOUSE BILL NO. 2266
ENGROSSED HOUSE BILL NO. 2267
HOUSE BILL NO. 2270
HOUSE BILL NO. 2286

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SUBSTITUTE HOUSE BILL NO. 1037
SUBSTITUTE HOUSE BILL NO. 1067
SECOND SUBSTITUTE HOUSE BILL NO. 1095
SUBSTITUTE HOUSE BILL NO. 1100
SECOND SUBSTITUTE HOUSE BILL NO. 1391
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
HOUSE BILL NO. 2195
HOUSE BILL NO. 2217
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239
SUBSTITUTE HOUSE BILL NO. 2263

The Speaker (Representative Kilduff presiding) called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1037, by House Committee on Judiciary (originally sponsored by Representatives Moeller, Ormsby and Kilduff).

Implementing changes to child support based on the child support schedule work group report.

The bill was read the third time.

Representatives Moeller, Rodne and Shea spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1037.

MOTION

On motion of Representative Lytton, Representative Fey was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representative Fey.

SUBSTITUTE HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1067, by House Committee on Judiciary (originally sponsored by Representatives Jinkins, Holy, Magendanz, Nealey, Goodman, Muri, Gregerson, Cody, Kilduff and Pollet).

Reauthorizing the medicaid fraud false claims act.

The bill was read the third time.

Representative Jinkins spoke in favor of the passage of the bill.

Representatives Rodne and Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1067.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1067, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, McCabe, McCaslin, Muri, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Fey.

SUBSTITUTE HOUSE BILL NO. 1067, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Walsh, Hunter, Johnson, Ormsby, MacEwen, Senn, Magendanz, Farrell, Hayes, Ortiz-Self, Hudgins, Appleton, Fitzgibbon, S. Hunt, Ryu, Jinkins, Bergquist, Goodman, Tharinger and Riccelli)

Improving quality in the early care and education system.

The bill was read the second time.

Representative Kagi moved the adoption of amendment (550):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 505.** INTENT. (1) The legislature finds that quality early care and education builds the foundation for a child's success in school and in life. The legislature acknowledges that a quality framework is necessary for the early care and education system in Washington. The legislature recognizes that empirical evidence supports the conclusion that high quality programs consistently yield more positive outcomes for children, with the strongest positive impacts on the most vulnerable children. The legislature acknowledges that critical developmental windows exist in early childhood, and low quality child care has damaging effects for children. The legislature further understands that the proper dosage, duration of programming, and stability of care are critical to enhancing program quality and improving child outcomes. The legislature acknowledges that the early care and education system should strive to address the needs of Washington's culturally and linguistically diverse populations. The legislature understands that parental choice and provider diversity are guiding principles for early learning programs.

(2) The legislature intends to prioritize the integration of child care and preschool in an effort to promote full day programming. The legislature further intends to reward quality and create incentives for providers to participate in a quality rating and improvement system that will also provide valuable information to parents regarding the quality of care available in their communities.

Sec. 506. RCW 43.215.100 and 2013 c 323 s 6 are each amended to read as follows:

EARLY ACHIEVERS, QUALITY RATING, AND IMPROVEMENT SYSTEM.

(1) ((~~Subject to the availability of amounts appropriated for this specific purpose,~~)) The department, in collaboration with tribal governments and community and statewide partners, shall implement a ((~~voluntary~~)) quality rating and improvement system, called the early achievers program((~~, that~~)). The early achievers program provides a foundation of quality for the early care and education system. The early achievers program is applicable to licensed or certified child care centers and homes and early ((~~education~~)) learning programs such as working connections child care and early childhood education and assistance programs.

(2) The ((~~purpose~~)) objectives of the early achievers program ((~~is~~)) are to:

(a) ((~~To~~)) Improve short-term and long-term educational outcomes for children as measured by assessments including, but not limited to, the Washington kindergarten inventory of developing skills in RCW 28A.655.080;

(b) Give parents clear and easily accessible information about the quality of child care and early education programs((~~,~~));

(c) Support improvement in early learning and child care programs throughout the state((~~,~~));

(d) Increase the readiness of children for school((~~, and~~));

(e) Close the ((~~disparity~~)) disparities in access to quality care;

(f) Provide professional development and coaching opportunities to early child care and education providers; and ((~~(b) to~~))

(g) Establish a common set of expectations and standards that define, measure, and improve the quality of early learning and child care settings.

(3)(a) Licensed or certified child care centers and homes serving nonschool age children and receiving state subsidy payments must participate in the early achievers program by the required deadlines established in RCW 43.215.135.

(b) Approved early childhood education and assistance program providers receiving state-funded support must participate in the early achievers program by the required deadlines established in RCW 43.215.415.

(c) Participation in the early achievers program is voluntary for:

(i) Licensed or certified child care centers and homes not receiving state subsidy payments; and

(ii) Early learning programs not receiving state funds.

(d) School age child care providers are exempt from participating in the early achievers program. By July 1, 2017, the department and the office of the superintendent of public instruction shall jointly design a plan to incorporate school age child care providers into the early achievers program or other appropriate quality improvement system. To test implementation of the early achievers system for school age child care providers the department and the office of the superintendent of public instruction shall implement a pilot program.

(4) ((~~By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and maintain a minimum score level.~~

~~(5) Before final implementation of the early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature.~~)) There are five levels in the early achievers program. Participants are expected to actively engage and continually advance within the program.

(5) The department has the authority to determine the rating cycle for the early achievers program. The department shall streamline and eliminate duplication between early achievers standards and state child care rules in order to reduce costs associated with the early achievers rating cycle and child care licensing.

(a) Early achievers program participants may request to be rated at any time after the completion of all level 2 activities.

(b) The department shall provide an early achievers program participant an update on the participant's progress toward completing level 2 activities after the participant has been enrolled in the early achievers program for fifteen months.

(c) The first rating is free for early achievers program participants.

(d) Each subsequent rating within the established rating cycle is free for early achievers program participants.

(6)(a) Early achievers program participants may request to be rerated outside the established rating cycle.

(b) The department may charge a fee for optional rerating requests made by program participants that are outside the established rating cycle.

(c) Fees charged are based on, but may not exceed, the cost to the department for activities associated with the early achievers program.

(7)(a) The department must create a single source of information for parents and caregivers to access details on a provider's early achievers program rating level, licensing history, and other indicators of quality and safety that will help parents and caregivers make informed choices.

(b) The department shall publish to the department's web site, or offer a link on its web site to, the following information:

(i) By November 1, 2015, early achievers program rating levels 1 through 5 for all child care programs that receive state subsidy,

early childhood education and assistance programs, and federal head start programs in Washington; and

(ii) New early achievers program ratings within thirty days after a program becomes licensed or certified, or receives a rating.

(c) The early achievers program rating levels shall be published in a manner that is easily accessible to parents and caregivers and takes into account the linguistic needs of parents and caregivers.

(d) The department must publish early achievers program rating levels for child care programs that do not receive state subsidy but have voluntarily joined the early achievers program.

(e) Early achievers program participants who have published rating levels on the department's web site or on a link on the department's web site may include a brief description of their program, contingent upon the review and approval by the department, as determined by established marketing standards.

(8)(a) The department shall create a professional development pathway for early achievers program participants to obtain a high school diploma or equivalency or higher education credential in early childhood education, early childhood studies, child development, or an academic field related to early care and education.

(b) The professional development pathway must include opportunities for scholarships and grants to assist early achievers program participants with the costs associated with obtaining an educational degree.

(c) The department shall address cultural and linguistic diversity when developing the professional development pathway.

(9) The early achievers quality improvement awards shall be reserved for participants offering programs to an enrollment population consisting of at least five percent of children receiving a state subsidy.

(10) In collaboration with tribal governments, community and statewide partners, and the early achievers review subcommittee created in RCW 43.215.090, the department shall develop a protocol for granting early achievers program participants an extension in meeting rating level requirement timelines outlined for the working connections child care program and the early childhood education and assistance program.

(a) The department may grant extensions only under exceptional circumstances, such as when early achievers program participants experience an unexpected life circumstance.

(b) Extensions shall not exceed six months, and early achievers program participants are only eligible for one extension in meeting rating level requirement timelines.

(c) Extensions may only be granted to early achievers program participants who have demonstrated engagement in the early achievers program.

(11)(a) The department shall accept national accreditation that meets the requirements of this subsection (11) as a qualification for the early achievers program ratings.

(b) Each national accreditation agency will be allowed to submit its most current standards of accreditation to establish potential credit earned in the early achievers program. The department shall grant credit to accreditation bodies that can demonstrate that their standards meet or exceed the current early achievers program standards.

(c) Licensed child care centers and child care home providers must meet national accreditation standards approved by the department for the early achievers program in order to be granted credit for the early achievers program standards. Eligibility for the early achievers program is not subject to bargaining, mediation, or interest arbitration under RCW 41.56.028, consistent with the legislative reservation of rights under RCW 41.56.028(4)(d).

(12) The department shall explore the use of alternative quality assessment tools that meet the culturally specific needs of the federally recognized tribes in the state of Washington.

(13) A child care or early learning program that is operated by a federally recognized tribe and receives state funds shall participate in the early achievers program. The tribe may choose to participate through an interlocal agreement between the tribe and the department. The interlocal agreement must reflect the government-to-government relationship between the state and the tribe, including recognition of tribal sovereignty. The interlocal agreement must provide that:

(a) Tribal child care facilities and early learning programs may volunteer, but are not required, to be licensed by the department;

(b) Tribal child care facilities and early learning programs are not required to have their early achievers program rating level published to the department's web site or through a link on the department's web site; and

(c) Tribal child care facilities and early learning programs must provide notification to parents or guardians who apply for or have been admitted into their program that early achievers program rating level information is available and provide the parents or guardians with the program's early achievers program rating level upon request.

(14) The department shall consult with the early achievers review subcommittee on all substantial policy changes to the early achievers program.

(15) Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects or limits the legislature's authority to make programmatic modifications to licensed child care and early learning programs under RCW 41.56.028(4)(d).

NEW SECTION. **Sec. 507.** A new section is added to chapter 43.215 RCW to read as follows:

SINGLE SET OF LICENSING STANDARDS.

(1) No later than November 1, 2016, the department shall implement a single set of licensing standards for child care and the early childhood education and assistance program. The department shall produce the single set of licensing standards within the department's available appropriations. The new licensing standards must:

(a) Provide minimum health and safety standards for child care and preschool programs;

(b) Rely on the standards established in the early achievers program to address quality issues in participating early childhood programs;

(c) Take into account the separate needs of family care providers and child care centers; and

(d) Promote the continued safety of child care settings.

(2) Private schools that operate early learning programs and do not receive state subsidy payments shall be subject only to the minimum health and safety standards in subsection (1)(a) of this section and the requirements necessary to assure a sufficient early childhood education to meet usual requirements needed for transition into elementary school. The state, and any agency thereof, shall not restrict or dictate any specific educational or other programs for early learning programs operated by private schools except for programs that receive state subsidy payments.

Sec. 508. RCW 43.215.200 and 2011 c 359 s 2 and 2011 c 253 s 3 are each reenacted and amended to read as follows:

DIRECTOR'S LICENSING DUTIES.

It shall be the director's duty with regard to licensing:

(1) In consultation and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of child care facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages and other characteristics of the children served, variations in the purposes and services offered or size or structure of the agencies to be licensed, or because of any other factor relevant thereto;

(2)(a) In consultation with the state fire marshal's office, the director shall use an interagency process to address health and safety requirements for child care programs that serve school age children and are operated in buildings that contain public or private schools that safely serve children during times in which school is in session;

(b) Any requirements in (a) of this subsection as they relate to the physical facility, including outdoor playgrounds, do not apply to before-school and after-school programs that serve only school age children and operate in the same facilities used by public or private schools;

(3) In consultation and with the advice and assistance of parents or guardians, and persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed under this chapter;

(4) In consultation with law enforcement personnel, the director shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure, and other persons having unsupervised access to children in care;

(5) To satisfy the shared background check requirements provided for in RCW 43.215.215 and 43.20A.710, the department of early learning and the department of social and health services shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person;

(6) To issue, revoke, or deny licenses to agencies pursuant to this chapter. Licenses shall specify the category of care that an agency is authorized to render and the ages and number of children to be served;

(7) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter and to require regular reports from each licensee;

(8) To inspect agencies periodically to determine whether or not there is compliance with this chapter and the requirements adopted under this chapter;

(9) To review requirements adopted under this chapter at least every two years and to adopt appropriate changes after consultation with affected groups for child day care requirements; and

(10) To consult with public and private agencies in order to help them improve their methods and facilities for the care and early learning of children.

NEW SECTION. **Sec. 509.** A new section is added to chapter 43.215 RCW to read as follows:

REDUCTION OF BARRIERS—LOW-INCOME PROVIDERS AND PROGRAMS—EARLY ACHIEVERS.

(1)(a) The department shall, in collaboration with tribal governments and community and statewide partners, implement a protocol to maximize and encourage participation in the early achievers program for culturally diverse and low-income center and family home child care providers. Amounts appropriated for the encouragement of culturally diverse and low-income center and family home child care provider participation shall be appropriated separately from the other funds appropriated for the department, are the only funds that may be used for the protocol, and may not be used for any other purposes. Funds appropriated for the protocol shall be considered an ongoing program for purposes of future departmental budget requests.

(b) During the first thirty months of implementation of the early achievers program the department shall prioritize the resources authorized in this section to assist providers rating at a level 2 in the early achievers program to help them reach a level 3 rating wherever access to subsidized care is at risk.

(2) The protocol should address barriers to early achievers program participation and include at a minimum the following:

(a) The creation of a substitute pool;

(b) The development of needs-based grants for providers at level 2 in the early achievers program to assist with purchasing curriculum development, instructional materials, supplies, and equipment to improve program quality. Priority for the needs-based grants shall be given to culturally diverse and low-income providers;

(c) The development of materials and assessments in a timely manner, and to the extent feasible, in the provider and family home languages; and

(d) The development of flexibility in technical assistance and coaching structures to provide differentiated types and amounts of support to providers based on individual need and cultural context.

Sec. 510. RCW 43.215.135 and 2013 c 323 s 9 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote ((~~continuity of care for children~~)) stability, quality, and continuity of early care and education programming.

(2) ((~~Beginning in fiscal year 2013,~~)) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months ((~~unless a change in circumstances necessitates reauthorization sooner than twelve months. The twelve-month certification applies only if the enrollments in the child care subsidy or working connections child care program are capped.~~

~~(3) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, working connections child care providers shall receive a five percent increase in the subsidy rate for enrolling in level 2 in the early achievers programs. Providers must complete level 2 and advance to level 3 within thirty months in order to maintain this increase~~)) beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.

(3) Existing child care providers serving nonschool age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

(a) Enroll in the early achievers program by August 1, 2016;

(b) Complete level 2 activities in the early achievers program by August 1, 2017; and

(c) Rate at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider rates below a level 3 by December 31, 2019, the provider must complete remedial activities with the department, and rate at a level 3 or higher no later than June 30, 2020.

(4) Effective July 1, 2016, a new child care provider serving nonschool age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;

(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and

(c) Rate at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider rates below a level 3 within thirty months from enrollment into the early achievers program, the provider must complete remedial activities

with the department, and rate at a level 3 or higher within six months of beginning remedial activities.

(5) If a child care provider does not rate at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

Sec. 511. RCW 43.215.1352 and 2012 c 251 s 2 are each amended to read as follows:

WORKING CONNECTIONS CHILD CARE.

Beginning July 1, 2016, or earlier if a different date is provided in the omnibus appropriations act, when an applicant or recipient applies for or receives working connections child care benefits, ((~~he or she~~)) the applicant or recipient is required to((~~:~~

~~(1)~~)) notify the department of social and health services, within five days, of any change in providers((~~; and~~

~~(2) Notify the department of social and health services, within ten days, about any significant change related to the number of child care hours the applicant or recipient needs, cost sharing, or eligibility~~)).

Sec. 512. RCW 43.215.425 and 1994 c 166 s 6 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) The department shall adopt rules under chapter 34.05 RCW for the administration of the early childhood education and assistance program. Approved early childhood education and assistance programs shall conduct needs assessments of their service area((~~,~~)) and identify any targeted groups of children, to include but not be limited to children of seasonal and migrant farmworkers and native American populations living either on or off reservation((~~, and~~)). Approved early childhood education and assistance programs shall provide to the department a service delivery plan, to the extent practicable, that addresses these targeted populations.

(2) The department, in developing rules for the early childhood education and assistance program, shall consult with the early learning advisory ((~~committee~~)) council, and shall consider such factors as coordination with existing head start and other early childhood programs, the preparation necessary for instructors, qualifications of instructors, adequate space and equipment, and special transportation needs. The rules shall specifically require the early childhood programs to provide for parental involvement in participation with their child's program, in local program policy decisions, in development and revision of service delivery systems, and in parent education and training.

(3) By January 1, 2016, the department shall adopt rules requiring early childhood education and assistance program employees who have access to children to submit to a fingerprint background check. Fingerprint background check procedures for the early childhood education and assistance program shall be the same as the background check procedures in RCW 43.215.215.

Sec. 513. RCW 43.215.415 and 1994 c 166 s 5 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Approved early childhood education and assistance programs shall receive state-funded support through the department. Public or private ((~~nonsectarian~~)) organizations, including, but not limited to school districts, educational service districts, community and technical colleges, local governments, or nonprofit organizations, are eligible to participate as providers of the state early childhood education and assistance program. ((~~Funds appropriated for the state program shall be used to continue to operate existing programs or to establish new or expanded early childhood programs, and shall not be used to supplant federally supported head start programs.~~))

(2) Funds obtained by providers through voluntary grants or contributions from individuals, agencies, corporations, or organizations may be used to expand or enhance preschool programs so long as program standards established by the department are maintained((~~, but shall not be used to supplant federally supported head start programs or state supported early childhood programs~~)).

(3) Persons applying to conduct the early childhood education and assistance program shall identify targeted groups and the number of children to be served, program components, the qualifications of instructional and special staff, the source and amount of grants or contributions from sources other than state funds, facilities and equipment support, and transportation and personal care arrangements.

(4) Existing early childhood education and assistance program providers must complete the following requirements to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program by October 1, 2015;

(b) Rate at a level 4 or 5 in the early achievers program by March 1, 2016. If an early childhood education and assistance program provider rates below a level 4 by March 1, 2016, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(5) Effective October 1, 2015, a new early childhood education and assistance program provider must complete the requirements in this subsection (5) to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program within thirty days of the start date of the early childhood education and assistance program contract;

(b)(i) Except as provided in (b)(ii) of this subsection, rate at a level 4 or 5 in the early achievers program within twelve months of enrollment. If an early childhood education and assistance program provider rates below a level 4 within twelve months of enrollment, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(ii) Licensed or certified child care centers and homes that administer an early childhood education and assistance program shall rate at a level 4 or 5 in the early achievers program within eighteen months of the start date of the early childhood education and assistance program contract. If an early childhood education and assistance program provider rates below a level 4 within eighteen months, the provider must complete remedial activities with the department, and rate at a level 4 or 5 within six months of beginning remedial activities.

(6)(a) If an early childhood education and assistance program provider has successfully completed all of the required early achievers program activities and is waiting to be rated by the deadline provided in this section, the provider may continue to participate in the early achievers program as an approved early childhood education and assistance program provider and receive state subsidy pending the successful completion of a level 4 or 5 rating.

(b) To avoid disruption, the department may allow for early childhood education and assistance program providers who have rated below a level 4 after completion of the six-month remedial period to continue to provide services until the current school year is finished.

(7) The department shall collect data periodically to determine the demand for full-day programming for early childhood education and assistance program providers. The department shall analyze this demand by geographic region and shall include the findings in the annual report required under section 18 of this act.

(8) By December 1, 2015, the department shall develop a pathway for licensed or certified child care centers and homes to administer an early childhood education and assistance program. The pathway shall include an accommodation for these providers to rate at a level 4 or 5 in the early achievers program according to the timelines and standards established in subsection (5)(b)(ii) of this section.

Sec. 514. RCW 43.215.430 and 2013 c 323 s 7 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

The department shall review applications from public or private ((~~nonsectarian~~)) organizations for state funding of early childhood education and assistance programs. The department shall consider local community needs, demonstrated capacity, and the need to support a mixed delivery system of early learning that includes alternative models for delivery including licensed centers and licensed family child care providers when reviewing applications.

Sec. 515. RCW 43.215.455 and 2010 c 231 s 3 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM.

(1) Beginning September 1, 2011, an early learning program to provide voluntary preschool opportunities for children three and four years of age shall be implemented according to the funding and implementation plan in RCW ((~~43.215.142~~)) 43.215.456. The program must ((~~be~~)) offer a comprehensive program ((~~providing~~)) of early childhood education and family support, ((~~options for~~)) including parental involvement((~~,~~)) and health information, screening, and referral services, ((~~as~~)) based on family need ((~~is determined~~)). Participation in the program is voluntary. On a space available basis, the program may allow enrollment of children who are not otherwise eligible by assessing a fee.

(2) The ((~~first phase of the~~)) program shall be implemented by utilizing the program standards and eligibility criteria in the early childhood education and assistance program in RCW 43.215.400 through 43.215.450.

(3)(a) Beginning in the 2015-16 school year, the program implementation in this section shall prioritize early childhood education and assistance programs located in low-income neighborhoods within high-need geographical areas.

(b) Following the priority in (a) of this subsection, preference shall be given to programs meeting at least one of the following characteristics:

(i) Programs offering an extended day program for early care and education;

(ii) Programs offering services to children diagnosed with a special need; or

(iii) Programs offering services to children involved in the child welfare system.

(4) The director shall adopt rules for the following program components, as appropriate and necessary during the phased implementation of the program, consistent with early achievers program standards established in RCW 43.215.100:

(a) Minimum program standards((~~, including lead teacher, assistant teacher, and staff qualifications~~));

(b) Approval of program providers; and

(c) Accountability and adherence to performance standards.

(((~~4~~))) (5) The department has administrative responsibility for:

(a) Approving and contracting with providers according to rules developed by the director under this section;

(b) In partnership with school districts, monitoring program quality and assuring the program is responsive to the needs of eligible children;

(c) Assuring that program providers work cooperatively with school districts to coordinate the transition from preschool to kindergarten so that children and their families are well-prepared and supported; and

(d) Providing technical assistance to contracted providers.

Sec. 516. RCW 43.215.456 and 2015 c 128 s 4 are each amended to read as follows:

EARLY CHILDHOOD EDUCATION AND ASSISTANCE PROGRAM—FUNDING AND STATEWIDE IMPLEMENTATION.

(1) Funding for the program of early learning established under this chapter must be appropriated to the department. Allocations must be made on the basis of eligible children enrolled with eligible providers.

(2) The program shall be implemented in phases, so that full implementation is achieved in the ((~~2018-19~~)) 2020-21 school year.

(3) For the initial phase of the early learning program in school years 2011-12 and 2012-13, the legislature shall appropriate funding to the department for implementation of the program in an amount not less than the 2009-2011 enacted budget for the early childhood education and assistance program. The appropriation shall be sufficient to fund an equivalent number of slots as funded in the 2009-2011 enacted budget.

(4) Beginning in the 2013-14 school year, additional funding for the program must be phased in beginning in school districts providing all-day kindergarten programs under RCW 28A.150.315.

(5) Funding shall continue to be phased in ((~~incrementally~~)) each year until full statewide implementation of the early learning program is achieved in the ((~~2018-19~~)) 2020-21 school year, at which time any eligible child shall be entitled to be enrolled in the program.

(6) School districts and approved community-based early learning providers may contract with the department to provide services under the program. The department shall collaborate with school districts, community-based providers, and educational service districts to promote an adequate supply of approved providers.

NEW SECTION. **Sec. 517.** A new section is added to chapter 43.215 RCW to read as follows:

PROGRAM DATA COLLECTION AND EVALUATION.

(1) The education data center established in RCW 43.41.400 must collect longitudinal, student-level data on all children attending an early childhood education and assistance program. Upon completion of an electronic time and attendance record system, the education data center must collect longitudinal, student-level data on all children attending a working connections child care program. Data collected should capture at a minimum the following characteristics:

(a) Daily program attendance;

(b) Identification of classroom and teacher;

(c) Early achievers program quality level rating;

(d) Program hours;

(e) Program duration;

(f) Developmental results from the Washington kindergarten inventory of developing skills in RCW 28A.655.080; and

(g) To the extent data is available, the distinct ethnic categories within racial subgroups of children and providers that align with categories recognized by the education data center.

(2) The department shall provide early learning providers student-level data collected pursuant to this section that are specific to the early learning provider's program. Upon completion of an electronic time and attendance record system identified in subsection (1) of this section, the department shall provide child care providers student-level data that are specific to the child care provider's program.

(3)(a) The department shall review available research and best practices literature on cultural competency in early learning settings. The department shall review the K-12 components for cultural competency developed by the professional educator standards board and identify components appropriate for early learning professional development.

(b) By July 31, 2016, the department shall provide recommendations to the appropriate committees of the legislature and the early learning advisory council on research-based cultural competency standards for early learning professional training.

(4)(a) The Washington state institute for public policy shall conduct a longitudinal analysis examining relationships between the early achievers program quality ratings levels and outcomes for children participating in subsidized early care and education programs.

(b) The institute shall submit the first report to the appropriate committees of the legislature and the early learning advisory council by December 31, 2019. The institute shall submit subsequent reports annually to the appropriate committees of the legislature and the early learning advisory council by December 31st, with the final report due December 31, 2022. The final report shall include a cost-benefit analysis.

(5)(a) By December 1, 2015, the department shall provide recommendations to the appropriate committees of the legislature on child attendance policies pertaining to the working connections child care program and the early childhood education and assistance program. The recommendations shall include the following:

(i) Allowable periods of child absences;

(ii) Required contact with parents or caregivers to discuss child absences and encourage regular program attendance; and

(iii) A de-enrollment procedure when allowable child absences are exceeded.

(b) The department shall develop recommendations on child absences and attendance within the department's appropriations.

NEW SECTION. **Sec. 518.** A new section is added to chapter 43.215 RCW to read as follows:

CONTRACTED CHILD CARE SLOTS AND VOUCHERS.

(1) The department may employ a combination of vouchers and contracted slots for the subsidized child care programs in RCW 43.215.135. Child care vouchers preserve parental choice. Child care contracted slots promote access to continuous quality care for children, provide parents and caregivers stable child care that supports employment, and allow providers to have predictable funding. Any contracted slots the department may create under this section must meet the requirements in subsections (2) through (6) of this section.

(2) Only child care providers who participate in the early achievers program and rate at a level 3, 4, or 5 are eligible to be awarded a contracted slot.

(3)(a) The department is required to use data to calculate a set number of targeted contracted slots. In calculating the number, the department must take into account a balance of family home and center child care programs and the overall geographic distribution of child care programs in the state and the distribution of slots between ages zero and five.

(b) The targeted contracted slots are reserved for programs meeting both of the following conditions:

(i) Programs in low-income neighborhoods; and

(ii) Programs that consist of at least fifty percent of children receiving subsidy pursuant to RCW 43.215.135.

(c) Until August 1, 2017, the department shall assure an even distribution of contracted slots for children birth to age five.

(4) The department shall award the remaining contracted slots via a competitive process and prioritize child care programs with at least one of the following characteristics:

(a) Programs located in a high-need geographic area;

(b) Programs partnering with elementary schools to offer transitional planning and support to children as they advance to kindergarten;

(c) Programs serving children involved in the child welfare system; or

(d) Programs serving children diagnosed with a special need.

(5) The department shall pay a provider for each contracted slot, unless a contracted slot is not used for thirty days.

(6) The department shall include the number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding in the annual report to the legislature required under section 18 of this act.

NEW SECTION. **Sec. 519.** A new section is added to chapter 43.215 RCW to read as follows:

INTEGRATION WITH LOCAL GOVERNMENT EFFORTS.

(1) The foundation of quality in the early care and education system in Washington is the quality rating and improvement system entitled the early achievers program. In an effort to build on the existing quality framework, enhance access to quality care for children, and strengthen the entire early care and education systems in the state, it is important to integrate the efforts of state and local governments.

(2) Local governments are encouraged to collaborate with the department when establishing early learning programs for residents.

(3) Local governments may contribute funds to the department for the following purposes:

(a) Initial investments to build capacity and quality in local early care and education programming; and

(b) Reductions in copayments charged to parents or caregivers.

(4) Funds contributed to the department by local governments must be deposited in the early start account established in section 17 of this act.

Sec. 520. RCW 43.215.090 and 2012 c 229 s 589 are each amended to read as follows:

EARLY LEARNING ADVISORY COUNCIL.

(1) The early learning advisory council is established to advise the department on statewide early learning issues that would build a comprehensive system of quality early learning programs and services for Washington's children and families by assessing needs and the availability of services, aligning resources, developing plans for data collection and professional development of early childhood educators, and establishing key performance measures.

(2) The council shall work in conjunction with the department to develop a statewide early learning plan that guides the department in promoting alignment of private and public sector actions, objectives, and resources, and ensuring school readiness.

(3) The council shall include diverse, statewide representation from public, nonprofit, and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(4) Councilmembers shall serve two-year terms. However, to stagger the terms of the council, the initial appointments for twelve of the members shall be for one year. Once the initial one-year to two-year terms expire, all subsequent terms shall be for two years, with the terms expiring on June 30th of the applicable year. The

terms shall be staggered in such a way that, where possible, the terms of members representing a specific group do not expire simultaneously.

(5) The council shall consist of not more than twenty-three members, as follows:

(a) The governor shall appoint at least one representative from each of the following: The department, the office of financial management, the department of social and health services, the department of health, the student achievement council, and the state board for community and technical colleges;

(b) One representative from the office of the superintendent of public instruction, to be appointed by the superintendent of public instruction;

(c) The governor shall appoint seven leaders in early childhood education, with at least one representative with experience or expertise in one or more of the areas such as the following: The K-12 system, family day care providers, and child care centers with four of the seven governor's appointees made as follows:

(i) The head start state collaboration office director or the director's designee;

(ii) A representative of a head start, early head start, migrant/seasonal head start, or tribal head start program;

(iii) A representative of a local education agency; and

(iv) A representative of the state agency responsible for programs under section 619 or part C of the federal individuals with disabilities education act;

(d) Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively;

(e) Two parents, one of whom serves on the department's parent advisory group, to be appointed by the governor;

(f) One representative of the private-public partnership created in RCW 43.215.070, to be appointed by the partnership board;

(g) One representative designated by sovereign tribal governments; and

(h) One representative from the Washington federation of independent schools.

(6) The council shall be cochaired by one representative of a state agency and one nongovernmental member, to be elected by the council for two-year terms.

(7) The council shall appoint two members and stakeholders with expertise in early learning to sit on the technical working group created in section 2, chapter 234, Laws of 2010.

(8) Each member of the board shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(9)(a) The council shall convene an early achievers review subcommittee to provide feedback and guidance on strategies to improve the quality of instruction and environment for early learning and provide input and recommendations on the implementation and refinement of the early achievers program. The review conducted by the subcommittee shall be a part of the annual progress report required in section 18 of this act. At a minimum the review shall address the following:

(i) Adequacy of data collection procedures;

(ii) Coaching and technical assistance standards;

(iii) Progress in reducing barriers to participation for low-income providers and providers from diverse cultural backgrounds, including a review of the early achievers program's rating tools, quality standard areas, and components, and how they are applied;

(iv) Strategies in response to data on the effectiveness of early achievers program standards in relation to providers and children from diverse cultural backgrounds;

(v) Status of the life circumstance exemption protocols; and

(vi) Analysis of early achievers program data trends.

(b) The subcommittee must include consideration of cultural linguistic responsiveness when analyzing the areas for review required by (a) of this subsection.

(c) The subcommittee shall include representatives from child care centers, family child care, the early childhood education and assistance program, contractors for early achievers program technical assistance and coaching, tribal governments, the organization responsible for conducting early achiever program ratings, and parents of children participating in early learning programs, including working connections child care and early childhood education and assistance programs. The subcommittee shall include representatives from diverse cultural and linguistic backgrounds.

(10) The department shall provide staff support to the council.

NEW SECTION. **Sec. 521.** A new section is added to chapter 43.215 RCW to read as follows:

EARLY START ACCOUNT.

The early start account is created in the state treasury. Revenues in the account shall consist of appropriations by the legislature and all other sources deposited into the account. Moneys in the account may only be used after appropriation. Expenditures from the account may be used only to improve the quality of early care and education programming. The department oversees the account.

NEW SECTION. **Sec. 522.** A new section is added to chapter 43.215 RCW to read as follows:

ANNUAL PROGRESS REPORT.

(1) Beginning December 15, 2015, and each December 15th thereafter, the department, in collaboration with the statewide child care resource and referral organization, and the early achievers review subcommittee of the early learning advisory council, shall submit, in compliance with RCW 43.01.036, a progress report to the governor and the legislature regarding providers' progress in the early achievers program. Each progress report must include the following elements:

(a) The number, and relative percentage, of family child care and center providers who have enrolled in the early achievers program and who have:

(i) Completed the level 2 activities;

(ii) Completed rating readiness consultation and are waiting to be rated;

(iii) Achieved the required rating level to remain eligible for state-funded support under the early childhood education and assistance program or a subsidy under the working connections child care program;

(iv) Not achieved the required rating level initially but qualified for and are working through intensive targeted support in preparation for a partial rerate outside the standard rating cycle;

(v) Not achieved the required rating level initially and engaged in remedial activities before successfully achieving the required rating level;

(vi) Not achieved the required rating level after completing remedial activities; or

(vii) Received an extension from the department based on exceptional circumstances pursuant to RCW 43.215.100;

(b) A review of the services available to providers and children from diverse cultural backgrounds;

(c) An examination of the effectiveness of efforts to increase successful participation by providers serving children and families from diverse cultural and linguistic backgrounds and providers who serve children from low-income households;

(d) A description of the primary obstacles and challenges faced by providers who have not achieved the required rating level to remain eligible to receive:

(i) A subsidy under the working connections child care program; or

(ii) State-funded support under the early childhood education and assistance program;

(e) A summary of the types of exceptional circumstances for which the department has granted an extension pursuant to RCW 43.215.100;

(f) The average amount of time required for providers to achieve local level milestones within each level of the early achievers program;

(g) To the extent data is available, an analysis of the distribution of early achievers program-rated facilities in relation to child and provider demographics, including but not limited to race and ethnicity, home language, and geographical location;

(h) Recommendations for improving access for children from diverse cultural backgrounds to providers rated at a level 3 or higher in the early achievers program;

(i) Recommendations for improving the early achievers program standards;

(j) An analysis of any impact from quality strengthening efforts on the availability and quality of infant and toddler care;

(k) The number of contracted slots that use both early childhood education and assistance program funding and working connections child care program funding; and

(l) A description of the early childhood education and assistance program implementation to include the following:

(i) Progress on early childhood education and assistance program implementation as required pursuant to RCW 43.215.415, 43.215.425, and 43.215.455;

(ii) An examination of the regional distribution of new preschool programming by zip code;

(iii) An analysis of the impact of preschool expansion on low-income neighborhoods and communities;

(iv) Recommendations to address any identified barriers to access to quality preschool for children living in low-income neighborhoods;

(v) An analysis of any impact of extended day early care and education opportunities directives;

(vi) An examination of any identified barriers for providers to offer extended day early care and education opportunities;

(vii) An analysis of the demand for full-day programming for early childhood education and assistance program providers required under RCW 43.215.415; and

(viii) To the extent data is available, an analysis of the cultural diversity of early childhood education and assistance program providers and participants.

(2) The first annual report due under subsection (1) of this section also shall include a description of the early achievers program extension protocol required under RCW 43.215.100.

(3) The elements required to be reported under subsection (1)(a) of this section must be reported at the county level, and for those counties with a population of five hundred thousand and higher, the data must be reported at the zip code level.

(4) If, based on information in an annual report submitted in 2018 or later under this section, fifteen percent or more of the licensed or contracted providers who are participating in the early achievers program in a county or in a single zip code have not achieved the rating levels under RCW 43.215.135 and 43.215.415, the department must:

(a) Analyze the reasons providers in the affected counties or zip codes have not attained the required rating levels; and

(b) Develop a plan to mitigate the effect on the children and families served by these providers. The plan must be submitted to the legislature as part of the annual progress report along with any recommendations for legislative action to address the needs of the providers and the children and families they serve.

Sec. 523. RCW 43.215.010 and 2013 c 323 s 3 and 2013 c 130 s 1 are each reenacted and amended to read as follows:

DEFINITIONS.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child care provider who regularly provides early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools that are engaged primarily in early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school((-))age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child

care program at the same facility in another location or at another facility;

(i) Any entity that provides recreational or educational programming for school((-))age((d)) children only and the entity meets all of the following requirements:

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and

(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early childhood education and assistance program contractor" means an organization that provides early childhood education and assistance program services under a signed contract with the department.

(9) "Early childhood education and assistance program provider" means an organization that provides site level, direct, and high quality early childhood education and assistance program services under the direction of an early childhood education and assistance program contractor.

(10) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100;

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(((~~(9)~~))) (11) "Education data center" means the education data center established in RCW 43.41.400, commonly referred to as the education research and data center.

(12) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(((~~(10)~~))) (13) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

(((~~(11)~~))) (14) "Extended day program" means an early childhood education and assistance program that offers early learning education for at least ten hours per day, a minimum of two thousand hours per year, at least four days per week, and operates year round.

(15) "Full day program" means an early childhood education and assistance program that offers early learning education for a minimum of one thousand hours per year.

(16) "Low-income child care provider" means a person who administers a child care program that consists of at least eighty percent of children receiving working connections child care subsidy.

(17) "Low-income neighborhood" means a district or community where more than twenty percent of households are below the federal poverty level.

(18) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(((~~(12)~~))) (19) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(((~~(13)~~))) (20) "Nonschool age child" means a child who is age six years or younger and who is not enrolled in a public or private school.

(21) "Part day program" means an early childhood education and assistance program that offers early learning education for at least two and one-half hours per class session, at least three hundred twenty hours per year, for a minimum of thirty weeks per year.

(22) "Private school" means a private school approved by the state under chapter 28A.195 RCW.

(23) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(((~~(14)~~))) (24) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(((~~(15)~~))) (25) "School age child" means a child who is between the ages of five years and twelve years and is attending a public or private school or is receiving home-based instruction under chapter 28A.200 RCW.

(26) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. **Sec. 524.** A new section is added to chapter 43.215 RCW to read as follows:

JOINT SELECT COMMITTEE ON THE EARLY ACHIEVERS PROGRAM.

(1)(a) A joint select committee on the early achievers program is established with members as provided in this subsection.

(i) Chair and ranking minority member of the house of representatives appropriations committee, or his or her designee who must be a member of the house of representatives appropriations committee;

(ii) Chair and ranking minority member of the senate ways and means committee, or his or her designee who must be a member of the senate ways and means committee;

(iii) Chair and ranking minority member of the house of representatives early learning and human services committee, or his or her designee who must be a member of the house of representatives early learning and human services committee; and

(iv) Chair and ranking minority member of the senate early learning and K-12 education committee, or his or her designee who must be a member of the senate early learning and K-12 education committee.

(b) The committee shall choose its chair or cochairs from among its legislative membership. The chair of the house of representatives early learning and human services committee, or his or her designee, and the chair of the senate early learning and K-12 education committee, or his or her designee, shall convene the initial meeting of the committee.

(2) Between July 1, 2018, and December 1, 2018, the early achievers joint select committee shall review the demand and availability of licensed or certified child care family homes and centers, approved early childhood education and assistance programs, head start programs, and family, friend, and neighbor caregivers by geographic region, including rural and low-income neighborhoods. This review shall specifically look at the following:

(a) The geographic distribution of these child care programs by type of program, programs that accept state subsidy, enrollment in the early achievers program, and early achievers rating levels; and

(b) The demand and availability of these child care programs for major ethnic populations.

(3) By December 1, 2018, the early achievers joint select committee shall make recommendations to the legislature on the following:

(a) The sufficiency of funding provided for the early achievers program;

(b) The need for targeted funding for specific geographic regions or major ethnic populations; and

(c) Whether to modify the deadlines established in RCW 43.215.135 for purposes of the early achievers program mandate established in RCW 43.215.100.

(4) Staff support for the committee must be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120.

(6) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) The committee shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2018.

(8) This section expires December 1, 2019.

NEW SECTION. **Sec. 525.** REPEALER. 2013 2nd sp.s. c 16 s 2 (uncodified) is repealed.

NEW SECTION. **Sec. 526.** A new section is added to chapter 43.215 RCW to read as follows:

SHORT TITLE.

Chapter . . ., Laws of 2015 3rd sp. sess. (this act) may be known and cited as the early start act.

NEW SECTION. **Sec. 527.** EFFECTIVE DATE. Section 4 of this act takes effect July 1, 2016.

NEW SECTION. **Sec. 528.** NULL AND VOID. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2015, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Kagi spoke in favor of the adoption of the striking amendment.

Amendment (550) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi, Walsh, Johnson, Tarleton and Dent spoke in favor of the passage of the bill.

Representatives Scott, Scott (again) and Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1491.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1491, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dent, Dunshee, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, McCaslin, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representative Fey.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Engrossed Second Substitute House Bill No. 1491.

Representative DeBolt, 20th District

THIRD READING

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, by House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Gregory, Haler, Riccelli, Walkinshaw, Zeiger and McBride).

Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read the third time.

Representatives Kilduff and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1825.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1825, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Fey.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2217, by Representatives Hunter, Sullivan and Carlyle.

Concerning the state's use of the juvenile offender basic training camp program.

The bill was read the third time.

Representative Hunter spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2217.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2217, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Dye, G. Hunt, Hayes, Holy, Kretz, McCabe, McCaslin, Schmick, Scott, Shea, Short, Smith and Taylor.

Excused: Representative Fey.

HOUSE BILL NO. 2217, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 2263 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2263, by House Committee on Finance (originally sponsored by Representatives Springer, Walkinshaw, Robinson, Tharinger, Carlyle, McBride, Fitzgibbon and Reykdal)

Providing local governments with options to strengthen their communities by providing services and facilities for people with mental illness, developmental disabilities, and other vulnerable populations, and by increasing access to educational experiences through cultural organizations.

The bill was read the second time.

Representative Springer moved the adoption of amendment (554):

On page 26, line 31, after "this" strike "act" and insert "section"
On page 26, line 34, after "this" strike "act" and insert "section"

Representatives Springer and Harris spoke in favor of the adoption of the amendment.

Amendment (554) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Springer spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2263.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2263, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen,

Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Kretz, McCaslin, Orcutt, Parker, Sawyer, Scott, Shea, Short and Taylor.

Excused: Representative Fey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2263, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2267, by Representative Hunter

Suspending the state expenditure limit in order to implement the state's Article IX obligation to amply fund basic education.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (546):

On page 4, after line 5, insert the following:

"NEW SECTION. **Sec. 4.** The economic and revenue forecast council, in consultation with the state expenditure limit committee, shall prepare draft legislation for introduction in the 2016 legislative session that revises the state expenditure limit to synchronize the requirements of this chapter with the four-year balanced budget requirement under RCW 43.88.060 and the state budget outlook under RCW 82.33.060.31."

Renumber remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Hunter and Chandler spoke in favor of the adoption of the amendment.

Amendment (546) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2267.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2267, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Hargrove, Hawkins, Holy, Klippert, Kretz, MacEwen, McCabe, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

Excused: Representative Fey.

ENGROSSED HOUSE BILL NO. 2267, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and SECOND SUBSTITUTE HOUSE BILL NO. 1095 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1095, by House Committee on Appropriations (originally sponsored by Representatives Morris and Hudgins)

Promoting thermal energy efficiency.

The bill was read the second time.

Representative Morris moved the adoption of amendment (549):

On page 5, line 8, after "(e)" strike "A" and insert "For a critical governmental facility, a"

On page 5, line 9, after "evaluation" strike "of whether" and insert "of: (i) Whether"

On page 5, line 13, after "period" insert "; and (ii) the cost of integrating the variability of combined heat and power resources"

On page 7, line 4, after "to" strike "value" and insert "assess"

On page 7, line 6, after "resource" strike "results" and insert "may result"

On page 7, line 9, after "value" insert ", pursuant to RCW 19.280.030,"

On page 7, line 13, after "planning" insert "only if an assessment of combined heat and power identifies opportunities for combined heat and power that are dispatchable and that may provide capacity value"

On page 7, beginning on line 16, after "(1)" strike all material through "(2)" on line 26 and insert the following:

"The legislature finds that power purchase agreements of a minimum of fifteen years for the electric output of combined heat and power systems may be advantageous to both electric utilities and the owners or operators of combined heat and power systems.

(2) Electric utilities with over twenty-five thousand customers in the state of Washington are encouraged to offer a minimum term of

fifteen years for new power purchase agreements for the electric output of combined heat and power systems beginning December 31, 2016.

(3)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 13, beginning on line 13, strike all of section 13

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 6, after "January 31," strike "2016" and insert "2018"

On page 16, line 10, after "January" strike "1, 2017" and insert "31, 2018"

On page 16, line 22, after "heater" strike all material through "section" on line 24 and insert "if:

(a) The owner or operator is not required to complete an energy assessment under 40 C.F.R. Part 63 subpart DDDDD as it existed on the effective date of this section; or

(b) Prior to the dates in subsection 1 of this section, the owner or operator is no longer required to complete an energy assessment under 40 C.F.R. Part 63 subpart DDDDD"

Correct the title.

Representatives Morris and Smith spoke in favor of the adoption of the amendment.

Amendment (549) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1095.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1095, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Dent and Klippert.

Excused: Representative Fey.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1095, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1100 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1100, by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, S. Hunt, Hudgins, Ormsby and Fey)

Creating new appliance efficiency standards.

The bill was read the second time.

Representative Morris moved the adoption of amendment (551):

Strike everything after the enacting clause and insert the following:

"**Sec. 529.** RCW 19.260.020 and 2009 c 565 s 18 and 2009 c 501 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Automatic commercial ice cube machine" means a factory-made assembly, not necessarily shipped in one package, consisting of a condensing unit and ice-making section operating as an integrated unit with means for making and harvesting ice cubes. It may also include integrated components for storing or dispensing ice, or both.

(2) "Bottle-type water dispenser" means a water dispenser that uses a bottle or reservoir as the source of potable water.

(3) "Commercial hot food holding cabinet" means a heated, fully enclosed compartment, with one or more solid or partial glass doors, that is designed to maintain the temperature of hot food that has been cooked in a separate appliance. "Commercial hot food holding cabinet" does not include heated glass merchandising cabinets, drawer warmers, or cook and hold appliances.

(4)(a) "Commercial refrigerators and freezers" means refrigerators, freezers, or refrigerator-freezers designed for use by commercial or institutional facilities for the purpose of storing or merchandising food products, beverages, or ice at specified temperatures that: (i) Incorporate most components involved in the vapor-compression cycle and the refrigerated compartment in a single cabinet; and (ii) may be configured with either solid or transparent doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet, or roll-through cabinet.

(b) "Commercial refrigerators and freezers" does not include: (i) Products with 85 cubic feet or more of internal volume; (ii) walk-in refrigerators or freezers; (iii) consumer products that are federally regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv) products without doors; or (v) freezers specifically designed for ice cream.

(5) "Compensation" means money or any other valuable thing, regardless of form, received or to be received by a person for services rendered.

(6) "Cook and hold appliance" means a multiple mode appliance intended for cooking food that may be used to hold the temperature of the food that has been cooked in the same appliance.

(7) "Department" means the department of commerce.

(8) "Drawer warmer" means an appliance that consists of one or more heated drawers and that is designed to hold hot food that has been cooked in a separate appliance at a specified temperature.

(9) "Heated glass merchandising cabinet" means an appliance with a heated cabinet constructed of glass or clear plastic doors

which, with seventy percent or more clear area, is designed to display and maintain the temperature of hot food that has been cooked in a separate appliance.

(10) "Hot water dispenser" means a small electric water heater that has a measured storage volume of no greater than one gallon.

(11) "Mini-tank electric water heater" means a small electric water heater that has a measured storage volume of more than one gallon and a rated storage volume of less than twenty gallons.

(12) "Pass-through cabinet" means a commercial refrigerator or freezer with hinged or sliding doors on both the front and rear of the unit.

(13) "Point-of-use water dispenser" means a water dispenser that uses a pressurized water utility connection as the source of potable water.

(14) "Pool heater" means an appliance designed for heating nonpotable water contained at atmospheric pressure for swimming pools, spas, hot tubs, and similar applications.

(15) "Portable electric spa" means a factory-built electric spa or hot tub, supplied with equipment for heating and circulating water.

(16) "Reach-in cabinet" means a commercial refrigerator or freezer with hinged or sliding doors or lids, but does not include roll-in or roll-through cabinets or pass-through cabinets.

(17) "Residential pool pump" means a pump used to circulate and filter pool water in order to maintain clarity and sanitation.

(18)(a) "Roll-in cabinet" means a commercial refrigerator or freezer with hinged or sliding doors that allow wheeled racks of product to be rolled into the unit.

(b) "Roll-through cabinet" means a commercial refrigerator or freezer with hinged or sliding doors on two sides of the cabinet that allow wheeled racks of product to be rolled through the unit.

(19) "Showerhead" means a device through which water is discharged for a shower bath.

(20) "Showerhead tub spout diverter combination" means a group of plumbing fittings sold as a matched set and consisting of a control valve, a tub spout diverter, and a showerhead.

(21) "State-regulated incandescent reflector lamp" means a lamp that is not colored or designed for rough or vibration service applications, has an inner reflective coating on the outer bulb to direct the light, an E26 medium screw base, a rated voltage or voltage range that lies at least partially within 115 to 130 volts, and falls into one of the following categories:

(a) A bulged reflector or elliptical reflector bulb shape and which has a diameter which equals or exceeds 2.25 inches; or

(b) A reflector, parabolic aluminized reflector, or similar bulb shape and which has a diameter of 2.25 to 2.75 inches.

(22) "Tub spout diverter" means a device designed to stop the flow of water into a bathtub and to divert it so that the water discharges through a showerhead.

(23) "Wine chillers designed and sold for use by an individual" means refrigerators designed and sold for the cooling and storage of wine by an individual.

(24) "À la carte charger" means a battery charger that is individually packaged without batteries. "À la carte charger" includes those with multivoltage or multiport capabilities.

(25) "Battery analyzer" means a device:

(a) Used to analyze and report a battery's performance and overall condition;

(b) Capable of being programmed and performing service functions to restore capability in deficient batteries; and

(c) Not intended or marketed to be used on a daily basis for the purpose of charging batteries.

(26) "Battery backup" or "uninterruptible power supply charger" means a small battery charger system that is voltage and frequency dependent and designed to provide power to an end-use product in the event of a power outage, and includes an uninterruptible power supply charger as defined in IEC 62040-3 ed.2.0 (March 2011). The output of the voltage and frequency dependent uninterruptible power supply charger is dependent on changes in AC input voltage and frequency and is not intended to provide additional corrective functions, such as those relating to the use of tapped transformers.

(27) "Battery charger systems" means a battery charger coupled with its batteries or battery chargers coupled with their batteries, which together are referred to as battery charger systems, including all rechargeable batteries or devices incorporating a rechargeable battery and the chargers used with them. Battery charger systems include, but are not limited to:

(a) Electronic devices with a battery that are normally charged with AC line voltage or DC input voltage through an internal or external power supply and a dedicated battery charger;

(b) The battery and battery charger components of devices that are designed to run on battery power during part or all of their operations;

(c) Dedicated battery systems primarily designed for electrical or emergency backup; and

(d) Devices whose primary function is to charge batteries, along with the batteries they are designed to charge. These units include chargers for power tool batteries and chargers for automotive, AA, AAA, C, D, or 9 V rechargeable batteries, as well as chargers for batteries used in larger industrial motive equipment and à la carte chargers.

(28) "Consumer product" means any article that when operated consumes energy including articles that to any significant extent are distributed in commerce for personal use or consumption by individuals. "Consumer product" does not include an automobile as defined in 49 U.S.C. Sec. 32901(a)(3).

(29) "Illuminated exit sign" means:

(a) A sign that is designed to be permanently fixed in place to identify an exit, including those products that are a combination illuminated exit sign and emergency egress lighting; and

(b) A sign that: (i) Consists of an electrically powered integral light source that illuminates the legend "EXIT" and any directional indicators; and (ii) provides contrast between the legend, any directional indicators, and the background.

(30) "Large battery charger system" means a battery charger system, other than a battery charger system for golf carts, with a rated input power of more than two kilowatts.

(31) "Small battery charger system" means a battery charger system with a rated input power of two kilowatts or less, and includes golf cart battery charger systems regardless of the output power.

Sec. 530. RCW 19.260.030 and 2009 c 501 s 2 are each amended to read as follows:

(1) This chapter applies to the following types of new products sold, offered for sale, or installed in the state:

(a) Automatic commercial ice cube machines;

(b) Commercial refrigerators and freezers;

(c) State-regulated incandescent reflector lamps;

(d) Wine chillers designed and sold for use by an individual;

(e) Hot water dispensers and mini-tank electric water heaters;

(f) Bottle-type water dispensers and point-of-use water dispensers;

(g) Pool heaters, residential pool pumps, and portable electric spas;

(h) Tub spout diverters; ((~~and~~))

(i) Commercial hot food holding cabinets; and

(j) Battery charger systems, except those:

(i) Used to charge golf carts;

(ii) That are classified as class II or class III devices for human use under the federal food, drug, and cosmetic act as of the effective

date of this section and require United States food and drug administration listing and approval as a medical device;

(iii) Used to charge a battery or batteries in an illuminated exit sign;

(iv) With input that is three phase of line-to-line three hundred volts root mean square or more and is designed for a stationary power application;

(v) That are battery analyzers;

(vi) That are voltage independent or voltage and frequency independent uninterruptible power supplies as defined by the international electrotechnical commission 62040-3 ed.2.0 as of the effective date of this section; or

(vii) Used to charge larger industrial motive equipment, such as fork lifts, burden carriers, or person carriers.

(2) This chapter applies equally to products whether they are sold, offered for sale, or installed as stand-alone products or as components of other products.

(3) This chapter does not apply to:

(a) New products manufactured in the state and sold outside the state;

(b) New products manufactured outside the state and sold at wholesale inside the state for final retail sale and installation outside the state;

(c) Products installed in mobile manufactured homes at the time of construction; or

(d) Products designed expressly for installation and use in recreational vehicles.

Sec. 531. RCW 19.260.040 and 2009 c 501 s 3 are each amended to read as follows:

The minimum efficiency standards specified in this section apply to the types of new products set forth in RCW 19.260.030.

(1)(a) Automatic commercial ice cube machines must have daily energy use and daily water use no greater than the applicable values in the following table:

Equipment type	Type of cooling	Harvest rate (lbs. ice/24 hrs.)	Maximum energy use (kWh/100 lbs.)	Maximum condenser water use (gallons/100 lbs. ice)
Ice-making head	water	<500	7.80 - .0055H	200 - .022H
		>=500<1436	5.58 - .0011H	200 - .022H
		>=1436	4.0	200 - .022H
Ice-making head	air	450	10.26 - .0086H	Not applicable
		>=450	6.89 - .0011H	Not applicable
Remote condensing but not remote compressor	air	<1000	8.85 - .0038	Not applicable
		>=1000	5.10	Not applicable
Remote condensing and remote compressor	air	<934	8.85 - .0038H	Not applicable
		>=934	5.3	Not applicable
Self-contained models	water	<200	11.40 - .0190H	191 - .0315H
		>=200	7.60	191 - .0315H
Self-contained models	air	<175	18.0 - .0469H	Not applicable
		>=175	9.80	Not applicable

Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value. "Maximum water use" applies only to water used for the condenser.

(b) For purposes of this section, automatic commercial ice cube machines shall be tested in accordance with the ARI 810-2003 test method as published by the air-conditioning and refrigeration institute. Ice-making heads include all automatic commercial ice cube machines that are not split system ice makers or self-contained models as defined in ARI 810-2003.

(2)(a) Commercial refrigerators and freezers must meet the applicable requirements listed in the following table:

Equipment Type	Doors	Maximum Daily Energy Consumption (kWh)
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators	Solid	0.10V+ 2.04
	Transparent	0.12V+ 3.34
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are "pulldown" refrigerators	Transparent	.126V+ 3.51
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers	Solid	0.40V+ 1.38
	Transparent	0.75V+ 4.10
Reach-in cabinets that are refrigerator-freezers with an AV of 5.19 or higher	Solid	0.27AV - 0.71

kWh= kilowatt-hours

V= total volume (ft^3)

AV= adjusted volume= \\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay001\1.63 x freezer volume (ft3).doc+ refrigerator volume (ft^3)

(b) For purposes of this section, "pulldown" designates products designed to take a fully stocked refrigerator with beverages at 90 degrees Fahrenheit and cool those beverages to a stable temperature of 38 degrees Fahrenheit within 12 hours or less. Daily energy consumption shall be measured in accordance with the American national standards institute/American society of heating, refrigerating and air-conditioning engineers test method 117-2002, except that the back-loading doors of pass-through and roll-through refrigerators and freezers must remain closed throughout the test, and except that the controls of all appliances must be adjusted to obtain the following product temperatures.

Product or compartment type	Integrated average product temperature in degrees Fahrenheit

Refrigerator	38± 2
Freezer	0± 2

(3)(a) The lamp electrical power input of state-regulated incandescent reflector lamps shall meet the minimum average lamp efficacy requirements for federally regulated incandescent reflector lamps specified in 42 U.S.C. Sec. 6295(i)(l)(A)-(B).

(b) The following types of incandescent lamps are exempt from these requirements:

(i) Lamps rated at fifty watts or less of the following types: BR 30, ER 30, BR 40, and ER 40;

(ii) Lamps rated at sixty-five watts of the following types: BR 30, BR 40, and ER 40; and

(iii) R 20 lamps of forty-five watts or less.

(4)(a) Wine chillers designed and sold for use by an individual must meet requirements specified in the California Code of Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

(b) Wine chillers designed and sold for use by an individual shall be tested in accordance with the method specified in the California Code of Regulations, Title 20, section 1604 in effect as of July 26, 2009.

(5)(a) The standby energy consumption of bottle-type water dispensers, and point-of-use water dispensers, dispensing both hot and cold water, manufactured on or after January 1, 2010, shall not exceed 1.2 kWh/day.

(b) The test method for water dispensers shall be the environmental protection agency energy star program requirements for bottled water coolers version 1.1.

(6)(a) The standby energy consumption of hot water dispensers and mini-tank electric water heaters manufactured on or after January 1, 2010, shall be not greater than 35 watts.

(b) This subsection does not apply to any water heater:

(i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or 6311(1);

(ii) That has a rated storage volume of less than 20 gallons; and

(iii) For which there is no federal test method applicable to that type of water heater.

(c) Hot water dispensers shall be tested in accordance with the method specified in the California Code of Regulations, Title 20, section 1604 in effect as of July 26, 2009.

(d) Mini-tank electric water heaters shall be tested in accordance with the method specified in the California Code of Regulations, Title 20, section 1604 in effect as of July 26, 2009.

(7) The following standards are established for pool heaters, residential pool pumps, and portable electric spas:

(a) Natural gas pool heaters shall not be equipped with constant burning pilots.

(b) Residential pool pump motors manufactured on or after January 1, 2010, must meet requirements specified in the California Code of Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

(c) Portable electric spas manufactured on or after January 1, 2010, must meet requirements specified in the California Code of Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

(d) Portable electric spas must be tested in accordance with the method specified in the California Code of Regulations, Title 20, section 1604 in effect as of July 26, 2009.

(8)(a) The leakage rate of tub spout diverters shall be no greater than the applicable requirements shown in the following table:

Appliance	Testing Conditions	Maximum Leakage Rate Effective January 1, 2009
	When new	0.01 gpm
Tub spout diverters	After 15,000 cycles of diverting	0.05 gpm

(b) Showerhead tub spout diverter combinations shall meet both the federal standard for showerheads established pursuant to 42 U.S.C. Sec. 6291 et seq. and the standard for tub spout diverters specified in this section.

(9)(a) The idle energy rate of commercial hot food holding cabinets manufactured on or after January 1, 2010, shall be no greater than 40 watts per cubic foot of measured interior volume.

(b) The idle energy rate of commercial hot food holding cabinets shall be determined using ANSI/ASTM F2140-01 standard test method for the performance of hot food holding cabinets (test for idle energy rate dry test). Commercial hot food holding cabinet interior volume shall be calculated using straight line segments following the gross interior dimensions of the appliance and using the following equation: Interior height x interior width x interior depth. Interior volume shall not account for racks, air plenums, or other interior parts.

(10) The following standards are established for battery charger systems:

(a) Large battery charger systems and small battery charger systems manufactured on or after January 1, 2017, must meet requirements specified in the California Code of Regulations, Title 20, section 1605 in effect as of the effective date of this section.

(b) Battery backup and uninterruptible power supplies that are not consumer products manufactured on or after January 1, 2017, must meet requirements specified in the California Code of Regulations, Title 20, section 1605 in effect as of the effective date of this section.

(c) Large battery charger systems and small battery charger systems must be tested in accordance with the method specified in the California Code of Regulations, Title 20, section 1604 in effect as of the effective date of this section.

Sec. 532. RCW 19.260.050 and 2009 c 501 s 4 are each amended to read as follows:

(1) No new commercial refrigerator or freezer or state-regulated incandescent reflector lamp manufactured on or after January 1, 2007, may be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040. No new automatic commercial ice cube machine manufactured on or after January 1, 2008, may be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040.

(2) On or after January 1, 2008, no new commercial refrigerator or freezer or state-regulated incandescent reflector lamp manufactured on or after January 1, 2007, may be installed for compensation in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040. On or after January 1, 2009, no new automatic commercial ice cube machine manufactured on or after January 1, 2008, may be installed for compensation in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040.

(3) Standards for state-regulated incandescent reflector lamps are effective on the dates specified in subsections (1) and (2) of this section.

(4) The following products, if manufactured on or after January 1, 2010, may not be sold or offered in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040:

(a) Wine chillers designed and sold for use by an individual;

(b) Hot water dispensers and mini-tank electric water heaters;

(c) Bottle-type water dispensers and point-of-use water dispensers;

(d) Pool heaters, residential pool pumps, and portable electric spas;

(e) Tub spout diverters; and

(f) Commercial hot food holding cabinets.

(5) The following products, if manufactured on or after January 1, 2010, may not be installed for compensation in the state on or after January 1, 2011, unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040:

(a) Wine chillers designed and sold for use by an individual;

(b) Hot water dispensers and mini-tank electric water heaters;

(c) Bottle-type water dispensers and point-of-use water dispensers;

(d) Pool heaters, residential pool pumps, and portable electric spas;

(e) Tub spout diverters; and

(f) Commercial hot food holding cabinets.

(6)(a) Large and small battery charger systems, if manufactured on or after January 1, 2017, may not be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040.

(b) Battery backup and uninterruptible power supplies that are not consumer products, if manufactured on or after January 1, 2017, may not be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040.

(7) Large and small battery charger systems, if manufactured on or after January 1, 2017, may not be installed for compensation in the state on or after January 1, 2018, unless the efficiency of the new product meets or exceeds the efficiency standards set forth in RCW 19.260.040.

NEW SECTION. **Sec. 533.** A new section is added to chapter 19.260 RCW to read as follows:

(1) Beginning December 31, 2015, and each year thereafter, the department must prepare an annual report on Washington's national rating as an energy efficient state. The report must include recommendations for retaining a top ten presence on a national energy efficiency rating list.

(2) The report required by this section must, in accordance with RCW 43.01.036, be submitted to the appropriate committees of the legislature."

Correct the title.

Representative Morris moved the adoption of amendment (558):

On page 5, line 2 of the striking amendment, after "system" strike ", other than a battery charger system for golf carts,"

On page 5, beginning on line 5 of the striking amendment, after "less" strike ", and includes golf cart battery charger systems regardless of the output power"

Representatives Morris and Smith spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (558) was adopted.

Representatives Morris and Smith spoke in favor of the adoption of the striking amendment as amended.

Amendment (551) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Smith spoke in favor of the passage of the bill.

Representative Young spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1100.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1100, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Johnson, Klippert, MacEwen, Magendanz, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Excused: Representative Fey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1100, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1897, by Representatives Smith, Morris, Tarleton, Young, Hayes, Haler, Sells, Buys, Fagan and Short

Creating the joint center for deployment and research in earth-abundant materials.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1897 was substituted for House Bill No. 1897 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1897 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1897.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1897, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Fey.

SUBSTITUTE HOUSE BILL NO. 1897, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2264, by Representatives Smith and Haler

Amending the statewide minimum privacy policy for disclosure of customer energy use information.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2264.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2264, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Fey.

HOUSE BILL NO. 2264, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 29, 2015, the 2nd Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SECOND DAY

House Chamber, Olympia, Monday, June 29, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Ormsby presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Andrew Logerwell and Mike Hoover. The Speaker (Representative Ormsby presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Bob McCaslin, 4th District Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 28, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
ENGROSSED SUBSTITUTE SENATE BILL NO. 5820
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5992
SECOND ENGROSSED SENATE BILL NO. 5993
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5994
SECOND ENGROSSED SENATE BILL NO. 5995
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5996
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5997
ENGROSSED SENATE BILL NO. 6013
SECOND ENGROSSED SENATE BILL NO. 6089
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2015

MR. SPEAKER:

The Senate has passed:
SUBSTITUTE SENATE BILL NO. 5186
SENATE BILL NO. 5272
ENGROSSED SUBSTITUTE SENATE BILL NO. 5355
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2015

MR. SPEAKER:

The President has signed:
SENATE CONCURRENT RESOLUTION NO. 8404
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SSB 5186 by Senate Committee on Ways & Means (originally sponsored by Senators Benton, Hasegawa, Sheldon and Keiser)

AN ACT Relating to property tax exemptions for service-connected disabled veterans and senior citizens; amending RCW 84.36.381 and 84.38.030; and creating new sections.

Referred to Committee on Finance.

SB 5272 by Senators Schoesler, Sheldon, Fain, Hatfield, King, Hewitt and Parlette

AN ACT Relating to heavy haul industrial corridors; amending RCW 46.44.0915; and providing an effective date.

Referred to Committee on Transportation.

ESSB 5681 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Angel)

AN ACT Relating to state lottery accounts; and amending RCW 67.70.190, 67.70.240, and 67.70.260.

Referred to Committee on Appropriations.

ESSB 5820 by Senate Committee on Transportation (originally sponsored by Senators King and Benton)

AN ACT Relating to department of transportation surplus property; and amending RCW 47.12.283, 43.17.400, and 47.12.063.

Referred to Committee on Transportation.

2ESSB 5992 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Becker and Brown)

AN ACT Relating to modifying certain requirements for ferry vessel construction; amending RCW 47.60.005, 47.60.010, 47.60.810, 47.60.814, 47.60.820, and 47.56.030; adding a new section to chapter 47.60 RCW; repealing RCW 47.56.780; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

2ESB 5993 by Senators King, Fain, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Hewitt, Becker and Brown

AN ACT Relating to public works contracts and projects; amending RCW 39.04.320, 39.12.026, and 39.12.020; adding

a new section to chapter 47.01 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

2ESSB 5994 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, Hewitt, Becker, Brown and Bailey)

AN ACT Relating to permits for state transportation corridor projects; amending RCW 90.58.355 and 70.95.030; adding a new section to chapter 36.70A RCW; adding a new section to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 36.01 RCW; adding new sections to chapter 35A.21 RCW; adding a new section to chapter 43.21C RCW; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

2ESB 5995 by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Becker, Brown and Bailey

AN ACT Relating to modifying the transportation system policy goal of mobility; amending RCW 47.04.280; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

2ESSB 5996 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown)

AN ACT Relating to Washington state department of transportation projects; adding a new section to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

2ESSB 5997 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown)

AN ACT Relating to transportation project delivery; amending RCW 47.20.785; creating a new section; providing an effective date; providing a contingent effective date; providing an expiration date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Transportation.

ESB 6013 by Senators Roach, Angel and Dammeier

AN ACT Relating to providing use tax relief for individuals who support charitable activities; amending RCW 82.12.225; and creating a new section.

Referred to Committee on Ways & Means.

2ESB 6089 by Senator Hill

AN ACT Relating to health benefit exchange sustainability; amending RCW 43.71.010, 43.71.030, 43.71.060, 43.71.080, 48.14.0201, and 48.14.020; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

There being no objection, the bills listed on the day's introduction sheet were read the first time, and under suspension of the rules were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1219
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1842

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012
SECOND ENGROSSED HOUSE BILL NO. 2214

The Speaker (Representative Ormsby presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1725, by Representatives Cody and Tharinger

Concerning a consumer's right to assign hours to individual providers and the department of social and health services' authority to establish criteria regarding the payment of individual providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1725 was substituted for House Bill No. 1725 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1725 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1725.

MOTIONS

On motion of Representative Van De Wege, Representative Hurst was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1725, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

SUBSTITUTE HOUSE BILL NO. 1725, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 2195, by Representatives Lytton, Walkinshaw, Orwall, Chandler and Fagan.

Modifying certain auditor's fees.

The bill was read the third time.

Representatives Lytton and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2195.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2195, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hayes, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dye, G. Hunt, Hargrove, Harmsworth, Harris, Hawkins, Holy, Kretz, McCaslin, Nealey, Orcutt, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representative Hurst.

HOUSE BILL NO. 2195, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, by House Committee on Appropriations (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson).

Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

The bill was read the third time.

Representatives Santos, Ortiz-Self, Ortiz-Self (again) and Pollet spoke in favor of the passage of the bill.

Representatives Magendanz, Magendanz (again), Klippert and Harris spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1541.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, McBride, McCabe, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED HOUSE BILL NO. 2214, by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride, Hurst, Schmick, S. Hunt, Griffey and Young.

Increasing academic rigor and streamlining assessment requirements for high school students.

The bill was read the third time.

Representatives Reykdal, Magendanz and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 2214.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 2214, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, G., Hunt, S., Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger

Voting nay: Representatives Orcutt and Stokesbary

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND ENGROSSED HOUSE BILL NO. 2214 passed the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 2214, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage on reconsideration of Second Engrossed House Bill No. 2214, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Hunter, Kristiansen, Orcutt, Stokesbary and Wilcox.

SECOND ENGROSSED HOUSE BILL NO. 2214, on reconsideration, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Ormsby to preside.

MESSAGES FROM THE SENATE

June 29, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2217

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6084

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker (Representative Ormsby presiding) called upon Representative Orwall to preside.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Angel)

Concerning state lottery accounts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5681.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5681, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby,

Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Klippert, McCaslin, Scott, Shea, Taylor and Young.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute Senate Bill No. 5681.

Representative Parker, 6th District

SECOND READING

SECOND ENGROSSED SENATE BILL NO. 6089, by Senator Hill

Concerning health benefit exchange sustainability. (REVISED FOR ENGROSSED: Concerning the health benefit exchange.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 6089.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 6089, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives McCaslin and Shea.

SECOND ENGROSSED SENATE BILL NO. 6089, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 29, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 6052
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5575
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

FIRST SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

E2SSB 5315 by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Liias, McCoy, Pearson and Benton)

AN ACT Relating to aligning functions of the consolidated technology services agency, office of the chief information officer, office of financial management, and department of enterprise services; amending RCW 43.41A.003, 43.105.020, 43.105.047, 43.105.052, 43.105.111, 43.105.178, 43.105.825, 41.07.020, 43.41A.025, 43.41A.010, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.130, 43.41A.140, 43.41A.150, 43.41A.152, 4.92.006, 4.92.100, 4.92.280, 41.04.720, 41.04.770, 41.06.395, 41.06.400, 41.06.510, 41.06.530, 41.80.005, 43.01.135, 43.06.013, 43.19.766, 43.19.778, 43.41.110, 43.41A.085, 43.41A.095, 43.41A.105, 48.64.010, 43.88.160, 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 19.34.100, 36.28A.070, 41.06.094, 42.17A.705, 43.15.020, 43.19.794, 43.70.054, 43.88.090, 43.88.092, 44.68.065, 70.58.005, and 41.06.280; reenacting and amending RCW 48.62.021; adding new sections to chapter 43.105 RCW; adding new sections to chapter 43.41 RCW; adding a new section to chapter 43.19 RCW; creating new sections; recodifying RCW 43.41A.003, 43.41A.010, 43.41A.025, 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080, 43.41A.110, 43.41A.115, 43.41A.130, 43.41A.135, 43.41A.140, 43.41A.150, 43.41A.152, 43.41A.900, 43.105.047, 43.41A.085, 43.41A.090, 43.41A.095, 43.41A.100, 43.41A.105, 43.19.760, 43.19.763, 43.19.766, 43.19.769, 43.19.772, 43.19.775, 43.19.778, 43.19.781, and 43.19.784; decodifying RCW 43.41A.125; repealing RCW 43.41A.006, 43.41A.015, 43.41A.020, 43.41A.120, 43.105.041, 43.105.330, 43.105.340, and 43.19.791; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 6052 by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

AN ACT Relating to fiscal matters; amending RCW 28B.115.070, 28C.04.535, 36.22.179, 38.52.540, 41.05.130, 41.16.050, 41.26.802, 41.60.050, 43.08.190, 43.09.475, 43.43.839, 43.79.480, 43.101.200, 43.101.220, 43.135.025, 43.155.050, 43.215.090, 43.320.110, 43.325.040, 43.330.250, 43.334.077, 43.350.070, 61.24.172, 66.08.170, 70.96A.350, 77.12.203, 79.64.040, 79.105.150, 82.08.160, 82.08.170, 86.26.007, 88.02.650, and 69.50.540; amending 2014 c 221 ss 101, 102, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 125, 126, 127, 129, 130, 134, 135, 136, 140, 141, 143, 146, 148, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511, 510, 512, 513, 514, 515, 604, 605, 606, 607, 608, 609, 610, 611, 612, 614, 615, 616, 617, 619, 701, 704, 706, 708, 709, 710, 711, 801, 802, 803, 804, and 805 (uncodified); amending 2013 2nd sp.s. c 4 ss 712 and 718 (uncodified); reenacting and amending RCW 41.50.110 and 70.105D.070; creating new sections; repealing 2014 c 221 s 707 (uncodified); making appropriations; providing an effective date; providing an expiration date; and declaring an emergency.

There being no objection, the bills listed on the day's first supplemental introduction sheet were read the first time, and under suspension of the rules were placed on the second reading calendar.

POINT OF PERSONAL PRIVILEGE

Representative Dye: "As many of you are aware we've had some devastating wildfires hit our friends and neighbors in the Wenatchee area and I just wanted us as a body to recognize and to keep them in our thoughts and prayers this evening as they experience such a devastating loss."

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6052, by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

Relating to state government. Revised for 1st Substitute: Making 2015 fiscal year and 2015-2017 fiscal biennium operating appropriations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Chandler and Santos spoke in favor of the passage of the bill.

Representative G. Hunt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6052.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6052, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Klippert, McCabe, McCaslin, Ryu, Scott, Shea and Taylor.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6052, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Hunter asked the Speaker and the members of the body to recognize the hard work and dedication of the Appropriations committee staff.

SECOND READING

HOUSE BILL NO. 1965, by Representatives Hudgins and Ormsby

Implementing a temporary additional fee on licenses and permits issued by the Washington state liquor control board.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1965 was substituted for House Bill No. 1965 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1965 was read the second time.

With the consent of the house, amendment (547) was withdrawn.

Representative Hunter moved the adoption of amendment (560):

On page 1, line 16, after "is equal to" strike "eleven" and insert "six and two tenths"

On page 2, line 1, after "(1)" strike "Beginning July 1, 2015," and insert "Beginning on the effective date of this act,"

On page 2, line 7, after "is equal to" strike "eleven" and insert "six and two tenths"

On page 2, line 34, after "**Sec. 4.**" strike the remainder of the section and insert the following: "(1) This act takes effect only if, by June 30, 2016, the licensing and enforcement modernization project has received a funding allocation from the information technology pool appropriated in chapter ___, Laws of 2015 3rd sp. sess. (omnibus operating appropriations act).

(2) The office of financial management must provide notice of the effective date of this act to the liquor and cannabis board, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others deemed appropriate by the office."

Correct the title.

Representatives Hunter and Condotta spoke in favor of the adoption of the amendment.

Amendment (560) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Hunter spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1965.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1965, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Holy, Johnson, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1965, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2286, by Representative Hunter

Directing the treasurer to transfer budget stabilization account deposits that are attributable to extraordinary revenue growth in the 2013-2015, 2015-2017, and 2017-2019 fiscal biennia.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (561):

On page 1, line 12, after "growth" insert ", not to exceed fifty million dollars"

On page 1, line 16, after "growth" insert ", not to exceed seventy-five million dollars"

On page 1, line 20, after "growth" insert ", not to exceed five hundred fifty million dollars"

Representative Hunter spoke in favor of the adoption of the amendment.

Amendment (561) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2286.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2286, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, Holy, Klippert, McCabe, McCaslin, Scott, Shea, Taylor and Young.

ENGROSSED HOUSE BILL NO. 2286, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315, by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Liias, McCoy, Pearson and Benton)

Aligning functions of the consolidated technology services agency, office of the chief information officer, and department of enterprise services. Revised for 2nd Substitute: Aligning functions of the consolidated technology services agency, office of the chief information officer, office of financial management, and department of enterprise services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5315.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5315, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Carlyle, G. Hunt, Holy, Jinkins, McCaslin, Reykdal, S. Hunt, Scott, Shea, Taylor and Young.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315, having received the necessary constitutional majority, was declared passed.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

HOUSE BILL NO. 2128, by Representative Hudgins

Concerning fees assessed by the department of agriculture.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2128 was substituted for House Bill No. 2128 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2128 was read the second time.

Representative MacEwen moved the adoption of amendment (557).

On page 3, beginning on line 1, strike all of subsection (6)
On page 3, beginning on line 29, strike all of subsection (5)
On page 4, line 6, strike "(1)"
On page 4, beginning on line 11, strike all of subsection (2)
On page 4, beginning on line 16, strike all of section 6
Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.
On page 5, line 16, strike "(1)"
On page 5, beginning on line 22, strike all of subsection (2)
On page 7, beginning on line 19, strike all of subsection (7)
On page 7, line 27, strike "(1)"
On page 7, beginning on line 32, strike all of subsection (2)
On page 8, beginning on line 31, strike all of subsection (4)

Representatives MacEwen and Hudgins spoke in favor of the adoption of the amendment.

Amendment (557) was adopted.

With the consent of the house, amendment (556) was withdrawn.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and MacEwen spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2128.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2128, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Magendanz, Manweller, McCaslin, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Van Werven, Vick, Walsh, Wilson and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2128, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 2128.

Representative McCabe, 14th District

SECOND READING

HOUSE BILL NO. 1219, by Representatives Zeiger, Clibborn, Orcutt, Fey, Kochmar, Hargrove, Muri, Ortiz-Self, Pike, Hayes, Stambaugh, Magendanz, Buys, Moscoso, Haler, Condotta and Wilson

Authorizing expedited permitting and contracting for Washington state bridges deemed structurally deficient.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1219.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1219, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1219, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1842, by Representatives Farrell, Hargrove, Fey, Harmsworth, Senn, Wylie, Gregerson, Robinson, Walkinshaw, Zeiger, Fitzgibbon, Moscoso, Tarleton and Clibborn

Concerning transit agency coordination.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1842 was substituted for House Bill No. 1842 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1842 was read the second time.

Representative Farrell moved the adoption of amendment (564):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 534.** The central Puget Sound is projected to grow considerably, in both population and jobs, over the course of the next several decades. It is thus critical that all its transportation infrastructure be well planned and coordinated, including its transit systems. It is the intent of the legislature to encourage this planning and coordination on the part of central Puget Sound transit systems in order to improve the user experience, increase ridership, and make the most effective use of tax dollars.

Sec. 535. RCW 35.58.2796 and 2011 c 371 s 2 are each amended to read as follows:

(1)(a) The department of transportation shall develop an annual report summarizing the status of public transportation systems in the state for the previous calendar year. By December 1st of each year, the report must be made available to the transportation committees of the legislature and to each municipality, as defined in RCW 35.58.272, and to individual members of the municipality's legislative authority.

(((~~(2)~~))) (b) To assist the department with preparation of the report, each municipality shall file a system report by September 1st of each year with the state department of transportation identifying its public transportation services for the previous calendar year and its objectives for improving the efficiency and effectiveness of those services. The system report shall address those items required for each public transportation system in the department's report.

(((~~(3)~~))) (c) The department report shall describe individual public transportation systems, including contracted transportation services and dial-a-ride services, and include a statewide summary of public transportation issues and data. The descriptions shall include the following elements and such other elements as the department deems appropriate after consultation with the municipalities and the transportation committees of the legislature:

(((~~(a)~~))) (i) Equipment and facilities, including vehicle replacement standards;

(((~~(b)~~))) (ii) Services and service standards;

(((~~(c)~~))) (iii) Revenues, expenses, and ending balances, by fund source;

(((~~(d)~~))) (iv) Policy issues and system improvement objectives, including community participation in development of those objectives and how those objectives address statewide transportation priorities;

(((~~(e)~~))) (v) Operating indicators applied to public transportation services, revenues, and expenses. Operating indicators shall include operating cost per passenger trip, operating cost per revenue vehicle service hour, passenger trips per revenue service hour, passenger trips per vehicle service mile, vehicle service hours per employee, and farebox revenue as a percent of operating costs.

(((~~(4)~~))) (d) To the extent that information is available, the department report must include descriptive information on any other modes of public transportation, the impact of public transportation on transportation system performance, and how public transportation helps the state meet the transportation system policy goals described in RCW 47.04.280.

(2)(a) The department of transportation shall develop an annual report summarizing the status of public transportation system coordination in and between counties with a population of seven hundred thousand or more that border Puget Sound for the previous calendar year. By December 1st of each year, the report must be made available to the transportation committees of the legislature and to each municipality, as defined in RCW 35.58.272, located in a county with a population of seven hundred thousand or more that borders Puget Sound and to individual members of the municipality's legislative authority.

(b) To assist the department with preparation of the report required under this subsection, each municipality, as defined in RCW 35.58.272, located in a county with a population of seven hundred thousand or more that borders Puget Sound shall file a report by September 1st of each year with the department identifying its coordination efforts in the previous calendar year with other municipalities, as defined in RCW 35.58.272, located in counties with a population of seven hundred thousand or more that border Puget Sound in the following areas:

(i) Integrating marketing efforts;

(ii) Aligning fare structures;

(iii) Integrating service planning;

(iv) Coordinating long-range planning, including capital projects planning and implementation;

(v) Integrating other administrative functions and internal business processes as appropriate; and

(vi) Integrating certain customer-focused tools and initiatives.

Sec. 536. RCW 47.66.030 and 2005 c 318 s 4 are each amended to read as follows:

(1)(a) The department shall establish a regional mobility grant program. The purpose of the grant program is to aid local

governments in funding projects such as intercounty connectivity service, park and ride lots, rush hour transit service, and capital projects that improve the connectivity and efficiency of our transportation system. The department shall identify cost-effective projects that reduce delay for people and goods and improve connectivity between counties and regional population centers. The department shall submit a prioritized list of all projects requesting funding to the legislature by December 1st of each year.

(b) Once the department has a prioritized list, pursuant to (a) of this subsection and RCW 47.66.040, of all projects requesting funding, the department shall reprioritize the projects in counties with a population of seven hundred thousand or more that border Puget Sound based on the same criteria used for the prioritized list as well as the additional criteria of coordination and integration. After this reprioritization, the department shall integrate these reprioritized projects with the prioritized projects from all other counties while ensuring that the prioritized projects from all other counties do not move to a lower relative position on this integrated list or, if a prioritized project from all other counties is in the funded portion of the prioritized list, out of the funded portion of this integrated list.

(2) The department may establish an advisory committee to carry out the mandates of this chapter.

(3) The department must report annually to the transportation committees of the legislature on the status of any grants projects funded by the program created under this section.

NEW SECTION. **Sec. 537.** A new section is added to chapter 47.66 RCW to read as follows:

(1) The transit coordination grant program is created in the department. The purpose of the transit coordination grant program is to encourage joint planning and coordination on the part of central Puget Sound transit systems in order to improve the user experience, increase ridership, and make the most effective use of tax dollars. The department shall oversee, manage, score, select, and evaluate transit coordination grant program project applications, and shall select transit coordination grant recipients annually. A transit agency located in a county or counties with a population of seven hundred thousand or more that border Puget Sound is eligible to apply to the department for transit coordination grants.

(2) Projects eligible for transit coordination grants include, but are not limited to, projects that:

(a) Integrate marketing efforts;

(b) Align fare structures;

(c) Integrate service planning;

(d) Coordinate long-range planning, including capital projects planning and implementation;

(e) Integrate other administrative functions and internal business processes as appropriate; and

(f) Integrate certain customer-focused tools and initiatives.

(3) Transit coordination grants must, at a minimum, be proposed jointly by two or more eligible transit agencies and must include a description of the:

(a) Issue or problem to be addressed;

(b) Specific solution and measurable outcomes;

(c) Benefits such as cost savings, travel time improvements, improved coordination, and improved customer experience; and

(d) Performance measurements and an evaluation plan that includes the identification of milestones towards successful completion of the project.

(4) Transit coordination grant applications must include measurable outcomes for the project including, but not limited to, the following:

(a) Impacts on service, such as increased service, improved service delivery, and improved transfers and coordination across transit service;

(b) Impacts on customer service, such as: Improved reliability; improved outreach and coordination with customers, employers, and communities; improvements in customer service functions, such as customer response time and web-based and other communications; and

(c) Impacts on administration, such as improved marketing and outreach efforts, integrated customer-focused tools, and improved cross-agency communications.

(5) Transit coordination grant applications must also include:

(a) Project budget and cost details; and

(b) A commitment and description of local matching funding of at least ten percent of the project cost.

(6) Upon completion of the project, transit coordination grant recipients must provide a report to the department that includes an overview of the project, how the grant funds were spent, and the extent to which the identified project outcomes were met. In addition, such reports must include a description of best practices that could be transferred to other transit agencies faced with similar issues to those addressed by the transit coordination grant recipient. The department must report annually to the transportation committees of the legislature on the transit coordination grants that were awarded, and the report must include data to determine if completed transit coordination grant projects produced the anticipated outcomes included in the grant applications.

(7) This section expires July 1, 2020.

NEW SECTION. **Sec. 538.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Farrell and Orcutt spoke in favor of the adoption of the striking amendment.

Amendment (564) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farrell and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1842.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1842, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick,

Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1842, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2012, by House Committee on Transportation (originally sponsored by Representatives Orcutt, Clibborn, Hargrove, Hayes, Pike, Zeiger, Muri and Wilson)

Concerning the implementation of practical design by the department of transportation.

The bill was read the second time.

Representative Clibborn moved the adoption of amendment (562):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 539.** A new section is added to chapter 47.01 RCW to read as follows:

(1)(a) For projects identified as connecting Washington projects and supported by revenues under chapter . . . (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 3rd sp. sess., it is the priority of the legislature that the department deliver the named projects. The legislature encourages the department to continue to institutionalize innovation and collaboration in design and project delivery with an eye toward the most efficient use of resources. In doing so, the legislature expects that, for some projects, costs will be reduced during the project design phase due to the application of practical design. However, significant changes to a project title or scope arising from the application of practical design requires legislative approval. The legislature will utilize existing mechanisms and processes to ensure timely and efficient approval. Practical design-related changes to the scope may be proposed by the department, for the legislature's approval, only if the project's intended performance is substantially unchanged and the local governments and interested stakeholders impacted by the project have been consulted and have reviewed the proposed changes.

(b) To the greatest extent practicable, a contract for the construction of a project with any change to the title or scope, whether significant or not, arising from the application of practical design must not be let until the department has provided a detailed notice describing the change to the chairs and ranking members of the house of representatives and senate transportation committees or, if during the interim, to the joint transportation committee.

(c) To determine the savings attributable to practical design, each connecting Washington project must be evaluated. For design-bid-build projects, the evaluation must occur at the end of the project design phase. For design-build projects, the evaluation must occur at the completion of thirty percent design. Each year as a part of its annual budget submittal, the department must include a detailed summary of how practical design has been applied and the associated savings gained. The annual summary must also include for each project: Details regarding any savings gained specifically through changes in the cost of materials, changes in the scope of a project and associated impacts on risk, the retirement of any risk reserves, and unused contingency funds.

(2)(a) The transportation future funding program is intended to provide for future emergent transportation projects, accelerating the schedule for existing connecting Washington projects, and highway preservation investments, beginning in fiscal year 2024, based on savings accrued from the application of practical design and any retired risk or unused contingency funding on connecting Washington projects.

(b) Beginning July 1, 2016, the department must submit a report to the state treasurer and the transportation committees of the legislature once every six months identifying the amount of savings attributable to the application of practical design, retired risk, and unused contingency funding, and report when the savings become available. The state treasurer must transfer the available amounts identified in the report to the transportation future funding program account created in section 2 of this act.

(c) Beginning in fiscal year 2024, as a part of its budget submittal, the department may provide a list of highway improvement projects or preservation investments for potential legislative approval as part of the transportation future funding program. Highway improvement projects considered for inclusion under the transportation future funding program may include new connecting Washington projects, or accelerate the schedule for existing connecting Washington projects, and must: Address significant safety concerns; alleviate congestion and advance mobility; provide compelling economic development gains; leverage partnership funds from local, federal, or other sources; or require a next phase of funding to build upon initial investments provided by the legislature.

(d) It is the intent of the legislature that if savings attributable to the application of practical design are used to accelerate existing connecting Washington projects, savings must also be used for new connecting Washington projects of equal cost.

NEW SECTION. **Sec. 540.** A new section is added to chapter 46.68 RCW to read as follows:

The transportation future funding program account is created in the connecting Washington account established in chapter . . . (Engrossed Substitute Senate Bill No. 5987), Laws of 2015 3rd sp. sess. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for preservation projects, to accelerate the schedule of connecting Washington projects identified in chapter . . . (Engrossed Substitute Senate Bill No. 5988), Laws of 2015 3rd sp. sess., for new connecting Washington projects, and for principal and interest on bonds authorized for the projects. It is the legislature's intent that moneys not be appropriated from the account until 2024 and that moneys in the account be expended in equal amounts between preservation and improvement projects. Moneys in the account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

Sec. 541. RCW 43.84.092 and 2014 c 112 s 106, 2014 c 74 s 5, and 2014 c 32 s 6 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury

income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state

treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 542. RCW 43.84.092 and 2014 c 112 s 107, 2014 c 74 s 6, and 2014 c 32 s 7 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the community forest trust account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, <u>the transportation future funding program account,</u> the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water

pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. **Sec. 543.** Section 3 of this act expires on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 544.** Section 4 of this act takes effect on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 545.** Except for section 4 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the striking amendment.

Amendment (562) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2012.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2012, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012, having received the necessary constitutional majority, was declared passed.

SECOND READING

ENGROSSED HOUSE BILL NO. 2266, by Representative Sullivan

Deferring implementation of class size reduction and school employee staffing formula changes.

The bill was read the second time.

Representative Sullivan moved the adoption of amendment (555):

On page 1, after line 5, insert the following:

"NEW SECTION. **Sec. 1.** At the 2014 general election, the voters approved Initiative 1351, which proposed to amend the formulas by which the state allocates funding for state-funded school district employees. Initiative 1351 increased the state's obligation to fund teachers for class size reduction in excess of the class size reduction in grades K-3 already enacted by the legislature in chapter 548, Laws of 2009 (ESHB 2261) and chapter 236, Laws of 2010 (SHB 2776). Initiative 1351 also increased the state's obligation to provide funding for other types of school district employees beyond teachers.

In 2012, the state supreme court ruled in *McCleary v. State* that the state has failed to comply with its Article IX duty to make ample provision for the state's program of basic education. In its ruling, the court declared that ESHB 2261 constituted a "promising reform" that would bring the state into compliance with Article IX "if fully funded[.]" In the time since the original *McCleary* ruling, the state has continued to implement ESHB 2261 and SHB 2776, with full implementation scheduled for the statutory deadline of 2018.

For two sets of educational reasons, the legislature finds that it is appropriate to delay implementation of Initiative 1351 for four years.

First, the legislature finds, based on research reviewed by the Basic Education Funding Task Force and the Quality Education Council, that the greatest improvements in student outcomes in the common schools can be achieved in the near term by focusing the investment of state fiscal resources in the areas identified in ESHB 2261 and SHB 2776, which emphasize fund class size reduction in early grades. The legislature further finds that the court in its *McCleary* ruling and orders has identified investments in these areas as the funding reforms that are needed to bring the state into compliance with its Article IX obligations, which provides an educational reason for focusing on funding the reforms of ESHB 2261 and SHB 2776 in the 2015-17 and 2017-19 fiscal biennia.

Second, the legislature finds that there are practical educational reasons to temporarily defer implementation of increased staffing ratios and the portion of class size reduction that is beyond the reductions called for in SHB 2776. Data from the Superintendent of Public Instruction and the Professional Educator Standards Board indicate that Washington's teacher education programs are not estimated to produce sufficient teachers to achieve the class size reductions on the schedule established by Initiative 1351. Further, the experience of other states indicates that the need to hire teachers quickly for rapid implementation of class size reductions may exacerbate recruiting difficulties for schools or districts that are at a relative disadvantage in attracting staff. Finally, implementing class size reduction requires time to plan and build new classrooms.

For these reasons, the legislature intends to temporarily defer implementation of Initiative 1351."

Renumber the remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Sullivan and Magendanz spoke in favor of the adoption of the amendment.

Amendment (555) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan, Magendanz and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2266.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2266, and the bill passed the House by the following vote: Yeas, 72; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Dye, Fey, Fitzgibbon, G. Hunt, Gregerson, Haler, Hansen, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Orwall, Parker, Peterson, Pettigrew, Pike, Riccelli, Robinson, Rodne, S. Hunt, Sawyer, Schmick, Scott, Senn, Shea, Short, Smith, Springer, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Caldier, Condotta, Farrell, Goodman, Gregory, Griffey, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Kochmar, Ortiz-Self, Pollet, Reykdal, Ryu, Santos, Sells, Stambaugh, Stanford, Stokesbary, Taylor, Walkinshaw, Wilson and Young.

ENGROSSED HOUSE BILL NO. 2266, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

June 29, 2015

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5987
ENGROSSED SUBSTITUTE SENATE BILL NO. 5989
ENGROSSED SUBSTITUTE SENATE BILL NO. 6057

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

SECOND SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

2ESSB 5954 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Bailey, Hill, Becker, Fain, Miloscia, Parlette, Angel, Schoesler, Brown, Litzow, Warnick, Honeyford, Sheldon, Rivers, Roach and Benton)

AN ACT Relating to reducing tuition; amending RCW 28B.15.031, 28B.15.066, 28B.15.067, and 28B.15.069; reenacting and amending RCW 28B.95.020 and 28B.95.030; adding a new section to chapter 28B.92 RCW; creating new sections; and repealing RCW 28B.15.068 and 28B.15.102.

Referred to Committee on Higher Education.

2ESSB 5987 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

AN ACT Relating to transportation revenue; amending RCW 82.36.025, 82.38.030, 82.38.030, 46.68.090, 46.68.090, 46.09.520, 46.10.530, 79A.25.070, 46.17.355, 46.17.365, 46.17.323, 46.25.052, 46.25.060, 46.25.100, 46.20.202, 46.17.050, 46.17.060, 47.60.322, 46.12.650, 36.73.065, 82.80.140, 82.14.045, 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, 84.04.120, 81.104.180, 47.04.320, 47.04.325, and 81.77.170; amending 2013 c 225 s 650 (uncodified); reenacting and amending RCW 43.84.092, 43.84.092, 46.09.520, and 81.104.170; adding a new section to chapter 46.68 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW; adding a new section to chapter 47.29 RCW; creating new sections; repealing RCW 82.38.083; repealing 2013 c 225 s 305; prescribing penalties; providing effective dates; providing contingent effective dates; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

ESSB 5989 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

AN ACT Relating to authorizing bonds for transportation funding; adding new sections to chapter 47.10 RCW; providing an effective date; providing a contingent effective date; and declaring an emergency.

ESSB 6057 by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

AN ACT Relating to stimulating economic development through the use of tax preferences and streamlined tax administration; amending RCW 82.63.020, 82.63.045, 82.04.4266, 82.04.4268, 82.04.4269, 82.08.986, 82.12.986, 82.04.2909, 82.04.4481, 82.08.805, 82.12.805, 82.12.022, 82.04.214, 82.16.020, 88.02.620, 82.08.700, 82.12.700, 82.48.080, 82.42.090, 82.04.213, 82.04.330, 82.04.050, 82.04.050, 82.08.855, 82.14.050, 82.14.060, 82.12.225, 84.36.381, 84.36.381, 84.38.030, 82.14.055, 54.28.030, 54.28.040, 54.28.050, 54.28.055, 82.32.050, 82.32.060, 82.32.100, 82.32.105, 82.32.160, 82.32.350, 82.21.040, 84.36.480, 82.29A.020, 82.29A.030, 82.29A.040, 63.29.020,

63.29.140, 63.29.170, 63.29.180, 63.29.290, 63.29.300, and 63.29.340; reenacting and amending RCW 82.63.010, 82.04.260, 82.04.260, 82.16.010, 82.29A.020, and 63.29.190; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.63 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 54.28 RCW; adding a new section to chapter 82.21 RCW; adding new sections to chapter 63.29 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.04.629, 82.04.630, 82.08.0204, 82.12.0204, 82.08.200, 82.12.200, and 43.136.047; providing effective dates; providing a contingent effective date; providing expiration dates; and declaring an emergency.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were read the first time and under suspension of the rules were placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 30, 2015, the 3rd Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRD DAY

House Chamber, Olympia, Tuesday, June 30, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Kilduff presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Jared Cunningham and Trever Czarnecki. The Speaker (Representative Kilduff presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt, 20th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 29, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2195
HOUSE BILL NO. 2264

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6096

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSED SUBSTITUTE SENATE BILL NO. 6052

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2287 by Representatives McCabe, Appleton, Johnson, Wylie, Dye, Walsh, Dent, Wilson, Kagi, Caldier, Haler, Kochmar and Senn

AN ACT Relating to providing notice to first responders that a person with a disability may be present at the scene of an emergency; adding a new section to chapter 43.70 RCW; adding a new section to chapter 38.52 RCW; and creating a new section.

Referred to Committee on Judiciary.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

FIRST SUPPLEMENTAL INTRODUCTION AND FIRST READING

ESSB 6096 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Litzow, Parlette, Bailey, Hill, Fain, Dammeier, Brown, Rivers, Roach and McAuliffe)

AN ACT Relating to cancer research; amending RCW 28A.400.350 and 41.05.065; and adding a new chapter to Title 43 RCW.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 6096 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 2195
HOUSE BILL NO. 2217
HOUSE BILL NO. 2264
ENGROSSED SUBSTITUTE SENATE BILL NO. 6052
SENATE CONCURRENT RESOLUTION NO. 8404

The Speaker called upon Representative Kilduff to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SECOND ENGROSSED HOUSE BILL NO. 1115
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1166
ENGROSSED HOUSE BILL NO. 2212

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 2156 and the bill was placed on the second reading calendar.

The Speaker (Representative Kilduff presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

June 29, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5180
SENATE BILL NO. 5442
SENATE BILL NO. 5581
SUBSTITUTE SENATE BILL NO. 6134
SENATE BILL NO. 6141

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

SECOND SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

SSB 6134 by Senate Committee on Law & Justice (originally sponsored by Senator Padden)

AN ACT Relating to exempting pretrial electronic alcohol monitoring programs from statutory limitations on pretrial supervision costs; and amending RCW 10.01.160 and 46.61.50571.

There being no objection, SUBSTITUTE SENATE BILL NO. 6134 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5992, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Becker and Brown)

Modifying certain requirements for ferry vessel construction.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5992.

MOTIONS

On motion of Representative Van De Wege, Representative Hurst was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5992, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Excused: Representative Hurst.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5992, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SENATE BILL NO. 5995, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Becker, Brown and Bailey

Modifying the transportation system policy goal of mobility.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 5995.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 5995, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND ENGROSSED SENATE BILL NO. 5995, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5997, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown)

Concerning transportation project delivery.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5997.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5997, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5997, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6013, by Senators Roach, Angel and Dammeier

Providing use tax relief for individuals who support charitable activities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6013.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6013, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Carlyle.

ENGROSSED SENATE BILL NO. 6013, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6096, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Litzow, Parlette, Bailey, Hill, Fain, Dammeier, Brown, Rivers, Roach and McAuliffe)

Concerning cancer research.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Nealey and DeBolt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6096.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6096, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6096, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Kilduff to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570 and the bill was placed on the third reading calendar.

There being no objection, the House reverted to the fourth order of business.

THIRD SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

ESSB 5355 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Roach, Conway, Braun, Baumgartner, Rolfes, O'Ban, McAuliffe and Chase)

AN ACT Relating to modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014; amending RCW 28B.15.012; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5355 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker (Representative Kilduff presiding) called upon Representative Lyton to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1061 and the bill was placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5992
SECOND ENGROSSED SENATE BILL NO. 5995
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5997
ENGROSSED SENATE BILL NO. 6013
SECOND ENGROSSED SENATE BILL NO. 6089
ENGROSSED SUBSTITUTE SENATE BILL NO. 6096

The Speaker called upon Representative Orwall to preside.

MESSAGES FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5992
SECOND ENGROSSED SENATE BILL NO. 5995
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5997
ENGROSSED SENATE BILL NO. 6013
ENGROSSED SUBSTITUTE SENATE BILL NO. 6096
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
HOUSE BILL NO. 2195
HOUSE BILL NO. 2217
HOUSE BILL NO. 2264
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
SECOND ENGROSSED SENATE BILL NO. 6089
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2156, by Representatives Reykdal, Carlyle and Tharinger

Relating to promoting the fiscal sustainability of cities and counties. Revised for 1st Substitute: Promoting the fiscal sustainability of cities and counties.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2156 was substituted for House Bill No. 2156 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2156 was read the second time.

Representative Tharinger moved the adoption of amendment (568):

Beginning on page 13, line 7, strike all of section 303 and insert the following:

"**Sec. 303.** RCW 41.05.050 and 2009 c 537 s 5 are each amended to read as follows:

(1) Every: (a) Department, division, or separate agency of state government; (b) county, municipal, school district, educational service district, or other political subdivisions; and (c) tribal governments as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the authority. Contributions, paid by the county, the municipality, other political subdivision, or a tribal government for their employees, ((~~shall~~)) must include an amount determined by the authority to pay such administrative expenses of the authority as are necessary to administer the plans for employees of those groups, except as provided in subsection (4) of this section.

(2) ((~~If the authority at any time determines that the participation of a county, municipal, other political subdivision, or a tribal government covered under this chapter adversely impacts insurance rates for state employees, the authority shall implement limitations on the participation of additional county, municipal, other political subdivisions, or a tribal government.~~)) To account for increased cost of benefits for the state and state employees the authority may develop a rate surcharge applicable to participating counties, municipalities, other political subdivisions, and tribal governments.

(3) The contributions of any: (a) Department, division, or separate agency of the state government; (b) county, municipal, or other political subdivisions; and (c) any tribal government as are covered by this chapter, shall be set by the authority, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose. Insurance and health care contributions for ferry employees shall be governed by RCW 47.64.270.

(4)(a) The authority ((~~shall~~)) must collect from each participating school district and educational service district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and family size as would be charged to state employees, for groups of district employees enrolled in authority plans. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030.

(b) For all groups of district employees enrolling in authority plans for the first time after September 1, 2003, the authority shall collect from each participating school district an amount equal to the composite rate charged to state agencies, plus an amount equal to the employee premiums by plan and by family size as would be charged to state employees, only if the authority determines that this method of billing the districts will not result in a material difference between revenues from districts and expenditures made by the authority on behalf of districts and their employees. The authority may collect these amounts in accordance with the district fiscal year, as described in RCW 28A.505.030.

(c) If the authority determines at any time that the conditions in (b) of this subsection cannot be met, the authority shall offer enrollment to additional groups of district employees on a tiered rate structure until such time as the authority determines there would be no material difference between revenues and expenditures under a composite rate structure for all district employees enrolled in authority plans.

(d) The authority may charge districts a one-time set-up fee for employee groups enrolling in authority plans for the first time.

(e) For the purposes of this subsection:

(i) "District" means school district and educational service district; and

(ii) "Tiered rates" means the amounts the authority must pay to insuring entities by plan and by family size.

(f) Notwithstanding this subsection and RCW 41.05.065(4), the authority may allow districts enrolled on a tiered rate structure prior to September 1, 2002, to continue participation based on the same rate structure and under the same conditions and eligibility criteria.

(5) The authority shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature."

Representatives Tharinger and Nealey spoke in favor of the adoption of the amendment.

Amendment (568) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Nealey and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2156.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2156, and the bill passed the House by the following vote: Yeas, 74; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hansen, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dye, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Holy, MacEwen, Manweller, McCabe, McCaslin, Orcutt, Parker, Schmick, Scott, Shea, Taylor, Van Werven, Vick and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2156, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5994, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, Hewitt, Becker, Brown and Bailey)

Concerning permits for state transportation corridor projects. Revised for 1st Substitute: Concerning permits for state transportation corridor projects. (REVISED FOR ENGROSSED: Concerning permits for state transportation projects.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Farrell spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5994.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5994, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dye, Farrell, Fey, G. Hunt, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Fitzgibbon, Goodman, Jinkins, Sawyer, Stanford and Walkinshaw.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5994, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5996, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown)

Concerning Washington state department of transportation projects.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5996.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5996, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5996, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1061, by Representatives Hayes, Lytton, Smith, Gregerson, Moeller and Buys

Increasing the number of district court judges in Skagit county.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Jinkins spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1061.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1061, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives G. Hunt, McCaslin, Shea and Taylor.

HOUSE BILL NO. 1061, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1570 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1570, by House Committee on Education (originally sponsored by Representatives Gregory, Bergquist, S. Hunt, Reykdal, Kilduff, Ortiz-Self and Pollet)

Creating flexibility for the educator retooling conditional scholarship program.

The bill was read the second time.

Representative Gregory moved the adoption of amendment (570):

Strike everything after the enacting clause and insert the following:

"**Sec. 304.** RCW 28A.660.045 and 2015 1st sp.s. c 3 s 3 are each amended to read as follows:

(1) The educator retooling conditional scholarship program is created. Participation is limited to current K-12 teachers and individuals having an elementary education certificate but who are not employed in positions requiring an elementary education certificate. It is anticipated that candidates enrolled in this program will complete the requirements for an endorsement in two years or less.

(2) Entry requirements for candidates include:

(a) Current K-12 teachers shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to, mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education.

(b) Individuals having an elementary education certificate but who are not employed in positions requiring an elementary education certificate shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to, mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education.

Sec. 305. RCW 28A.660.050 and 2015 1st sp.s. c 3 s 4 are each amended to read as follows:

Subject to the availability of amounts appropriated for these purposes, the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-approved alternative routes to teaching programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in alternative certification routes through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative routes to teacher certification program for a mathematics, special education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to, mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to, mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to, mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education, which shall include passing an endorsement test plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In selecting recipients, preference shall be given to eligible veterans or national guard members. In awarding conditional scholarships to support additional bilingual education or English language learner endorsements, the board shall also give preference to teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and to teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080."

Correct the title.

Representatives Gregory and Magendanz spoke in favor of the adoption of the striking amendment.

Amendment (570) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregory, Magendanz and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hawkins, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1219
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1842
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1965
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 2212, by Representatives Cody, Schmick and Fagan.

Exempting hospitals licensed under chapter 70.41 RCW that receive capital funds to operate new psychiatric services from certain certificate of need requirements.

The bill was read the third time.

Representatives Cody and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2212.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2212, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2212, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5820, by Senate Committee on Transportation (originally sponsored by Senators King and Benton)

Concerning the sale of certain department of transportation surplus property.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5820.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5820, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, G. Hunt, Hargrove, Harmsworth, Harris, Hawkins, Holy, Klippert, Kretz, McCabe, McCaslin, Nealey, Pike, Schmick, Scott, Shea, Short, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson and Young.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5820, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6134, by Senate Committee on Law & Justice (originally sponsored by Senator Padden)

Exempting pretrial electronic alcohol monitoring programs from statutory limitations on pretrial supervision costs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6134.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6134, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Condotta, Morris, Santos, Sawyer and Taylor.

SUBSTITUTE SENATE BILL NO. 6134, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2267

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1897
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2128

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5994
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5996

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5355, by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Roach, Conway, Braun, Baumgartner, Rolfes, O'Ban, McAuliffe and Chase)

Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kilduff and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5355.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5355, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5355, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1219
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1842
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1965
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5994
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5996
SUBSTITUTE HOUSE BILL NO. 1897
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2128
ENGROSSED HOUSE BILL NO. 2267

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1166 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1166, by House Committee on Capital Budget (originally sponsored by Representatives Dunshee, Gregerson and DeBolt)

Concerning state general obligation bonds and related accounts.

The bill was read the second time.

Representative Dunshee moved the adoption of amendment (583):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 306.** For the purpose of providing funds to finance the projects described and authorized by the legislature in the omnibus capital and operating appropriations acts for the 2015-2017 fiscal biennium, and all costs incidental thereto, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of two billion three hundred thirty-two million four hundred fifty-six thousand dollars, or as much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this section may be sold at such price as the state finance committee shall determine. No bonds authorized in this section may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

NEW SECTION. **Sec. 307.** (1) The proceeds from the sale of bonds authorized in section 1 of this act shall be deposited in the state building construction account created by RCW 43.83.020. The proceeds shall be transferred as follows:

(a) Two billion one hundred eighty-five million five hundred sixty-two thousand dollars to remain in the state building construction account created by RCW 43.83.020;

(b) One hundred twenty-three million eight hundred thousand dollars to the state taxable building construction account. All receipts from taxable bonds issued are to be deposited into the account. If the state finance committee deems it necessary or advantageous to issue more than the amount specified in this subsection (1)(b) as taxable bonds in order to comply with federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds or in order to reduce the total financing costs for bonds issued, the proceeds of such additional taxable bonds shall be transferred to the state taxable building construction account in lieu of any transfer otherwise provided by this section. If the state finance committee determines that a portion of the amount specified in this subsection (1)(b) as taxable bonds may be issued as nontaxable bonds in compliance with federal internal revenue

service rules and regulations pertaining to the use of nontaxable bond proceeds, then such bond proceeds shall be transferred to the state building construction account in lieu of the transfer to the state taxable building construction account otherwise provided by this subsection (1)(b). The state treasurer shall submit written notice to the director of financial management if it is determined that any such additional transfer to the state taxable building construction account is necessary or that a transfer from the state taxable building construction account to the state building construction account may be made. Moneys in the account may be spent only after appropriation.

(c) The treasurer shall transfer bond proceeds deposited in the state building construction account into the outdoor recreation account created by RCW 79A.25.060, the habitat conservation account created by RCW 79A.15.020, the riparian protection account created by RCW 79A.15.120, and the farmlands preservation account created by RCW 79A.15.130 at various times and in various amounts necessary to support authorized expenditures from those accounts.

(2) These proceeds shall be used exclusively for the purposes specified in this section and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this section, and shall be administered by the office of financial management subject to legislative appropriation.

NEW SECTION. **Sec. 308.** (1) The debt-limit general fund bond retirement account shall be used for the payment of the principal of and interest on the bonds authorized in section 2(1) (a) through (c) of this act.

(2) The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements on the bonds authorized in section 2(1) (a) through (c) of this act.

(3) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of section 2(1) (a) through (c) of this act the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the debt-limit general fund bond retirement account an amount equal to the amount certified by the state finance committee to be due on the payment date.

NEW SECTION. **Sec. 309.** (1) Bonds issued under sections 1 through 3 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

(2) The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION. **Sec. 310.** The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 1 of this act, and sections 2 and 3 of this act shall not be deemed to provide an exclusive method for the payment.

NEW SECTION. **Sec. 311.** Sections 1 through 5 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. **Sec. 312.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 313.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Dunshee and Smith spoke in favor of the adoption of the striking amendment.

Amendment (583) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dunshee and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1166.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1166, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1166, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED HOUSE BILL NO. 1115 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 1115, by Representatives Dunshee, DeBolt, Gregerson, Morris and Reykdal

Concerning the capital budget.

The bill was read the second time.

Representative Dunshee moved the adoption of amendment (582):

FORMATTING CHANGED TO ACCOMMODATE TEXT

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 314.** (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2017, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2016" or "FY 2016" means the period beginning July 1, 2015, and ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the period beginning July 1, 2016, and ending June 30, 2017.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2017-2019 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2015, from the 2013-2015 biennial appropriations for each project.

PART 1
GENERAL GOVERNMENT

NEW SECTION. **Sec. 1001. FOR THE HOUSE OF REPRESENTATIVES**

House of Representatives Interim Task Force on Washington Waters (91000002)

(1) The house of representatives finds that low water supply in portions of eastern Washington, catastrophic flood damage, and storm water runoff polluting state waterways have reached crisis levels, endangering the health and safety of our citizens and the environment.

(2) The house of representatives interim task force on Washington waters is established to build upon the foundation of Senate Bill No. 5628 that was introduced in the 2015 regular session and provided for storm water, flood control, and water supply infrastructure in the state. The objective of the task force is to prepare a report and draft legislation for consideration in the 2016 legislative session that:

(a) Quantifies the level of funding needed through fiscal year 2026 to address the three water priorities;

(b) Develops and recommends state funding options that address the three water priorities equally;

(c) Develops and recommends local funding options that generate revenues from municipal and agricultural beneficiaries;

(d) Develops and recommends criteria and mechanisms for managing, prioritizing and distributing the funding;

(e) Analyzes and reports on the metrics and variables associated with water market pricing, including the costs per acre-foot of water supply developed and delivered for irrigation; and

(f) Addresses other relevant issues as determined by the task force.

(3) The house of representatives interim task force on Washington waters must consist of ten members:

(a) Five members from the majority caucus appointed by the speaker of the house, including the chair of the capital budget committee; one member each from the appropriations, finance, and transportation committees; and one member at large; and

(b) Five members from the minority caucus appointed by the minority leader, including the ranking minority member of the capital budget committee; one member each from the appropriations, finance, and transportation committees; and one member at large.

(c) The chair and the ranking minority member of the capital budget committee shall cochair the task force.

(d) Appointments to the task force must be completed within fifteen days of the effective date of this section.

(4) Principal staff support for the task force must be provided by the house of representatives office of program research. The task force may:

(a) Request the participation of the office of financial management and other relevant executive branch agencies;

(b) Enter into contracts with persons who have specific technical expertise; and

(c) Solicit information and perspectives from representatives of public and private organizations.

(5) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Task force expenditures are subject to approval by the house of representatives executive rules committee, or its successor committee.

(6) The task force must report its findings and recommendations to appropriate legislative committees by November 15, 2015.

(7) The task force expires on June 30, 2016.

(8) The appropriation in this section is provided solely for any technical research and analysis required to carry out the task force objectives in subsection (2) of this section.

Appropriation:

State Building Construction Account—State	$75,000
Prior Biennia (Expenditures)	$0
Future Biennia (Projected Costs)	$0
TOTAL	$75,000

NEW SECTION. **Sec. 1002. FOR THE SECRETARY OF STATE**

Library - Archives Building (30000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for a predesign to determine: (a) Necessary program space for the state library currently located in Tumwater, and additional archive space; (b) capital budget requirements, including the use of fees collected by the secretary of state that will support a certificate of participation for the financing of the construction of the facility, and future operating costs; and (c) projected efficiencies of electronic document storage in determining necessary space.

(2) The study must consider the use of the general administration building site as a possible location; and any benefits or consequences may be identified at this site or other sites considered; and lease options.

(3) The office of financial management shall determine the maximum use of the site and consider the consolidation of other state agencies, including separately elected officials.

(4) The building must be a high performance building as described in section 7008 of this act and the construction must be procured using a performance based method including design-build or design-build-operate-maintain.

Appropriation:

State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $55,428,000
TOTAL $55,828,000

NEW SECTION. **Sec. 1003. FOR THE SECRETARY OF STATE**

Minor Works (91000007)

Appropriation:

State Building Construction Account—State $1,007,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,007,000

NEW SECTION. **Sec. 1004. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account—State $434,000
Prior Biennia (Expenditures) $45,458,000
Future Biennia (Projected Costs) $0
TOTAL $45,892,000

NEW SECTION. **Sec. 1005. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20064010)

Reappropriation:

Rural Washington Loan Account—State $2,383,000
Prior Biennia (Expenditures) $1,744,000
Future Biennia (Projected Costs) $0
TOTAL $4,127,000

NEW SECTION. **Sec. 1006. FOR THE DEPARTMENT OF COMMERCE**

Rural Washington Loan Fund (20074008)

Reappropriation:

Rural Washington Loan Account—State $1,822,000
Prior Biennia (Expenditures) $205,000
Future Biennia (Projected Costs) $0
TOTAL $2,027,000

NEW SECTION. **Sec. 1007. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:

State Taxable Building Construction Account—
State $1,405,000
Washington Housing Trust Account—State $86,000
Subtotal Reappropriation $1,491,000
Prior Biennia (Expenditures) $198,509,000
Future Biennia (Projected Costs) $0
TOTAL $200,000,000

NEW SECTION. **Sec. 1008. FOR THE DEPARTMENT OF COMMERCE**

Job Development Fund Grants (20074010)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007 and section 1005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $3,987,000
Prior Biennia (Expenditures) $44,943,000
Future Biennia (Projected Costs) $0
TOTAL $48,930,000

NEW SECTION. **Sec. 1009. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (20084001)

The reappropriation in this section is subject to the following conditions and limitations: Except as directed otherwise prior to the effective date of this section, the department shall not expend the reappropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the

project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the reappropriation is released for design costs only.

Reappropriation:

State Building Construction Account—State $113,000
Prior Biennia (Expenditures) $127,577,000
Future Biennia (Projected Costs) $0
TOTAL $127,690,000

NEW SECTION. **Sec. 1010. FOR THE DEPARTMENT OF COMMERCE**

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account—State $1,213,000
Prior Biennia (Expenditures) $19,703,000
Future Biennia (Projected Costs) $0
TOTAL $20,916,000

NEW SECTION. **Sec. 1011. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

Washington Housing Trust Account—State $276,000
Prior Biennia (Expenditures) $129,724,000
Future Biennia (Projected Costs) $0
TOTAL $130,000,000

NEW SECTION. **Sec. 1012. FOR THE DEPARTMENT OF COMMERCE**

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account—State $1,991,000
Prior Biennia (Expenditures) $11,431,000
Future Biennia (Projected Costs) $0
TOTAL $13,422,000

NEW SECTION. **Sec. 1013. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000095)

Reappropriation:

Drinking Water Assistance Account—State $6,451,000
Drinking Water Assistance Repayment Account—State $90,368,000
Subtotal Reappropriation $96,819,000
Prior Biennia (Expenditures) $10,863,000
Future Biennia (Projected Costs) $0
TOTAL $107,682,000

NEW SECTION. **Sec. 1014. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000097)

Reappropriation:

Public Facility Construction Loan Revolving Account—State $2,104,000
Prior Biennia (Expenditures) $2,896,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1015. FOR THE DEPARTMENT OF COMMERCE**

Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $6,907,000
Prior Biennia (Expenditures) $43,093,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 1016. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program (30000103)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Public Works Assistance Account—State $90,734,000
Prior Biennia (Expenditures) $233,851,000
Future Biennia (Projected Costs) $0
TOTAL $324,585,000

NEW SECTION. **Sec. 1017. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Grants (30000102)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1027, chapter 49, Laws of 2011, 1st sp. sess.

(2) $573,000 of the reappropriation is provided solely for the University District food bank project.

(3) $815,000 of the reappropriation is provided solely for the Village Green foundation project.

Reappropriation:

State Building Construction Account—State $1,388,000
Prior Biennia (Expenditures) $12,830,000
Future Biennia (Projected Costs) $0
TOTAL $14,218,000

NEW SECTION. **Sec. 1018. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects (30000166)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,887,000
Prior Biennia (Expenditures) $14,930,000
Future Biennia (Projected Costs) $0
TOTAL $16,817,000

NEW SECTION. **Sec. 1019. FOR THE DEPARTMENT OF COMMERCE**

Financing Energy/Water Efficiency (30000180)

Reappropriation:

Public Works Assistance Account—State $4,886,000
Prior Biennia (Expenditures) $114,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1020. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Program 2013 Loan List (30000184)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1016, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

Public Works Assistance Account—State $82,786,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $82,786,000

NEW SECTION. **Sec. 1021. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Grants (30000186)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1063, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,301,000
Prior Biennia (Expenditures) $6,903,000
Future Biennia (Projected Costs) $0
TOTAL $10,204,000

NEW SECTION. **Sec. 1022. FOR THE DEPARTMENT OF COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000189)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Reappropriation:

Drinking Water Assistance Account—State $4,000,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Reappropriation $204,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $680,000,000
TOTAL $884,000,000

NEW SECTION. **Sec. 1023. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board (30000190)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—
State $8,882,000
Prior Biennia (Expenditures) $118,000

Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 1024. FOR THE DEPARTMENT OF COMMERCE**

Weatherization (30000192)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1076, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $4,291,000
Prior Biennia (Expenditures) $15,709,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1025. FOR THE DEPARTMENT OF COMMERCE**

2013-2015 Energy Efficiency Grants (30000193)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1075, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $21,714,000
Prior Biennia (Expenditures) $3,286,000
Future Biennia (Projected Costs) $0
TOTAL $25,000,000

NEW SECTION. **Sec. 1026. FOR THE DEPARTMENT OF COMMERCE**

Renton Aerospace Training Center Construction (30000724)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3, chapter 1, Laws of 2013 3rd sp. sess.

Reappropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 1027. FOR THE DEPARTMENT OF COMMERCE**

ARRA SEP Revolving Loans (30000725)

Appropriation:
Energy Recovery Act Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,500,000

NEW SECTION. **Sec. 1028. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (30000726)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive bidding processes, rather than sole source contracting processes, are used to select all projects;

(b) Require that all expenditures be used for projects that develop and acquire asset that have a useful life of at least thirteen years; and

(c) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require an applicant to identify in application materials any state of Washington employees or former state employees employed or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employed by, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of a contract.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a contractor either in procuring or performing under the contract, the department in its sole discretion may terminate the contract by written notice. If the contract is terminated, the department must be entitled to pursue the same remedies against the contractor as it could pursue in the event of a breach of the contract by the contractor.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) The department may not obligate or expend any of the amounts provided in this section on new projects that involve the Snohomish county public utilities district or its subcontractors until the executive ethics board responds to the department's June 17, 2015, request for an advisory opinion on poststate employment.

(6)(a) $10,000,000 of the state taxable building construction account is provided solely to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(d) Loan applications must disclose all sources of public funds invested in the project. The nonprofit lender must make loans available to the following types of projects that include, but are not limited to: Residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(e) State funds may not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(7) $6,600,000 of the state taxable building construction account is provided solely for credit enhancements of advanced solar and renewable energy manufacturing within Washington state. The department shall develop an application process to competitively select projects.

(8)(a) $13,000,000 of the state building construction account is provided solely for grants to advance clean and renewable energy technologies and advance transmission and distribution control system improvements for increased reliability, resiliency, and enabling integration of distributed and renewable resources and technology by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) The department shall convene an advisory panel of electric utility representatives to identify program objectives, near term priorities and long term goals.

(d) Applications for grants must disclose all sources of public funds invested in a project.

(e) Grant funds must be used for research, development, or demonstration projects that integrate intermittent renewables through energy storage, information technology or other smart grid technologies, dispatch energy storage resources from utility control rooms, use demand response, transactive control, or the thermal properties and electric load of commercial buildings and district energy systems to store energy, reduce transmission congestion or otherwise improve system reliability and resiliency and enable integration of distributed and renewable energy sources.

(9)(a) $10,000,000 of the state building construction account is provided solely for grants to match federal funds or other nonstate funding sources used to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the program. The program shall offer matching funds for competitively selected clean energy projects including, but not limited to: Advancing energy storage and solar technologies, advancing bioenergy, developing new lightweight materials, and advancing renewable energy and energy efficiency technologies.

(10) $400,000 of the state building construction account—state is provided solely for capital funding of competitively selected wood energy conversion projects at public facilities.

(11) The department must report on number and results of projects that receive grants or loans through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2016.

(12) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

Appropriation:

State Taxable Building Construction Account—State	$17,000,000
State Building Construction Account—State	$23,400,000
Subtotal Appropriation	$40,400,000
Prior Biennia (Expenditures)	$0
Future Biennia (Projected Costs)	$240,000,000
TOTAL	$280,400,000

NEW SECTION. **Sec. 1029. FOR THE DEPARTMENT OF COMMERCE**

Building for the Arts Program (30000731)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Spokane children's theatre	$18,000
KEXP's new home at Seattle center	$1,866,000
Admiral theatre renovation 2.0	$100,000
Kirkland arts center - capital improvements project	$48,000
Uniontown creativity center addition and site improvements	$123,000
San Juan islands museum of art	$650,000
KidsQuest children's museum - good to grow capital campaign	$2,000,000
Cornish playhouse	$232,000

ACT theatre eagles auditorium restoration and renovation $303,000
Music works northwest park 118 building renovation $64,000
New hands on children's museum $393,000
TOTAL $5,797,000
Appropriation:
State Building Construction Account—State $5,797,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $21,600,000
TOTAL $27,397,000

NEW SECTION. **Sec. 1030. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Program (30000792)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Youth activity wing at the Tom Taylor family YMCA $515,000
BGCB main club project $1,200,000
BGCB hidden valley fieldhouse project $1,200,000
Sultan boys & girls club $340,000
Stanwood-Camano family YMCA $1,200,000
YMCA camp Terry environmental recreation center $500,000
Mukilteo boys & girls club $1,200,000
Lummi youth wellness center renovation project $1,200,000
TOTAL $7,355,000
Appropriation:
State Building Construction Account—State $7,355,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $39,355,000

NEW SECTION. **Sec. 1031. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Program (30000803)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Rainier Beach urban farm and wetlands $307,000
Whatcom county emergency food hub $575,000
Hopelink Redmond integrated services center $2,400,000
Riverside drive building purchase $138,000
Centerforce $98,000
Eritrean association community kitchen $58,000
Tonasket food bank building acquisition $22,000
Building for the future $300,000
Entiat Valley community services resource center $100,000
Pike market neighborhood center $500,000
Opportunity council renovation project $170,000
FareStart facility expansion to the Pacific tower $438,000
Walla Walla community teen center $475,000
El Centro de la Raza community access & parking improvements $600,000
Good ground capital campaign $300,000
Renewed hope capital campaign $66,000
International community health services (ICHS) $3,500,000
Casa latina: A home for opportunity $150,000
Centerstone building renovation $1,500,000
PSRS office building conversion $212,000
Prairie oaks $200,000
Leschi center renovation $1,000,000
Everett family YMCA $2,000,000
Behavioral healthcare center for children, youth and

families $2,000,000
Phoenix rising $250,000
Gordon family YMCA (Sumner, WA) $2,000,000
Community grief support and recovery center $1,000,000
Auburn youth resources campus expansion $500,000
TOTAL $20,859,000
Appropriation:
State Building Construction Account—State $20,859,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $140,859,000

NEW SECTION. **Sec. 1032. FOR THE DEPARTMENT OF COMMERCE**

Housing Trust Fund Appropriation (30000833)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to award loans and grants on a competitive basis to affordable housing projects statewide that will produce, at a minimum, a total of 1,900 homes and 500 seasonal beds, in the following categories and amounts:

(a) For people with chronic mental illness, 281 homes;

(b) For homeless families with children, 529 homes;

(c) For people with disabilities, developmental disabilities, veterans, and others, 400 homes; of that number, a minimum of 80 must be for veterans;

(d) For homeless youth, 200 homes;

(e) For farmworkers, 176 homes and 500 seasonal beds;

(f) For seniors, 200 homes;

(g) For homeownership, 100 homes.

(2) If upon review of completed applications, the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

(3) In evaluating projects for homes for homeless families with children specified in subsection (1)(b) of this section, consistent with Engrossed House Bill No. 1633, the department must give preference for applications based on some or all of the criteria in chapter 43.185.070(5), including projects involving collaborative partnerships between local school districts and either public housing authorities or nonprofit housing providers, that help children of low-income families succeed in school.

(4) $625,000 of the appropriation in this section is provided solely for designing, engineering, constructing, installing, and other costs and fees associated with connecting existing and future farmworker housing in Skagit county to the city of Burlington sewer system.

(5)(a) $2,500,000 of the appropriation in this section is provided solely as a grant to the Puget Sound regional council for a revolving loan fund to support the development of affordable housing opportunities related to equitable transit-oriented development in accordance with Second Engrossed Substitute Senate Bill No. 5987 (transportation revenue). This amount must be provided in the form of a direct grant without a requirement that the grant be a reimbursement for local expenditures.

(b) Amounts provided in this section must be used to plan, predesign, design, provide technical assistance and financial services, and build low-income housing units in underserved communities of concern. "Underserved communities of concern" are persons and families who: (i) Have incomes at or below thirty percent of the median family income for the county or standard metropolitan statistical area where the project is located; (ii) experience chronic homelessness; and (iii) lack affordable housing. Underserved communities of concern include veterans, immigrants, and refugee communities.

(c) Amounts provided in this section must be matched by local government nonstate cash resources.

Appropriation:
State Taxable Building Construction Account—State $75,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $220,000,000
TOTAL $295,000,000

NEW SECTION. **Sec. 1033. FOR THE DEPARTMENT OF COMMERCE**

Ultra-Efficient Affordable Housing Demonstration (30000836)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for loans or grants to low-income housing developers to design and construct ultra-high energy efficient housing projects including single and multifamily units;

(2) By December 1, 2015, in consultation with professional building, energy efficiency and housing finance organizations, the office of financial management, and appropriate legislative staff, the department shall develop a process that is designed to solicit, evaluate, and fund ultra-high energy efficient housing projects as part of the housing trust fund competitive program.

(3) To receive funding, a project must demonstrate energy-saving and renewable energy systems designed to reach net-zero energy use after housing is fully occupied and must provide a life-cycle cost analysis report to the department.

(4) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(a) Whether the proposed design has demonstrated that the project will achieve net-zero energy use when fully occupied;

(b) The life-cycle cost of the project;

(c) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(d) The extent to which the project leverages nonstate funds;

(e) The extent to which the project is ready to proceed to construction;

(f) Whether the project promotes sustainable use of resources and environmental quality;

(g) Whether the project is being well-managed to fund maintenance and capital depreciation;

(h) Reduction of housing and utilities carbon footprint; and

(i) Other criteria that the department considers necessary to achieve the purpose of this program.

(5) The department must monitor and track the results of the housing projects that receive ultra-high energy efficiency funding under this section. By December 1, 2018, the department must submit a report to appropriate legislative committees documenting:

(a) Project costs compared to the costs of traditional design and construction;

(b) Life-cycle costs;

(c) Use of sustainable resources;

(d) Energy savings and reduction of carbon footprint;

(e) Any lessons learned; and

(f) A data collection plan to monitor actual performance in order to validate projected savings.

Appropriation:

Washington Housing Trust Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 1034. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Community Economic Revitalization Board Program (30000834)

Appropriation:

Public Facility Construction Loan Revolving Account—State $10,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $28,000,000
TOTAL $38,600,000

NEW SECTION. **Sec. 1035. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency and Solar Grants (30000835)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $8,000,000 for fiscal year 2016 and $8,000,000 for fiscal year 2017 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least ten percent of each competitive grant round must be awarded to small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(d) For school district applicants, priority consideration must be given to school districts that demonstrate improved health and safety through (i) reduced exposure to polychlorinated biphenyl; or (ii) replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington State University extension energy program; (iii) prior grant award: Priority consideration must be given to applicants that did not receive grant awards from appropriations provided in section 5023, chapter 19, Laws of 2013 2nd sp. sess.

(2) $5,775,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for Washington-manufactured products.

(3) $3,000,000 is provided solely for energy efficiency improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems including but not limited to HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the cost to improve the project's energy efficiency compared to the original project request will be added to the project appropriation after construction bids are received. The department of commerce shall coordinate with the office of financial management to develop a process for project submittal, review, approval criteria, tracking project budget adjustments, and performance measures.

(4) $225,000 is provided solely for resource conservation managers in the department of enterprise services to coordinate with state agencies and school districts to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities. The department of commerce will oversee an interagency agreement with the department of enterprise services to fund the resource conservation managers.

(5) The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

Appropriation:

State Building Construction Account—State $25,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $145,000,000

NEW SECTION. **Sec. 1036. FOR THE DEPARTMENT OF COMMERCE**

Community Behavioral Health Bed - Acute & Residential (92000344)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department of commerce, in collaboration with the department of social and health services, to issue grants to hospitals or other entities to establish new community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities with sixteen or fewer beds for the purpose of providing short-term detention services through the publicly funded mental health system. Funds may be used for construction and equipment costs associated with establishment of the community hospital inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities. These funds may not be used for operating costs associated with the treatment of patients using these services. The department shall establish criteria for the issuance of grants and priority must be given to those proposals to establish new community hospital inpatient psychiatric beds or free-standing evaluation and treatment facilities. The criteria must include:

(a) Evidence that the application was developed in collaboration with one or more regional support networks, as defined in RCW 71.24.025;

(b) Evidence that the applicant has assessed and would meet gaps in geographical access to short-term detention services under chapter 71.05 RCW in their region;

(c) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(d) A commitment by the applicant to maintain the beds or facility for at least a ten-year period;

(e) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(f) A detailed estimate of the costs associated with opening the beds;

(g) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW; and

(h) A lack of local resources, including nonmedicaid operating reserves, and regional fund balances that are not contractually encumbered.

(2) To accommodate the emergent need for inpatient psychiatric services, the department of health and the department of commerce, in collaboration with the department of social and health services shall establish a concurrent and expedited process for the purpose of grant applicants meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, free-standing evaluation and treatment facilities, enhanced services facilities, triage facilities, or crisis stabilization facilities.

(3) The following list is subject to the criteria in subsection (1) of this section:

Cascade mental health $3,000,000
Woodmont recovery center $5,000,000
Parkside conversion to behavioral health beds $3,000,000
Navos behavioral health center for children, youth & families $2,000,000
Central Washington comprehensive mental health $2,000,000
Swedish Ballard psychiatric unit $3,000,000
Substance abuse & mental health facilities $2,000,000
Fairfax behavioral health - Providence health & services facility $1,000
Daybreak Youth Services $1,500,000
(4) Multicare-Franciscan joint venture $5,000,000

Appropriation:
State Building Construction Account—State $32,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $32,000,000

NEW SECTION. **Sec. 1037. FOR THE DEPARTMENT OF COMMERCE**

Weatherization Matchmaker Program (30000838)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

Appropriation:
State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $60,000,000
TOTAL $75,000,000

NEW SECTION. **Sec. 1038. FOR THE DEPARTMENT OF COMMERCE**

2015-2017 Drinking Water State Revolving Fund Loan Program (30000840)

The appropriation in this section is subject to the following conditions and limitations:

(1) $4,000,000 of the drinking water assistance account for fiscal year 2016 and $4,000,000 of the drinking water assistance account for fiscal year 2017 is provided as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(3) The agency must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Drinking Water Assistance Account—State $135,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $480,000,000
TOTAL $615,000,000

NEW SECTION. **Sec. 1039. FOR THE DEPARTMENT OF COMMERCE**

Community Energy Efficiency Program (30000845)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop metrics that indicate the performance of energy efficiency efforts and provide a report of the metrics, including at a minimum the current energy used by the building, the energy use after efficiencies are completed, and cost of energy saved, to the house of representatives technology & economic development committee and the senate energy, environment & telecommunications committee. The report must include these metrics from other states.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $45,000,000

NEW SECTION. **Sec. 1040. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects 2016 (92000369)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $2,209,000 of the appropriation in this section is provided solely for the Fairchild air force base protection and community empowerment project, including the purchase of twenty acres of land for development of affordable housing and the county's purchase of mobile home parks in order to reduce the use of the accident potential zone for residential purposes. If the county subsequently rezones, develops, and leases the mobile home park property for commercial or industrial uses contrary to the allowed uses in the accident potential zone, the county must repay to the state the amount spent on the purchase of mobile home parks in its entirety within ten years.

(8) $850,000 of the appropriation in this section is provided solely for the White River restoration project. Design solutions for flooding reductions in the lower White River must include a floodplain habitat design that both reduces flood risks and restores salmon habitat by reconnecting the river with its floodplain and a sustainable riparian corridor. Project designs and plans must also identify lands for acquisition needed for floodplain reconnection where pending or existing development eliminates the potential for riparian and aquatic habitat restoration. The city shall work cooperatively with the Muckleshoot Indian Tribe and the Puyallup Tribe of Indians, and develop a plan collaboratively to achieve both flood reduction and habitat restoration.

(9) Up to $150,000 of the appropriation in this section for the veterans helping veterans: Emergency transition shelter project may be spent on preconstruction or pre-acquisition activities, including, but not limited to, building inspections, design of necessary renovations, cost estimation, and other activities necessary to identify and select a facility appropriate for the program. The remainder of the appropriation must be used for eventual acquisition and renovations of a facility.

(10) $2,500,000 of the appropriation in this section is provided solely for the mercy housing and health care center at Sand Point. During the 2015-2017 fiscal biennium, the center may not house any community health care training organization that has been investigated by and has paid settlement fees to the attorney general's office for alleged medicaid fraud.

(11) The Lake Chelan land use plan must be developed without adverse impacts on agricultural operations.

(12) The appropriation is provided solely for the following list of projects:

Algona senior center	$500,000
All-accessible destination playground	$750,000
Appleway trail	$1,000,000
Basin 3 sewer rehabilitation	$1,500,000
Bellevue downtown park inspiration playground and sensory garden	$1,000,000
Bender fields parking lot and restrooms	$1,000,000
Blackhills community soccer complex safety projects	$750,000
Bremerton children's dental clinic	$396,000
Brewster reservoir replacement	$1,250,000
Brookville gardens	$1,200,000

Camas-Washougal Babe Ruth youth baseball improve Louis Bloch park	$10,000
Cancer immunotherapy facility-Seattle children's research inst.	$7,000,000
Caribou trail apartments	$100,000
Carnegie library imprv for the rapid recidivism reduction program	$1,000,000
Cavelero park - regional park facility/skateboard park	$500,000
CDM caregiving services: Clark county aging resource center	$1,200,000
Centerville school heating upgrades	$46,000
Chambers Creek regional park pier extension and moorage	$1,750,000
City of LaCenter parks & rec community center	$1,500,000
City of Lynden pipeline	$2,000,000
City of Lynden-Riverview road construction	$850,000
City of Lynden-safe rtes to school and Kaemingk trail gap elim.	$300,000
City of Mt. Vernon downtown flood protect project & riverfront trail	$1,500,000
City of Olympia - Percival Landing renovation	$950,000
City of Pateros water system	$1,838,000
City of Stanwood police station/city hall relocation	$300,000
Classroom door barricade - nightlock	$45,000
Confluence area parks upgrade and restoration	$1,000,000
Corbin senior center elevator	$300,000
Covington community park	$5,000,000
Cross Kirkland corridor trail connection 52nd St.	$1,069,000
Dawson place child advocacy center building completion project	$161,000
Dekalb street pier	$500,000
DNR/City of Castle Rock exchange	$80,000
Dr. Sun Yat Sen memorial statue	$10,000
Drug abuse and prevention center - Castle Rock	$96,000
DuPont historical museum renovation	$46,000
East Tacoma community center	$1,000,000
Edmonds center for the arts: Gym climate control & roof repairs	$250,000
Edmonds senior & community center	$1,250,000
Emergency generator for kidney resource center	$226,000
Enumclaw expo center	$350,000
Fairchild air force base protection & comm empowerment project	$2,209,000
Federal Way PAC center	$2,000,000
Filipino community of Seattle village (innovative learning center)	$1,200,000
Franklin Pierce early learning center	$2,000,000
Gateway center project	$1,000,000
Gilda club repairs	$800,000
Granite Falls boys & girls club	$1,000,000
Gratzer park ball fields	$200,000
Grays Harbor navigation improvement project	$2,500,000
Green river gorge open space buffer, Kummer connection	$750,000
Guy Cole center revitalization	$450,000
Historic renovation Maryhill museum	$1,000,000
Hopelink at Ronald commons	$750,000
Irvine slough storm water separation	$500,000
Kahlotus highway sewer force main	$2,625,000
Kennewick boys and girls club	$500,000
Kent east hill YMCA	$500,000
Key Pen civics center	$50,000
KiBe high school parking	$125,000
Kitsap humane society - shelter renovation	$90,000
Lacey boys & girls club	$29,000
Lake Chelan land use plan	$75,000
LeMay car museum ADA access improvements	$500,000
Lyman city park renovation	$167,000
Lyon creek flood reduction project	$400,000
Main street revitalization project	$1,300,000
Marine terminal rail investments	$1,000,000
Martin Luther King Jr. family outreach center expansion project	$85,000
Mason county Belfair wastewater system rate relief	$1,500,000
McAllister museum	$660,000
Mercer arena energy savings & sustainability funding	$450,000
Mercy housing and health center at Sand Point	$2,500,000
Meridian center for health	$2,500,000
Minor Road water reservoir replacement	$1,500,000

Mountains to Sound Greenway Tiger Mountain access improvements	$300,000
Mt. Spokane guest services building & preservation/maintenance of existing facilities	$520,000
Mukilteo boys & girls club	$1,000,000
Mukilteo tank farm clean-up	$250,000
New Shoreline medical-dental clinic	$1,500,000
Nordic heritage museum	$2,000,000
North Kitsap fishline foodbank	$625,000
Northwest native canoe center project	$250,000
Oak Harbor clean water facility	$2,500,000
Okanogan emergency communications	$400,000
Onalaska community tennis and sports courts	$80,000
Opera house ADA elevator	$357,000
Orcas Island library expansion	$1,400,000
Pacific community center	$250,000
PCAF's building for the future	$350,000
Pe Ell second street	$197,000
Perry technical school	$1,000,000
Pike Place Market front project	$800,000
Police station security/hardening	$38,000
Port of Centralia - Centralia station	$500,000
Port of Sunnyside demolish the carnation building	$450,000
PROVAIL TBI residential facility	$450,000
Quincy water reuse	$1,500,000
Redmond downtown park	$3,000,000
Redondo boardwalk repairs	$1,500,000
Renovate senior center	$400,000
Rochester boys & girls club	$38,000
Rockford wastewater treatment	$1,200,000
Roslyn renaissance-NW improve company bldg renovation project	$900,000
Sammamish rowing association boathouse	$500,000
SE 240th St. watermain system improvement project	$700,000
SE Seattle financial & economic opportunity center	$1,500,000
SeaTac international marketplace & transit-oriented community	$1,250,000
Seattle theatre group	$131,000
Snohomish veterans memorial rebuild	$10,000
Snoqualmie riverfront project	$1,520,000
South 228th street inter-urban trail connector	$500,000
Splash pad/foundation: Centralia outdoor pool restoration project	$200,000
Spokane women's club	$300,000
Springbrook park neighborhood connection project	$300,000
SR 532 flood berm and bike/ped path	$85,000
St. Vincent food bank & community services construction project	$400,000
Stan & Joan cross park	$750,000
Steilacoom Sentinel Way repairs	$450,000
Stilly Valley youth project Arlington B&G club	$2,242,000
Sunset neighborhood park	$1,750,000
Support, advocacy & resource center for victims of violence	$750,000
The gathering house job training café	$14,000
The Salvation Army Clark County: Corps community center	$1,200,000
Thurston county food bank	$500,000
Tulalip water pipeline, (final of 8 segments)	$2,000,000
Twin Bridges museum rehab Lyle Wa	$64,000
Twisp civic building	$500,000
Vancouver, Columbia waterfront project	$2,500,000
Vantage point senior apartments	$2,000,000
Veterans center	$500,000
Veterans helping veterans: Emergency transition shelter	$600,000
Waitsburg Main Street bridge replacement	$1,700,000
Washington green schools	$105,000
Washougal roof repair	$350,000
Water meter and system improvement program	$500,000
Water reservoir and transmission main	$500,000
Wayne golf course land preservation	$500,000
White River restoration project	$850,000
Willapa behavioral health safety improvement project	$75,000
WSU LID frontage - local and economic benefits	$500,000

Yakima children's museum center	$50,000
Yakima SunDome	$2,000,000
Yelm community center	$500,000
Yelm senior center	$80,000
Youth wellness campus gymnasium renovation	$1,000,000
Total	$130,169,000

Appropriation:
State Building Construction Account—State $130,169,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $130,169,000

NEW SECTION. **Sec. 1041. FOR THE DEPARTMENT OF COMMERCE**

Youth Recreational Facilities Grants (30000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1062, chapter 19, Laws of 2013 2nd sp. sess. provided that the "New Life Community Development Agency" project may be combined with the "New Life CDA" project in project number 30000188.

Reappropriation:
State Building Construction Account—State $2,568,000
Prior Biennia (Expenditures) $1,563,000
Future Biennia (Projected Costs) $0
TOTAL $4,131,000

NEW SECTION. **Sec. 1042. FOR THE DEPARTMENT OF COMMERCE**

Building Communities Fund Grants (30000188)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 19, Laws of 2013 2nd sp. sess. provided that the "New Life CDA" project may be combined with the "New Life Community Development Agency" project in project number 30000185.

Reappropriation:
State Building Construction Account—State $2,692,000
Prior Biennia (Expenditures) $2,587,000
Future Biennia (Projected Costs) $0
TOTAL $5,279,000

NEW SECTION. **Sec. 1043. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Local Governments (91000241)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 301, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $1,732,000
Prior Biennia (Expenditures) $16,268,000
Future Biennia (Projected Costs) $0
TOTAL $18,000,000

NEW SECTION. **Sec. 1044. FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Grants for Higher Education (91000242)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 307, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $5,077,000
Prior Biennia (Expenditures) $14,923,000
Future Biennia (Projected Costs) $0
TOTAL $20,000,000

NEW SECTION. **Sec. 1045. FOR THE DEPARTMENT OF COMMERCE**

Public Works Pre-Construction Loan Program (91000319)

Reappropriation:
Public Works Assistance Account—State $767,000
Prior Biennia (Expenditures) $2,233,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1046. FOR THE DEPARTMENT OF COMMERCE**

Housing for Families with Children (91000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 310, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Taxable Building Construction Account—State $2,472,000
Prior Biennia (Expenditures) $5,778,000
Future Biennia (Projected Costs) $0
TOTAL $8,250,000

NEW SECTION. **Sec. 1047. FOR THE DEPARTMENT OF COMMERCE**

Housing for Seniors and People with Physical Disabilities (91000411)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 311, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $4,350,000
Prior Biennia (Expenditures) $5,316,000
Future Biennia (Projected Costs) $0
TOTAL $9,666,000

NEW SECTION. **Sec. 1048. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000412)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $190,000
Prior Biennia (Expenditures) $935,000
Future Biennia (Projected Costs) $0
TOTAL $1,125,000

NEW SECTION. **Sec. 1049. FOR THE DEPARTMENT OF COMMERCE**

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,996,000
Prior Biennia (Expenditures) $22,948,000
Future Biennia (Projected Costs) $0
TOTAL $28,944,000

NEW SECTION. **Sec. 1050. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000414)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $1,055,000
Future Biennia (Projected Costs) $0
TOTAL $6,215,000

NEW SECTION. **Sec. 1051. FOR THE DEPARTMENT OF COMMERCE**

Housing for People At Risk of Homelessness (91000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 312, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $959,000
Prior Biennia (Expenditures) $1,541,000
Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 1052. FOR THE DEPARTMENT OF COMMERCE**

Housing for Low-Income Households (91000416)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $2,689,000
Prior Biennia (Expenditures) $293,000
Future Biennia (Projected Costs) $0
TOTAL $2,982,000

NEW SECTION. **Sec. 1053. FOR THE DEPARTMENT OF COMMERCE**

2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,889,000
Prior Biennia (Expenditures) $7,734,000
Future Biennia (Projected Costs) $0
TOTAL $9,623,000

NEW SECTION. **Sec. 1054. FOR THE DEPARTMENT OF COMMERCE**

Local and Community Projects 2012 (91000437)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $1,035,000
Future Biennia (Projected Costs) $0
TOTAL $2,835,000

NEW SECTION. **Sec. 1055. FOR THE DEPARTMENT OF COMMERCE**

Pacific Medical Center (91000445)

Reappropriation:

State Taxable Building Construction Account—State $2,405,000
State Building Construction Account—State $9,818,000
Subtotal Reappropriation $12,223,000

Appropriation:

State Taxable Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $7,777,000
Future Biennia (Projected Costs) $0
TOTAL $26,000,000

NEW SECTION. **Sec. 1056. FOR THE DEPARTMENT OF COMMERCE**

Sand Point Building 9 (91000446)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1068, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $9,802,000
Prior Biennia (Expenditures) $4,198,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 1057. FOR THE DEPARTMENT OF COMMERCE**

Mental Health Beds (91000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1071, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,644,000
Prior Biennia (Expenditures) $1,356,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1058. FOR THE DEPARTMENT OF COMMERCE**

Housing for Homeless Veterans (91000455)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $9,001,000
Prior Biennia (Expenditures) $366,000
Future Biennia (Projected Costs) $0
TOTAL $9,367,000

NEW SECTION. **Sec. 1059. FOR THE DEPARTMENT OF COMMERCE**

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1066, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $19,723,000
Prior Biennia (Expenditures) $7,327,000
Future Biennia (Projected Costs) $0
TOTAL $27,050,000

NEW SECTION. **Sec. 1060. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Developmental Disabilities (91000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1067, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account—State $6,392,000
Prior Biennia (Expenditures) $2,627,000
Future Biennia (Projected Costs) $0
TOTAL $9,019,000

NEW SECTION. **Sec. 1061. FOR THE DEPARTMENT OF COMMERCE**

Housing for People with Chronic Mental Illness (91000459)

Reappropriation:

State Taxable Building Construction Account—State $5,735,000
Prior Biennia (Expenditures) $329,000
Future Biennia (Projected Costs) $0
TOTAL $6,064,000

NEW SECTION. **Sec. 1062. FOR THE DEPARTMENT OF COMMERCE**

Public Works Assistance Account Project Backfill (91000581)

Reappropriation:

State Building Construction Account—State $3,263,000
Prior Biennia (Expenditures) $154,737,000
Future Biennia (Projected Costs) $0
TOTAL $158,000,000

NEW SECTION. **Sec. 1063. FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (91000582)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Energy Recovery Act Account—State $4,000,000
State Taxable Building Construction Account—State $8,924,000
State Building Construction Account—State $19,069,000
Subtotal Reappropriation $31,993,000
Prior Biennia (Expenditures) $8,007,000
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

NEW SECTION. **Sec. 1064. FOR THE DEPARTMENT OF COMMERCE**

Innovation Partnership Zones - Facilities and Infrastructure (92000089)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 309, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,725,000
Prior Biennia (Expenditures) $9,795,000
Future Biennia (Projected Costs) $0
TOTAL $13,520,000

NEW SECTION. **Sec. 1065. FOR THE DEPARTMENT OF COMMERCE**

Community Economic Revitalization Board Administered Economic Development, Innovation, and Export Grants (92000096)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $4,267,000
Public Works Assistance Account—State $14,595,000
Subtotal Reappropriation $18,862,000
Prior Biennia (Expenditures) $13,736,000
Future Biennia (Projected Costs) $0
TOTAL $32,598,000

NEW SECTION. **Sec. 1066. FOR THE DEPARTMENT OF COMMERCE**

Main Street Improvement Grants (92000098)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 305, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

Public Works Assistance Account—State $355,000
State Building Construction Account—State $3,115,000
Subtotal Reappropriation $3,470,000
Prior Biennia (Expenditures) $11,380,000
Future Biennia (Projected Costs) $0
TOTAL $14,850,000

NEW SECTION. **Sec. 1067. FOR THE DEPARTMENT OF COMMERCE**

Brownfield Redevelopment Grants (92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for redevelopment of the Bellingham waterfront.

Reappropriation:

Local Toxics Control Account—State $1,194,000
Prior Biennia (Expenditures) $306,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1068. FOR THE DEPARTMENT OF COMMERCE**

Port and Export Related Infrastructure (92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $13,603,000
Prior Biennia (Expenditures) $19,547,000
Future Biennia (Projected Costs) $0
TOTAL $33,150,000

NEW SECTION. **Sec. 1069. FOR THE DEPARTMENT OF COMMERCE**

Projects for Jobs and Economic Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1077, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account—State $7,100,000
State Building Construction Account—State $22,256,000
Subtotal Reappropriation $29,356,000
Prior Biennia (Expenditures) $7,753,000
Future Biennia (Projected Costs) $0
TOTAL $37,109,000

NEW SECTION. **Sec. 1070. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth and Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $12,695,000
Prior Biennia (Expenditures) $6,982,000
Future Biennia (Projected Costs) $0
TOTAL $19,677,000

NEW SECTION. **Sec. 1071. FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities and Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1078, chapter 19, Laws of 2013 2nd sp.s. and section 6006 of this act.

Reappropriation:

Environmental Legacy Stewardship Account—State $395,000
State Building Construction Account—State $22,372,000
Subtotal Reappropriation $22,767,000
Prior Biennia (Expenditures) $9,361,000
Future Biennia (Projected Costs) $0
TOTAL $32,128,000

NEW SECTION. **Sec. 1072. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Appropriations to Public Works Assistance Account for Previously Authorized Loans (92000011)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the public works assistance account—state. The office of financial management shall consult with the state treasurer's office to determine the timing of the expenditures into the public works assistance account to return it to a positive balance and accommodate authorized expenditures and transfers from the account.

Appropriation:

State Taxable Building Construction Account—State $11,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $11,000,000

NEW SECTION. **Sec. 1073. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account—State $246,000
Prior Biennia (Expenditures) $1,254,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 1074. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Catastrophic Flood Relief (20084850)

The appropriation in this section is subject to the following conditions and limitations:

(1) Up to $26,800,000 of the appropriation is for advancing the long-term strategy for the Chehalis Basin projects to reduce flood damage and restore aquatic species including a programmatic environmental impact statement, data collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, and other parties.

(2) Up to $23,200,000 of the appropriation is for construction of local priority flood protection and habitat restoration projects.

(3) Up to one percent of the appropriation provided in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and

amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Reappropriation:

State Building Construction Account—State $12,484,000

Appropriation:

State Building Construction Account—State $50,000,000
Prior Biennia (Expenditures) $25,203,000
Future Biennia (Projected Costs) $120,000,000
TOTAL $207,687,000

NEW SECTION. **Sec. 1075. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Office of Financial Management Capital Budget Staff (30000045)

Appropriation:

State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 1076. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Oversight of State Facilities (30000046)

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall conduct space studies and make recommendations to the legislature on the state's space standards including alternative workplace strategies. State agencies shall provide space use data in a format prescribed by the office of financial management to support this effort. The office of financial management shall report the results and recommendations to the legislative fiscal committees by July 1, 2016.

(2) The office of financial management, with assistance from the department of enterprise services and other state agencies as needed, shall update the lease space requirements to reflect high performance building standards and any other components that may improve the conditions of leased space.

Appropriation:

State Building Construction Account—State $1,040,000
Thurston County Capital Facilities Account—State $1,120,000
Subtotal Appropriation $2,160,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,160,000

NEW SECTION. **Sec. 1077. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (90000300)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for construction projects that confront emergent and unavoidable costs in excess of the construction contingency included in the project appropriation. For requests occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting contingency funds from the office of financial management. Eligible agencies that may apply to the pool include higher education institutions, the department of corrections, the department of social and health services, the department of enterprise services, the criminal justice training commission, the department of veterans affairs, the parks and recreation commission, and the department of fish and wildlife. Eligible construction projects are only projects that had cost reductions as kept on file with the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as projects are approved for funding.

(2)(a) The legislature intends to use the 1063 Block building development project as a model of efficient space and energy use for both owned and leased state office buildings.

(b) To achieve this intent, the office of financial management must reconsider tenants for the building, including consideration of the utilities and transportation commission, all current tenants of the general administration building with operations compatible with a high density office building, and other possible tenants. The measure of achieving a higher space efficiency is measured by the average square feet per housed employee.

(c) The office of financial management must provide a report to the appropriate committees of the legislature on the redesign and the increase space efficiency by October 15, 2015.

Appropriation:

State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 1078. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repairs (90000301)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, an emergency declaration signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The emergency declaration must include a description of the health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must

notify the legislative evaluation and accountability program committee, the house capital budget committee, and senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1079. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repair Pool for K-12 Public Schools (90000302)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility. To be eligible for funds from the emergency repair pool, an emergency declaration must be signed by the school district board of directors and the superintendent of public instruction, and submitted to the office of financial management for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:

Common School Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1080. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Chehalis River Basin Flood Relief Projects (91000398)

Reappropriation:

State Building Construction Account—State $206,000
Prior Biennia (Expenditures) $4,794,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 1081. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Higher Education Preservation Information (91000431)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely to refresh preservation information that reside in the state's comparable framework for higher education buildings including any necessary revisions or adjustments that will enable more direct translation of information, updates for last renewal or replacement or major systems, and quality assurance field sampling. In executing this continued capital study, the office of financial management shall consult the legislative fiscal committees about its workplan to ensure field sampling of facilities prioritized for renovation or replacement, and timely delivery of assembled facilities information and related capital models in an easy to understand format. Prior to submitting any higher education institution renovation or replacement building project for consideration for funding as part of a capital budget request, to the office of financial management or directly to the legislature, colleges and universities must have completed and submitted all necessary information as required by the state facility inventory and condition assessment systems. As a general condition, upon appropriations provided to higher education agencies in this act, the state board for community and technical colleges and each state baccalaureate institution shall provide requested facilities information in a timely manner to enable the office of financial management to complete the tasks and oversight assigned in this section.

Appropriation:

University of Washington Building Account—State $116,000
Washington State University Building
Account—State $85,000
Eastern Washington University Capital Projects
Account—State $21,000
Central Washington University Capital Projects
Account—State $17,000
The Evergreen State College Capital Projects
Account—State $12,000
Western Washington University Capital Projects
Account—State $19,000
Subtotal Appropriation $270,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $270,000

NEW SECTION. **Sec. 1082. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Construction Contingency Pool (91000428)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1091, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,875,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,875,000

NEW SECTION. **Sec. 1083. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Equipment Benchmarks for Capital Projects Study (92000010)

The appropriation in this section is subject to the following conditions and limitations: The office of financial management shall submit a higher education and skill center capital project equipment cost study to the governor and the appropriate legislative fiscal committees by December 1, 2015. The study must include benchmarks for standard ranges of fixed and nonfixed equipment expenditures in different types of facilities and an examination of alternatives for financing equipment costs where the equipment has a life expectancy that is less than the length of bond financing. The alternative analysis must include a life-cycle cost analysis of the competing alternatives to determine the most cost-effective options to the state bond and general fund budget.

Appropriation:

State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1084. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Culverts in Three State Agencies (92000004)

Reappropriation:

State Building Construction Account—State $4,516,000
Prior Biennia (Expenditures) $2,484,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 1085. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

East Plaza - Water Infiltration and Elevator Repairs (30000548)

Reappropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $2,603,000
Future Biennia (Projected Costs) $0
TOTAL $3,103,000

NEW SECTION. **Sec. 1086. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

NRB Garage Fire Suppression System Repairs (30000578)

Reappropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,738,000
Future Biennia (Projected Costs) $0
TOTAL $2,238,000

NEW SECTION. **Sec. 1087. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000635)

Reappropriation:

State Building Construction Account—State $1,477,000
Thurston County Capital Facilities Account—State $501,000
Subtotal Reappropriation $1,978,000
Prior Biennia (Expenditures) $2,050,000
Future Biennia (Projected Costs) $0
TOTAL $4,028,000

NEW SECTION. **Sec. 1088. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Minor Works Preservation (30000722)

The appropriations in this section are subject to the following conditions and limitations: No minor works funds may be allotted until the action part of the plan is provided. Up to $300,000 of the appropriation in this section is provided for the department to develop an implementation plan for a capitol campus parking strategy. The action part of the plan must include: (1) During the legislative sessions a reduction of agency reserve stalls from twenty-six percent to fifteen percent as recommended by the 2014 state of Washington parking and transportation study; (2) cost-benefit of incorporating parking attendants or parking arms to accept payment for campus parking during the legislative sessions; (3) installation of at least two electronic boards, or other methods of providing the available parking capacity in the east plaza garage. The department shall work in cooperation with the city of Olympia, and the city may provide a proposal to enforce parking on the capitol campus. The department shall report to all fiscal committees on its progress by November 1, 2015.

Appropriation:

Thurston County Capital Facilities Account—State $850,000
State Building Construction Account—State $5,608,000
State Vehicle Parking Account—State $900,000
Subtotal Appropriation $7,358,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $19,000,000
TOTAL $26,358,000

NEW SECTION. **Sec. 1089. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Old Capitol - Exterior and Interior Repairs (30000724)
Appropriation:
Thurston County Capital Facilities Account—State $1,000,000
State Building Construction Account—State $2,000,000
Subtotal Appropriation $3,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 1090. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
West Campus Historic Buildings Exterior Preservation (30000727)
Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1091. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Capitol Campus Heating Systems Repairs - Phase 1 (30000730)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to competitively contract an energy audit on the capitol campus steam system. The audit must consider converting to centralized hot water boilers and using a heat recovery power system.
Appropriation:
Thurston County Capital Facilities Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1092. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Expansion of Legislative Gift Center (92000014)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for building modifications and space improvements required for the purpose of expanding the retail space allocated to the legislative gift center created in chapter 44.73 RCW in the legislative building. The office of legislative support services, the house of representatives, and the senate shall cooperate to accomplish this expansion within the existing space allocations, up to and including the use of all or part of room 112, on the first floor of the legislative building, no later than October 30, 2015.
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $150,000

NEW SECTION. **Sec. 1093. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Capitol Campus Critical Network Standardization and Connectivity (30000732)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for installing any remaining building meters as needed on the capitol campus, and providing building performance data electronically. Dashboard displays must be installed in the three legislative buildings.
Appropriation:
Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1094. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Capitol Court Major Exterior and Building Systems Renewal (30000738)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for development of a plan that identifies the existing building deficiencies and recommended project specific improvements with cost estimates to be completed as funding becomes available. Urgent repairs to this building will be prioritized against the other projects in the department of enterprise services' minor works project list.
Appropriation:
Enterprise Services Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,220,000
TOTAL $1,370,000

NEW SECTION. **Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**
Capitol Lake Long-term Management Planning (30000740)
The appropriation in this section is subject to the following conditions and limitations:
(1) The appropriation is provided solely to make tangible progress on reaching broad agreement on a long-term plan for the management of Capitol Lake/Deschutes Estuary/Lower Budd Inlet/Deschutes River watershed, building on the recommendations of the 2014 situation assessment for Capitol Lake management prepared by the Ruckleshaus center and prior related reports.
The department shall:

(a) Identify and summarize the findings of the best available science concerning water quality and habitat as they relate to conceptual options of retaining or removing the dam;

(b) Identify multiple hybrid options for future management of Capitol Lake, which options must include substantial improvement in fish and wildlife habitat and ecosystem functions, maintaining a historic reflecting pool at the north end of the lake/estuary, and adaptive management strategies;

(c) Identify general cost estimates for construction and maintenance of each conceptual option, in consultation with the office of financial management;

(d) Identify the range of public support for or concerns about each option;

(e) Identify conceptual options and degree of general support for shared funding by state, local, and federal governments and potentially other entities;

(f) Identify one or more conceptual options for long-term shared governance of a future management plan, including consideration of an option similar to state lake management districts, chapter 36.61 RCW or shellfish protection districts, chapter 90.72 RCW.

(g) Engage in other related activities which would contribute to reaching broad agreement on the long-term management plan.

The department shall conduct its information gathering and report preparation with a pro-active approach to public engagement, and may create such advisory entities as it determines would be helpful.

(2) The department may contract for facilitation, research, or other services to assist in the preparation of this report.

(3) The department shall make periodic reports to the state capitol committee, the office of financial management, and fiscal committees of the legislature, with a final report to be submitted no later than January 1, 2017. The reports must include visual representations of proposals to aid the public and decision-makers to understand and evaluate them.

Appropriation:

Enterprise Services Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1096. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Engineering and Architectural Services: Staffing (30000762)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for architectural and engineering services to manage public works contracting for all state facilities pursuant to RCW 43.19.450. The service charge is increased from 2.15 percent to 2.27 percent of total project costs to reduce the number of projects assigned to each manager. The intended results of the increased fee are improved accountability, reduced project delays, and reduced the number and cost of change orders. At the end of each fiscal year, the department must report to the office of financial management and the fiscal committees of the legislature on performance improvements resulting from the increased management fee, including the following:

(a) The number of projects managed by each manager compared to previous biennia;

(b) Projects that were not completed on schedule and the reasons for delays; and

(c) The number and cost of the change orders and the reason for each change order.

(2) The department shall convene a group of private sector architects and contractors with state agency facilities personnel, at a minimum of twice per year, to share at a minimum, information on high performance methods, ideas, operating and maintenance issues, and cost. The facility personnel must be from the community and technical colleges, the four-year institutions of higher education, and any other state agencies that have recently completed a new building or are currently in the construction phase.

(3) The department, with assistance from the capital projects authority review board, shall provide recommendations to the governor, house capital budget committee, and senate ways and means committee, on ways to improve the project delivery methods. It must include, at a minimum, methods to incorporate more architectural and engineering firms and contractors to be eligible for design build projects, and methods for including high performance criteria with incentives for the architectural and engineering firm and contractor to meet the performance measures in design-bid-build project delivery methods.

Appropriation:

State Building Construction Account—State $9,800,000
Thurston County Capital Facilities Account—State $3,000,000
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Subtotal Appropriation $14,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $14,800,000

NEW SECTION. **Sec. 1097. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Campus Steam System and Chiller Upgrades (91000014)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1106, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Thurston County Capital Facilities Account—State $1,074,000
State Building Construction Account—State $1,802,000
Subtotal Reappropriation $2,876,000
Prior Biennia (Expenditures) $1,121,000
Future Biennia (Projected Costs) $0
TOTAL $3,997,000

NEW SECTION. **Sec. 1098. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Exterior Lighting Upgrades (30000736)

The appropriation in this section is subject to the following conditions and limitations: The department shall pursue energy services contracts as much as is feasible to provide funding.

Appropriation:

Thurston County Capital Facilities Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1099. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Archives Building and Capitol Court HVAC Upgrades (91000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1107, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $70,000
Prior Biennia (Expenditures) $930,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 1100. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Predesign (91000436)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop a predesign that will include at a minimum, uses for the pritchard building and the pro arts site, the general administration building replacement or rehabilitation, and the newhouse building replacement. The predesign must include potential tenants, project costs, and schedules.

Appropriation:

State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $200,000

NEW SECTION. **Sec. 1101. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

State Capitol Master Plan (30000760)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to identify potential development sites, and any infrastructure that may be needed for further development.

(2) The department shall provide a list to all fiscal committees of designated parking areas with: (a) Capitol campus employees; (b) state agency reserve spaces; (c) state agency vehicles; (d) state agency motor pool vehicles; and (e) nonstate agency vehicles. The department shall also provide a prioritized list of parking spaces that ranks campus employees as the highest priority. Other parking locations in Thurston county may also be considered.

Appropriation:

Thurston County Capital Facilities Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 1102. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

1063 Block Replacement (91000016)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for design, redesign, demolition and other costs required for the project to replace the state building on the 1063 block. The building will be alternatively financed as authorized by and subject to the conditions of section 7002 of this act.

Reappropriation:

State Building Construction Account—State $8,017,000
Prior Biennia (Expenditures) $4,983,000
Future Biennia (Projected Costs) $0
TOTAL $13,000,000

NEW SECTION. **Sec. 1103. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Dolliver - Critical Building Repairs (30000726)

The appropriation in this section is provided solely for development of a plan that identifies the existing building deficiencies and recommended project specific improvements with cost estimates to be completed as funding becomes available. Urgent repairs to this building will be prioritized against the other projects in the department of enterprise services' minor works project list.

Appropriation:

Enterprise Services Account—State $50,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $50,000

NEW SECTION. **Sec. 1104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Feasibility Study for Restoring Skylights in Legislative Building (92000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a study to determine the feasibility and requirements of replacing the materials covering the original skylight openings that are located above the house of representatives and senate chambers in the legislative building with safety glass to allow as much natural light as

possible into the chambers as originally intended. The study must determine the cost, including the relocation of existing equipment; the impact upon the sound, HVAC system(s) and light levels within each chamber; any other requirements needed to replace the materials with safety glass; and an estimated schedule needed for the work. The replacement glass must be of a quality that will provide for a reasonable assurance of safety in the event of an earthquake.

Appropriation:

State Building Construction Account—State $125,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $125,000

NEW SECTION. **Sec. 1105. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Campus Utility Renewal Plan (92000012)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for assessing the current condition of underground utilities on the Capitol campus and developing a plan of renewal that stages the work so that the systems and segments at highest risk of failure are replaced or repaired in a sequence of work that is the most cost effective. The plan must be submitted to the appropriate committees of the legislature by October 1, 2016.

Appropriation:

State Building Construction Account—State $650,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $650,000

NEW SECTION. **Sec. 1106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capital Furnishings Preservation Committee Projects (92000013)

Appropriation:

State Building Construction Account—State $68,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $68,000

NEW SECTION. **Sec. 1107. FOR THE MILITARY DEPARTMENT**

Pierce County Readiness Center (30000593)

Reappropriation:

Military Department Capital Account—State $2,758,000
State Building Construction Account—State $3,269,000
General Fund—Federal $24,876,000
Subtotal Reappropriation $30,903,000
Prior Biennia (Expenditures) $2,698,000
Future Biennia (Projected Costs) $0
TOTAL $33,601,000

NEW SECTION. **Sec. 1108. FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)

The reappropriation and appropriations in this section are subject to the following conditions and limitations: The legislature intends to support the transfer of the Olympia armory to the Thurston county boys and girls club. The military department must execute an agreement to transfer title of the property to the Thurston county boys and girls club if the club agrees to use the facility as a boys and girls club for a minimum of ten years. The transfer agreement must specify a mutually agreed transfer date following the completion of the Thurston county readiness center. The transfer agreement must require the club to cover any closing costs and must specify a purchase price of one dollar. The agreement must be reported to the house of representatives capital budget committee, senate ways and means committee, and the governor's office by January 1, 2016.

Reappropriation:

State Building Construction Account—State $2,750,000

Appropriation:

State Building Construction Account—State $7,883,000
General Fund—Federal $34,207,000
Subtotal Appropriation $42,090,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $44,890,000

NEW SECTION. **Sec. 1109. FOR THE MILITARY DEPARTMENT**

Minor Works Preservation - 2013-2015 Biennium (30000602)

Reappropriation:

State Building Construction Account—State $307,000
General Fund—Federal $1,082,000
Subtotal Reappropriation $1,389,000
Prior Biennia (Expenditures) $3,837,000
Future Biennia (Projected Costs) $2,500,000
TOTAL $7,726,000

NEW SECTION. **Sec. 1110. FOR THE MILITARY DEPARTMENT**

Minor Works Program - 2013-2015 Biennium (30000605)

Reappropriation:
General Fund—Federal $8,893,000
Prior Biennia (Expenditures) $4,032,000
Future Biennia (Projected Costs) $0
TOTAL $12,925,000

NEW SECTION. **Sec. 1111. FOR THE MILITARY DEPARTMENT**
Minor Works Preservation - 2015-2017 Biennium (30000702)
Appropriation:
State Building Construction Account—State $5,110,000
General Fund—Federal $7,488,000
Subtotal Appropriation $12,598,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $12,598,000

NEW SECTION. **Sec. 1112. FOR THE MILITARY DEPARTMENT**
Minor Works Program - 2015-2017 Biennium (30000744)
Appropriation:
State Building Construction Account—State $5,663,000
General Fund—Federal $15,953,000
Subtotal Appropriation $21,616,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $21,616,000

NEW SECTION. **Sec. 1113. FOR THE MILITARY DEPARTMENT**
Montesano Readiness Center Roof Replacement and Tenant Improvements (30000805)
Appropriation:
General Fund—Federal $1,500,000
State Building Construction Account—State $3,750,000
Subtotal Appropriation $5,250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 1114. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
National Parks Service Maritime Heritage Grants (91000008)
The appropriation in this section is subject to the following conditions and limitations:
(1) $28,000 of the appropriation is provided solely for the center for wooden boats' historic small craft project.
(2) $87,000 of the appropriation is provided solely for the Northwest seaport's preservation of the national historic landmark 1889 tugboat Arthur Foss.
Appropriation:
General Fund—Federal $105,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $105,000

NEW SECTION. **Sec. 1115. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic County Courthouse Grants Program (30000010)
Appropriation:
State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,400,000
TOTAL $12,900,000

NEW SECTION. **Sec. 1116. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Historic Courthouse Preservation Grants (92000001)
Reappropriation:
State Building Construction Account—State $1,696,000
Prior Biennia (Expenditures) $304,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 1117. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Heritage Barn Preservation Program (92000002)
Reappropriation:
State Building Construction Account—State $256,000
Prior Biennia (Expenditures) $244,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1118. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Acquisition/Rehabilitation of Historic Matsuda and Mukai Sites (91000006)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 1119. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
Heritage Barn Preservation Program (30000009)
Appropriation:
State Building Construction Account—State $450,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,000,000
TOTAL $2,450,000

PART 2
HUMAN SERVICES

NEW SECTION. **Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Naselle Youth Camp - Three Cottages: Renovation (20081222)
Reappropriation:
State Building Construction Account—State $1,703,000
Prior Biennia (Expenditures) $197,000
Future Biennia (Projected Costs) $0
TOTAL $1,900,000

NEW SECTION. **Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital New Kitchen and Commissary Building (20081319)
Appropriation:
State Building Construction Account—State $29,000,000
Prior Biennia (Expenditures) $828,000
Future Biennia (Projected Costs) $0
TOTAL $29,828,000

NEW SECTION. **Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Medical Lake Campus - Laundry Building: New Construction (20082371)
Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,100,000
TOTAL $10,250,000

NEW SECTION. **Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (91000037)
The appropriation in this section is subject to the following conditions and limitations: Up to $600,000 may be used for necessary renovations at the Maple Lane facility for the purpose of temporary forensic beds.
Appropriation:
State Building Construction Account—State $10,645,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,645,000

NEW SECTION. **Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Fircrest School Electrical Service Rehabilitation (30000415)
The appropriation in this section is provided solely for electrical service rehabilitation and improvements on campus. The department of social and health services will also coordinate with the department of health to install a new and separate electrical service for the public health laboratory.
Appropriation:
State Building Construction Account—State $5,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,200,000

NEW SECTION. **Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Program Projects: Statewide (30001859)
Appropriation:
State Building Construction Account—State $755,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $20,755,000

NEW SECTION. **Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Minor Works Preservation Projects: Statewide (30002235)
Reappropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $10,155,000

Future Biennia (Projected Costs) $0
TOTAL $14,155,000

NEW SECTION. **Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Child Study and Treatment Center - Orcas: Acute Treatment Addition (30002733)
Appropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Building Systems Replacement (30002735)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $4,450,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,450,000

NEW SECTION. **Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Fircrest School: Campus Master Plan (30002738)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital - Westlake: Nurse Call System (30002739)
Appropriation:
State Building Construction Account—State $1,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,200,000

NEW SECTION. **Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Rainier School: Campus Master Plan and Forest Management Plan (30002740)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $200,000

NEW SECTION. **Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Yakima Valley School - Main Building: Roofing Replacement (30002742)
Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Green Hill School: New Acute Mental Health Unit (30002745)
Appropriation:
State Building Construction Account—State $4,950,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,950,000

NEW SECTION. **Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - Forensic Services: Two Wards Addition (30002765)
Appropriation:
State Building Construction Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,700,000
TOTAL $22,500,000

NEW SECTION. **Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Psychiatric Intensive Care Unit and Competency Restoration (30002773)
Appropriation:
State Building Construction Account—State $2,200,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital - Water System: Improvements (30003215)
Appropriation:
State Building Construction Account—State $2,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,115,000

NEW SECTION. **Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Yakima Valley School: Center for Excellence (30003236)
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $200,000

NEW SECTION. **Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - South Hall: Wards Preservation and Renewal (30003240)
Appropriation:
State Building Construction Account—State $1,350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,350,000

NEW SECTION. **Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Wards Preservation and Renewal (30003241)
Appropriation:
State Building Construction Account—State $1,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Western State Hospital - East Campus: Building Systems Replacement (30003244)
Appropriation:
State Building Construction Account—State $3,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,400,000

NEW SECTION. **Sec. 2022. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
Eastern State Hospital and Western State Hospital - All Wards: Patient Safety Improvements (91000019)
Reappropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,000,000
Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $2,569,000
Prior Biennia (Expenditures) $2,800,000
Future Biennia (Projected Costs) $3,180,000
TOTAL $10,549,000

NEW SECTION. **Sec. 2023. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
ESH-15 Bed Addition for Substitute Senate Bill No. 5889 (92000016)
Appropriation:
State Building Construction Account—State $1,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,400,000

NEW SECTION. **Sec. 2024. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Wing Addition (30000301)
Appropriation:
State Building Construction Account—State $3,049,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,049,000

NEW SECTION. **Sec. 2025. FOR THE DEPARTMENT OF HEALTH**
Newborn Screening Lab Conversion (30000302)
Appropriation:

State Building Construction Account—State $1,141,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,141,000

NEW SECTION. **Sec. 2026. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Program (30000315)
Appropriation:
State Building Construction Account—State $322,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $322,000

NEW SECTION. **Sec. 2027. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Assistance Program (30000323)
Reappropriation:
Drinking Water Assistance Account—Federal $23,225,000
Prior Biennia (Expenditures) $5,575,000
Future Biennia (Projected Costs) $0
TOTAL $28,800,000

NEW SECTION. **Sec. 2028. FOR THE DEPARTMENT OF HEALTH**
Minor Works - Facility Preservation (30000328)
Appropriation:
State Building Construction Account—State $277,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $277,000

NEW SECTION. **Sec. 2029. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Preconstruction Loans (30000334)
Appropriation:
Drinking Water Assistance Repayment Account—State $6,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,000,000
TOTAL $30,000,000

NEW SECTION. **Sec. 2030. FOR THE DEPARTMENT OF HEALTH**
Drinking Water Assistance Program (30000336)
Appropriation:
Drinking Water Assistance Account—Federal $32,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $128,000,000
TOTAL $160,000,000

NEW SECTION. **Sec. 2031. FOR THE DEPARTMENT OF HEALTH**
Safe Reliable Drinking Water Grants (92000002)
Reappropriation:
State Building Construction Account—State $1,428,000
Prior Biennia (Expenditures) $10,210,000
Future Biennia (Projected Costs) $0
TOTAL $11,638,000

NEW SECTION. **Sec. 2032. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Walla Walla Nursing Facility (20082008)
Reappropriation:
State Building Construction Account—State $14,357,000
General Fund—Federal $24,000,000
Subtotal Reappropriation $38,357,000
Prior Biennia (Expenditures) $2,568,000
Future Biennia (Projected Costs) $0
TOTAL $40,925,000

NEW SECTION. **Sec. 2033. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Minor Works Facilities Preservation (30000094)
Reappropriation:
State Building Construction Account—State $675,000
Prior Biennia (Expenditures) $638,000
Future Biennia (Projected Costs) $0
TOTAL $1,313,000

NEW SECTION. **Sec. 2034. FOR THE DEPARTMENT OF VETERANS AFFAIRS**
Feasibility Study/Predesign for Washington Soldiers Home Skilled Nursing Replacement (30000090)
Appropriation:
Charitable, Educational, Penal, and Reformatory

Institutions Account—State $125,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $125,000

NEW SECTION. **Sec. 2035. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Minor Works Facilities Preservation (30000174)

The appropriation in this section is subject to the following conditions and limitations: $250,000 of the appropriation in this section is provided solely for the restoration and preservation of the Washington soldiers home cemetery.

Appropriation:
State Building Construction Account—State $3,095,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,690,000
TOTAL $12,785,000

NEW SECTION. **Sec. 2036. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

South Central Washington State Veterans Cemetery Feasibility (30000151)

Appropriation:
Charitable, Educational, Penal, and Reformatory
Institutions Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 2037. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Eastern Washington Cemetery Upgrade (30000152)

Appropriation:
State Building Construction Account—State $270,000
General Fund—Federal $2,422,000
Subtotal Appropriation $2,692,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,692,000

NEW SECTION. **Sec. 2038. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: Close Sewer Lagoon (20082022)

Reappropriation:
State Building Construction Account—State $214,000
Prior Biennia (Expenditures) $1,177,000
Future Biennia (Projected Costs) $0
TOTAL $1,391,000

NEW SECTION. **Sec. 2039. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Transformers and Switches (30000143)

Appropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,699,000
TOTAL $12,849,000

NEW SECTION. **Sec. 2040. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Roof and Equipment Replacement (30000195)

Appropriation:
State Building Construction Account—State $5,658,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,658,000

NEW SECTION. **Sec. 2041. FOR THE DEPARTMENT OF CORRECTIONS**

Clallam Bay Corrections Center: MSC and Rec Building Roofs (30000548)

Appropriation:
State Building Construction Account—State $1,808,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,808,000

NEW SECTION. **Sec. 2042. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: WSR Replace Fire Alarm System (30000724)

Reappropriation:
State Building Construction Account—State $2,001,000
Prior Biennia (Expenditures) $615,000
Future Biennia (Projected Costs) $0
TOTAL $2,616,000

NEW SECTION. **Sec. 2043. FOR THE DEPARTMENT OF CORRECTIONS**

Airway Heights Corrections Center: Replace Fire Alarm System (30000725)
Reappropriation:
State Building Construction Account—State $2,007,000
Prior Biennia (Expenditures) $1,392,000
Future Biennia (Projected Costs) $0
TOTAL $3,399,000

NEW SECTION. **Sec. 2044. FOR THE DEPARTMENT OF CORRECTIONS**
Airway Heights Corrections Center: Security Electronics Renovations (30000726)
Reappropriation:
State Building Construction Account—State $3,830,000
Prior Biennia (Expenditures) $1,217,000
Future Biennia (Projected Costs) $0
TOTAL $5,047,000

NEW SECTION. **Sec. 2045. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Replace Fire Alarm System (30000727)
Reappropriation:
State Building Construction Account—State $950,000
Prior Biennia (Expenditures) $1,699,000
Future Biennia (Projected Costs) $0
TOTAL $2,649,000

NEW SECTION. **Sec. 2046. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Support Building Repair Fire Detection System (30000733)
Reappropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $808,000
Future Biennia (Projected Costs) $0
TOTAL $1,058,000

NEW SECTION. **Sec. 2047. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: TRU Security Video System (30000801)
Reappropriation:
State Building Construction Account—State $2,908,000
Prior Biennia (Expenditures) $968,000
Future Biennia (Projected Costs) $0
TOTAL $3,876,000

NEW SECTION. **Sec. 2048. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center: Security Video System (30000791)
Reappropriation:
State Building Construction Account—State $6,000,000
Prior Biennia (Expenditures) $972,000
Future Biennia (Projected Costs) $0
TOTAL $6,972,000

NEW SECTION. **Sec. 2049. FOR THE DEPARTMENT OF CORRECTIONS**
Monroe Correctional Complex: WSR Security Video System (30000795)
Reappropriation:
State Building Construction Account—State $4,200,000
Prior Biennia (Expenditures) $1,033,000
Future Biennia (Projected Costs) $0
TOTAL $5,233,000

NEW SECTION. **Sec. 2050. FOR THE DEPARTMENT OF CORRECTIONS**
Minor Works Preservation (30000734)
Reappropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $8,600,000
Future Biennia (Projected Costs) $0
TOTAL $10,100,000

NEW SECTION. **Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS**
Clallam Bay Corrections Center: Security Video System (30000800)
Appropriation:
State Building Construction Account—State $6,038,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $6,038,000

NEW SECTION. **Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS**
Washington Corrections Center for Women: Security Video System (30000802)
Reappropriation:
State Building Construction Account—State $2,917,000

Prior Biennia (Expenditures) $504,000
Future Biennia (Projected Costs) $0
TOTAL $3,421,000

NEW SECTION. **Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: SOU IMU Security Video (30000803)

Reappropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $640,000
Future Biennia (Projected Costs) $0
TOTAL $2,640,000

NEW SECTION. **Sec. 2054. FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Education Building Roof (30000820)

Appropriation:
State Building Construction Account—State $1,525,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,525,000

NEW SECTION. **Sec. 2055. FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Correctional Complex: MSU Bathroom Renovation (30000975)

Appropriation:
State Building Construction Account—State $1,720,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,720,000

NEW SECTION. **Sec. 2056. FOR THE DEPARTMENT OF CORRECTIONS**

Statewide: Minor Works - Preservation Projects (30001013)

Appropriation:
State Building Construction Account—State $11,396,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $65,095,000
TOTAL $76,491,000

NEW SECTION. **Sec. 2057. FOR THE DEPARTMENT OF CORRECTIONS**

Clallam Bay Corrections Center: Access Road Culvert Replacement and Road Resurfacing (30001078)

Appropriation:
State Building Construction Account—State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 2058. FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Program and Support Building (30001101)

Appropriation:
State Building Construction Account—State $1,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $15,014,000
TOTAL $16,914,000

NEW SECTION. **Sec. 2059. FOR THE DEPARTMENT OF CORRECTIONS**

Prison Capacity Expansion (30001105)

The appropriation in this section is subject to the following conditions and limitations:

(1) The department shall research best practices for treatment of mental illness for offenders, and design and construct the facility to provide this treatment. The department shall also include costs for continuing mental health supervision with community supervision in the predesign. The department may assign minimum security offenders for maintenance or other activities as needed.

(2) The department shall report to the senate ways and means committee, the house of representatives capital budget committee, and the governor's office options on methods of converting existing minimum security housing units to medium security housing units. The report must contain methods, construction cost estimates, length of time to complete, facility locations where this is feasible, and changes to capacity.

(3) The department, in cooperation with the department of social and health services, shall report to the senate ways and means committee, the house of representatives capital budget committee, and the governor's office, options for including juveniles diagnosed with a mental illness that are housed at a juvenile rehabilitation facility at the maple lane facility. The report must include cost benefits, added construction costs, and any changes required in state or federal law.

Appropriation:
State Building Construction Account—State $4,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $184,000,000
TOTAL $188,800,000

NEW SECTION. **Sec. 2060. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Omnibus Minor Works (30000017)

Appropriation:

State Building Construction Account—State $456,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $456,000

PART 3
NATURAL RESOURCES

NEW SECTION. **Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY**

Water Supply Facilities (19742006)

Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $345,000
Prior Biennia (Expenditures) $20,205,000
Future Biennia (Projected Costs) $0
TOTAL $20,550,000

NEW SECTION. **Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY**

Low-Level Nuclear Waste Disposal Trench Closure (19972012)

The appropriations in this section are subject to the following conditions and limitations: The department of ecology and department of health shall work with the Yakama nation to engage a third party to evaluate the specific technical concerns the tribe has identified with respect to the timing of the phase 1 cover. Funds may not be expended to place a cover over the trenches which are releasing or are projected to release contaminants until the third party review is completed and collaboratively resolved. A report on the above referenced work, including recommendations and the means for meeting health and cancer risks, must be delivered to the appropriate committees of the legislature by December 1, 2015.

Reappropriation:
Site Closure Account—State $10,917,000
Appropriation:
Site Closure Account—State $3,675,000
Prior Biennia (Expenditures) $4,516,000
Future Biennia (Projected Costs) $0
TOTAL $19,108,000

NEW SECTION. **Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY**

Twin Lake Aquifer Recharge Project (20042951)

Reappropriation:
State Building Construction Account—State $156,000
Prior Biennia (Expenditures) $594,000
Future Biennia (Projected Costs) $0
TOTAL $750,000

NEW SECTION. **Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY**

Water Supply Facilities (20044006)

Reappropriation:
State and Local Improvements Revolving Account (Water Supply Facilities)—State $50,000
Prior Biennia (Expenditures) $13,468,000
Future Biennia (Projected Costs) $0
TOTAL $13,518,000

NEW SECTION. **Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY**

Quad Cities Water Right Mitigation (20052852)

Reappropriation:
State Building Construction Account—State $421,000
Prior Biennia (Expenditures) $1,179,000
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 136, chapter 371, Laws of 2006.

Reappropriation:
State Building Construction Account—State $317,000
Prior Biennia (Expenditures) $12,483,000
Future Biennia (Projected Costs) $0
TOTAL $12,800,000

NEW SECTION. **Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Basin Water Supply Development Program (20062950)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:
Columbia River Basin Taxable Bond Water Supply

Development Account—State $1,770,000
Columbia River Basin Water Supply Development Account—
State $6,075,000
Subtotal Reappropriation $7,845,000
Prior Biennia (Expenditures) $83,655,000
Future Biennia (Projected Costs) $0
TOTAL $91,500,000

NEW SECTION. **Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY**

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $289,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (20084008)

Reappropriation:
State Building Construction Account—State $11,754,000
Prior Biennia (Expenditures) $81,121,000
Future Biennia (Projected Costs) $0
TOTAL $92,875,000

NEW SECTION. **Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (20084010)

Reappropriation:
State Building Construction Account—State $221,000
Water Quality Capital Account—State $43,000
State Toxics Control Account—State $570,000
Subtotal Reappropriation $834,000
Prior Biennia (Expenditures) $66,036,000
Future Biennia (Projected Costs) $0
TOTAL $66,870,000

NEW SECTION. **Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Loan Program (20084011)

Reappropriation:
Water Pollution Control Revolving Account—State $14,581,000
Prior Biennia (Expenditures) $125,419,000
Future Biennia (Projected Costs) $0
TOTAL $140,000,000

NEW SECTION. **Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Storage Feasibility Study (20084026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3035, chapter 497, Laws of 2009.

Reappropriation:
State Building Construction Account—State $82,000
Prior Biennia (Expenditures) $5,168,000
Future Biennia (Projected Costs) $0
TOTAL $5,250,000

NEW SECTION. **Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3054, chapter 520, Laws of 2007.

Reappropriation:
State Building Construction Account—State $1,456,000
Prior Biennia (Expenditures) $12,544,000
Future Biennia (Projected Costs) $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000007)

Reappropriation:
Water Pollution Control Revolving Account—Federal
ARRA $766,000
Water Pollution Control Revolving Account—State $3,970,000
Subtotal Reappropriation $4,736,000
Prior Biennia (Expenditures) $173,964,000
Future Biennia (Projected Costs) $0
TOTAL $178,700,000

NEW SECTION. **Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000008)

Reappropriation:

State Building Construction Account—State $3,838,000
Prior Biennia (Expenditures) $26,162,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:

State Building Construction Account—State $715,000
Prior Biennia (Expenditures) $5,285,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY**

Kittitas Groundwater Study (30000029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3001, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)—State $76,000
Prior Biennia (Expenditures) $624,000
Future Biennia (Projected Costs) $0
TOTAL $700,000

NEW SECTION. **Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account—State $1,327,000
Local Toxics Control Account—State $9,165,000
Subtotal Reappropriation $10,492,000
Prior Biennia (Expenditures) $65,419,000
Future Biennia (Projected Costs) $0
TOTAL $75,911,000

NEW SECTION. **Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000142)

Reappropriation:

Water Pollution Control Revolving Account—Federal $1,792,000
Water Pollution Control Revolving Account—State $21,050,000
Subtotal Reappropriation $22,842,000
Prior Biennia (Expenditures) $14,158,000
Future Biennia (Projected Costs) $0
TOTAL $37,000,000

NEW SECTION. **Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Cleanup Settlement Account—State $1,959,000
State Toxics Control Account—State $3,666,000
Subtotal Reappropriation $5,625,000
Prior Biennia (Expenditures) $35,573,000
Future Biennia (Projected Costs) $0
TOTAL $41,198,000

NEW SECTION. **Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY**

Settlement Funding to Clean Up Toxic Sites (30000145)

Reappropriation:

Cleanup Settlement Account—State $185,000
Prior Biennia (Expenditures) $8,315,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:
State Toxics Control Account—State $12,341,000
Prior Biennia (Expenditures) $21,759,000
Future Biennia (Projected Costs) $0
TOTAL $34,100,000

NEW SECTION. **Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY**
Water Pollution Control Revolving Fund Program (30000209)
Reappropriation:
Water Pollution Control Revolving Account—Federal $51,095,000
Water Pollution Control Revolving Account—State $85,631,000
Subtotal Reappropriation $136,726,000
Prior Biennia (Expenditures) $55,418,000
Future Biennia (Projected Costs) $0
TOTAL $192,144,000

NEW SECTION. **Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY**
Watershed Plan Implementation and Flow Achievement (30000213)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 49, Laws of 2011 1st sp. sess.
Reappropriation:
State Building Construction Account—State $2,254,000
Prior Biennia (Expenditures) $5,746,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY**
Remedial Action Grant Program (30000216)
Reappropriation:
Local Toxics Control Account—State $32,216,000
Prior Biennia (Expenditures) $31,618,000
Future Biennia (Projected Costs) $0
TOTAL $63,834,000

NEW SECTION. **Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY**
Eastern Washington Clean Sites Initiative (30000217)
Reappropriation:
State Toxics Control Account—State $2,117,000
Prior Biennia (Expenditures) $3,883,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY**
Safe Soils Remediation Program - Central Washington (30000263)
Reappropriation:
State Toxics Control Account—State $682,000
Prior Biennia (Expenditures) $3,029,000
Future Biennia (Projected Costs) $0
TOTAL $3,711,000

NEW SECTION. **Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY**
Clean Up Toxics Sites - Puget Sound (30000265)
Reappropriation:
State Toxics Control Account—State $1,896,000
Prior Biennia (Expenditures) $14,504,000
Future Biennia (Projected Costs) $0
TOTAL $16,400,000

NEW SECTION. **Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY**
Yakima Basin Integrated Water Management Plan Implementation (30000278)
Reappropriation:
State Building Construction Account—State $208,000
Prior Biennia (Expenditures) $1,792,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY**
ASARCO - Tacoma Smelter Plume and Mines (30000280)
Reappropriation:
Cleanup Settlement Account—State $6,841,000
Prior Biennia (Expenditures) $13,806,000
Future Biennia (Projected Costs) $0
TOTAL $20,647,000

NEW SECTION. **Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY**

Padilla Bay Federal Capital Projects (30000282)
Reappropriation:
General Fund—Federal $791,000
Prior Biennia (Expenditures) $9,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY**
Coastal Wetlands Federal Funds Administration (30000283)
Reappropriation:
General Fund—Federal $10,695,000
Prior Biennia (Expenditures) $12,505,000
Future Biennia (Projected Costs) $0
TOTAL $23,200,000

NEW SECTION. **Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY**
Statewide Storm Water Projects (30000294)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3041, chapter 4, Laws of 2011 1st sp. sess.
Reappropriation:
Local Toxics Control Account—State $14,411,000
Prior Biennia (Expenditures) $15,589,000
Future Biennia (Projected Costs) $0
TOTAL $30,000,000

NEW SECTION. **Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY**
Waste Tire Pile Cleanup and Prevention (30000322)
Reappropriation:
Waste Tire Removal Account—State $388,000
Prior Biennia (Expenditures) $612,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY**
Mercury Switch Removal (30000323)
Reappropriation:
State Toxics Control Account—State $365,000
Prior Biennia (Expenditures) $135,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Diesel Emissions (30000324)
Reappropriation:
State Toxics Control Account—State $2,380,000
Prior Biennia (Expenditures) $2,120,000
Future Biennia (Projected Costs) $0
TOTAL $4,500,000

NEW SECTION. **Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY**
Reducing Toxic Wood Stove Emissions (30000325)
Reappropriation:
State Toxics Control Account—State $2,180,000
Prior Biennia (Expenditures) $1,820,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY**
Centennial Clean Water Program (30000326)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
Environmental Legacy Stewardship Account—State $36,634,000
Prior Biennia (Expenditures) $13,366,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY**
Water Pollution Control Revolving Program (30000327)
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3067, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $184,110,000

Subtotal Reappropriation $234,110,000
Prior Biennia (Expenditures) $15,890,000
Future Biennia (Projected Costs) $0
TOTAL $250,000,000

NEW SECTION. **Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000328)

Reappropriation:
General Fund—Federal $9,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,800,000

NEW SECTION. **Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:
State Building Construction Account—State $8,695,000
Prior Biennia (Expenditures) $1,305,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000332)

Reappropriation:
State Building Construction Account—State $3,048,000
Prior Biennia (Expenditures) $7,000
Future Biennia (Projected Costs) $0
TOTAL $3,055,000

NEW SECTION. **Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY**

Dungeness Water Supply and Mitigation (30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $2,003,000
Prior Biennia (Expenditures) $47,000
Future Biennia (Projected Costs) $0
TOTAL $2,050,000

NEW SECTION. **Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The appropriation and reappropriations in this section are subject to the following conditions and limitations: Up to $400,000 of the reappropriation in this section is provided solely for the department to contract, after a competitive bidding process, for the clean up and remediation of the former Ruston Way tunnel.

Reappropriation:
State Building Construction Account—State $717,000
Cleanup Settlement Account—State $26,672,000
Subtotal Reappropriation $27,389,000

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $7,271,000
Future Biennia (Projected Costs) $0
TOTAL $36,660,000

NEW SECTION. **Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY**

Padilla Bay Federal Capital Projects - Programmatic (30000335)

Reappropriation:
General Fund—Federal $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000337)

Reappropriation:
Environmental Legacy Stewardship Account—State $19,100,000
Prior Biennia (Expenditures) $12,400,000
Future Biennia (Projected Costs) $0
TOTAL $31,500,000

NEW SECTION. **Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000351)

Reappropriation:
Environmental Legacy Stewardship Account—State $6,735,000

Prior Biennia (Expenditures) $3,565,000
Future Biennia (Projected Costs) $0
TOTAL $10,300,000

NEW SECTION. **Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000372)

Reappropriation:

Columbia River Basin Water Supply Development Account—State $16,052,000
Columbia River Basin Taxable Bond Water Supply Development Account—State $28,113,000
Subtotal Reappropriation $44,165,000
Prior Biennia (Expenditures) $30,335,000
Future Biennia (Projected Costs) $0
TOTAL $74,500,000

NEW SECTION. **Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY**

Local Toxics Grants for Cleanup and Prevention (20064008)

Reappropriation:

State Building Construction Account—State $8,296,000
Prior Biennia (Expenditures) $90,604,000
Future Biennia (Projected Costs) $0
TOTAL $98,900,000

NEW SECTION. **Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Supply (30000373)

Reappropriation:

State Building Construction Account—State $12,162,000
Prior Biennia (Expenditures) $19,938,000
Future Biennia (Projected Costs) $0
TOTAL $32,100,000

NEW SECTION. **Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000374)

Reappropriation:

Local Toxics Control Account—State $45,779,000
Prior Biennia (Expenditures) $16,758,000
Future Biennia (Projected Costs) $0
TOTAL $62,537,000

NEW SECTION. **Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000389)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $3,804,000
Prior Biennia (Expenditures) $196,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY**

Coordinated Prevention Grants (CPG) (30000426)

Appropriation:

State Building Construction Account—State $15,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $120,000,000
TOTAL $135,000,000

NEW SECTION. **Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000427)

The appropriations in this section are subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial clean water program grant.

(2) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

State Building Construction Account—State $10,000,000
Local Toxics Control Account—State $10,000,000
Subtotal Appropriation $20,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000

TOTAL $180,000,000

NEW SECTION. **Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Diesel Emissions (30000428)

Appropriation:

State Toxics Control Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $9,000,000

NEW SECTION. **Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY**

Reducing Toxic Woodstove Emissions (30000429)

Appropriation:

State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY**

Waste Tire Pile Cleanup and Prevention (30000431)

Appropriation:

Waste Tire Removal Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000432)

Appropriation:

State Toxics Control Account—State $11,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $13,772,000
TOTAL $24,772,000

NEW SECTION. **Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000458)

Appropriation:

Local Toxics Control Account—State $65,050,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $300,000,000
TOTAL $365,050,000

NEW SECTION. **Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY**

Leaking Tank Model Remedies (30000490)

Appropriation:

State Toxics Control Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3061. FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Program (30000534)

The appropriations in this section are subject to the following conditions and limitations:

(1) $12,000,000 of the water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control program loan.

(3) The agency must encourage local government use of federally funded water pollution control infrastructure programs operated by the United States department of agriculture - rural development.

Appropriation:

Water Pollution Control Revolving Account—Federal $50,000,000
Water Pollution Control Revolving Account—State $153,000,000
Subtotal Appropriation $203,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $800,000,000
TOTAL $1,003,000,000

NEW SECTION. **Sec. 3062. FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Financial Assistance Program (30000535)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for the storm water financial assistance program.

(2) $981,000 of the appropriation is provided solely for the Washington State University LID frontage - water quality project.

Appropriation:

Local Toxics Control Account—State $33,000,000
State Building Construction Account—State $20,000,000
Subtotal Appropriation $53,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $280,000,000
TOTAL $333,000,000

NEW SECTION. **Sec. 3063. FOR THE DEPARTMENT OF ECOLOGY**

Coastal Wetlands Federal Funds (30000536)

Appropriation:
General Fund—Federal $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $50,000,000

NEW SECTION. **Sec. 3064. FOR THE DEPARTMENT OF ECOLOGY**

Floodplains by Design (30000537)

Appropriation:
State Building Construction Account—State $35,560,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $92,000,000
TOTAL $127,560,000

NEW SECTION. **Sec. 3065. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000538)

Appropriation:
Cleanup Settlement Account—State $12,146,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $67,900,000
TOTAL $80,046,000

NEW SECTION. **Sec. 3066. FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxics Sites – Puget Sound (30000542)

Appropriation:
State Toxics Control Account—State $22,550,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $72,763,000
TOTAL $95,313,000

NEW SECTION. **Sec. 3067. FOR THE DEPARTMENT OF ECOLOGY**

Water Irrigation Efficiencies Program (30000587)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The department of ecology and the state conservation commission shall give preference in order of priority to projects located in the 16 fish critical basins, other water short basins, and basins with significant water resource and instream flow problems. Projects that are not within basins as described in this subsection are also eligible to receive funding.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be placed as a purchase or a lease in the trust water rights program to enhance instream flows. The proportion of saved water placed in the trust water rights program must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency. The percentage of the public investment may not exceed eighty-five percent of the total cost of the conservation measure or irrigation efficiency.

(3) Up to $300,000 of the appropriation in this section may be allocated for the purchase and installation of flow meters that are implemented in cooperation with the Washington State Department of Fish and Wildlife fish screening program authorized under RCW 77.57.070.

Appropriation:
State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3068. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000588)

The appropriations in this section are subject to the following conditions and limitations:

(1) $2,000,000 of the Columbia River basin water supply development account—state is provided solely for the Sullivan Lake water supply project to replace funds that were diverted to fund repairs to the Moses Lake irrigation and reclamation district dam.

(2) The balance of the appropriations are provided solely for: Coordinated water conservation plan projects; Walla Walla integrated planning; Icicle Creek integrated planning; new water supply projects; the Methow Valley irrigation district instream flow improvement project; the port of Walla Walla water leasing project; the 2016 water supply and demand forecast; Columbia River off-channel storage feasibility project development; the HHH Switzler storage project environmental impact statement; water acquisitions; the Stemilt WRIA 40A storage study; office of Columbia River staffing costs; department of fish and wildlife support; a water service contract with the United States bureau of reclamation to provide water from Lake Roosevelt to end users; and other projects under the Columbia River water supply development program.

(3) In any future requests for project funding under the Columbia River water supply development program, the department must prepare and submit with the budget request an analysis that estimates the total costs of developing and delivering water through the project. For each project, the department must:

(a) Identify the project beneficiaries;

(b) Estimate the project timeline, from feasibility through water development and delivery;

(c) Delineate the total estimated public and private costs and fund sources for developing the water; and

(d) Delineate the total estimated public and private costs and fund sources for delivering the water.

(4) The department must prepare and submit the same analysis as required in subsection (3) of this section for existing water development projects, including those in the feasibility phase.

Appropriation:

Columbia River Basin Water Supply Revenue Recovery Account—State $2,200,000

Columbia River Basin Water Supply Development Account—State $16,800,000

Subtotal Appropriation $19,000,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $19,761,000

TOTAL $38,761,000

NEW SECTION. **Sec. 3069. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000589)

Appropriation:

State Building Construction Account—State $3,055,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $15,600,000

TOTAL $18,655,000

NEW SECTION. **Sec. 3070. FOR THE DEPARTMENT OF ECOLOGY**

Yakima River Basin Water Supply (30000590)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for: Tributary/mainstem enhancement and watershed acquisitions; fish passage projects at the Cle Elum, Keechelus, Kachess, and Tieton reservoirs; the Keechelus to Kachess pipeline; the Cle Elum pool raise and Kachess reservoir drought relief pumping plant projects; selected aquifer storage and recovery projects; agricultural and municipal conservation projects; water bank and exchange programs; and other projects under the Yakima integrated plan.

(2)(a) The legislature finds that it is important to apportion financial responsibility for the substantial capital projects proposed under the Yakima River basin integrated plan consistent with RCW 90.38.120 which directs that "at least one-half of the total costs to finance the implementation of the \\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay003\Yakima.doc integrated plan. . . be funded through federal, private, and other nonstate sources, including a significant contribution of funding from local project beneficiaries."

(b) By December 15, 2015, the department must prepare and submit a report to the legislature estimating the cost per acre of land and the cost per acre-foot of water to finance the construction of the Keechelus to Kachess pipeline project and the Kachess Reservoir drought relief pumping plant project. The primary objective is to inform the long-term financial planning of the project beneficiaries, the proratable irrigation districts and their ratepayers, who will bear the construction, maintenance and operation costs.

Appropriation:

State Building Construction Account—State $9,800,000

State Taxable Building Construction Account—State $20,200,000

Subtotal Appropriation $30,000,000

Prior Biennia (Expenditures) $32,100,000

Future Biennia (Projected Costs) $120,000,000

TOTAL $182,100,000

NEW SECTION. **Sec. 3071. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000591)

Appropriation:

State Building Construction Account—State $5,000,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $20,000,000

TOTAL $25,000,000

NEW SECTION. **Sec. 3072. FOR THE DEPARTMENT OF ECOLOGY**

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account—State $3,051,000

Prior Biennia (Expenditures) $1,349,000

Future Biennia (Projected Costs) $0

TOTAL $4,400,000

NEW SECTION. **Sec. 3073. FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (91000032)

Reappropriation:

State Toxics Control Account—State $6,637,000

Prior Biennia (Expenditures) $2,633,000
Future Biennia (Projected Costs) $0
TOTAL $9,270,000

NEW SECTION. **Sec. 3074. FOR THE DEPARTMENT OF ECOLOGY**
FY 2012 Statewide Stormwater Grant Program (91000053)
Reappropriation:
Local Toxics Control Account—State $14,789,000
Prior Biennia (Expenditures) $9,284,000
Future Biennia (Projected Costs) $0
TOTAL $24,073,000

NEW SECTION. **Sec. 3075. FOR THE DEPARTMENT OF ECOLOGY**
Stormwater Retrofit and LID Competitive Grants (91000054)
Reappropriation:
Local Toxics Control Account—State $6,952,000
Prior Biennia (Expenditures) $7,511,000
Future Biennia (Projected Costs) $0
TOTAL $14,463,000

NEW SECTION. **Sec. 3076. FOR THE DEPARTMENT OF ECOLOGY**
Skagit Mitigation (91000181)
Reappropriation:
State Building Construction Account—State $1,423,000
Prior Biennia (Expenditures) $802,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

NEW SECTION. **Sec. 3077. FOR THE DEPARTMENT OF ECOLOGY**
Protect Communities from Flood and Drought (92000002)
Reappropriation:
State Building Construction Account—State $228,000
Prior Biennia (Expenditures) $14,747,000
Future Biennia (Projected Costs) $0
TOTAL $14,975,000

NEW SECTION. **Sec. 3078. FOR THE DEPARTMENT OF ECOLOGY**
Wastewater Treatment and Water Reclamation (92000041)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 36, Laws of 2010 1st sp. sess.
Reappropriation:
State Building Construction Account—State $151,000
Prior Biennia (Expenditures) $3,279,000
Future Biennia (Projected Costs) $0
TOTAL $3,430,000

NEW SECTION. **Sec. 3079. FOR THE DEPARTMENT OF ECOLOGY**
Flood Levee Improvements (92000057)
The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 503, chapter 1, Laws of 2012 2nd sp. sess.
Reappropriation:
State Building Construction Account—State $301,000
Local Toxics Control Account—State $2,510,000
Subtotal Reappropriation $2,811,000
Prior Biennia (Expenditures) $5,689,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3080. FOR THE DEPARTMENT OF ECOLOGY**
Ground Water Management Yakima Basin (92000061)
Reappropriation:
Columbia River Basin Water Supply Development Account—
State $189,000
Prior Biennia (Expenditures) $261,000
Future Biennia (Projected Costs) $0
TOTAL $450,000

NEW SECTION. **Sec. 3081. FOR THE DEPARTMENT OF ECOLOGY**
Storm Water Improvements (92000076)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3081, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
Environmental Legacy Stewardship Account—State $91,456,000
Prior Biennia (Expenditures) $8,544,000

Future Biennia (Projected Costs) $0
TOTAL $100,000,000

NEW SECTION. **Sec. 3082. FOR THE DEPARTMENT OF ECOLOGY**

Floodplain Management and Control Grants (92000078)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3069, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $40,389,000
Prior Biennia (Expenditures) $9,611,000
Future Biennia (Projected Costs) $0
TOTAL $50,000,000

NEW SECTION. **Sec. 3083. FOR THE DEPARTMENT OF ECOLOGY**

Lower Yakima GWMA Program Development (92000085)

Reappropriation:
State Building Construction Account—State $1,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,614,000

NEW SECTION. **Sec. 3084. FOR THE DEPARTMENT OF ECOLOGY**

Drought Response (92000142)

Appropriation:
State Building Construction Account—State $2,000,000
State Drought Preparedness Account—State $14,000,000
Subtotal Appropriation $16,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $16,000,000

NEW SECTION. **Sec. 3085. FOR THE POLLUTION LIABILITY INSURANCE AGENCY**

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section must be used for projects that provide a benefit to the public through removal, replacement or upgrade of underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and cleanup of contamination caused by legacy petroleum releases. All projects must develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the agency.

(2)(a) $1,800,000 of the appropriation is provided solely to design a capital financial assistance program to provide underground storage tank owners and operators with financial resources to remove, replace or upgrade underground storage tank fuel systems, retrofit existing systems to disperse renewable or alternative fuels, and to clean up contamination caused by legacy petroleum releases.

(b) The design must:

(i) Assess options for program structure and administration, and develop a recommended program design, financial management plan and staffing model;

(ii) Include data and legal analysis of statewide need, availability of existing fund sources for grants and loans, assessment of owner and operator willingness to participate and potential environmental and economic impacts of the loan program.

(iii) As part of the program design, the agency must conduct a pilot demonstration of a capital grant program that includes three study sites with aging tanks, demonstrated impact to either soil or groundwater, or both, and serious financial hardship, as defined in chapter 374-60 WAC. Each study site may not cost more than $600,000.

(3) The agency shall conduct the study in consultation with the office of financial management, and internal and external agency stakeholders.

(4) The agency must provide a final report of the program design, as well as any associated legislative and budget recommendations, to the governor and legislature by October 1, 2015.

Appropriation:
Pollution Liability Insurance Program Trust Account—State $1,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3086. FOR THE STATE PARKS AND RECREATION COMMISSION**

Dosewallips Wastewater Treatment System (30000523)

Reappropriation:
State Building Construction Account—State $27,000
Prior Biennia (Expenditures) $4,505,000
Future Biennia (Projected Costs) $0
TOTAL $4,532,000

NEW SECTION. **Sec. 3087. FOR THE STATE PARKS AND RECREATION COMMISSION**

Lewis & Clark Replace Wastewater System (30000544)

Reappropriation:
State Building Construction Account—State $947,000

Prior Biennia (Expenditures) $130,000
Future Biennia (Projected Costs) $0
TOTAL $1,077,000

NEW SECTION. **Sec. 3088. FOR THE STATE PARKS AND RECREATION COMMISSION**
Deception Pass - Kukutali Access and Interpretation (30000774)
Reappropriation:
State Building Construction Account—State $161,000
Prior Biennia (Expenditures) $64,000
Future Biennia (Projected Costs) $0
TOTAL $225,000

NEW SECTION. **Sec. 3089. FOR THE STATE PARKS AND RECREATION COMMISSION**
Flaming Geyser State Park Infrastructure (30000810)
Reappropriation:
State Building Construction Account—State $848,000
Prior Biennia (Expenditures) $477,000
Future Biennia (Projected Costs) $0
TOTAL $1,325,000

NEW SECTION. **Sec. 3090. FOR THE STATE PARKS AND RECREATION COMMISSION**
Millersylvania Replace Environmental Learning Center Cabins (30000821)
Reappropriation:
State Building Construction Account—State $481,000
Prior Biennia (Expenditures) $608,000
Future Biennia (Projected Costs) $0
TOTAL $1,089,000

NEW SECTION. **Sec. 3091. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facility and Infrastructure Preservation (30000845)
Reappropriation:
State Building Construction Account—State $1,797,000
Prior Biennia (Expenditures) $8,203,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3092. FOR THE STATE PARKS AND RECREATION COMMISSION**
Wallace Falls Footbridge (91000047)
Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $336,000
Future Biennia (Projected Costs) $0
TOTAL $486,000

NEW SECTION. **Sec. 3093. FOR THE STATE PARKS AND RECREATION COMMISSION**
Spencer Spit Water System Replacement (30000140)
Reappropriation:
State Building Construction Account—State $695,000
Prior Biennia (Expenditures) $288,000
Future Biennia (Projected Costs) $0
TOTAL $983,000

NEW SECTION. **Sec. 3094. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Worden - Housing Areas Exterior Improvements (30000287)
Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,858,000
TOTAL $3,358,000

NEW SECTION. **Sec. 3095. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane Road Improvements, Stage 2D (30000693)
Appropriation:
State Building Construction Account—State $2,400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,400,000

NEW SECTION. **Sec. 3096. FOR THE STATE PARKS AND RECREATION COMMISSION**
Camano Island Day Use Access and Facility Renovation (30000782)
Reappropriation:
State Building Construction Account—State $107,000
Appropriation:
State Building Construction Account—State $1,212,000
Prior Biennia (Expenditures) $194,000

Future Biennia (Projected Costs) $0
TOTAL $1,513,000

NEW SECTION. **Sec. 3097. FOR THE STATE PARKS AND RECREATION COMMISSION**

Belfair Replace Failing Electrical Supply to Main Camp Loop (30000813)

Appropriation:
State Building Construction Account—State $1,180,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,180,000

NEW SECTION. **Sec. 3098. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Flagler - Replace Failing Electrical Power Historic District (30000815)

Appropriation:
State Building Construction Account—State $1,173,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,173,000

NEW SECTION. **Sec. 3099. FOR THE STATE PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development (30000820)

Reappropriation:
State Building Construction Account—State $10,000
Prior Biennia (Expenditures) $309,000
Future Biennia (Projected Costs) $0
TOTAL $319,000

NEW SECTION. **Sec. 3100. FOR THE STATE PARKS AND RECREATION COMMISSION**

Flaming Geyser Day Use Renovation (30000832)

Reappropriation:
State Building Construction Account—State $642,000
Prior Biennia (Expenditures) $360,000
Future Biennia (Projected Costs) $0
TOTAL $1,002,000

NEW SECTION. **Sec. 3101. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety (30000839)

Appropriation:
State Building Construction Account—State $5,160,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,160,000

NEW SECTION. **Sec. 3102. FOR THE STATE PARKS AND RECREATION COMMISSION**

Fort Worden Maintenance Shop Relocation (30000960)

Appropriation:
State Building Construction Account—State $1,600,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,600,000

NEW SECTION. **Sec. 3103. FOR THE STATE PARKS AND RECREATION COMMISSION**

Twanoh State Park Stormwater Improvements (30000851)

Reappropriation:
State Building Construction Account—State $160,000
Prior Biennia (Expenditures) $194,000
Future Biennia (Projected Costs) $0
TOTAL $354,000

NEW SECTION. **Sec. 3104. FOR THE STATE PARKS AND RECREATION COMMISSION**

Rocky Reach - Trail Development (30000853)

Reappropriation:
State Building Construction Account—State $535,000
Prior Biennia (Expenditures) $3,220,000
Future Biennia (Projected Costs) $0
TOTAL $3,755,000

NEW SECTION. **Sec. 3105. FOR THE STATE PARKS AND RECREATION COMMISSION**

Lake Sammamish State Park: Sunset Beach Bathhouse Replacement (30000653)

Reappropriation:
State Building Construction Account—State $50,000
Prior Biennia (Expenditures) $2,439,000
Future Biennia (Projected Costs) $0
TOTAL $2,489,000

NEW SECTION. **Sec. 3106. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Revenue Generation (30000847)
Reappropriation:
State Building Construction Account—State $25,000
Prior Biennia (Expenditures) $2,959,000
Future Biennia (Projected Costs) $0
TOTAL $2,984,000

NEW SECTION. **Sec. 3107. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (30000854)
Reappropriation:
State Building Construction Account—State $767,000
Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $0
TOTAL $1,048,000

NEW SECTION. **Sec. 3108. FOR THE STATE PARKS AND RECREATION COMMISSION**
Clean Vessel Boating Pump-Out Grants (30000856)
Appropriation:
General Fund—Federal $2,600,000
Prior Biennia (Expenditures) $2,600,000
Future Biennia (Projected Costs) $10,400,000
TOTAL $15,600,000

NEW SECTION. **Sec. 3109. FOR THE STATE PARKS AND RECREATION COMMISSION**
Local Grant Authority (30000857)
Appropriation:
Parks Renewal and Stewardship Account—Private/Local $1,000,000
Prior Biennia (Expenditures) $1,200,000
Future Biennia (Projected Costs) $4,000,000
TOTAL $6,200,000

NEW SECTION. **Sec. 3110. FOR THE STATE PARKS AND RECREATION COMMISSION**
Federal Grant Authority (30000858)
Appropriation:
General Fund—Federal $750,000
Prior Biennia (Expenditures) $1,750,000
Future Biennia (Projected Costs) $3,000,000
TOTAL $5,500,000

NEW SECTION. **Sec. 3111. FOR THE STATE PARKS AND RECREATION COMMISSION**
Sequim Bay Address Failing Retaining Wall (30000861)
Appropriation:
State Building Construction Account—State $1,122,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,122,000

NEW SECTION. **Sec. 3112. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Nordic Area Improvements and Horse Camp Development (30000877)
Appropriation:
State Building Construction Account—State $182,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $182,000

NEW SECTION. **Sec. 3113. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Cabins, Yurts, and Associated Park Improvement (30000883)
Appropriation:
State Building Construction Account—State $1,153,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,153,000

NEW SECTION. **Sec. 3114. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fish Barrier Removal (Lawsuit) (30000944)
Appropriation:
State Building Construction Account—State $2,034,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,034,000

NEW SECTION. **Sec. 3115. FOR THE STATE PARKS AND RECREATION COMMISSION**
Statewide - Facility and Infrastructure Backlog Reduction (30000946)
Appropriation:
State Building Construction Account—State $6,000,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,000,000
TOTAL $24,000,000

NEW SECTION. **Sec. 3116. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Flagler - WWI Historic Facilities Preservation (30000100)
Appropriation:
State Building Construction Account—State $430,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $430,000

NEW SECTION. **Sec. 3117. FOR THE STATE PARKS AND RECREATION COMMISSION**
Riverside Fisk Property Lake Spokane (Long Lake) Initial Park Access (30000971)
Appropriation:
State Building Construction Account—State $1,072,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,072,000

NEW SECTION. **Sec. 3118. FOR THE STATE PARKS AND RECREATION COMMISSION**
Minor Works - Facilities and Infrastructures (30000947)
Appropriation:
State Building Construction Account—State $11,117,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $250,000
TOTAL $11,367,000

NEW SECTION. **Sec. 3119. FOR THE STATE PARKS AND RECREATION COMMISSION**
Steamboat Rock - Replace Failing Sewage Lift Stations (30000948)
Appropriation:
State Building Construction Account—State $1,229,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,229,000

NEW SECTION. **Sec. 3120. FOR THE STATE PARKS AND RECREATION COMMISSION**
Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)
Appropriation:
State Building Construction Account—State $384,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $384,000

NEW SECTION. **Sec. 3121. FOR THE STATE PARKS AND RECREATION COMMISSION**
Parkland Acquisition (30000976)
The appropriation in this section is subject to the following conditions and limitations:
(1) Except for subsection (2) of this section, the appropriation is provided solely to acquire land that is adjacent or within existing state parks. For this purpose, adjacent means a parcel of real property that shares a border with a state park. The state parks and recreation commission may dispose of property that is surplus to the needs of the state parks and recreation commission by June 30, 2017. Disposal may include sale of the surplus property or long-term lease of the property if such a lease is negotiated and managed by the commercial lands portfolio management unit of the department of natural resources. The commission and the department must agree on an appropriate management fee for the department's land management services.
(2) $225,000 of the appropriation is provided solely for the purchase of Young Island.
(3) In order to improve noxious weed control and achieve improved land stewardship and wild fire response, the parks and recreation commission must transfer property ownership of segments of unused trails, specified below, to adjacent property owners, who request such a transfer, in exchange for those adjacent property owners granting the parks and recreation commission a permanent easement for any future utilities the commission desires to place on the transferred property. No other compensation is required for the transfers. If the trail is ever developed upon legislative approval ownership will revert to the parks and recreation commission. The unused trail segments are those along the trail from Whitman county trailhead at Williams lake road up to Martin road trail head in Spokane county.
Appropriation:
Parkland Acquisition Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $10,000,000

NEW SECTION. **Sec. 3122. FOR THE STATE PARKS AND RECREATION COMMISSION**
Backlog Repairs and Enhanced Amenities (92000007)
Reappropriation:
State Building Construction Account—State $794,000
Prior Biennia (Expenditures) $8,610,000
Future Biennia (Projected Costs) $0
TOTAL $9,404,000

NEW SECTION. **Sec. 3123. FOR THE STATE PARKS AND RECREATION COMMISSION**
Goldendale Observatory - Phase 3 Expansion (30000709)
Appropriation:
State Building Construction Account—State $2,649,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,650,000
TOTAL $5,299,000

NEW SECTION. **Sec. 3124. FOR THE STATE PARKS AND RECREATION COMMISSION**
Sun Lakes State Park: Dry Falls Campground Renovation (30000305)
Appropriation:
State Building Construction Account—State $402,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,951,000
TOTAL $4,353,000

NEW SECTION. **Sec. 3125. FOR THE STATE PARKS AND RECREATION COMMISSION**
Lake Chelan State Park Moorage Dock Pile Replacement (30000416)
Appropriation:
State Building Construction Account—State $248,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,448,000
TOTAL $1,696,000

NEW SECTION. **Sec. 3126. FOR THE STATE PARKS AND RECREATION COMMISSION**
Cape Disappointment North Head Parking (30000522)
Appropriation:
State Building Construction Account—State $1,365,000
Prior Biennia (Expenditures) $925,000
Future Biennia (Projected Costs) $0
TOTAL $2,290,000

NEW SECTION. **Sec. 3127. FOR THE STATE PARKS AND RECREATION COMMISSION**
Steamboat Rock Build Dunes Campground (30000729)
Appropriation:
State Building Construction Account—State $3,499,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,499,000

NEW SECTION. **Sec. 3128. FOR THE STATE PARKS AND RECREATION COMMISSION**
Dosewallips Replace Failing Electrical Supply (30000814)
Appropriation:
State Building Construction Account—State $1,040,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,040,000

NEW SECTION. **Sec. 3129. FOR THE STATE PARKS AND RECREATION COMMISSION**
Fort Worden - Replace Failing Sewer Lines (30000860)
Appropriation:
State Building Construction Account—State $234,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,406,000
TOTAL $2,640,000

NEW SECTION. **Sec. 3130. FOR THE STATE PARKS AND RECREATION COMMISSION**
Iron Horse - Tunnel 46 and 47 Repairs (30000870)
Appropriation:
State Building Construction Account—State $1,481,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,600,000
TOTAL $3,081,000

NEW SECTION. **Sec. 3131. FOR THE STATE PARKS AND RECREATION COMMISSION**
Lake Sammamish Dock Grant Match (30000872)
Appropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,100,000

NEW SECTION. **Sec. 3132. FOR THE STATE PARKS AND RECREATION COMMISSION**
Field Spring Replace Failed Sewage System and Non-ADA Comfort Station (30000951)
Appropriation:

State Building Construction Account—State..... $101,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $959,000
TOTAL..... $1,060,000

NEW SECTION. **Sec. 3133. FOR THE STATE PARKS AND RECREATION COMMISSION**

Sun Lakes - Dry Falls - Upgrade Failing Water Supply Systems (30000962)

Appropriation:
State Building Construction Account—State..... $750,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $881,000
TOTAL..... $1,631,000

NEW SECTION. **Sec. 3134. FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide - Depression Era Structures Restoration Assessment (30000966)

Appropriation:
State Building Construction Account—State..... $121,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $4,963,000
TOTAL..... $5,084,000

NEW SECTION. **Sec. 3135. FOR THE STATE PARKS AND RECREATION COMMISSION**

Ocean City - Replace Noncompliant Comfort Stations (30000970)

Appropriation:
State Building Construction Account—State..... $152,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $1,291,000
TOTAL..... $1,443,000

NEW SECTION. **Sec. 3136. FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Program (30000975)

Appropriation:
State Building Construction Account—State..... $491,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $491,000

NEW SECTION. **Sec. 3137. FOR THE STATE PARKS AND RECREATION COMMISSION**

Dash Point - Replace Bridge (Pedestrian) (30000972)

Appropriation:
State Building Construction Account—State..... $165,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $1,443,000
TOTAL..... $1,608,000

NEW SECTION. **Sec. 3138. FOR THE STATE PARKS AND RECREATION COMMISSION**

Mount Spokane Guest Services (91000429)

Appropriation:
State Building Construction Account—State..... $1,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,000,000

NEW SECTION. **Sec. 3139. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (20084011)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3146, chapter 520, Laws of 2007.

Reappropriation:
Outdoor Recreation Account—State..... $291,000
Habitat Conservation Account—State..... $2,523,000
Subtotal Reappropriation..... $2,814,000
Prior Biennia (Expenditures)..... $95,678,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $98,492,000

NEW SECTION. **Sec. 3140. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (20084851)

Reappropriation:
State Building Construction Account—State..... $639,000
Prior Biennia (Expenditures)..... $59,361,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $60,000,000

NEW SECTION. **Sec. 3141. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000002)

Reappropriation:
Farmlands Preservation Account—State $257,000
Outdoor Recreation Account—State $307,000
Riparian Protection Account—State $911,000
Habitat Conservation Account—State $3,672,000
Subtotal Reappropriation $5,147,000
Prior Biennia (Expenditures) $64,298,000
Future Biennia (Projected Costs) $0
TOTAL $69,445,000

NEW SECTION. **Sec. 3142. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Puget Sound Acquisition and Restoration (30000080)

Reappropriation:
State Building Construction Account—State $366,000
Prior Biennia (Expenditures) $32,634,000
Future Biennia (Projected Costs) $0
TOTAL $33,000,000

NEW SECTION. **Sec. 3143. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Boating Facilities Program (30000138)

Reappropriation:
Recreation Resources Account—State $1,589,000
Prior Biennia (Expenditures) $6,411,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3144. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Washington Wildlife Recreation Grants (30000139)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:
Farmlands Preservation Account—State $195,000
Outdoor Recreation Account—State $3,694,000
Habitat Conservation Account—State $3,985,000
Subtotal Reappropriation $7,874,000
Prior Biennia (Expenditures) $34,126,000
Future Biennia (Projected Costs) $0
TOTAL $42,000,000

NEW SECTION. **Sec. 3145. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Salmon Recovery Funding Board Programs (30000140)

Reappropriation:
State Building Construction Account—State $3,497,000
General Fund—Federal $23,169,000
Subtotal Reappropriation $26,666,000
Prior Biennia (Expenditures) $43,396,000
Future Biennia (Projected Costs) $0
TOTAL $70,062,000

NEW SECTION. **Sec. 3146. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Land and Water Conservation Fund (30000142)

Reappropriation:
General Fund—Federal $1,313,000
Prior Biennia (Expenditures) $2,687,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3147. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Aquatic Lands Enhancement Account (30000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3B, revised April 10, 2013.

Reappropriation:
Aquatic Lands Enhancement Account—State $845,000
Prior Biennia (Expenditures) $5,616,000
Future Biennia (Projected Costs) $0
TOTAL $6,461,000

NEW SECTION. **Sec. 3148. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
Recreational Trails Program (30000146)

Reappropriation:
General Fund—Federal $1,328,000
Prior Biennia (Expenditures) $3,672,000
Future Biennia (Projected Costs) $0

TOTAL $5,000,000

NEW SECTION. **Sec. 3149. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account—State $2,975,000
Prior Biennia (Expenditures) $12,025,000
Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 3150. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation may not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account—State $560,000
Prior Biennia (Expenditures) $4,440,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3151. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Farmlands Preservation Account—State $3,218,000
Riparian Protection Account—State $4,973,000
Habitat Conservation Account—State $14,918,000
Outdoor Recreation Account—State $14,918,000
Subtotal Reappropriation $38,027,000
Prior Biennia (Expenditures) $26,973,000
Future Biennia (Projected Costs) $0
TOTAL $65,000,000

NEW SECTION. **Sec. 3152. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000206)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $7,886,000
General Fund—Federal $37,278,000
Subtotal Reappropriation $45,164,000
Prior Biennia (Expenditures) $29,836,000
Future Biennia (Projected Costs) $0
TOTAL $75,000,000

NEW SECTION. **Sec. 3153. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000207)

Reappropriation:

Recreation Resources Account—State $3,309,000
Prior Biennia (Expenditures) $3,054,000
Future Biennia (Projected Costs) $0
TOTAL $6,363,000

NEW SECTION. **Sec. 3154. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000208)

Reappropriation:

NOVA Program Account—State $5,100,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 3155. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State $3,900,000
Prior Biennia (Expenditures) $2,100,000
Future Biennia (Projected Costs) $0
TOTAL $6,000,000

NEW SECTION. **Sec. 3156. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:

State Building Construction Account—State $44,058,000
Prior Biennia (Expenditures) $25,942,000
Future Biennia (Projected Costs) $0
TOTAL $70,000,000

NEW SECTION. **Sec. 3157. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:

State Building Construction Account—State $5,500,000
Prior Biennia (Expenditures) $4,500,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3158. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3168, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Firearms Range Account—State $315,000
Prior Biennia (Expenditures) $485,000
Future Biennia (Projected Costs) $0
TOTAL $800,000

NEW SECTION. **Sec. 3159. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000214)

Reappropriation:

General Fund—Federal $1,500,000
Prior Biennia (Expenditures) $3,500,000
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3160. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000215)

Reappropriation:

General Fund—Federal $880,000
Prior Biennia (Expenditures) $1,320,000
Future Biennia (Projected Costs) $0
TOTAL $2,200,000

NEW SECTION. **Sec. 3161. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000216)

Reappropriation:

General Fund—Federal $3,400,000
Prior Biennia (Expenditures) $600,000
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3162. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000218)

Reappropriation:

State Building Construction Account—State $990,000
Prior Biennia (Expenditures) $1,010,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3163. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (30000220)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-1, developed June 30, 2015.

(2)(a) $60,000 of the appropriation is provided solely for the Washington state recreation and conservation office to convene and facilitate a stakeholder process to review and make recommendations for statutory revisions to the Washington wildlife and recreation program. The review must be conducted with consideration of the potential impacts to existing and future relationships with local governments, the federal government, and Tribal Nations. The review must include analysis of the program design, including criteria, information and coordination required for projects to proceed through the ranking and selection processes. Existing allocation categories and percentages must be evaluated to determine how well the system balances the many current statewide needs, including effectiveness in assessing and serving the needs of smaller and traditionally underserved populations, as well as communities with lower per-capita income levels. The ability of the general public to access program-funded projects must also be considered, as well as support for projects and landscapes with multiple values. The review must include examination of ways in which lands are acquired by state agencies through the program, such as gifts, mitigation, acquisition through direct negotiation with landowners, acquisition from land trusts and other

nongovernmental organizations that are intermediaries or short-term owners for which long-term ownership and management by a public agency was the purpose of the nongovernmental organization's acquisition, easement acquisitions, and other pathways by which habitat lands are either acquired or managed, or both, by the state. Advantages and disadvantages of all approaches used by the program must be considered, including acquisition and stewardship costs, timing of land availability when compared to funding availability by the state, and other conservation alternatives that could be considered instead of state ownership, such as long-term management by a nongovernmental organization, another public agency, or conservation through less-than-fee approaches such as by easement or other landowner agreements.

(b) The recreation and conservation office may convene stakeholders and facilitate activities as needed. The agency must seek input and meaningfully involve a broad base of interested stakeholders that includes Tribal governments and those with specific subject-matter expertise relevant to the project categories of the Washington wildlife and recreation program. They shall seek broad and diverse legislative input and invite interested legislators to provide information and ideas, including, at a minimum, the majority and minority leadership of the capital committees in the senate and house of representatives. They shall coordinate with the appropriate standing committees of the legislature and may consult with other interested parties, as may be appropriate, for technical advice and assistance.

(c) The final report must include recommended statutory and policy changes to the appropriate committees of the legislature on or before December 1, 2015.

Appropriation:

Farmlands Preservation Account—State $4,379,000
Riparian Protection Account—State $5,548,000
Habitat Conservation Account—State $22,699,000
Outdoor Recreation Account—State $22,697,000
Subtotal Appropriation $55,323,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $300,000,000
TOTAL $355,323,000

NEW SECTION. **Sec. 3164. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Salmon Recovery Funding Board Programs (30000221)

The appropriations in this section are subject to the following conditions and limitations: $500,000 of the state building construction account—state is provided solely for the city of Bothell to preserve the Wayne golf course land, situated along the Sammamish river and Burke-Gilman trail, for fish habitat.

Appropriation:

State Building Construction Account—State $16,500,000
General Fund—Federal $50,000,000
Subtotal Appropriation $66,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $400,000,000
TOTAL $466,500,000

NEW SECTION. **Sec. 3165. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Facilities Program (30000222)

Appropriation:

Recreation Resources Account—State $9,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $37,800,000
TOTAL $47,160,000

NEW SECTION. **Sec. 3166. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Nonhighway Off-Road Vehicle Activities (30000223)

Appropriation:

NOVA Program Account—State $8,670,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,770,000
TOTAL $43,440,000

NEW SECTION. **Sec. 3167. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Athletic Facilities (30000224)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants for acquisition, development or renovation of youth athletic fields. The recreation conservation office must require grant recipients of youth recreation field grants to have a fee waiver policy for youth athletic clubs who use the fields acquired, developed or renovation with funds from this appropriation. The fee waiver policy must discount or waive fees based on the youth athletic club's rates charged and scholarships provided to low-income athletes compared to other clubs using the fields. $7,000,000 of the appropriation is provided for grants awarded through the recreation conservation office's competitive grant program. $3,000,000 of the appropriation is provided for the following projects:

Marymoor park/Lake Washington youth soccer association $1,000,000
Northwest soccer park turf project $2,000,000

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $12,000,000
TOTAL $22,000,000

NEW SECTION. **Sec. 3168. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000225)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-2, developed June 30, 2015.

Appropriation:
Aquatic Lands Enhancement Account—State $5,269,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $14,400,000
TOTAL $19,669,000

NEW SECTION. **Sec. 3169. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Acquisition and Restoration (30000226)

The appropriation in this section is subject to the following conditions and limitations: $300,000 is provided solely to the Illahee forest preserve for the purchase of the twenty-five acre forested parcel adjacent to the southwest border of the Illahee preserve.

Appropriation:
State Building Construction Account—State $37,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $160,000,000
TOTAL $197,000,000

NEW SECTION. **Sec. 3170. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Puget Sound Estuary and Salmon Restoration Program (30000227)

Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,000,000
TOTAL $48,000,000

NEW SECTION. **Sec. 3171. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Firearms and Archery Range Recreation (30000228)

Appropriation:
Firearms Range Account—State $580,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,320,000
TOTAL $2,900,000

NEW SECTION. **Sec. 3172. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreational Trails Program (30000229)

Appropriation:
General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3173. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Boating Infrastructure Grants (30000230)

Appropriation:
General Fund—Federal $2,200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,800,000
TOTAL $11,000,000

NEW SECTION. **Sec. 3174. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Land and Water Conservation (30000231)

Appropriation:
General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3175. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (30000233)

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $20,000,000
TOTAL $25,000,000

NEW SECTION. **Sec. 3176. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Family Forest Fish Passage Program (91000097)

Reappropriation:
State Toxics Control Account—State $1,118,000
Prior Biennia (Expenditures) $8,882,000
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 3177. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Coastal Restoration Grants (91000448)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Black river watershed conservation and restoration	$650,000
Cathlamet selective fisheries	$300,000
Coal creek culvert to bridge	$162,000
Darlin creek conservation and restoration	$1,300,000
Ellsworth creek watershed restoration	$950,000
Greenhead slough barrier removal	$75,000
Improved gears for the lower Columbia fishery	$200,000
Lower Forks creek restoration	$2,150,000
Makah tribe salmon restoration	$174,000
Middle fork Hoquiam culvert correction	$76,000
Middle fork Satsop culvert correction	$97,000
Moses Prairie Restoration	$64,000
Pulling together: Jobs in restoration	$550,000
Quinault nearshore habitat restoration	$343,000
Restoration of Elochoman and Grays river basins	$535,000
Restoration of prairies and wetlands	$200,000
Rue Creek salmon restoration	$982,000
Satsop river watershed restoration	$150,000
Scammon creek barrier removal	$188,000
Sullivan ponds restoration	$43,000
Upper Quinault river restoration	$1,900,000
West fork Satsop culvert correction	$96,000
Total	**$11,185,000**

Appropriation:

State Building Construction Account—State $11,185,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $11,185,000

NEW SECTION. **Sec. 3178. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Youth Recreation Grants (92000055)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3173, chapter 19, Laws of 2013, 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $1,942,000
Prior Biennia (Expenditures) $1,688,000
Future Biennia (Projected Costs) $0
TOTAL $3,630,000

NEW SECTION. **Sec. 3179. FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Recreation and Conservation Office Recreation Grants (92000131)

The appropriations in this section are subject to the following conditions and limitations: The recreation and conservation office may retain up to four percent of these appropriations to administer the grants.

Appropriation:

State Building Construction Account—State $32,785,000
Outdoor Recreation Account—State $5,611,000
Subtotal Appropriation $38,396,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $38,396,000

NEW SECTION. **Sec. 3180. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Cost Share - State Match (30000009)

Reappropriation:

State Building Construction Account—State $800,000

Appropriation:

State Building Construction Account—State $2,600,000
Prior Biennia (Expenditures) $1,790,000
Future Biennia (Projected Costs) $11,400,000
TOTAL $16,590,000

NEW SECTION. **Sec. 3181. FOR THE STATE CONSERVATION COMMISSION**

Natural Resources Investment for the Economy and Environment (30000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in nonshellfish growing areas.

Reappropriation:

General Fund—Federal..... $1,000,000
State Building Construction Account—State..... $1,250,000
Subtotal Reappropriation $2,250,000
Appropriation:
State Building Construction Account—State..... $4,000,000
Prior Biennia (Expenditures) $7,750,000
Future Biennia (Projected Costs)..... $0
TOTAL $14,000,000

NEW SECTION. **Sec. 3182. FOR THE STATE CONSERVATION COMMISSION**

CREP PIP Loan Program (30000011)

Reappropriation:
Conservation Assistance Revolving Account—State $150,000
Prior Biennia (Expenditures) $30,000
Future Biennia (Projected Costs)..... $400,000
TOTAL $580,000

NEW SECTION. **Sec. 3183. FOR THE STATE CONSERVATION COMMISSION**

CREP Riparian Contract Funding (30000012)

Reappropriation:
State Building Construction Account—State..... $500,000
Appropriation:
State Building Construction Account—State..... $2,231,000
Prior Biennia (Expenditures) $1,731,000
Future Biennia (Projected Costs)..... $8,924,000
TOTAL $13,386,000

NEW SECTION. **Sec. 3184. FOR THE STATE CONSERVATION COMMISSION**

Match for Federal RCPP Program (30000017)

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—federal appropriation is provided solely for implementation of the five conservation projects in Washington state approved for grant awards as part of the United States department of agriculture regional conservation partnership program authorized under the 2014 farm bill:

(a) Palouse river watershed implementation partnership;

(b) Precision conservation for salmon and water quality in the Puget Sound;

(c) Upper Columbia irrigation enhancement project;

(d) Yakama nation on-reservation lower Yakima basin restoration project; and

(e) Confederated tribes of the Colville reservation water quality and habitat improvement project.

(2) The state building construction account—state is provided solely for state match to the United States department of agriculture regional conservation partnership program.

Appropriation:
State Building Construction Account—State..... $5,000,000
General Fund—Federal..... $23,000,000
Subtotal Appropriation..... $28,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $28,000,000

NEW SECTION. **Sec. 3185. FOR THE STATE CONSERVATION COMMISSION**

Improve Shellfish Growing Areas (30000018)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in shellfish growing areas.

Appropriation:
State Building Construction Account—State..... $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $16,000,000
TOTAL $20,000,000

NEW SECTION. **Sec. 3186. FOR THE STATE CONSERVATION COMMISSION**

R&D Grant - Deep Furrow Conservation Drill to Conserve Soil/Water (92000008)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a grant to support the continued development of a deep furrow conservation drill to conserve soil and water in areas of wheat farming susceptible to soil erosion.

Appropriation:
State Building Construction Account—State..... $350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $350,000

NEW SECTION. **Sec. 3187. FOR THE STATE CONSERVATION COMMISSION**

Dairy Nutrient Demonstration Low Interest Loans (92000009)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for low interest loans for two or more dairy nutrient management demonstration projects, with at least one located west of the cascades and one east of the cascades.

Appropriation:

State Taxable Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3188. FOR THE STATE CONSERVATION COMMISSION**

Conservation Commission Ranch and Farmland Preservation Projects (92000004)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of ranch land preservation projects:

Lust family farm and ranch preservation $1,619,000
Imrie ranches Rock creek agricultural easement $4,913,000
Kelley ranches agricultural easement $2,316,000
Dungeness watershed farmland protection phase 3 ..... $344,000

Appropriation:

State Building Construction Account—State $9,192,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,192,000

NEW SECTION. **Sec. 3189. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $7,004,000

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $3,491,000
Future Biennia (Projected Costs) $21,454,000
TOTAL $36,949,000

NEW SECTION. **Sec. 3190. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Voights Creek Hatchery (20081003)

Reappropriation:

State Building Construction Account—State $3,398,000
Prior Biennia (Expenditures) $11,899,000
Future Biennia (Projected Costs) $0
TOTAL $15,297,000

NEW SECTION. **Sec. 3191. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

Appropriation:

State Wildlife Account—State $600,000
Prior Biennia (Expenditures) $1,080,000
Future Biennia (Projected Costs) $2,400,000
TOTAL $4,080,000

NEW SECTION. **Sec. 3192. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitigation Projects and Dedicated Funding (20082048)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3191, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Wildlife Account—State $500,000
Special Wildlife Account—Private/Local $1,077,000
General Fund—Private/Local $1,866,000
General Fund—Federal $27,008,000
Subtotal Reappropriation $30,451,000

Appropriation:

State Wildlife Account—State $500,000
General Fund—Private/Local $1,000,000
Special Wildlife Account—Federal $1,000,000
Special Wildlife Account—Private/Local $1,000,000
General Fund—Federal $9,000,000
Subtotal Appropriation $12,500,000
Prior Biennia (Expenditures) $104,524,000
Future Biennia (Projected Costs) $54,000,000
TOTAL $201,475,000

NEW SECTION. **Sec. 3193. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Lake Rufus Woods Fishing Access (91000151)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3194. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation (30000727)

Appropriation:

State Building Construction Account—State $9,230,000
State Wildlife Account—State $300,000
Subtotal Appropriation $9,530,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $80,000,000
TOTAL $89,530,000

NEW SECTION. **Sec. 3195. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Kalama Falls Hatchery Renovate Adult Handling Facilities (30000480)

Appropriation:

State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 3196. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Wooten Wildlife Area Improve Flood Plain (30000481)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3207, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State $106,000
General Fund—Federal $1,000,000
Subtotal Reappropriation $1,106,000

Appropriation:

General Fund—Federal $2,600,000
State Building Construction Account—State $2,000,000
Subtotal Appropriation $4,600,000
Prior Biennia (Expenditures) $1,994,000
Future Biennia (Projected Costs) $12,722,000
TOTAL $20,422,000

NEW SECTION. **Sec. 3197. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Clarks Creek Hatchery Rebuild (92000038)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to substantially rebuild the Clarks creek (Puyallup) hatchery and fulfill Washington department of transportation mitigation requirements as agreed to with the Puyallup Indian nation for the widening of Interstate 5. The new hatchery must be devoted to salmon production. The department must relocate trout production to other hatcheries.

Appropriation:

State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $5,000,000

NEW SECTION. **Sec. 3198. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Spring Hatchery Renovation (30000214)

Appropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $11,722,000
TOTAL $12,222,000

NEW SECTION. **Sec. 3199. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Samish Hatchery Intakes (30000276)

Appropriation:

State Building Construction Account—State $700,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,221,000
TOTAL $4,921,000

NEW SECTION. **Sec. 3200. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minter Hatchery Intakes (30000277)

Appropriation:

State Building Construction Account—State..... $250,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $7,948,000
TOTAL..... $8,198,000

NEW SECTION. **Sec. 3201. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hoodsport Hatchery Adult Pond Renovation (30000686)

Appropriation:
State Building Construction Account—State..... $700,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $3,346,000
TOTAL..... $4,046,000

NEW SECTION. **Sec. 3202. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Nasselle Hatchery Renovation (30000671)

Appropriation:
State Building Construction Account—State..... $275,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $13,556,000
TOTAL..... $13,831,000

NEW SECTION. **Sec. 3203. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Replace Fire Damaged Fencing (30000655)

Reappropriation:
State Building Construction Account—State..... $1,225,000
Prior Biennia (Expenditures)..... $387,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,612,000

NEW SECTION. **Sec. 3204. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Soos Creek Hatchery Renovation (30000661)

Appropriation:
State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $9,103,000
TOTAL..... $24,103,000

NEW SECTION. **Sec. 3205. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Edmonds Pier Renovation (30000664)

Appropriation:
State Building Construction Account—State..... $800,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $800,000

NEW SECTION. **Sec. 3206. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Marblemount Hatchery - Renovating Jordan Creek Intake (30000666)

Appropriation:
State Building Construction Account—State..... $2,293,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $2,293,000

NEW SECTION. **Sec. 3207. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Lake Whatcom Hatchery - Replace Intake and Pipeline (30000667)

Appropriation:
State Building Construction Account—State..... $1,354,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,354,000

NEW SECTION. **Sec. 3208. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Fir Island Farm Estuary Restoration Project (30000673)

Appropriation:
State Building Construction Account—State..... $500,000
General Fund—Federal..... $15,500,000
Subtotal Appropriation..... $16,000,000
Prior Biennia (Expenditures)..... $0
Future Biennia (Projected Costs)..... $0
TOTAL..... $16,000,000

NEW SECTION. **Sec. 3209. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Programmatic (30000682)

The appropriations in this section are subject to the following conditions and limitations: $2,200,000 of the appropriations in this section are provided solely for the department to conduct research and study methods for the department to coordinate with private landowners in

order to support the continued varied use of public land. Research may be contracted out and must aim to learn about successful methods being used in Washington and in other states to support the multiple uses of public land. The research must be done in consultation with landowners and other stakeholders.

Appropriation:
State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,500,000

NEW SECTION. **Sec. 3210. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Eells Springs Production Shift (30000723)

Appropriation:
State Building Construction Account—State $4,620,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,620,000

NEW SECTION. **Sec. 3211. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Mitchell Act Federal Grant (91000021)

Reappropriation:
General Fund—Federal $1,014,000
Prior Biennia (Expenditures) $1,986,000
Future Biennia (Projected Costs) $0
TOTAL $3,000,000

NEW SECTION. **Sec. 3212. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Fishway Improvements/Diversions (91000033)

Reappropriation:
State Building Construction Account—State $7,003,000
Prior Biennia (Expenditures) $997,000
Future Biennia (Projected Costs) $0
TOTAL $8,000,000

NEW SECTION. **Sec. 3213. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Hatchery Improvements (91000036)

Reappropriation:
State Building Construction Account—State $16,109,000
Prior Biennia (Expenditures) $18,666,000
Future Biennia (Projected Costs) $0
TOTAL $34,775,000

NEW SECTION. **Sec. 3214. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works - Access Sites (91000044)

Reappropriation:
State Building Construction Account—State $2,518,000
Prior Biennia (Expenditures) $4,888,000
Future Biennia (Projected Costs) $0
TOTAL $7,406,000

NEW SECTION. **Sec. 3215. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works - Fish Passage Barriers (Culverts) (91000045)

Reappropriation:
State Building Construction Account—State $515,000
Prior Biennia (Expenditures) $980,000
Future Biennia (Projected Costs) $0
TOTAL $1,495,000

NEW SECTION. **Sec. 3216. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Leque Island Highway 532 Road Protection (92000019)

Reappropriation:
State Building Construction Account—State $390,000
Prior Biennia (Expenditures) $290,000
Future Biennia (Projected Costs) $0
TOTAL $680,000

NEW SECTION. **Sec. 3217. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Beebe Springs Development (92000026)

Reappropriation:
State Building Construction Account—State $640,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $1,891,000

NEW SECTION. **Sec. 3218. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Beebe Springs (92000034)

Reappropriation:
State Building Construction Account—State $497,000
Prior Biennia (Expenditures) $3,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3219. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
Minor Works Preservation (30000479)
Reappropriation:
State Building Construction Account—State $2,500,000
Prior Biennia (Expenditures) $7,475,000
Future Biennia (Projected Costs) $0
TOTAL $9,975,000

NEW SECTION. **Sec. 3220. FOR THE PUGET SOUND PARTNERSHIP**
Community Partnership Restoration Grants (30000007)
Reappropriation:
General Fund—Federal $1,575,000
Prior Biennia (Expenditures) $50,000
Future Biennia (Projected Costs) $0
TOTAL $1,625,000

NEW SECTION. **Sec. 3221. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Land Acquisition Grants (20052021)
Reappropriation:
General Fund—Federal $2,360,000
Appropriation:
General Fund—Federal $5,000,000
Prior Biennia (Expenditures) $82,158,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $109,518,000

NEW SECTION. **Sec. 3222. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Forest Legacy (30000060)
Reappropriation:
General Fund—Federal $4,020,000
Appropriation:
General Fund—Federal $14,000,000
Prior Biennia (Expenditures) $16,980,000
Future Biennia (Projected Costs) $56,000,000
TOTAL $91,000,000

NEW SECTION. **Sec. 3223. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Forest Riparian Easement Program (30000198)
Appropriation:
State Building Construction Account—State $3,500,000
Prior Biennia (Expenditures) $2,999,000
Future Biennia (Projected Costs) $14,000,000
TOTAL $20,499,000

NEW SECTION. **Sec. 3224. FOR THE DEPARTMENT OF NATURAL RESOURCES**
Trust Land Transfer (30000200)
The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely to the department to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, department of natural resources community forest open space, or recreation purposes. The approved list of properties for lease or transfer is identified in the LEAP capital document No. 2015-3, developed June 30, 2015.

(2) Property transferred under this section must be appraised and transferred at fair market value. By September 30, 2015, the department must deposit in the common school construction account the portion of the appropriation in this section that represents the estimated value of the timber on the transferred properties. This transfer must be made in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The portion of the appropriation in this section that represents the value of the land transferred must be deposited in the natural resources real property replacement account.

(3) Property subject to lease agreements under this section must be appraised at fair market value. Lease terms must be fifty years with options to renew for an additional fifty years. Lease payments must be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and must be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040.

(4) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs and may not exceed one and nine-tenths percent of the appropriation.

(5) Intergrant exchanges between common school and other trust lands of equal value may occur if the exchange is in the interest of each trust, as determined by the board of natural resources.

(6) Prior to or concurrent with conveyance of these properties, the department, with full cooperation of the receiving agencies, shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Fee transfer agreements for properties identified in subsection (1) of this section must include terms that perpetually restrict the use of the property to the intended purpose. Lease agreements for properties identified in subsection (1) of this section must include terms that restrict use of the property to the intended purpose for the term of the lease. Transfer and lease agreements may include provisions for receiving agencies to request alternative uses of the property, provided the alternative uses are compatible with the originally intended public purpose and the department and legislature approves such uses.

(7) The department and receiving agencies shall work in good faith to carry out the intent of this section. However, the department or receiving agencies may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the common school trust or the receiving agency.

(8) By June 30, 2017, the state treasurer shall transfer to the common school construction account any unexpended balance of the appropriation in this section.

Appropriation:

State Building Construction Account—State $9,784,000
Prior Biennia (Expenditures) $115,735,000
Future Biennia (Projected Costs) $240,000,000
TOTAL $365,519,000

NEW SECTION. **Sec. 3225. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Sustainable Recreation (30000207)

Appropriation:

State Building Construction Account—State $4,600,000
Prior Biennia (Expenditures) $2,500,000
Future Biennia (Projected Costs) $18,400,000
TOTAL $25,500,000

NEW SECTION. **Sec. 3226. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Road Maintenance and Abandonment Plans (RMAP) (30000211)

Reappropriation:

State Building Construction Account—State $138,000
Prior Biennia (Expenditures) $1,862,000
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 3227. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Rivers and Habitat Open Space Program (30000221)

Appropriation:

State Building Construction Account—State $1,000,000
Prior Biennia (Expenditures) $500,000
Future Biennia (Projected Costs) $8,000,000
TOTAL $9,500,000

NEW SECTION. **Sec. 3228. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Replacement (30000222)

Appropriation:

Comm/Tech College Forest Reserve Account—State $500,000
Nat Res Real Property Replacement—State $30,000,000
Resources Management Cost Account—State $30,000,000
Subtotal Appropriation $60,500,000
Prior Biennia (Expenditures) $50,500,000
Future Biennia (Projected Costs) $242,000,000
TOTAL $353,000,000

NEW SECTION. **Sec. 3229. FOR THE DEPARTMENT OF NATURAL RESOURCES**

State Forest Land Replacement (30000223)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in Skamania county.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forest land, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and Skamania county shall work in good faith to carry out the intent of this section. The department shall identify eligible properties for transfer, consistent with subsection (1) of this section, in consultation with Skamania county, and may not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account—State $3,000,000
Prior Biennia (Expenditures) $1,500,000
Future Biennia (Projected Costs) $6,000,000
TOTAL $10,500,000

NEW SECTION. **Sec. 3230. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Hazard Reduction (30000224)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) $9,000,000 is provided solely for forest health hazard reduction treatments primarily on state lands, and within certain circumstances, on small nonindustrial private timber lands. The appropriation may be used for mechanical treatments, project planning, site preparation, permitting, or prescribed burning. Forest treatments to reduce insect, disease, and wildfire hazards on private lands, that protect state trust lands and mitigate the risk of large-scale damage, shall require a contract with the department of natural resources to provide at least a one-to-one nonstate or in-kind fund match, and to provide a fifteen-year landowner maintenance agreement. Satisfaction of the maintenance requirement at fifteen years is defined, at minimum, as returning the property's forest conditions to the original contract specifications for tree spacing and fuel loading. A landowner failing to meet the maintenance requirement is responsible for recompensing the full amount of state funding received.

(b) A minimum of $800,000 of this appropriation must be spent on restoration activities on department of fish and wildlife managed lands. The department of natural resources must work with the department of fish and wildlife to prioritize and conduct these forest hazard reduction treatments.

(2) $1,000,000 is provided solely for grants to local communities, counties, fire districts, and conservation districts to establish new firewise communities and complete near-term actions to increase public safety. The department must implement policies and procedures to follow by local communities, counties, fire districts, and conservation districts that seek to enroll in the firewise program.

Appropriation:
State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $4,000,000
Future Biennia (Projected Costs) $20,000,000
TOTAL $34,000,000

NEW SECTION. **Sec. 3231. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Department of Natural Resources Olympic Region Shop Fire Recovery (30000225)

Appropriation:
State Building Construction Account—State $1,053,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,053,000

NEW SECTION. **Sec. 3232. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Blanchard Working Forest (30000231)

Appropriation:
State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $5,500,000
TOTAL $7,500,000

NEW SECTION. **Sec. 3233. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Programmatic (30000237)

Appropriation:
State Building Construction Account—State $250,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $250,000

NEW SECTION. **Sec. 3234. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2015-2017 Minor Works Preservation (30000238)

Appropriation:
State Building Construction Account—State $3,836,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $3,836,000

NEW SECTION. **Sec. 3235. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Contaminated Sites Cleanup and Settlement (30000240)

The appropriation in this section is subject to the following conditions and limitations:

(1) $261,000 is provided solely for the state's share of liability under the model toxics control act for the cleanup of lead contamination at a rock pit now owned by plum creek timber company.

(2) $95,000 is provided solely for the contaminated soils cleanup at the Cedar creek correction center.

(3) $125,000 is provided solely for the webster nursery pesticides and groundwater cleanup.

(4) $375,000 is provided solely for the underground storage tank cleanup of contaminated soils of an old fueling station at the department of natural resources, SE region headquarters' parking lot that is within the city of Ellensburg new drinking water supply wellhead protection area.

Appropriation:
Environmental Legacy Stewardship Account—State $856,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $856,000

NEW SECTION. **Sec. 3236. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Natural Areas Facilities Preservation and Access (30000241)

Appropriation:
State Building Construction Account—State $3,100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,000,000
TOTAL $11,100,000

NEW SECTION. **Sec. 3237. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Road Maintenance and Abandonment Plan (RMAP) (91000040)

Appropriation:
State Building Construction Account—State $5,000,000
Prior Biennia (Expenditures) $6,594,000
Future Biennia (Projected Costs) $5,424,000
TOTAL $17,018,000

NEW SECTION. **Sec. 3238. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Puget Sound Corps (91000046)

The appropriation in this section is subject to the following conditions and limitations:

(1) $1,200,000 of the state building construction account—state is provided solely for implementation of chapter 191, Laws of 2015 (concerning the management of forage fish resources).

(2) The remainder of the appropriation is provided solely for the Puget Sound corps projects. Portions of the appropriation may be used by the Puget Sound corps to install fishing line collection and recycling devices, provided that the department of fish and wildlife designs and supplies the devices, and specifies where they should be installed.

Reappropriation:
Aquatic Lands Enhancement Account—State $200,000

Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $12,800,000
Future Biennia (Projected Costs) $24,000,000
TOTAL $45,000,000

NEW SECTION. **Sec. 3239. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Barbeque Flats Road Access (91000081)

Reappropriation:
State Building Construction Account—State $480,000
Prior Biennia (Expenditures) $20,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3240. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Quinault Coastal Forest and Watershed Restoration Grant (92000019)

Reappropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0
TOTAL $1,800,000

NEW SECTION. **Sec. 3241. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Research on Transfer of Federal Lands to Washington State (91000085)

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature intends to study the feasibility of acquiring certain federal lands for possible inclusion in the various trust lands managed by the department of natural resources. The appropriation is provided solely for the department to contract with the Washington state institute for public policy.

(2) The Washington state institute for public policy shall research the potential costs, revenues, and policy impacts of transferring certain federal lands to state ownership. The Washington state institute for public policy may contract with higher education institutions or private consultants as necessary, may consult as needed with legislative staff, and must work with the Washington economic and revenue forecast council for modeling consistency.

(3) The research shall focus primarily on federal forest and range lands. Federal lands to be excluded are: National parks; national historic areas or sites; national recreational areas; national volcanic areas; designated national wilderness preservation system lands; United States military or department of energy lands; and Indian tribal lands.

(4) By December 1, 2016, the Washington state institute for public policy must submit a report to appropriate legislative committees that presents its findings including:

(a) Potential costs to the state of: (i) Land management related to wildfires, forest health, invasive species management, and public access; (ii) addressing deferred forest health issues and ongoing maintenance; (iii) payments in lieu of taxes; (iv) state program development; and (v) other potential costs.

(b) Potential revenues to the state from: (i) Current and increased timber cut-rates; (ii) mineral lease revenues; (iii) recreation fees; (iv) grazing fees; (v) permanent common school account investment income; and (vi) other potential revenues.

(c) Policy research related to the endangered species act, the mining law of 1872, and other relevant federal-state impacts; and

(d) Estimated fiscal impacts, including impacts on trust revenues over a one hundred-year period, if the state were to sell all newly acquired federal lands and all existing state-owned public lands.

(5) By December 1, 2015, the Washington state institute for public policy must submit a preliminary report to appropriate legislative committees that (a) summarizes any initial findings; and (b) subject to legislative approval, outlines the remaining scope of work, timelines and approach.

Appropriation:

Resources Management Cost Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 3242. FOR THE DEPARTMENT OF AGRICULTURE**

Animal Disease Traceability (91000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to work with industry partners to continue and to enhance development of the in-state animal disease traceability system. The reappropriation shall be used to develop or enhance electronic cattle transaction reporting, electronic certificate of veterinary inspection, and, as resources permit, electronic livestock inspection systems.

Reappropriation:

Public Facility Construction Loan Revolving Account—State $249,000
Prior Biennia (Expenditures) $632,000
Future Biennia (Projected Costs) $0
TOTAL $881,000

NEW SECTION. **Sec. 3243. FOR THE DEPARTMENT OF AGRICULTURE**

Grants to Improve Safety and Access at Fairs (91000005)

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

PART 4
TRANSPORTATION

NEW SECTION. **Sec. 4001. FOR THE WASHINGTON STATE PATROL**

FTA Access Road Reconstruction (30000059)

Appropriation:

Fire Service Training Account—State $900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $950,000
TOTAL $1,850,000

NEW SECTION. **Sec. 4002. FOR THE WASHINGTON STATE PATROL**

Fire Training Academy Burn Building Replacement (30000071)

Reappropriation:

Fire Service Training Account—State $200,000
Prior Biennia (Expenditures) $1,300,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 4003. FOR THE WASHINGTON STATE PATROL**

FTA Campus Communication Infrastructure Improvement (30000101)

Appropriation:

Fire Service Training Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $400,000

PART 5
EDUCATION

NEW SECTION. **Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account—State $5,432,000
School Construction and Skills Center Building Account—State $30,000
Subtotal Reappropriation $5,462,000
Prior Biennia (Expenditures) $30,083,000
Future Biennia (Projected Costs) $0
TOTAL $35,545,000

NEW SECTION. **Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2007-09 School Construction Assistance Grant Program (20084200)
Reappropriation:
Common School Construction Account—State $283,000
Prior Biennia (Expenditures) $791,476,000
Future Biennia (Projected Costs) $0
TOTAL $791,759,000

NEW SECTION. **Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Northeast King County Skills Center (20084855)
Reappropriation:
School Construction and Skill Centers Building Account
(Bonds)—State $41,000
Prior Biennia (Expenditures) $8,561,000
Future Biennia (Projected Costs) $0
TOTAL $8,602,000

NEW SECTION. **Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
2009-11 School Construction Asst. Grant Program (30000031)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 19, Laws of 2013 2nd sp. sess.
Reappropriation:
Common School Construction Account—State $7,968,000
Prior Biennia (Expenditures) $389,161,000
Future Biennia (Projected Costs) $0
TOTAL $397,129,000

NEW SECTION. **Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
2011-13 School Construction Assistance Program (30000071)
Reappropriation:
Common School Construction Account—State $60,935,000
Prior Biennia (Expenditures) $497,839,000
Future Biennia (Projected Costs) $0
TOTAL $558,774,000

NEW SECTION. **Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Yakima Valley Technical Skills Center (30000076)
Reappropriation:
State Building Construction Account—State $2,060,000
Prior Biennia (Expenditures) $21,503,000
Future Biennia (Projected Costs) $0
TOTAL $23,563,000

NEW SECTION. **Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)
Reappropriation:
State Building Construction Account—State $338,000
Prior Biennia (Expenditures) $11,181,000
Future Biennia (Projected Costs) $0
TOTAL $11,519,000

NEW SECTION. **Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)
Reappropriation:
State Building Construction Account—State $1,183,000
Prior Biennia (Expenditures) $18,225,000
Future Biennia (Projected Costs) $0
TOTAL $19,408,000

NEW SECTION. **Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
Clark County Skills Center (30000093)
Reappropriation:
State Building Construction Account—State $1,100,000
Prior Biennia (Expenditures) $6,801,000
Future Biennia (Projected Costs) $0
TOTAL $7,901,000

NEW SECTION. **Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**
2013-15 School Construction Assistance Program - Maintenance (30000145)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 19, Laws of 2013 2nd sp. sess. and section 6022 of this act.
Reappropriation:
State Building Construction Account—State $255,339,000
Prior Biennia (Expenditures) $132,250,000
Future Biennia (Projected Costs) $0

TOTAL $387,589,000

NEW SECTION. **Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Tri-Tech Skills Center East Growth (30000159)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding is provided solely as a grant to constitute local funding available to the Tri-tech skills center in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

(2) Funds provided in this section may not be used for any project with total project costs per square foot that exceed the construction cost allocation for calculating state funding assistance in subsection (1) by more than thirty-five percent.

Appropriation:

State Building Construction Account—State..... $1,702,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $1,702,000

NEW SECTION. **Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Capital Program Administration (30000165)

The appropriation in this section is subject to the following conditions and limitations:

(1) The superintendent of public instruction shall publish to its web site and report to the office of financial management, the appropriate committees of the legislature, and the legislative evaluation and accountability program a list of local school district projects submitted for school construction assistance within seven business days of the grant program deadline. The report must be updated within seven days following the superintendent of public instruction's final grant award decisions. Prior versions of the report must be maintained on the web site in order to monitor changes in estimates as the grant process progresses. The report must include, but not be limited to:

(a) School district;

(b) Project name;

(c) Estimated square footage by proposed project type;

(d) Estimated total of all project costs and estimated total construction contract cost;

(e) Funding sources and election dates, if applicable; and

(f) Intent to front-fund the project.

(2) The superintendent of public instruction shall provide to the office of financial management and the legislative evaluation and accountability program committee in electronic database form the following:

(a) Study and survey information beginning with grants awarded July 1, 2015, or later; and

(b) All available inventory and condition of schools data.

(3) The office of the superintendent of public instruction shall contract with educational service district 112 construction services group to perform an analysis of school construction costs. The analysis must include a significant sample of new and modernization school construction projects completed over the past ten years, with costs adjusted for construction inflation. The analysis must determine the major sources of variation in total school construction costs among different kinds of projects, districts, and regions. The analysis must estimate the cost difference due to variations in:

(a) The size of the project including the size per expected enrollment;

(b) Whether it is a new school or modernization project;

(c) Whether it is an elementary school, middle school, high school, or skills center;

(d) The extent of specialized higher cost facilities such as laboratories, shops, performing arts and indoor athletic facilities;

(e) Delivering specialized programs at skill centers including but not limited to: Dental and medical assisting, mechanical and engineering programs, first responder training, culinary programs, cyber security, and others;

(f) Site requirements;

(g) Durability of construction materials, finishes, building system components, and general life expectancy of the building; and

(h) Other design and construction feature that may contribute to cost variations.

(4) The office of the superintendent of public instruction must prepare a report on the findings from subsection (3) of this section and submit the report to the appropriate committees of the legislature and the office of financial management by September 1, 2016.

Appropriation:

Common School Construction Account—State..... $2,924,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $12,244,000
TOTAL $15,168,000

NEW SECTION. **Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2015-17 School Construction Assistance Program (30000169)

The appropriations in this section are subject to the following conditions and limitations:

(1) $990,000 of the common school construction account—state is provided solely for the Spokane Valley technical skills center to construct five science classrooms.

(2) $675,000 of the common school construction account—state is provided solely for study and survey grants. In calculating study and survey grants, for the 2015-2017 fiscal biennium, the office of the superintendent of public instruction shall award no more than fifty percent of the dollar amount for the minimum grants and square footage allocations. School districts receiving these grants in the 2015-2017 fiscal biennium must use data collected or validated by the Washington State University extension energy office for the inventory and condition of existing school facilities.

(3) School districts receiving funding through the 2015-17 school construction assistance program must map the design of new facilities and remap the design of facilities to be remodeled.

(4) The office of the superintendent of public instruction must weight and prioritize grant requests on the following criteria and in the following order: (a) Will provide facility capacity needs to reduce kindergarten through third grade class sizes at high poverty schools; (b) will provide facility capacity needs to reduce kindergarten through third grade class sizes in remaining schools.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program for the appropriations provided to the superintendent of public instruction in this act for distressed schools, STEM pilot projects, or skill centers. For purposes of determining state funding assistance, eligible area must be calculated as follows: (a) Eligible area for STEM pilot projects is 1,440 square feet per science lab or classroom combination, or both; and 1,040 square feet per science classroom. Total eligible area per STEM pilot project must not exceed 15,840 square feet; (b) eligible area for skill centers is gross square feet of the proposed project as submitted to the office of financial management as requested by the superintendent for consideration in the 2015-2017 capital budget. Eligible area for the Spokane Valley technical skills center must not exceed 5,400 square feet, and; (c) eligible area for replacement of the cafeteria at Marysville-Pilchuck high school is 13,500 square feet.

Appropriation:

State Building Construction Account—State..... $302,121,000
Common School Construction Account—State..... $305,978,000
Common School Construction Account—Federal..... $3,000,000
Subtotal Appropriation..... $611,099,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $3,638,150,000
TOTAL $4,249,249,000

NEW SECTION. **Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids - Healthy Schools Grants (91000406)

The appropriation in this section is subject to the following conditions and limitations:

(1) The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts and the department of health, shall develop criteria for providing funding and outcomes for specific projects to stay within the appropriation level provided in this section consistent with the healthiest next generation priorities. The criteria must include, but are not limited to, the following: (a) Districts or schools may apply for grants but no single district may receive more than $200,000 of the appropriation; (b) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facilities' needs; and (c) prioritizing applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program.

(2) A maximum of $1,000,000 of the appropriation is for the purchase and installation of water bottle filling stations.

(3) The remainder of the appropriation may be used to purchase equipment or make repairs and renovations related to improving children's health and may include, but are not limited to, the following: (a) Fitness playground equipment, covered play, physical education equipment or related structures or renovation; (b) garden related structures and greenhouses to provide students access to fresh produce; and (c) kitchen equipment or upgrades.

(4) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible cost of funds in recognition of the short useful life of the equipment purchased with the bond proceeds.

Appropriation:

State Building Construction Account—State..... $5,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $5,000,000

NEW SECTION. **Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000017)

Reappropriation:

State Building Construction Account—State..... $415,000
Prior Biennia (Expenditures) $39,585,000
Future Biennia (Projected Costs)..... $0
TOTAL $40,000,000

NEW SECTION. **Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000024)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State..... $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs)..... $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Energy Efficiency Grants for K-12 Schools (91000025)

Reappropriation:

State Building Construction Account—State..... $4,186,000
Prior Biennia (Expenditures) $2,814,000
Future Biennia (Projected Costs)..... $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

San Juan Island School District STEM Vocational Bldg Renovation (91000027)

Reappropriation:
State Building Construction Account—State $166,000
Prior Biennia (Expenditures) $834,000
Future Biennia (Projected Costs) $0
TOTAL $1,000,000

NEW SECTION. **Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Wenatchee Valley Skills Center (92000004)

Reappropriation:
State Building Construction Account—State $2,167,000
Prior Biennia (Expenditures) $7,333,000
Future Biennia (Projected Costs) $0
TOTAL $9,500,000

NEW SECTION. **Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEWTECH (Spokane Area Professional-Technical Skills Center) (92000005)

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely to the NEWTECH (Spokane area professional-technical skills center) to modernize a science, technology, engineering, and mathematics building. The skill center may not be eligible for additional state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Reappropriation:
State Building Construction Account—State $7,786,000

Appropriation:
State Building Construction Account—State $7,493,000
School Construction and Skill Centers Building Account $657,000
Subtotal Appropriation $8,150,000
Prior Biennia (Expenditures) $5,901,000
Future Biennia (Projected Costs) $0
TOTAL $21,837,000

NEW SECTION. **Sec. 5021. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Puget Sound Skills Center (92000007)

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding is provided solely to the Puget Sound skills center to construct a health sciences building. The skill center may not be eligible for additional state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

(2) The skill center must negotiate an agreement with the King county public health department to provide periodic monitoring of the dental clinic operations in the health sciences building.

Reappropriation:
State Building Construction Account—State $59,000

Appropriation:
State Building Construction Account—State $19,433,000
Prior Biennia (Expenditures) $1,441,000
Future Biennia (Projected Costs) $0
TOTAL $20,933,000

NEW SECTION. **Sec. 5022. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (92000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 602, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $510,000
Prior Biennia (Expenditures) $26,890,000
Future Biennia (Projected Costs) $0
TOTAL $27,400,000

NEW SECTION. **Sec. 5023. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Yakima Valley Technical Skills Center Sunnyside Satellite (92000013)

Reappropriation:
State Building Construction Account—State $343,000
Prior Biennia (Expenditures) $5,882,000
Future Biennia (Projected Costs) $0
TOTAL $6,225,000

NEW SECTION. **Sec. 5024. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

School Security Improvement Grants (92000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $5,756,000
Prior Biennia (Expenditures) $900,000
Future Biennia (Projected Costs) $0

TOTAL $6,656,000

NEW SECTION. **Sec. 5025. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Delta High School (92000017)

Reappropriation:

State Building Construction Account—State..... $3,228,000
Prior Biennia (Expenditures) $2,172,000
Future Biennia (Projected Costs) $0
TOTAL $5,400,000

NEW SECTION. **Sec. 5026. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

STEM Pilot Program (91000402)

The appropriation in this section is subject to the following conditions and limitations:

(1) The amounts in this section are provided solely for the superintendent of public instruction to provide STEM pilot project grants to school districts. These grants constitute the districts' local funding for purposes of eligibility for the school construction assistance program under RCW 28A.525.166. Subject to the terms in this section, school districts are eligible to receive grants if they have a special housing burden due to lack of sufficient space for science classrooms and labs to enable students to meet statutory graduation requirements.

(2) The superintendent shall award grants to eligible school districts under the following conditions:

(a) A district must demonstrate a lack of sufficient space of science classrooms and labs to facilitate meeting statutory graduation requirements;

(b) The district has secured private donations of cash, like-kind, or equipment in a value of no less than $100,000. Before the superintendent may provide funding assistance through the school construction assistance program, the district must provide verification of the donation to the superintendent;

(c) At least one grant award is made to school districts located in southwest Washington;

(d) At least one grant award is made to school districts located in the Puget Sound region; and

(e) At least two grant awards are made to school districts located east of the Cascade mountains.

(3) The STEM pilot project grants program must be administered by the superintendent of public instruction in consultation with the STEM education innovation alliance specified in RCW 28A.188.030 and the statewide STEM organization specified in RCW 28A.188.050. The superintendent of public instruction must develop grant application materials and criteria in consultation with the statewide STEM organization, must review applications for accuracy and financial reasonableness, and must administer awarded grants. With funds specifically appropriated for this purpose, the superintendent of public instruction must contract with the statewide STEM organization specified in RCW 28A.188.050 to evaluate applications against the criteria developed for the program and develop a single prioritized list. The superintendent of public instruction must award grants within the appropriated funding and may only depart from the recommended prioritized list after notifying the office of financial management and the appropriate committees of the legislature with an explanation of the reasons for departing from the list. The criteria must include, but are not limited to, the following:

(a) Priority for school districts that secure private donations of cash, like-kind, or equipment in value no less than $100,000 weighted by the ratio of school district enrollments to value of donation;

(b) A district's ability to raise funds through levies or bonds in the prior ten-year period;

(c) Priority for applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program;

(d) The extent that existing STEM facilities are inadequate including the lack of adequate STEM facilities to meet graduation requirements in RCW 28A.150.220;

(e) A demonstration that existing STEM faculty are in place and are qualified to deliver an interactive, project-based STEM curriculum in the proposed specialized STEM facilities, or a plan and budget are in place to recruit or train such STEM faculty;

(4) For purposes of grant applications made in the 2015-2017 biennium, additional square footage funded through this grant program is excluded from the school district's inventory of available educational space for determining eligibility for state assistance for new construction for (a) five years following acceptance of the project by the school district board of directors, or (b) the date of the final review of the latest study and survey of the affected school district following acceptance of the project by the school district board of directors; whichever date is earliest.

(5) Each school district is limited to one grant award of no more than $4,000,000.

(6) The office of the superintendent of public instruction may charge fees consistent with capital budget guidelines established by the office of financial management for administering the grants.

(7) The superintendent of public instruction must report to the appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

(8) $200,000 of the appropriation is provided for the contract with the statewide STEM organization specified in RCW 28A.188.050.

Appropriation:

State Building Construction Account—State..... $12,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $12,500,000

NEW SECTION. **Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (91000404)

The appropriation in this section is subject to the following conditions and limitations:

(1) $10,000,000 of the appropriation in this section is provided solely for renovations of Magnolia elementary school and E.C. Hughes elementary school.

(2) $5,000,000 of the appropriation is provided solely for the replacement of the Marysville Pilchuck high school cafeteria.

Appropriation:

State Building Construction Account—State..... $15,000,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $15,000,000

NEW SECTION. **Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

K-3 Class-Size Reduction Grants (92000039)

The appropriation in this section is subject to the following conditions and limitations:

(1) $10,000,000 of this appropriation is provided solely for Seattle public schools to provide additional state assistance for public school facilities necessary to support all-day kindergarten and class size reduction in kindergarten through third grade.

(2) The remaining appropriation is for the K-3 class size reduction construction pilot grant program specified in section 201, chapter . . . (Engrossed Substitute Senate Bill No. 6080), Laws of 2015, 3rd sp. sess. to provide additional state assistance for public school facilities necessary to support all-day kindergarten and class size reduction in kindergarten through third grade.

(3) Within the remaining appropriation, a maximum of $750,000 is provided for the office of superintendent of public instruction to administer the K-3 class size reduction construction grant pilot program. The office may not use these funds for indirect costs.

(4) Should Seattle public schools have received additional state funds, in excess of the block grant provided in subsection (1) of this section, through the K-3 class size reduction construction grant pilot program, Seattle public schools may receive the amount provided by the calculated grant in the pilot program in excess of the block grant.

(5) The funding provided in subsection (1) of this section may not constitute local funding available to the Seattle public schools in order to be eligible for state funding assistance through the school construction assistance program pursuant to RCW 28A.525.166.

Appropriation:
State Building Construction Account—State $200,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $200,000,000

NEW SECTION. **Sec. 5029. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000033)

Reappropriation:
State Building Construction Account—State $100,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $0
TOTAL $500,000

NEW SECTION. **Sec. 5030. FOR THE STATE SCHOOL FOR THE BLIND**

General Campus Preservation (30000088)

Appropriation:
State Building Construction Account—State $640,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $1,920,000
TOTAL $2,560,000

NEW SECTION. **Sec. 5031. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

Minor Works - Preservation (30000025)

Appropriation:
State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $2,000,000
TOTAL $2,500,000

NEW SECTION. **Sec. 5032. FOR THE UNIVERSITY OF WASHINGTON**

Denny Hall Renovation (20081002)

Reappropriation:
State Building Construction Account—State $27,300,000
Prior Biennia (Expenditures) $5,590,000
Future Biennia (Projected Costs) $0
TOTAL $32,890,000

NEW SECTION. **Sec. 5033. FOR THE UNIVERSITY OF WASHINGTON**

Lewis Hall Renovation (20081003)

Reappropriation:
State Building Construction Account—State $150,000
Prior Biennia (Expenditures) $3,915,000
Future Biennia (Projected Costs) $0
TOTAL $4,065,000

NEW SECTION. **Sec. 5034. FOR THE UNIVERSITY OF WASHINGTON**

Burke Museum (20082850)

Reappropriation:
State Building Construction Account—State $650,000

Appropriation:
State Building Construction Account—State $26,000,000
Prior Biennia (Expenditures) $3,150,000
Future Biennia (Projected Costs) $24,200,000

TOTAL $54,000,000

NEW SECTION. **Sec. 5035. FOR THE UNIVERSITY OF WASHINGTON**

Health Sciences Education Phase I - T-Wing Renovation/Addition (30000486)

Appropriation:

State Building Construction Account—State $623,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $93,377,000
TOTAL $94,000,000

NEW SECTION. **Sec. 5036. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Bothell (30000378)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building may be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:

State Building Construction Account—State $500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $57,600,000
TOTAL $58,100,000

NEW SECTION. **Sec. 5037. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Minor Capital Repairs - Preservation (30000494)

Reappropriation:

University of Washington Building Account—State $4,200,000
Prior Biennia (Expenditures) $42,554,000
TOTAL $46,754,000

NEW SECTION. **Sec. 5038. FOR THE UNIVERSITY OF WASHINGTON**

School of Nursing Simulation Learning Lab (30000600)

Appropriation:

State Building Construction Account—State $4,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,000,000

NEW SECTION. **Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON**

Health Sciences Interprofessional Education Classroom Phase I (30000602)

Appropriation:

State Building Construction Account—State $2,710,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,710,000

NEW SECTION. **Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON**

Computer Science and Engineering Expansion (30000603)

Appropriation:

State Building Construction Account—State $17,500,000
University of Washington Building Account—State $15,000,000
Subtotal Appropriation $32,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $32,500,000

NEW SECTION. **Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON**

University of Washington Minor Capital Repairs - Preservation (30000604)

Appropriation:

University of Washington Building Account—State $28,175,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $172,700,000
TOTAL $200,875,000

NEW SECTION. **Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON**

Preventive Facility Maintenance and Building System Repairs (30000714)

Appropriation:

University of Washington Building Account—State $25,825,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $103,300,000
TOTAL $129,125,000

NEW SECTION. **Sec. 5043. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Classroom Building Renovation - Urban Solutions Center (91000014)
Reappropriation:
State Building Construction Account—State $500,000
Appropriation:
State Building Construction Account—State $16,000,000
Prior Biennia (Expenditures) $1,400,000
Future Biennia (Projected Costs) $0
TOTAL $17,900,000

NEW SECTION. **Sec. 5044. FOR THE UNIVERSITY OF WASHINGTON**
University of Washington Tacoma Campus Soil Remediation (92000002)
Appropriation:
State Toxics Control Account—State $1,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,000,000
TOTAL $5,000,000

NEW SECTION. **Sec. 5045. FOR THE UNIVERSITY OF WASHINGTON**
Center for Advanced Materials and Clean Energy Research Test Beds (91000016)
Appropriation:
State Building Construction Account—State $9,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,000,000

NEW SECTION. **Sec. 5046. FOR THE WASHINGTON STATE UNIVERSITY**
Washington State University Pullman - Troy Hall Renovation (20061030)
Reappropriation:
State Building Construction Account—State $850,000
Washington State University Building Account—State $400,000
Subtotal Reappropriation $1,250,000
Appropriation:
State Building Construction Account—State $20,682,000
Washington State University Building Account—State $9,600,000
Subtotal Appropriation $30,282,000
Prior Biennia (Expenditures) $771,000
Future Biennia (Projected Costs) $0
TOTAL $32,303,000

NEW SECTION. **Sec. 5047. FOR THE WASHINGTON STATE UNIVERSITY**
Clean Technology Laboratory (30000069)
Reappropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $24,835,000
Future Biennia (Projected Costs) $0
TOTAL $32,835,000

NEW SECTION. **Sec. 5048. FOR THE WASHINGTON STATE UNIVERSITY**
2013-15 Minor Works - Preservation, Safety, and Infrastructure (30000849)
Reappropriation:
State Building Construction Account—State $650,000
Washington State University Building Account—State $1,720,000
Subtotal Reappropriation $2,370,000
Prior Biennia (Expenditures) $26,194,000
Future Biennia (Projected Costs) $0
TOTAL $28,564,000

NEW SECTION. **Sec. 5049. FOR THE WASHINGTON STATE UNIVERSITY**
2015-17 Minor Works - Preservation (30001188)
Appropriation:
Washington State University Building Account—State $27,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $134,340,000
TOTAL $161,340,000

NEW SECTION. **Sec. 5050. FOR THE WASHINGTON STATE UNIVERSITY**
Washington State University Tri-Cities - Academic Building (30001190)
Appropriation:
Washington State University Building Account—State $400,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $68,600,000
TOTAL $69,000,000

NEW SECTION. **Sec. 5051. FOR THE WASHINGTON STATE UNIVERSITY**

Preventive Facility Maintenance and Building System Repairs (30001324)

Appropriation:

Washington State University Building Account—
State $10,115,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,115,000

NEW SECTION. **Sec. 5052. FOR THE WASHINGTON STATE UNIVERSITY**

Everett University Center (91000026)

Reappropriation:

State Building Construction Account—State $4,000,000

Appropriation:

State Building Construction Account—State $54,563,000
Prior Biennia (Expenditures) $6,000,000
Future Biennia (Projected Costs) $0
TOTAL $64,563,000

NEW SECTION. **Sec. 5053. FOR THE WASHINGTON STATE UNIVERSITY**

Joint Center for Deployment and Research in Earth Abundant Materials (91000029)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding is provided solely for capital improvements, infrastructure, and equipment, to support: (a) A transformative program in earth-abundant materials to accelerate the development of next generation clean energy and transportation technologies in Washington; (b) a coordinated framework and resources that can facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the use of earth-abundant materials for manufactured clean technologies or recycling of advanced materials used in clean technologies; and (c) environmentally responsible processes in the areas of manufacturing and recycling of advanced materials used in clean technologies.

(2) Administration of the appropriation is under the authority of the Washington State University in collaboration with the University of Washington. Washington State University and the University of Washington, in consultation with the regional universities, the Pacific Northwest national laboratory, and industry experts, shall develop criteria for providing grant funding for specific projects at public four-year institutions of higher education to stay within the appropriation level provided in this section. Funding for administrative offices may be provided for administrative offices west of the crest of the Cascade mountains only.

(3) The office of the state treasurer must manage the issuance of bonds associated with these grants so as to incur the lowest possible cost of funds in recognition of the short useful life of the equipment purchased with the bond proceeds.

Appropriation:

State Building Construction Account—State $2,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,000,000

NEW SECTION. **Sec. 5054. FOR THE WASHINGTON STATE UNIVERSITY**

Inventory and Condition of Schools Data Collection (91000033)

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature intends to complete the data collection, input, and verification of the inventory and condition of public school facilities in order to make informed decisions about K-12 school facility data collection processes and classroom capacity needs to fulfill current educational graduation requirements and class-size ratios. These decisions are best made when based on accurate data collected in a thorough and consistent manner by professionals experienced in making such inventory and condition assessments for public institutions.

(2) The appropriation is provided solely for the Washington State University extension energy office to complete collection, input, and verification of selected data of public school facilities, including skill centers, in the inventory and condition of schools system administered and maintained by the superintendent of public instruction.

(3) The Washington State University extension energy office shall conduct on-site visits to assess inventory and condition of all facilities for school districts that have no current study and survey as defined in RCW 28A.525.050 on file with the superintendent of public instruction as of July 1, 2015, or no pending study and survey to be filed with the superintendent through an outstanding study and survey grant award. The data collected, sufficient to meet the study and survey requirements for school facilities space inventory and condition analysis, through on-site visits must be input into the inventory and condition of schools system.

(4) The Washington State University extension energy office shall input into the inventory and condition of schools system applicable data of inventory and condition of school facilities from all current studies and surveys on file with the superintendent of public instruction as of July 1, 2015. The data must be input into the system in a manner that captures older information and data first. As studies and surveys from outstanding grant awards are filed with the superintendent, the Washington State University extension energy office shall input data into the system once current study and survey data has been input. Activities conducted pursuant to this subsection must occur concurrently with activities in subsection (3) of this section.

(5) The Washington State University extension energy office shall conduct on-site verification of data for school districts whose current studies and surveys on file with the superintendent will expire by June 30, 2017. Data verification must be conducted to evaluate the study and survey process as a tool to collect accurate inventory and condition of schools data upon which policymakers can make informed decisions regarding school facility and capacity needs. Activities conducted pursuant to this subsection must occur concurrently with activities in

subsection (3) of this section and once sufficient data has been input into the system per subsection (4) of this section to conduct on-site visits to verification.

(6)(a) The Washington State University extension energy office, concurrent with activities conducted in subsections (3), (4), and (5) of this section, must collect data to determine the information in (c)(i) through (vii) of this subsection. Additional on-site data collection for this task or collection of data from "as-built" documents or other valid sources must be accomplished to produce a valid sample for determining:

(b) The accuracy of reported number of classrooms in the most recent survey of classrooms and building data by the office of the superintendent of public instruction; and

(c) The variation in the size of schools and the allocation of space to the categories described in (c)(i) through (vii) of this subsection. The sample must be sufficient to determine this information for elementary, middle, high schools, and skills centers in districts of different sizes, growth rates, age, and relative property values.

(i) The square footage and number of classrooms. Classrooms are rooms that are used as classrooms or that could be used as classrooms under building code requirements and must include labs, shops, computer rooms used for instruction, art, and music classrooms. For this purpose, a music classroom is not a room designed to seat an audience;

(ii) The square footage of libraries;

(iii) The square footage of cafeteria and kitchen space;

(iv) The square footage of gymnasiums, locker rooms, and other indoor athletic facilities;

(v) The square footage of auditoriums and other performing arts space not counted as classrooms;

(vi) The square footage of administrative offices, and space used primarily by staff; and

(vii) The square footage of other space such as bathrooms, general circulation, mechanical rooms, and the balance of the total facility square footage not included in (c)(i) through (vi) of this subsection;

(d) The data included in (c)(i) through (vii) of this subsection must indicate whether the space is in a structure with a permanent foundation or not.

(7) As a general condition of appropriations provided to the superintendent of public instruction in this act, the superintendent of public instruction and each state school district shall provide requested facilities information and access to facilities in a timely manner to enable the Washington State University extension energy office to complete the tasks, oversight, and reporting requirements assigned in this section.

(8) The Washington State University extension energy office shall report progress of data collection, input, and verification to the appropriate committees of the legislature no later than December 1, 2015. The Washington State University extension energy office must complete all work in this section and make a final report to the appropriate committees of the legislature no later than December 1, 2016.

Appropriation:
Common School Construction Account—State $1,550,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,550,000

NEW SECTION. **Sec. 5055. FOR THE WASHINGTON STATE UNIVERSITY**

Washington State University Pullman - Plant Sciences Building (REC#5) (30000519)

Appropriation:
Washington State University Building Account—State $6,600,000
Prior Biennia (Expenditures) $500,000
Future Biennia (Projected Costs) $58,900,000
TOTAL $66,000,000

NEW SECTION. **Sec. 5056. FOR THE EASTERN WASHINGTON UNIVERSITY**

University Science Center - Science I (30000001)

Appropriation:
State Building Construction Account—State $4,791,000
Prior Biennia (Expenditures) $400,000
Future Biennia (Projected Costs) $55,444,000
TOTAL $60,635,000

NEW SECTION. **Sec. 5057. FOR THE EASTERN WASHINGTON UNIVERSITY**

Upgrade/Repair Campus Water System (30000422)

Reappropriation:
State Building Construction Account—State $3,683,000
Eastern Washington University Capital Projects Account—State $1,770,000
Subtotal Reappropriation $5,453,000
Prior Biennia (Expenditures) $1,825,000
Future Biennia (Projected Costs) $0
TOTAL $7,278,000

NEW SECTION. **Sec. 5058. FOR THE EASTERN WASHINGTON UNIVERSITY**

Eastern Washington University Minor Works Preservation (30000468)

Reappropriation:
Eastern Washington University Capital Projects Account—State $2,673,000
Prior Biennia (Expenditures) $5,827,000
Future Biennia (Projected Costs) $0
TOTAL $8,500,000

NEW SECTION. **Sec. 5059. FOR THE EASTERN WASHINGTON UNIVERSITY**

Infrastructure Renewal I (30000506)
Appropriation:
State Building Construction Account—State $9,949,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $9,949,000
NEW SECTION. **Sec. 5060. FOR THE EASTERN WASHINGTON UNIVERSITY**
Renovate Science (30000507)
Appropriation:
State Building Construction Account—State $350,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $52,000,000
TOTAL $52,350,000
NEW SECTION. **Sec. 5061. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Facility Preservation (30000513)
Appropriation:
State Building Construction Account—State $4,000,000
Eastern Washington University Capital Projects Account—
State $7,667,000
Subtotal Appropriation $11,667,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $56,000,000
TOTAL $67,667,000
NEW SECTION. **Sec. 5062. FOR THE EASTERN WASHINGTON UNIVERSITY**
Minor Works - Program (30000516)
Appropriation:
Eastern Washington University Capital Projects Account—
State $1,500,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $16,000,000
TOTAL $17,500,000
NEW SECTION. **Sec. 5063. FOR THE EASTERN WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000547)
Appropriation:
Eastern Washington University Capital Projects Account—
State $2,217,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,868,000
TOTAL $11,085,000
NEW SECTION. **Sec. 5064. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Science Building (30000045)
Reappropriation:
State Building Construction Account—State $42,000,000
Prior Biennia (Expenditures) $21,771,000
Future Biennia (Projected Costs) $0
TOTAL $63,771,000
NEW SECTION. **Sec. 5065. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Samuelson Communication and Technology Center (SCTC) (30000451)
Reappropriation:
State Building Construction Account—State $1,600,000
Appropriation:
State Building Construction Account—State $56,041,000
Prior Biennia (Expenditures) $3,400,000
Future Biennia (Projected Costs) $0
TOTAL $61,041,000
NEW SECTION. **Sec. 5066. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000448)
Reappropriation:
State Building Construction Account—State $430,000
Prior Biennia (Expenditures) $9,780,000
Future Biennia (Projected Costs) $0
TOTAL $10,210,000
NEW SECTION. **Sec. 5067. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Nutrition Science (30000456)
Appropriation:
State Building Construction Account—State $4,300,000

Prior Biennia (Expenditures) $281,000
Future Biennia (Projected Costs) $44,400,000
TOTAL $48,981,000

NEW SECTION. **Sec. 5068. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000615)
Reappropriation:
Central Washington University Capital Projects
Account—State $1,500,000
Prior Biennia (Expenditures) $5,500,000
Future Biennia (Projected Costs) $0
TOTAL $7,000,000

NEW SECTION. **Sec. 5069. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Preservation (30000684)
Appropriation:
State Building Construction Account—State $4,000,000
Central Washington University Capital Projects Account—
State $1,935,000
Subtotal Appropriation $5,935,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $18,640,000
TOTAL $24,575,000

NEW SECTION. **Sec. 5070. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Bouillon Hall Renovation (30000711)
Appropriation:
State Building Construction Account—State $4,977,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,977,000

NEW SECTION. **Sec. 5071. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Minor Works Program (30000723)
Appropriation:
Central Washington University Capital Projects Account—
State $3,777,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $4,768,000
TOTAL $8,545,000

NEW SECTION. **Sec. 5072. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Lind Hall Renovation (30000738)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5073. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Combined Utilities (30000740)
Appropriation:
State Building Construction Account—State $8,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $32,000,000
TOTAL $40,000,000

NEW SECTION. **Sec. 5074. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Old Heat - Plant Annex (30000767)
Appropriation:
State Building Construction Account—State $4,900,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $4,900,000

NEW SECTION. **Sec. 5075. FOR THE CENTRAL WASHINGTON UNIVERSITY**
Preventive Maintenance and Building System Repairs (30000770)
Appropriation:
Central Washington University Capital Projects Account—
State $2,422,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,422,000

NEW SECTION. **Sec. 5076. FOR THE EVERGREEN STATE COLLEGE**

Facility Preservation (30000084)
Reappropriation:
The Evergreen State College Capital Projects Account—State $100,000
Prior Biennia (Expenditures) $6,600,000
Future Biennia (Projected Costs) $0
TOTAL $6,700,000

NEW SECTION. **Sec. 5077. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab II, 2nd Floor Renovation (30000117)
Reappropriation:
State Building Construction Account—State $575,000
Prior Biennia (Expenditures) $4,119,000
Future Biennia (Projected Costs) $0
TOTAL $4,694,000

NEW SECTION. **Sec. 5078. FOR THE EVERGREEN STATE COLLEGE**
Science Center - Lab I Basement Renovation (30000118)
Reappropriation:
State Building Construction Account—State $1,525,000
Appropriation:
State Building Construction Account—State $3,240,000
Prior Biennia (Expenditures) $280,000
Future Biennia (Projected Costs) $0
TOTAL $5,045,000

NEW SECTION. **Sec. 5079. FOR THE EVERGREEN STATE COLLEGE**
Seminar I Renovation (30000125)
Appropriation:
State Building Construction Account—State $400,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,318,000
TOTAL $23,718,000

NEW SECTION. **Sec. 5080. FOR THE EVERGREEN STATE COLLEGE**
Facilities Preservation (30000457)
Appropriation:
State Building Construction Account—State $4,720,000
The Evergreen State College Capital Projects Account—State $5,628,000
Subtotal Appropriation $10,348,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $40,180,000
TOTAL $50,528,000

NEW SECTION. **Sec. 5081. FOR THE EVERGREEN STATE COLLEGE**
Minor Works Program (30000487)
Appropriation:
The Evergreen State College Capital Projects Account—State $1,164,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $9,140,000
TOTAL $10,304,000

NEW SECTION. **Sec. 5082. FOR THE EVERGREEN STATE COLLEGE**
Lecture Hall Remodel (30000493)
Reappropriation:
State Building Construction Account—State $300,000
Appropriation:
State Building Construction Account—State $16,310,000
Prior Biennia (Expenditures) $1,251,000
Future Biennia (Projected Costs) $0
TOTAL $17,861,000

NEW SECTION. **Sec. 5083. FOR THE EVERGREEN STATE COLLEGE**
Preventive Facility Maintenance and Building System Repairs (30000612)
Appropriation:
The Evergreen State College Capital Projects Account—State $783,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $3,132,000
TOTAL $3,915,000

NEW SECTION. **Sec. 5084. FOR THE WESTERN WASHINGTON UNIVERSITY**

Carver Academic Renovation (20081060)
Reappropriation:
State Building Construction Account—State $323,000
Appropriation:
State Building Construction Account—State $58,600,000
Western Washington University Capital Projects Account—State $5,400,000
Subtotal Appropriation $64,000,000
Prior Biennia (Expenditures) $7,051,000
Future Biennia (Projected Costs) $0
TOTAL $71,374,000

NEW SECTION. **Sec. 5085. FOR THE WESTERN WASHINGTON UNIVERSITY**
North Campus Utility Upgrade (30000426)
Reappropriation:
State Building Construction Account—State $600,000
Prior Biennia (Expenditures) $2,982,000
Future Biennia (Projected Costs) $0
TOTAL $3,582,000

NEW SECTION. **Sec. 5086. FOR THE WESTERN WASHINGTON UNIVERSITY**
Performing Arts Exterior Renewal (30000428)
Reappropriation:
State Building Construction Account—State $387,000
Prior Biennia (Expenditures) $2,560,000
Future Biennia (Projected Costs) $0
TOTAL $2,947,000

NEW SECTION. **Sec. 5087. FOR THE WESTERN WASHINGTON UNIVERSITY**
Classroom and Lab Upgrades Phase 2 (30000518)
Reappropriation:
State Building Construction Account—State $1,800,000
Western Washington University Capital Projects Account—State $400,000
Subtotal Reappropriation $2,200,000
Prior Biennia (Expenditures) $2,546,000
Future Biennia (Projected Costs) $0
TOTAL $4,746,000

NEW SECTION. **Sec. 5088. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000524)
Reappropriation:
Western Washington University Capital Projects Account—State $750,000
Prior Biennia (Expenditures) $6,750,000
Future Biennia (Projected Costs) $0
TOTAL $7,500,000

NEW SECTION. **Sec. 5089. FOR THE WESTERN WASHINGTON UNIVERSITY**
Minor Works - Preservation (30000615)
Appropriation:
State Building Construction Account—State $3,572,000
Western Washington University Capital Projects Account—State $4,886,000
Subtotal Appropriation $8,458,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $64,422,000
TOTAL $72,880,000

NEW SECTION. **Sec. 5090. FOR THE WESTERN WASHINGTON UNIVERSITY**
Preventive Facility Maintenance and Building System Repairs (30000757)
Appropriation:
Western Washington University Capital Projects Account—State $3,614,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $14,456,000
TOTAL $18,070,000

NEW SECTION. **Sec. 5091. FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**
Central Area Community Opportunity Center (91000002)

The appropriation in this section is subject to the following conditions and limitations: $100,000 is provided solely for the purposes of predesign, development, and transition costs at the Seattle Vocational Institute to create the central area community opportunity center and clearinghouse. During predesign and development phase, community needs and input must be considered for project transition and

completion. During this process, the board must work with the department of enterprise services to identify current available space within the Seattle Vocational Institute building, and shall prescribe methods of maximizing space efficiency for both current and potential tenants. The board and the department of enterprise services shall also identify costs associated with any renovation work needed to create additional usable space. The Seattle Central College shall work with the board on this effort. A report must be delivered to the legislature by December 1, 2015.

Appropriation:
State Building Construction Account—State $100,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $100,000

NEW SECTION. **Sec. 5092. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (20074004)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5137, chapter 520, Laws of 2007.
(3) The reappropriation in this section is subject to the provisions of section 5044, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State Building Construction Account—State $340,000
Prior Biennia (Expenditures) $9,565,000
Future Biennia (Projected Costs) $0
TOTAL $9,905,000

NEW SECTION. **Sec. 5093. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Project Capital Grants (30000011)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 5120, chapter 497, Laws of 2009.
(2) The reappropriation in this section is subject to the provisions of section 5045, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $9,225,000
Future Biennia (Projected Costs) $0
TOTAL $9,425,000

NEW SECTION. **Sec. 5094. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Washington Heritage Grants (30000117)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the provisions of section 622, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $300,000
Prior Biennia (Expenditures) $6,782,000
Future Biennia (Projected Costs) $0
TOTAL $7,082,000

NEW SECTION. **Sec. 5095. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Facilities Preservation - Minor Works Projects (30000164)

Reappropriation:
State Building Construction Account—State $830,000
Prior Biennia (Expenditures) $1,653,000
Future Biennia (Projected Costs) $0
TOTAL $2,483,000

NEW SECTION. **Sec. 5096. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
Heritage Capital Grants Projects (30000170)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
(2) The reappropriation in this section is subject to the project list in section 5093, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:
State Building Construction Account—State $4,700,000
Prior Biennia (Expenditures) $5,131,000
Future Biennia (Projected Costs) $0
TOTAL $9,831,000

NEW SECTION. **Sec. 5097. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
History Museum Membrane System Replacement (30000220)

Appropriation:
State Building Construction Account—State $1,805,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $1,805,000

NEW SECTION. **Sec. 5098. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Facilities Preservation – Minor Works Projects (30000222)

Appropriation:

State Building Construction Account—State $2,515,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $10,000,000
TOTAL $12,515,000

NEW SECTION. **Sec. 5099. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (30000237)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects:

Project	**Authorized Amount**
Pantages centennial: Façade restoration	$685,000
Chong Wa parapet preservation	$66,000
Rehabilitation of historic structures	$750,000
Renovation heating of interior space of Balfour dock	$1,000,000
Town hall historic restoration: Phase one of construction	$1,000,000
Washington hall restoration	$452,000
Rehabilitation of Ritzville library for ADA compliance	$138,000
Quartermaster and dental surgery renovation project	$309,000
Skagit city school restoration	$91,000
Yamasaki courtyard restoration project	$129,000
Prairie line trail historic interpretation project	$400,000
Ancich netshed restoration	$662,000
Chimney, gutter, and kitchen restoration	$11,000
Federal building rehabilitation - phases II and III	$920,000
Preservation of the Colville Indian agency cabin in Chewelah	$33,000
Arthur Foss preservation and restoration phase II	$166,000
Seaport landing development - renovation of building #8	$1,000,000
Si view community center rehabilitation project phase II	$130,000
Revitalization to historic wells house for community use	$26,000
Chiyo's garden phase II	$108,000
Historic community center, library, and city hall restoration	$185,000
Sea mar latino history and cultural center	$654,000
Olympia waldorf school - the next 100 years	$20,000
Chinook school restoration - final phase	$79,000
Phase III of Worthington park - Quilcene	$244,000
El centro de la raza community access and security project	$100,000
Steam locomotives changed everything	$199,000
The artifact/exhibit environmental conservation project	$8,000
F/V Shenandoah restoration project - phase three	$41,000
Henderson house and Tumwater historic district interpretive	$50,000
Carnegie library renovation phase II	$344,000
Total	**$10,000,000**

Appropriation:

State Building Construction Account—State $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $10,000,000

NEW SECTION. **Sec. 5100. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Exhibit Hall/Cowles Center Renovation (30000036)

The appropriation in this section is subject to the following conditions and limitations: The eastern Washington state historical society shall conduct a predesign study for a renovation to the exhibit hall and the Cheney Cowles center that will include strategies to increase nonstate revenues for the operation of the museum and estimate the minimum amount of state funding necessary to preserve, maintain, and protect state-owned facilities and assets. The predesign study must be submitted to the office of financial management and the fiscal committees of the legislature by October 1, 2016.

Appropriation:

State Building Construction Account—State $200,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $200,000

NEW SECTION. **Sec. 5101. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation (30000038)

Appropriation:

State Building Construction Account—State $702,000
Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0
TOTAL $702,000

NEW SECTION. **Sec. 5102. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane Falls Community College: Campus Classrooms (20062696)
Reappropriation:
State Building Construction Account—State $417,000
Prior Biennia (Expenditures) $19,199,000
Future Biennia (Projected Costs) $0
TOTAL $19,616,000

NEW SECTION. **Sec. 5103. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Puget Sound Community College: Learning Resource Center (20062698)
Reappropriation:
State Building Construction Account—State $953,000
Prior Biennia (Expenditures) $32,708,000
Future Biennia (Projected Costs) $0
TOTAL $33,661,000

NEW SECTION. **Sec. 5104. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clover Park Technical College: Allied Health Care Facility (20062699)
Reappropriation:
State Building Construction Account—State $944,000
Prior Biennia (Expenditures) $21,389,000
Future Biennia (Projected Costs) $0
TOTAL $22,333,000

NEW SECTION. **Sec. 5105. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane Community College: Technical Education Building (20081220)
Reappropriation:
State Building Construction Account—State $3,294,000
Prior Biennia (Expenditures) $23,136,000
Future Biennia (Projected Costs) $0
TOTAL $26,430,000

NEW SECTION. **Sec. 5106. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Everett Community College: Index Hall Replacement (20081221)
Reappropriation:
State Building Construction Account—State $1,194,000
Prior Biennia (Expenditures) $35,120,000
Future Biennia (Projected Costs) $0
TOTAL $36,314,000

NEW SECTION. **Sec. 5107. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Green River Community College: Trades and Industry Building (20081222)
Reappropriation:
State Building Construction Account—State $11,606,000
Prior Biennia (Expenditures) $17,013,000
Future Biennia (Projected Costs) $0
TOTAL $28,619,000

NEW SECTION. **Sec. 5108. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Grays Harbor College: Science and Math Building (20081226)
Reappropriation:
State Building Construction Account—State $14,700,000
Prior Biennia (Expenditures) $29,444,000
Future Biennia (Projected Costs) $0
TOTAL $44,144,000

NEW SECTION. **Sec. 5109. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Tacoma Community College: Health Careers Center (20082701)
Reappropriation:
State Building Construction Account—State $7,639,000
Prior Biennia (Expenditures) $33,534,000
Future Biennia (Projected Costs) $0
TOTAL $41,173,000

NEW SECTION. **Sec. 5110. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Bellevue Community College: Health Science Building (20082702)
Reappropriation:
State Building Construction Account—State $9,636,000
Prior Biennia (Expenditures) $22,090,000
Future Biennia (Projected Costs) $0
TOTAL $31,726,000

NEW SECTION. **Sec. 5111. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bates Technical College: Mohler Communications Technology Center (20082703)
Reappropriation:
State Building Construction Account—State $15,428,000
Prior Biennia (Expenditures) $11,019,000
Future Biennia (Projected Costs) $0
TOTAL $26,447,000
NEW SECTION. **Sec. 5112. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Columbia Basin College: Social Science Center (20082704)
Reappropriation:
State Building Construction Account—State $595,000
Appropriation:
State Building Construction Account—State $14,505,000
Prior Biennia (Expenditures) $481,000
Future Biennia (Projected Costs) $0
TOTAL $15,581,000
NEW SECTION. **Sec. 5113. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $29,979,000
Prior Biennia (Expenditures) $7,073,000
Future Biennia (Projected Costs) $0
TOTAL $37,052,000
NEW SECTION. **Sec. 5114. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Fort Worden Building 202 (30000114)
Reappropriation:
State Building Construction Account—State $3,876,000
Prior Biennia (Expenditures) $501,000
Future Biennia (Projected Costs) $0
TOTAL $4,377,000
NEW SECTION. **Sec. 5115. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Seattle Central Community College: Seattle Maritime Academy (30000120)
Reappropriation:
State Building Construction Account—State $14,590,000
Prior Biennia (Expenditures) $2,238,000
Future Biennia (Projected Costs) $0
TOTAL $16,828,000
NEW SECTION. **Sec. 5116. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Yakima Valley Community College: Palmer Martin Building (30000121)
Reappropriation:
State Building Construction Account—State $5,947,000
Prior Biennia (Expenditures) $14,293,000
Future Biennia (Projected Costs) $0
TOTAL $20,240,000
NEW SECTION. **Sec. 5117. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Olympic College: College Instruction Center (30000122)
Reappropriation:
State Building Construction Account—State $1,152,000
Appropriation:
State Building Construction Account—State $46,516,000
Prior Biennia (Expenditures) $2,472,000
Future Biennia (Projected Costs) $0
TOTAL $50,140,000
NEW SECTION. **Sec. 5118. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Centralia Community College: Student Services (30000123)
Reappropriation:
State Building Construction Account—State $631,000
Appropriation:
State Building Construction Account—State $32,089,000
Prior Biennia (Expenditures) $1,886,000
Future Biennia (Projected Costs) $0
TOTAL $34,606,000
NEW SECTION. **Sec. 5119. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Peninsula College: Allied Health and Early Childhood Development Center (30000126)
Reappropriation:
State Building Construction Account—State $903,000
Appropriation:

State Building Construction Account—State..... $23,790,000
Prior Biennia (Expenditures)..... $907,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $25,600,000

NEW SECTION. **Sec. 5120. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
South Seattle Community College: Cascade Court (30000128)
Reappropriation:
State Building Construction Account—State..... $983,000
Appropriation:
State Building Construction Account—State..... $28,231,000
Prior Biennia (Expenditures)..... $1,104,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $30,318,000

NEW SECTION. **Sec. 5121. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
North Seattle Community College: Technology Building Renewal (30000129)
Reappropriation:
State Building Construction Account—State..... $1,922,000
Prior Biennia (Expenditures)..... $23,497,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $25,419,000

NEW SECTION. **Sec. 5122. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Renton Technical College: Automotive Complex Renovation (30000134)
Reappropriation:
State Building Construction Account—State..... $449,000
Appropriation:
State Building Construction Account—State..... $15,250,000
Prior Biennia (Expenditures)..... $1,134,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $16,833,000

NEW SECTION. **Sec. 5123. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Science, Engineering, Technology Building (30000137)
Reappropriation:
State Building Construction Account—State..... $6,581,000
Prior Biennia (Expenditures)..... $1,239,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $7,820,000

NEW SECTION. **Sec. 5124. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Whatcom Community College: Learning Commons (30000138)
Reappropriation:
State Building Construction Account—State..... $1,029,000
Prior Biennia (Expenditures)..... $793,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $1,822,000

NEW SECTION. **Sec. 5125. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30000723)
Reappropriation:
Community/Technical College Capital Projects
Account—State..... $1,765,000
Community and Technical College Forest Reserve
Account—State..... $60,000
Gardner-Evans Higher Education Construction
Account—State..... $115,000
Subtotal Reappropriation..... $1,940,000
Prior Biennia (Expenditures)..... $16,852,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $18,792,000

NEW SECTION. **Sec. 5126. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Preservation (30000779)
Reappropriation:
Community/Technical College Capital Projects
Account—State..... $965,000
Prior Biennia (Expenditures)..... $16,635,000
Future Biennia (Projected Costs)..... $0
TOTAL..... $17,600,000

NEW SECTION. **Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Roof Repairs (30000844)

Reappropriation:
Community/Technical College Capital Projects
Account—State $554,000
Prior Biennia (Expenditures) $7,231,000
Future Biennia (Projected Costs) $0
TOTAL $7,785,000

NEW SECTION. **Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Facility Repairs (30000897)
Reappropriation:
State Building Construction Account—State $2,905,000
Prior Biennia (Expenditures) $19,229,000
Future Biennia (Projected Costs) $0
TOTAL $22,134,000

NEW SECTION. **Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Site Repairs (30000941)
Reappropriation:
Community/Technical College Capital Projects
Account—State $71,000
Prior Biennia (Expenditures) $2,503,000
Future Biennia (Projected Costs) $0
TOTAL $2,574,000

NEW SECTION. **Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Edmonds Community College: Washington Aerospace Training and Research Center (30000979)
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 4, chapter 1, Laws of 2013, 3rd sp. sess.
Reappropriation:
State Building Construction Account—State $840,000
Prior Biennia (Expenditures) $660,000
Future Biennia (Projected Costs) $0
TOTAL $1,500,000

NEW SECTION. **Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Big Bend: Professional-Technical Education Center (30000981)
Appropriation:
State Building Construction Account—State $2,040,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $34,490,000
TOTAL $36,530,000

NEW SECTION. **Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Spokane: Main Building South Wing Renovation (30000982)
The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building may be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.
Appropriation:
State Building Construction Account—State $2,823,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $24,742,000
TOTAL $27,565,000

NEW SECTION. **Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Highline: Health and Life Sciences (30000983)
Appropriation:
State Building Construction Account—State $2,932,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $23,850,000
TOTAL $26,782,000

NEW SECTION. **Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Program (30001038)
Appropriation:
State Building Construction Account—State $22,456,000
Community/Technical College Capital Projects Account—
State $1,744,000
Subtotal Appropriation $24,200,000

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $24,200,000

NEW SECTION. **Sec. 5135. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Minor Works - Preservation (30001106)
Appropriation:
Community/Technical College Capital Projects Account—
State $19,360,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $19,360,000

NEW SECTION. **Sec. 5136. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Roof Repairs (30001155)
Appropriation:
Community/Technical College Capital Projects Account—
State $12,534,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $12,534,000

NEW SECTION. **Sec. 5137. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Facility Repairs (30001182)
Appropriation:
Community/Technical College Capital Projects Account—
State $20,733,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $20,733,000

NEW SECTION. **Sec. 5138. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Site Repairs (30001216)
Appropriation:
Community/Technical College Capital Projects Account—
State $2,829,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $2,829,000

NEW SECTION. **Sec. 5139. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Preventive Maintenance and Building System Repairs (30001286)
Appropriation:
Community/Technical College Capital Projects Account—
State $22,800,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $91,200,000
TOTAL $114,000,000

NEW SECTION. **Sec. 5140. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
Clover Park: Center for Advanced Manufacturing Technologies (30000984)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign, which may also serve as bridging documents, design, competition honoraria, project management, and other planning activities including permits. The building may be delivered using design build, as defined by chapter 39.10 RCW with a guarantee for energy, operations, and maintenance performance. The term for performance guarantee must not be less than one year. The state may use state employees for services not related to building performance. Criteria for selecting the design build contractor must include life cycle costs, energy costs, or energy use index. Contractors, and architectural and engineering firms may be eligible for additional points during the scoring process if they have experience with the state agency, or if they are considered a small business. The building must be built using sustainable building standards as defined in section 7008 of this act.

Appropriation:
State Building Construction Account—State $3,144,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $33,497,000
TOTAL $36,641,000

PART 6
2015 SUPPLEMENTAL CAPITAL BUDGET

NEW SECTION. **Sec. 6001.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:**FOR THE DEPARTMENT OF COMMERCE**
Building for the Arts Grants (30000006)
The reappropriation in this section is subject to the following conditions and limitations:
(1) The reappropriation in this section is subject to the provisions of section 1011, chapter 36, Laws of 2010 1st sp. sess.
(2) The reappropriation in this section is provided solely for the Federal Way performing arts center.

Reappropriation:
State Building Construction Account—State $218,000
Prior Biennia (Expenditures) $8,481,000
Future Biennia (Projected Costs) $0
TOTAL $8,699,000

Sec. 6002. 2013 2nd sp.s. c 19 s 1073 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Drinking Water State Revolving Fund Loan Program (30000189)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$4,400,000 for fiscal year 2014 and $4,400,000~~)) $4,000,000 from the drinking water assistance account—state for fiscal year 2015 is provided solely as state match for federal safe drinking water funds.

(2) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Appropriation:
((~~State Building Construction Account—State~~ ..... ~~$8,800,000~~))
Drinking Water Assistance Account—State $4,000,000
Drinking Water Assistance Repayment Account—
State $200,000,000
Subtotal Appropriation ..... ((~~$208,800,000~~)) $204,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $680,000,000
TOTAL ..... ((~~$888,800,000~~)) $884,000,000

Sec. 6003. 2013 3rd sp.s. c 1 s 3 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Renton Aerospace Training Center Construction (((~~92000151~~))) (30000724)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for construction of the Renton aerospace training center.

Appropriation:
State Building Construction Account—State ..... ((~~$5,000,000~~)) $10,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ((~~$5,000,000~~)) $10,000,000

Sec. 6004. 2013 2nd sp.s. c 19 s 1074 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The appropriations in this section are subject to the following conditions and limitations:

(1) All expenditures from the state taxable building construction account—state appropriation in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire assets that have a useful life of at least thirteen years. These requirements must be specified in funding agreements issued by the department.

(2) For any project funded from the state taxable building construction account—state appropriation in this section, state funds must not exceed fifty percent of the estimated cost of a project, and funding preference must be provided to projects that offer a higher percentage of nonstate match funds.

(3)(a) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely to create a revolving loan fund to support the widespread use of proven building energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

(b) To create the loan fund, the department shall provide grant funds to a competitively selected nonprofit lender that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines for the lender related to applicant eligibility, the screening process, and evaluation and selection criteria. The criteria must include requiring evidence of support for the proposed project from the impacted community and consistency with economic growth strategies and plans of the affected local governments. Applications for loans from the revolving fund must disclose all sources of public funding to be provided for a project. The nonprofit lender must use the revolving loan fund to make affordable loans for projects including, but not limited to: Residential and commercial energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

(d) The department must conduct due diligence activities associated with the use of public funds, including oversight of the project selection process and project monitoring.

(e) Projects seeking financing of solar installations under this section must agree in contract to not participate in the cost-recovery program under RCW 82.16.120.

(4) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to advance renewable energy technologies by public and private electrical utilities that serve retail customers in the state. The department shall work with utilities to offer matching grants for projects that demonstrate new smart grid technologies. The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. Applications for grants must disclose all sources of public funding to be provided for a project. The grant funds must be used to fund projects that demonstrate how to: Integrate intermittent renewables through energy storage and information technology, dispatch energy storage resources from utility control rooms, use the thermal properties and electric load of commercial buildings and district energy systems to store energy, or otherwise improve the reliability and reduce the costs of intermittent or distributed renewable energy.

(5) $6,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to match federal funds used to develop and demonstrate clean energy technologies. The department shall work with the University of Washington, Washington State University, and the Pacific Northwest National Laboratory to offer matching funds for projects including, but not limited to: Advancing energy storage and solar technologies, and federal manufacturing innovation centers related to use of light-weight carbon fiber components to advance energy efficiency in the aeronautical, automotive, and marine sectors.

(6) The department must report on number and results of projects funded through the clean energy fund, including the number of job hours created and the number of jobs maintained and created, to the governor and the legislature, by November 1, 2014.

(7) The energy recovery act account—federal appropriation in this section is provided solely for loans, loan guarantees, and grants that encourage the establishment of innovative and sustainable industries for renewable energy and energy efficiency technology, consistent with provisions of RCW 43.325.040 (energy freedom account).

Appropriation:

State Taxable Building Construction Account—
State $36,000,000
Energy Recovery Act Account—((~~Federal~~)) State $4,000,000
Subtotal Appropriation $40,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $40,000,000

Sec. 6005. 2013 2nd sp.s. c 19 s 1077 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriations are released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriations are provided solely for the following list of projects:

Projects for Jobs & Economic Development	**Authorized Amount**
City of Bremerton Puget Sound Naval Safety Project	$1,300,000
Fairchild Airforce Base	$2,700,000
City of Lynnwood Main Street Improvements	$250,000
Port of Everett: Roll-On/Roll-Off Cargo Berth	$1,500,000
Kittitas County Infrastructure and Facilities	$5,000,000
City of Kennewick Industrial Land	$1,000,000
Perry Tech Institute Building	$1,000,000
City of Buckley Drinking Water Improvements	$350,000
((~~Coronado~~)) Carbonado Reservoir Replacement	$525,000
Hopelink Cleveland Street Project	$1,000,000
Redmond Connector	$1,300,000
Washougal ((~~Storm Water Decant Facility~~)) Wastewater Treatment Plant	$1,000,000
Roslyn Renaissance Northwest Improvement Company Building	$500,000
Everett/Tulalip Water Pipeline Construction	$1,000,000
((~~Renton Aerospace Training Center Construction~~	~~$5,000,000~~))
Renton Riverview Bridge Replacement	$1,100,000

Omak City Sewer, Collection System, and Treatment Plant	$2,000,000
Harper Pier Replacement	$800,000
University Place Main Street Redevelopment	$975,000
Sultan Alder Avenue Water/Sewer Line Replacement	$185,000
Quincy Industrial Water Reclamation & Reuse	$700,000
NW Medical School	$136,000
Ione - 8th St Lift Station Replacement	$165,000
Stevens PUD Projects	$532,000
Port Orchard Bay St. Pedestrian Path - Phase 2	$336,000
Dekalb Pier - Phase 2	$255,000
Kenmore Village	$300,000
South Kirkland TOD/Cross Kirkland Corridor	$1,300,000
Washington Agriculture Discovery Center	$100,000
Mountlake Terrace Mainstreet Grant	$2,000,000
Issaquah - North Roadway Network Improvement	$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	$500,000
City of Shelton Wastewater	$1,500,000
Port of Moses Lake Firefighting System	$300,000
Seattle Chinatown/ID Development	$500,000
TOTAL	((~~$42,109,000~~)) $37,109,000

Appropriation:

State Building Construction Account—State ..... ((~~$35,009,000~~)) $30,009,000

Public Facility Construction Loan Revolving Account—State $7,100,000

Subtotal Appropriation ..... ((~~$42,109,000~~)) $37,109,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ((~~$42,109,000~~)) $37,109,000

Sec. 6006. 2013 2nd sp.s. c 19 s 1078 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects That Strengthen Communities and Quality of Life (92000230)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is released for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) $1,500,000 of the appropriation in this section from the state building construction account—state is provided solely for design development to align ongoing planning for the replacement of the Seattle multimodal terminal at Colman dock with the creation of a public park. The scope of work must provide a design plan that includes an elevated park and corresponding amenities above the terminal. Design development shall be delivered through the city of Seattle. The scope of this project does not preclude any current plans for Colman dock to replace or seismically upgrade the facility, nor does it reduce the amount of general and commercial traffic, high occupancy vehicles, transit, bicyclist and pedestrian movement.

(8) $500,000 of the appropriation from the environmental legacy stewardship account—state is provided solely for an investigation of possible contaminated soils around the Colman dock.

(9) The appropriation is provided solely for the following list of projects:

Projects that Strengthen Communities & Quality of Life	**Authorized Amount**
Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	$1,000,000
LaConner Boardwalk	$1,600,000
Kent Interurban Trail Connector	$750,000
Town of Concrete Public Safety Building	$785,000
Complete Development of Ashford Park Facilities	$1,000,000
Jackson Park Renovation	$1,000,000

South Whatcom Library Construction	$90,000
Guemes Channel Trail Project	$700,000
Seabrook Trail	$437,000
Vashon Island Allied Arts	$2,000,000
Federal Way Performing Arts	$2,000,000
Japanese Gulch Land Acquisition	$1,000,000
Milton - Triangle Park ADA Upgrades	$225,000
Langston Hughes Performing Arts Center - Storage	$150,000
Wood Pellet Heat in Schools Pilot	$500,000
((~~Snohomish County Sheriff's Office South Precinct~~)) Young Island	$1,000,000
Ravensdale Park	$650,000
Worthington Park	$210,000
Eastside Tacoma Community Center	$400,000
((~~228th Street Trail~~	~~$500,000~~))
Institute for Community Leadership	$275,000
FISH of Vancouver/Nonprofit Community Service Center	$1,000,000
Yelm Community Center	$1,000,000
Ellensburg Depot	$500,000
Roslyn City Hall	$400,000
Northwest Carriage Museum	$375,000
People's Community Center and Pool	$500,000
((~~Town of Concrete Fire and Life Safety Facility~~	~~$500,000~~))
Chehalis Pool	$250,000
Mount Rainier Park Ranger Memorial	$60,000
McAllister Air Museum	$500,000
Repairs to Stevenson Grange	$50,000
Meydenbauer Park Improvements	$3,000,000
Sixty Acres Park Enhancements	$750,000
Covington Community Park Phase 2	$2,100,000
Johnson Farm Museum - Anderson Island	$250,000
Nikolai Project	$40,000
Ft. Steilacoom Building Preservation	$250,000
Plaza Roberto Maestas - Building the Beloved Community	$1,000,000
Seattle Multimodal Terminal at Colman Dock/Public Park	$2,000,000
Confluence Project	$747,000
Castle Rock Citywide Residential Street Project	$504,000
UWAVE	$30,000
Transit-Community Center	$800,000
Mt. Spokane Lodge	$250,000
TOTAL	((~~$33,128,000~~)) $32,128,000

Appropriation:

State Building Construction Account—State ..... ((~~$32,628,000~~)) $31,628,000

Environmental Legacy Stewardship Account—State $500,000

Subtotal Appropriation ..... ((~~$33,128,000~~)) $32,128,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ((~~$33,128,000~~)) $32,128,000

Sec. 6007. 2013 2nd sp.s. c 19 s 1091 (uncodified) is amended to read as follows:

Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,000,000~~
$1,875,000

Sec. 6008. 2013 2nd sp.s c 19 s 1109 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

1063 Block Replacement (91000016)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for predesign and bridging documents, design, competition honoraria, project management, demolition, and other planning activities including permits. The predesign must specify the tenants of the building as directed by the office of financial management. The predesign must indicate the estimated annual cost increase for state agency tenants compared to the cost of their existing leases. The estimated cost increase may take into account estimated cost savings in staff costs and other costs that may result in more efficient building design and layout of office space. The director of the office of financial management must review these cost estimates and submit a report to the appropriate committees of the legislature indicating the budget increase that would be required sixty days prior to executing any construction contracts for the building. The lease for any prospective tenant may not be extended beyond the anticipated occupancy date of the building. ((~~The building will be alternatively financed as authorized in section 7014 of this act.~~))

Appropriation:
State Building Construction Account—State $13,000,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL $13,000,000

Sec. 6009. 2013 2nd sp.s. c 19 s 1093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Roof Replacement/Exterior Foam Insulation Repairs (30000546)

Reappropriation:
State Building Construction Account—State ..... ((~~$510,000~~))
$33,000
Prior Biennia (Expenditures) ..... ((~~$3,972,000~~))
$4,409,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,482,000~~
$4,442,000

Sec. 6010. 2013 2nd sp.s. c 19 s 1099 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:
State Building Construction Account—State ..... ((~~$1,075,000~~))
$1,013,000

Appropriation:
State Building Construction Account—State ..... ((~~$851,000~~))
$410,000
Prior Biennia (Expenditures) ..... ((~~$104,000~~))
$166,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$2,030,000~~
$1,589,000

Sec. 6011. 2013 2nd sp.s. c 19 s 1108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior Repairs (30000604)

Appropriation:
State Building Construction Account—State ..... ((~~$1,000,000~~))
$1,075,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,000,000~~
$1,075,000

Sec. 6012. 2013 2nd sp.s. c 19 s 1104 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Underground Utility Repairs (30000687)

Appropriation:
State Building Construction Account—State ..... ((~~$1,983,000~~))
$2,613,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $8,827,000
TOTAL ..... ~~$10,810,000~~
$11,440,000

Sec. 6013. 2013 2nd sp.s. c 19 s 1105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Repairs Phase 1 (91000009)

The appropriations in this section are subject to the following conditions and limitations: The natural resource building repairs phase 1 project must include at a minimum the multipurpose room water infiltration project and the roof project. After this work is completed, the department may include work that was in the department's 2013-2015 capital budget request for other repairs to the building.

Appropriation:

State Building Construction Account—State ..... ((~~$4,161,000~~)) $4,041,000

Thurston County Capital Facilities Construction Account—State $940,000

Subtotal Appropriation ..... ((~~$5,101,000~~)) $4,981,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$5,101,000~~ $4,981,000

Sec. 6014. 2013 2nd sp.s. c 19 s 2024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: WSR Living Units Roofs (30000542)

Appropriation:

State Building Construction Account—State ..... ((~~$1,785,000~~)) $1,868,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$1,785,000~~ $1,868,000

Sec. 6015. 2013 2nd sp.s. c 19 s 2028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)

Appropriation:

State Building Construction Account—State ..... ((~~$2,569,000~~)) $2,649,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL ..... ~~$2,569,000~~ $2,649,000

Sec. 6016. 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~$7,750,000 for fiscal year 2014 and $7,750,000~~)) $15,500,000 for fiscal year 2015 of the ((~~state building construction~~)) water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control loan program ((~~loan~~)).

Appropriation:

((~~State Building Construction Account—State~~ ..... ~~$15,500,000~~))

Water Pollution Control Revolving Account—State ..... ((~~$184,500,000~~)) $200,000,000

Water Pollution Control Revolving Account—Federal $50,000,000

Subtotal Appropriation $250,000,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $510,000,000

TOTAL $760,000,000

Sec. 6017. 2013 2nd sp.s. c 19 s 3058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to develop mitigation options and alternative water sources or tools to make water available for stream flows and for rural domestic permit-exempt uses within the ((~~Carpenter/Fisher, East Nookachamps, and Upper Nookachamps subbasins~~)) Skagit River watershed. Up to $500,000 of the amount specified shall be used to develop a rural domestic demonstration project to determine if surface or

groundwater infiltration can mitigate for ground water use during low flow periods to meet the mitigation requirements of chapter 173-503 WAC.

Reappropriation:

State Building Construction Account—State $2,156,000
Prior Biennia (Expenditures) $69,000
Future Biennia (Projected Costs) $0
TOTAL $2,225,000

Sec. 6018. 2013 2nd sp.s. c 19 s 3101 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips: Wastewater Treatment System (30000523)

Appropriation:

State Building Construction Account—State ..... (($~~$4,079,000~~)) $4,532,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$4,079,000~~ $4,532,000

Sec. 6019. 2013 2nd sp.s. c 19 s 3190 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal $2,328,000

Appropriation:

General Fund—Federal $4,000,000
Prior Biennia (Expenditures) $672,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$3,000,000~~ $7,000,000

Sec. 6020. 2013 2nd sp.s. c 19 s 3212 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

Community Partnership Restoration Grants (30000007)

Reappropriation:

General Fund—Federal ..... (($~~$1,155,000~~)) $1,575,000
Prior Biennia (Expenditures) ..... (($~~$445,000~~)) $50,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,600,000~~ $1,625,000

Sec. 6021. 2013 2nd sp.s. c 19 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State ..... (($~~$12,962,000~~)) $11,082,000
Prior Biennia (Expenditures) $12,481,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,443,000~~ $23,563,000

Sec. 6022. 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-2015 School Construction Assistance Program - Maintenance (30000145)

The appropriations in this section are subject to the following conditions and limitations:

(1) $1,340,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) $933,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(3) The office of the superintendent of public instruction must improve web-based access by taxpayers to school capacity and actual enrollment in order to understand possible opportunities to increase efficiency through consolidation. The office of the superintendent of public instruction must post this capacity and enrollment information on its web site.

(4) Funds from this appropriation may be used to match federal dollars provided by the office of economic adjustment for school replacement facilities located on military bases.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program to the Evergreen (Clark County) School District to address the school construction emergency resulting from the fire that destroyed the Crestline School.

(6) The space allocations for state funding assistance purposes for districts with senior or four-year high schools with fewer than four hundred students, as outlined in WAC 392-343-035, must be computed in accordance with the following formula:

Number of Headcount Student-Grades 9-12	**Maximum Space Allocation Per Facility**
0-200	42,000 square feet
201-300	48,000 square feet
301-or more	52,000 square feet

(7) $775,000 of the common school construction account—state appropriation is provided solely as state funding assistance in addition to any previously awarded state funding assistance for the La Conner middle school replacement.

Appropriation:
State Building Construction Account—State ..... (($~~$285,355,000~~)) $382,563,000
Common School Construction Account—State ..... (($~~$208,232,000~~)) $1,526,000
Common School Construction Account—Federal ..... (($~~$1,500,000~~)) $3,500,000
Subtotal Appropriation ..... (($~~$495,087,000~~)) $387,589,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) ..... (($~~$3,099,310,000~~)) $3,099,270,000
TOTAL ..... (($~~$3,594,397,000~~)) $3,486,859,000

Sec. 6023. 2013 2nd sp.s. c 19 s 5015 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WA-NIC (Washington Network for Innovative Careers) Skills Center - Snoqualmie Valley School District/Bellevue Community College (92000006)

Reappropriation:
State Building Construction Account—State ..... (($~~$1,715,000~~)) $31,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,715,000~~ $31,000

Sec. 6024. 2013 2nd sp.s. c 19 s 5025 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Security Improvement Grants (92000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for nonrecurring costs associated with school facility safety projects consistent with chapter 233, Laws of 2013 (Second Engrossed Substitute Senate Bill No. 5197).

Appropriation:
State Building Construction Account—State ..... (($~~$10,000,000~~)) $6,656,000
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$10,000,000~~ $6,656,000

Sec. 6025. 2013 2nd sp.s. c 19 s 5055 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Pullman Pedestrian Bridge (91000028)

Appropriation:
Washington State University Building Account—State ..... (($~~$1,500,000~~)) $0
Prior Biennia (Expenditures) $0
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$1,500,000~~ $0

Sec. 6026. 2013 2nd sp.s. c 19 s 5108 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:
State Building Construction Account—State $219,000

Appropriation:
State Building Construction Account—State ..... (($~~$23,808,000~~))

$24,519,000
Prior Biennia (Expenditures) $1,709,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$25,736,000~~ $26,447,000

Sec. 6027. 2013 2nd sp.s. c 19 s 5110 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)
Reappropriation:
State Building Construction Account—State $1,335,000
Appropriation:
State Building Construction Account—State ..... (($~~33,784,000~~)) $34,478,000
Prior Biennia (Expenditures) $1,239,000
Future Biennia (Projected Costs) $0
TOTAL ..... ~~$36,358,000~~ $37,052,000

Sec. 6028. 2013 2nd sp.s. c 19 s 7043 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Toxic Control Account: For transfer to the Local Toxic Control Account $4,000,000
Environmental Legacy Stewardship Account: For transfer to the Local Toxic Control Account $12,000,000
State Taxable Building Construction Account: For transfer to the drinking water assistance account, $4,000,000 for fiscal year 2015 ..... $4,000,000
State Taxable Building Construction Account: For transfer to the water pollution control revolving account, $15,500,000 for fiscal year 2015 ..... $15,500,000

Sec. 6029. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2013-2015 biennium, amounts in the public facilities construction loan revolving account may be used for the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2013-2015 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

NEW SECTION. **Sec. 6030.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:

To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 6031.** 2013 2nd sp.s. c 19 ss 1090 and 7013 (uncodified) are each repealed.

PART 7
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 7001.** RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are thirty-six million eight hundred thirteen thousand dollars for the 2015-2017 biennium, two hundred thirty-three million two hundred eighty-six thousand dollars for the 2017-2019 biennium, and three hundred twenty-seven million two hundred thirty-four thousand dollars for the 2019-2021 biennium.

NEW SECTION. **Sec. 7002.** ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

State agencies may enter into agreements with the department of enterprise services and the state treasurer's office to develop requests to the legislature for acquisition of properties and facilities through financial contracts. The agreements may include charges for services rendered.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Department of enterprise services: Enter into a financing contract for up to $69,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new office building at 1063 Capitol Way South, Olympia.

(4) Department of enterprise services: Enter into a financing contract for up to $8,077,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to repair the natural resources building parking garage fire suppression system.

(5) Department of ecology: Enter into a financing contract for up to $180,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for programmatic improvements to the headquarters building and the eastern regional office.

(6) Department of ecology: Enter into a financing contract for up to $760,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for preservation improvements to the headquarters building.

(7) Central Washington University: Enter into a financing contract for up to $8,414,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a welcome center.

(8) The Evergreen State College: Enter into a financing contract for up to $12,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase a permanent location for the Tacoma program.

(9) Western Washington University: Enter into a financing contract for up to $6,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the carver building renovation.

(10) Eastern Washington University: Enter into a financing contract for up to $10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Washington street facility project. The university shall not use their building account or other appropriated account as a fund source for the certificate of participation.

(11) Community and technical colleges:

(a) Enter into a financing contract on behalf of Centralia Community College for up to $5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the student services building.

(b) Enter into a financing contract on behalf of Centralia Community College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase or construct student housing.

(c) Enter into a financing contract on behalf of Clark College for up to $8,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the culinary arts facility.

(d) Enter into a financing contract on behalf of Clark College for up to $35,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a student recreation center.

(e) Enter into a financing contract on behalf of Columbia Basin College for up to $7,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a health science center.

(f) Enter into a financing contract on behalf of Green River College for up to $15,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an aviation program center.

(g) Enter into a financing contract on behalf of Highline College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the maintenance and grounds building.

(h) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the main building.

(i) Enter into a financing contract on behalf of Lower Columbia College for up to $3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate and expand the Myklebust gymnasium.

(j) Enter into a financing contract on behalf of Tacoma Community College for up to $12,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to expand a health and wellness center.

(k) Enter into a financing contract on behalf of Walla Walla Community College for up to $1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a workforce and business development center.

(12) Washington state patrol: Enter into a financing contract for up to $13,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to replace the fire training academy burn building; however, local agencies that use the burn building must have indicated support for required fee increases to pay for the debt service for the financing contract. Indication of support means at least sixty percent of local agencies which have used the facility within the prior ten years support the fee increase.

(13) Department of corrections: Enter into a financing contract for up to $2,163,000 plus financing expenses and required reserves for the remodel of the correctional industry's food factory.

NEW SECTION. **Sec. 7003.** (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over $10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies shall develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative must be the most reasonable and cost-effective solution. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. **Sec. 7004.** To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of $10,000,000 may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document must include, but not be limited to, program, site, and cost analysis, including life-cycle cost, in accordance with the predesign manual adopted by the office of financial management. The results of life-cycle cost analysis must be a primary consideration in the selection of a building design. Construction may proceed only upon providing to the office of financial management the life-cycle costs. To improve monitoring of major construction projects, progress reports must be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports must be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. **Sec. 7005.** (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. **Sec. 7006.** (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under $250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. **Sec. 7007.** (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. **Sec. 7008.** (1) Any building project that receives over $10,000,000 in funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity. The following design and construction attributes must be integrated into the building project:

(a) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Considers all stages of the building's life-cycle, including deconstruction.

(b) Commissioning: Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) Optimize energy performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, reduce the energy use by fifty percent below pre-renovations baseline.

(d) On-site renewable energy: Meet at least thirty percent of the hot water demand through the installation of solar hot water heaters, when life-cycle cost effective. Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) Measurement and verification: Install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Install dashboards inside buildings to display and incentivize occupants on energy use.

(f) Benchmarking: Compare actual performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool for laboratory buildings. Web-based data collection and dashboards must also be provided.

NEW SECTION. **Sec. 7009.** State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. **Sec. 7010.** Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies and higher education institutions shall comply with the requirements set forth in this executive order.

NEW SECTION. **Sec. 7011.** PUGET SOUND PROTECTION AND RESTORATION. Consistent with RCW 90.71.340, when expending appropriations under this act that contribute to Puget Sound protection and recovery, agencies shall consult with the Puget Sound partnership to ensure that projects and expenditures are either in, or consistent with the 2020 action agenda. These consultations shall include the exchange of information on specific actions, projects, associated funding, performance measures, and other information necessary to track project implementation and ensure alignment with the action agenda. In situations where the Puget Sound partnership finds that a project is not in, or is not consistent with the action agenda, Puget Sound partnership shall document this finding and report back to the governor and legislative fiscal committees.

NEW SECTION. **Sec. 7012.** FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding $200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2015-2017 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Art allocations not expended within the ensuing two biennia will lapse. The commission may use up to $100,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to RCW 28A.335.210.

(5) The executive director of the arts commission shall appoint a study group to review the operations of the one-half of one percent for works of art purchased or commissioned as required by RCW 28A.335.210, 28B.10.027, and 43.17.200. The findings of the review must be reported annually to the office of financial management and the fiscal committees of the legislature by August 15th. The review must include, but is not limited to, the following: (a) Projects purchased or commissioned per biennium; (b) partner agencies; (c) funding sources by fiscal year; (d) artwork costs; (e) administrative costs; (f) collection care costs; and (g) project status.

NEW SECTION. **Sec. 7013.** It is confirmed that the director of the department of enterprise services is authorized under chapter 35A.14 RCW to petition for annexation of the former northern state hospital property to the city of Sedro-Woolley upon the director's determination that such annexation is appropriate and in furtherance of the interests of the state. The director shall consult with the office of financial management prior to making such determination.

Sec. 7014. RCW 27.34.330 and 2006 c 371 s 232 are each amended to read as follows:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

$$\text{Computed State Ratio} = \frac{\text{District adjusted 3-valuation per pupil} \div \text{Total state adjusted valuation per pupil}}{\text{District adjusted 3+valuation per pupil} \div \text{Total state adjusted valuation per pupil}} = -\,\% \text{ State Funding Assistance}$$

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience courses under RCW 28A.232.010 shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience students subtracted by the headcount of in-district alternative learning experience students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

(6) For the 2015-2017 biennium, schools determined to have a lack of sufficient space to provide science classrooms or labs, to meet the requirements of law, have a special housing burden condition similar to those defined under subsection (5)(b) of this section, creating a like emergency. For the 2015-2017 biennium, school districts are entitled to additional percentage points for school construction projects that have a special housing burden condition only and have received private donations in the form of cash, in-kind, or equipment of more than one hundred thousand dollars. The additional percentage points are determined by (a) school district student enrollments in the free and reduced-price meals program, (b) school district class as defined by RCW 28A.300.065, and (c) the funding assistance percentage as calculated in subsection (2) of this section. The additional percentage points under (a) of this subsection are twenty percent of the percent of student enrollments eligible and enrolled in the free and reduced-price meals program. The additional percentage points under (b) of this subsection are ten for second class school districts. The additional percentage points under (c) of this subsection are ten for school districts with funding assistance percentages of more than fifty percent.

NEW SECTION. **Sec. 7019.** STATE TREASURER REPORT ON SHORT-TERM BOND FINANCING. By December 1, 2015, the office of the state treasurer must prepare a report to the Legislature on all various purpose general obligation bond issuances for capital projects from 2005 through 2015. The report must:

(1) Categorize the bond issuances in terms of final maturities;

(2) Explain the current practice of repaying debt in equal debt service installments over a twenty-five-year period, regardless of the useful life of the specific projects or properties being financed; and

(3) Recommend a pilot approach to short-term bond financing that matches final maturities with the useful life of specific projects or properties being financed.

NEW SECTION. **Sec. 7020.** NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . ., Laws of 2015 3rd sp. sess. (Engrossed House Bill No. 1166, the general obligation bond bill) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. **Sec. 7021.** COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

NEW SECTION. **Sec. 7022.** The office of financial management, in consultation with the fiscal committees of the legislature, may select capital projects that have completed predesign to undergo a budget evaluation study. The budget evaluation study team approach using value engineering techniques and life cycle cost analysis must be utilized by the office of financial management in conducting the studies. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature and agencies in a timely manner following the study. Funds from the project appropriation must be used by the office of financial management through an interagency agreement with the affected agencies to cover the cost of the study.

NEW SECTION. **Sec. 7023.** JLARC WWRP & STATE LAND ACQUISITION STUDY. (1) The joint legislative audit and review committee must conduct a review of state and local efforts to protect and conserve habitat and expand outdoor recreation since 1990.

(2) The review has two objectives:

(a) To determine what existing or potential objective outcome measures can be used to evaluate the success of major regulatory programs or state expenditures that are intended to protect and conserve habitat and expand outdoor recreation; and

(b) To compare the amount of habitat lands protected through acquisitions and easements with the amount of lands protected through the major regulatory programs within three counties west of the cascades and three counties east of the cascades.

(3) The review must include state expenditures and local and federal expenditures used to match state funding in the following programs:

(a) Salmon recovery funding board expenditures;

(b) Puget Sound acquisition and restoration;

(c) Puget Sound estuary and salmon restoration;

(d) The Washington wildlife and recreation program;

(e) State parks and recreation commission expenditures that expand recreational lands and facilities;

(f) Trust land transfer program and other expenditures by the department of natural resources that protect habitat or expand recreation; and

(g) Other state expenditures that expand recreational lands and facilities.

(3) The review must also include the following regulatory programs:

(a) Growth management regulations regarding critical areas;

(b) Wetland restrictions;

(c) Shoreline management rules;

(d) Forest practices regulation; and

(e) Hydraulic project approval program.

(4) The review must identify other objective benefits provided by each of the included programs, such as public safety, habitat protection, environmental quality, public health, protection of intrastructure, and economic development.

(5) The review must also examine a sample of recreation and habitat land acquisition by state agencies within the past ten years to determine whether the state agencies have a land stewardship program for the land parcels, what that program entails, and the extent of compliance with that program. Land stewardship includes, but is not limited to, restoring or developing the land to meet the objectives of the acquisition, suppressing invasive weeds, securing the property to prevent damage, and maintaining the land to prevent wildfires.

(6) In undertaking the review, the joint legislative audit and review committee may contract with experts in measuring the outcomes of regulatory and funding programs to protect and conserve habitat.

(7) By December 1, 2016, the joint legislative audit and review committee must submit a report to the appropriate committees of the senate and the house of representatives that presents information and findings from the study. The report is to include recommendations for accountability measures for determining the achievement of intended outcomes for protecting, acquiring, and improving habitat and recreation lands and facilities.

NEW SECTION. **Sec. 7024.** SCHOOL SITING TASK FORCE. (1) The legislature recognizes that school districts are responsible for siting, building, and maintaining school facilities that provide a learning environment supportive of student achievement, and that schools are integral to the communities they serve. The legislature intends to create the legislative task force on school siting, as provided in subsection (2) of this section, to review school facility challenges created by enrollment increases and recent education reforms, including expansion of full-day kindergarten and smaller class sizes.

(2) A legislative task force on school siting is established, with members as provided in this subsection. All member appointments or selections must be made by August 1, 2015.

(a) The president of the senate shall appoint as members, the chairs and ranking members of the committees on government operations and security and the committee on early learning and K-12 education.

(b) The speaker of the house of representatives shall appoint as members, the chairs and ranking members of the committees on local government and education.

(c) The governor shall appoint one member who represents environmental concerns related to school siting, one member who represents active transportation concerns, and one member who represents the building industry.

(d) The task force must also include:

(i) A representative of the association of Washington cities;

(ii) A representative of the Washington state association of counties;

(iii) Two representatives of school districts, who represent school districts that serve students in urban areas and currently are experiencing difficulty finding suitable siting locations, selected by the Washington association of school administrators;

(iv) Two representatives of school districts, who represent school districts that serve students in rural areas and currently are experiencing difficulty finding suitable siting locations, selected by the Washington association of school administrators; and

(v) A representative of the Washington state association of county and regional planning directors.

(3) The task force shall choose its chair from among its legislative membership.

(4) The task force shall review the issue of siting schools inside and outside of urban growth areas. In reviewing this issue, the task force must achieve the planning goals and requirements set forth in chapter 36.70A RCW, the needs of school districts facing capacity issues, and the infrastructure needs of local governments. The task force shall also consider the following:

(a) A comparison of providing transportation to and from schools in urban and rural areas;

(b) The impacts of schools on local and regional plans for growth when they are constructed in urban and rural areas;

(c) The availability and cost of water, sewer, transportation, law enforcement, emergency response facilities and services, and other necessary public facilities and services in urban and rural areas; and

(d) Identify school locations that provide the most financially sustainable facilities and make the most efficient use of total tax dollars for each impacted jurisdiction, including school districts, cities, county unincorporated areas, sewer/water districts, fire districts, and the state;

(5) Staff from the office of the superintendent of public instruction and from affected school districts, counties, and cities must support the task force by providing local information as needed. Support provided by staff from the office of the superintendent of public instruction must be provided within existing resources.

(6) Staff support for the task force must be provided within existing resources by the association of Washington cities, the Washington state association of counties, the Washington association of school administrators, and the Washington state association of county and regional planning directors.

(7) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(8) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(9) The task force shall provide a summary of the task force's discussions and any recommendations to the appropriate committees of the legislature by December 1, 2015.

(10) This section expires January 1, 2016.

Sec. 7025. RCW 28B.20.725 and 2013 2nd sp.s. c 19 s 7027 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ((~~However, during the 2011-2013 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.~~)) However, during the 2013-2015 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2013-2015 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2015-2017 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2015-2017 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7026. RCW 28B.15.310 and 2013 2nd sp.s. c 19 s 7028 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. ((~~During the 2011-2013 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance and utility costs.~~)) During the 2013-2015 biennium, sums credited to the Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2015-2017 biennium, sums credited to the

Washington State University building account shall also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 7027. RCW 28B.15.210 and 2013 2nd sp.s. c 19 s 7026 are each amended to read as follows:

Within thirty-five days from the date of coll(e)11(c)11tion thereof1(e)11(a)11(l)5(l)5(bui)5(l)18.3(di)18.3((t)5(r)6f)20(e)-2.3(e)11(s)9.3(a)11(t)-8.

Sec. 7030. RCW 28B.50.360 and 2013 2nd sp.s. c 19 s 7031 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of building fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. ((~~During the 2011-2013 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.~~)) However, during the 2013-2015 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs. However, during the 2015-2017 biennium, sums in the capital projects account shall also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7031. RCW 43.19.501 and 2011 1st sp.s. c 50 s 943 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. For the 2007-2009 biennium, moneys in the account may be used for predesign identified in section 1037, chapter 328, Laws of 2008. For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.

During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the Thurston county capital facilities account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 7032. RCW 43.155.050 and 2013 2nd sp.s. c 4 s 983 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the ((~~2011-2013 and 2013-2015~~)) 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. ((~~During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board.~~)) During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature.

Sec. 7033. RCW 43.155.070 and 2013 2nd sp.s. c 19 s 7032 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board must consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;

(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;

(g) The cost of the project compared to the size of the local government and amount of loan money available;

(h) The number of communities served by or funding the project;

(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;

(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and

(m) Other criteria that the board considers advisable.

(5) For the ((~~2013-2015~~)) 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:

(a) The board must develop a process for numerically ranking applications for construction loans submitted by local governments. The board must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages nonstate funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services, public transit, and transportation;

(G) Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and

(H) Reduction of the overall cost of public infrastructure; and

(xi) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before November 1, ((~~2014~~)) 2016, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature. The maximum amount of funding that the board may recommend for any jurisdiction is ten million dollars per biennium. For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

(6) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(7) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(8) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.

(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.

(11) To qualify for loans or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(12) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(13) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium, for projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan.

(14)(a) ((~~For public works assistance account application rounds conducted during the 2013-2015 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federally funded drinking water and clean water state revolving funds operated by the state departments of health and ecology. The board, department of ecology, and department of health must jointly develop evaluation criteria and application procedures that will increase access of eligible drinking water and wastewater projects to the public works assistance account for short-term preconstruction financing and to the federally funded state revolving funds for construction financing. The procedures must also strengthen coordinated funding of preconstruction and construction projects.~~)) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federal funds to finance local infrastructure including, but not limited to, drinking water and clean water state revolving funds operated by the state departments of health and ecology. Projects that are eligible for the drinking water and clean water state revolving funds may receive public works board preconstruction loans. Projects that are eligible for the drinking water and clean water state revolving funds are not eligible for public works board construction loans. For purposes of this subsection "eligible for drinking water and clean water state revolving funds" means:

(i) Projects that have applied to the state revolving funds and are awaiting a funding decision;

(ii) Projects that have been rejected for funding solely due to not meeting readiness requirements; and

(iii) Projects that have not applied, but would likely be eligible if the project applied and met the project readiness requirements.

(b) For all construction loan projects proposed to the legislature for funding during the ((~~2013-2015~~)) 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship.

(((~~(c) By December 1, 2013, the board must recommend to the appropriate committees of the legislature statutory language to make permanent these new criteria, procedures, and financing policies.~~))

Sec. 7034. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. ((~~During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.~~)) During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used to continue and enhance the animal disease traceability project in section 3247, chapter 19, Laws of 2013 2nd sp. sess., administered by the department of agriculture. During the 2015-2017 biennium, sums in the public facilities construction loan revolving account may be used for the clean energy partnership project in section 1038, chapter 19, Laws of 2013 2nd sp. sess.

Sec. 7035. RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (ii) penalties collected or recovered under this chapter; and (iii) any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the state toxics control account must be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(a) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(b) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(c) The hazardous waste clean-up program required under this chapter;

(d) State matching funds required under federal cleanup law;

(e) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(f) State government programs for the safe reduction, recycling, or disposal of paint and hazardous wastes from households, small businesses, and agriculture;

(g) Oil and hazardous materials spill prevention, preparedness, training, and response activities;

(h) Water and environmental health protection and monitoring programs;

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

(k) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both: (i) A substantially more expeditious or enhanced cleanup than would otherwise occur; and (ii) the prevention or mitigation of unfair economic hardship;

(l) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;

(m) State agriculture and health programs for the safe use, reduction, recycling, or disposal of pesticides;

(n) Storm water pollution control projects and activities that protect or preserve existing remedial actions or prevent hazardous clean-up sites;

(o) Funding requirements to maintain receipt of federal funds under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et seq.);

(p) Air quality programs and actions for reducing public exposure to toxic air pollution;

(q) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70.105D.030(2)(e) if:

(i) The facility is located within a redevelopment opportunity zone designated under RCW 70.105D.150;

(ii) The amount and terms of the funding are established under a settlement agreement under RCW 70.105D.040(5); and

(iii) The director has found the funding meets any additional criteria established in rule by the department, will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, and will provide a public benefit in addition to cleanup commensurate with the scope of the public funding;

(r) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters;

(s) Appropriations to the local toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts;

(t) During the 2013-2015 and 2015-2017 fiscal ((~~biennium~~)) biennia, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;

(u) During the 2013-2015 fiscal biennium, actions at the state conservation commission to improve water quality for shellfish; ((~~and~~))

(v) During the 2013-2015 fiscal biennium, actions at the University of Washington for reducing ocean acidification;

(w) During the 2015-2017 fiscal biennium, for the University of Washington Tacoma soil remediation project;

(x) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be spent on projects in section ((~~3159~~)) 3160, chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local toxics control account; and

(((~~x~~))) (y) For the 2013-2015 fiscal biennium, moneys in the state toxics control account may be transferred to the radioactive mixed waste account.

(4)(a) The department shall use moneys deposited in the local toxics control account for grants or loans to local governments for the following purposes in descending order of priority:

(i) Extended grant agreements entered into under (((~~(c)\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay003\(e).doc~~)) (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under (((~~(c)\\sanjuan\ATLASMACROS\DATA\2015 JOURNAL\Journal2015\LegDay003\(e).doc~~)) (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Storm water pollution source projects that: (A) Work in conjunction with a remedial action; (B) protect completed remedial actions against recontamination; or (C) prevent hazardous clean-up sites;

(iv) Hazardous waste plans and programs under chapter 70.105 RCW;

(v) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) Petroleum-based plastic or expanded polystyrene foam debris cleanup activities in fresh or marine waters; and

(vii) Appropriations to the state toxics control account or the environmental legacy stewardship account created in RCW 70.105D.170, if the legislature determines that priorities for spending exceed available funds in those accounts.

(b) Funds for plans and programs must be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW.

(c) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(d) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund, such amounts as reflect the excess fund balance in the account.

(e) To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(i) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds twenty million dollars. The agreement is subject to the following limitations:

(A) The initial duration of such an agreement may not exceed ten years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(B) Extended grant agreements may not exceed fifty percent of the total eligible remedial action costs at the facility; and

(C) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(ii) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(iii) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(iv) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(v) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(vi) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70.105D.040(5) that would not otherwise occur;

(vii) When pending grant applications under (((~~(e)[(e)]~~))) (e)(iv) and (v) of this subsection (4) exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(((~~(d) [(f)]~~))) (f) To expedite multiparty clean-up efforts, the department may purchase remedial action cost-cap insurance. For the 2013-2015 fiscal biennium, moneys in the local toxics control account may be spent on projects in sections 3024, 3035, 3036, and 3059, chapter 19, Laws of 2013 2nd sp. sess.

(5) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(6) No moneys deposited into either the state or local toxics control account may be used for: Natural disasters where there is no hazardous substance contamination; high performance buildings; solid waste incinerator facility feasibility studies, construction, maintenance, or operation; or after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310. However, this subsection does not prevent an appropriation from the state toxics control account to the department of revenue to enforce compliance with the hazardous substance tax imposed in chapter 82.21 RCW.

(7) Except during the 2011-2013 fiscal biennium, one percent of the moneys collected under RCW 82.21.030 shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation that are not expended at the close of any biennium revert to the state toxics control account.

(8) The department shall adopt rules for grant or loan issuance and performance. To accelerate both remedial action and economic recovery, the department may expedite the adoption of rules necessary to implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited procedures in RCW 34.05.353. The department shall initiate the award of financial assistance by August 1, 2013. To ensure the adoption of rules will not delay financial assistance, the department may administer the award of financial assistance through interpretive guidance pending the adoption of rules through July 1, 2014.

(9) Except as provided under subsection (3)(k) and (q) of this section, nothing in chapter 1, Laws of 2013 2nd sp. sess. ((~~effects [affects]~~)) affects the ability of a potentially liable person to receive public funding.

(10) During the ((~~2013-2015~~)) 2015-2017 fiscal biennium the local toxics control account may also be used for the centennial clean water program ((~~and for storm water grants~~)) and for the storm water financial assistance program administered by the department of ecology.

NEW SECTION. **Sec. 7036.** (1) Funds appropriated in this act for minor works may not be allotted until final project lists are submitted to the office of financial management. Revisions to the project lists are allowed for projects not anticipated at the time of budget development but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment and must include an explanation of variances from the prior lists before funds may be expended on the revisions. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(2)(a) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between $25,000 and $1,000,000 each, with the exception of higher education minor works projects that may be valued up to $2,000,000.

All projects must meet the criteria included in this subsection (2)(a) with the exception of minor works appropriations for the department of fish and wildlife for the 2015-2017 biennium. These projects should be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed $1,000,000, or $2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

(b) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

NEW SECTION. **Sec. 7037. FOR THE STATE TREASURER—TRANSFERS**

Public works assistance account—state: For transfer to the water pollution control revolving account, $6,000,000 for fiscal year 2016 and $6,000,000 for fiscal year 2017 ..... $12,000,000

Public works assistance account—state: For transfer to the drinking water assistance account, $4,000,000 for fiscal year 2016 and $4,000,000 for fiscal year 2017 ..... $8,000,000

NEW SECTION. **Sec. 7038. STATE TREASURER TRANSFER AUTHORITY**

State toxics control account: For transfer to the environmental legacy trust account $24,000,000

Local toxics control account: For transfer to the environmental legacy trust account $30,000,000

(1) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts among the state toxics control account, the local toxics control account, and the environmental legacy stewardship account as needed during the 2015-2017 fiscal biennium to maintain positive account balances in all three accounts.

(2) As directed by the department of ecology in consultation with the office of financial management, the state treasurer shall transfer amounts from the cleanup settlement account established in RCW 70.105D.130 to the state toxics control account, the local toxics control account or the environmental legacy stewardship account to maintain positive account balances up to an amount not to exceed $13,000,000 that must be considered an inter fund loan that must be repaid with interest to the cleanup settlement account in three equal repayments in fiscal years 2018, 2019, and 2020.

(3) If, after using the inter-fund transfer authority granted in this section, the department of ecology determines that further reductions are needed to maintain positive account balances in the state toxics control account, the local toxics control account, and the environmental legacy stewardship account, the department is authorized to delay the start of clean-up projects based on acuity of need, readiness to proceed, cost-efficiency, or need to ensure geographic distribution. If the department uses this authority, the department must submit a prioritized list of projects that may be delayed to the office of financial management and the appropriate fiscal committees of the legislature.

NEW SECTION. **Sec. 7039.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7040.** Fiscal or related staff from the office of financial management shall form a four-year prioritized capital project list technical work group with staff from the office of program research, senate committee services, four-year institutions of higher education receiving appropriations in this act, and the council of presidents. The work group shall examine and determine key elements, data sources, process improvement, data needs by project category types, scoring and weighting alternatives, and how to better align to the process for budget decisions. The work group shall report options and alternatives to the appropriate legislative committees by December 15, 2015.

Sec. 7041. RCW 43.131.413 and 2010 c 245 s 12 are each amended to read as follows:

The alternative process for awarding contracts established in RCW 28B.20.744 terminates June 30, ((~~2015~~)) 2017, as provided in RCW 43.131.414.

Sec. 7042. RCW 43.131.414 and 2010 c 245 s 13 are each amended to read as follows:

RCW 28B.20.744, as now existing or hereafter amended, is repealed, effective June 30, ((~~2016~~)) 2018.

Sec. 7043. RCW 28B.20.744 and 2010 c 245 s 11 are each amended to read as follows:

(1) This section provides an alternative process for awarding contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of university buildings and facilities in which critical patient care or highly specialized medical research is located. These provisions may be used, in lieu of other procedures to award contracts for such work, when the estimated cost of the work is equal to or less than five million dollars and the project involves construction, renovation, remodeling, or alteration of improvements within a building that is used directly for critical patient care or highly specialized medical research.

(2) The university may create a single critical patient care or specialized medical research facilities roster or may create multiple critical patient care or specialized medical research facilities rosters for different trade specialties or categories of anticipated work. At least once a year, the university shall publish in a newspaper of general circulation a notice of the existence of the roster or rosters and solicit a statement of qualifications from contractors who wish to be on the roster or rosters of prime contractors. In addition, qualified contractors shall be

added to the roster or rosters at any time they submit a written request, necessary records, and meet the qualifications established by the university. The university may require eligible contractors desiring to be placed on a roster to keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the university as a condition of being placed on a roster or rosters. Placement on a roster shall be on the basis of qualifications.

(3) The public solicitation of qualifications shall include but not be limited to:

(a) A description of the types of projects to be completed and where possible may include programmatic, performance, and technical requirements and specifications;

(b) The reasons for using the critical patient care and specialized medical research roster process;

(c) A description of the qualifications to be required of a contractor, including submission of an accident prevention program;

(d) A description of the process the university will use to evaluate qualifications, including evaluation factors and the relative weight of factors;

(e) The form of the contract to be awarded;

(f) A description of the administrative process by which the required qualifications, evaluation process, and project types may be appealed; and

(g) A description of the administrative process by which decisions of the university may be appealed.

(4) The university shall establish a committee to evaluate the contractors submitting qualifications. Evaluation criteria for selection of the contractor or contractors to be included on a roster shall include, but not be limited to:

(a) Ability of a contractor's professional personnel;

(b) A contractor's past performance on similar projects, including but not limited to medical facilities, and involving either negotiated work or other public works contracts;

(c) The contractor's ability to meet time and budget requirements;

(d) The contractor's ability to provide preconstruction services, as appropriate;

(e) The contractor's capacity to successfully complete the project;

(f) The contractor's approach to executing projects;

(g) The contractor's approach to safety and the contractor's safety history; and

(h) The contractor's record of performance, integrity, judgment, and skills.

(5) Contractors meeting the evaluation committee's criteria for selection must be placed on the applicable roster or rosters.

(6) When a project is selected for delivery through this roster process, the university must establish a procedure for securing written quotations from all contractors on a roster to assure that a competitive price is established. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. Plans and specifications must be included in the invitation but may not be detailed. Award of a project must be made to the responsible bidder submitting the lowest responsive bid.

(7) The university shall make an effort to solicit proposals from certified minority or certified woman-owned contractors to the extent permitted by the Washington state civil rights act, RCW 49.60.400.

(8) Beginning in September 2010 and every other ((~~year~~)) September thereafter, the university shall provide a report to the capital projects advisory review board which must, at a minimum, include a list of rosters used, contracts awarded, and a description of outreach to and participation by women and minority-owned businesses.

(9) Beginning in September 2015 and every September thereafter, the university shall report to the office of minority and women's business enterprises and to the appropriate legislative fiscal committees the number of qualified women and minority-owned business contractors on the roster or rosters and the number of contracts awarded to women and minority-owned businesses.

NEW SECTION. **Sec. 7044.** (1) The office of financial management shall develop a master plan for museums and research facilities to address the statewide need for providing storage, research, and display space for collections of art and artifacts, archaeological research materials, DNA tissue samples, tribal artifacts, and other related items of an historical nature.

(2) The office of financial management shall identify the following: (a) Types of space needed to store, research, and display items and collections depending on types of items; (b) an inventory of existing spaces that the state may utilize to fill storage, research, and display needs; (c) recommendations regarding the highest and best use of the capital museum in Olympia; (d) collections and other state assets that may be divested or transferred to more appropriate entities for storage, research, and display; (e) database systems used or needed to inventory collections of items of an historical nature and the ability to display those collections on the internet; and (f) other items related to the storage, research, and display of collections of an historical nature.

(3) The office of the financial management or its contractor must consult with the following agencies in developing the statewide master plan for museums and research centers: (a) The Washington state historical society; (b) state parks and recreation; (c) the burke museum; (d) the eastern Washington state historical society; and (e) other entities as necessary.

(4) The office of financial management must present the statewide museum master plan to the appropriate committees of the legislature by December 31, 2015.

NEW SECTION. **Sec. 7045.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Dunshee and Smith spoke in favor of the adoption of the striking amendment.

Amendment (582) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, DeBolt and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed House Bill No. 1115.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed House Bill No. 1115, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Scott and Taylor.

SECOND ENGROSSED HOUSE BILL NO. 1115, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Dunshee asked the Speaker and the body to recognize the Capital Budget Committee staff for all their hard work, and thanked the member from the 20th district for his efforts.

POINT OF PERSONAL PRIVILEGE

Representative DeBolt asked the Speaker and the body to recognize the members from the 44th, 1st and 10th districts, as well as the members of the other chamber, for all their hard work on the capital budget.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6057, by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

Relating to revenue. Revised for 1st Substitute: Concerning stimulating economic development through the use of tax preferences and streamlined tax administration.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6057.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6057, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dye, Farrell, Fitzgibbon, G. Hunt, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Morris, Moscoso, Muri, Nealey, Orcutt, Orwall, Parker, Pettigrew, Pike, Robinson, Rodne, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Young, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Carlyle, Dunshee, Fey, Goodman, Gregerson, Hansen, Jinkins, Moeller, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Ryu, S. Hunt, Santos, Sawyer and Wylie.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6057, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute Senate Bill No. 6057.

Representative Kagi, 32nd District

SECOND READING

SUBSTITUTE SENATE BILL NO. 5186, by Senate Committee on Ways & Means (originally sponsored by Senators Benton, Hasegawa, Sheldon and Keiser)

Allowing certain health care coverage deductions from the calculation of disposable income for the purpose of qualifying for senior property tax programs. Revised for 1st Substitute: Concerning property tax exemptions for service-connected disabled veterans and senior citizens.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

There being no objection, the House deferred action on. SUBSTITUTE SENATE BILL NO. 5186, and the bill held its place on the third reading calendar.

MESSAGE FROM THE SENATE

J

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6138, and the bill passed the House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Hansen, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Lytton, Manweller, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, DeBolt, Dent, Dye, G. Hunt, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, McCabe, McCaslin, Muri, Orcutt, Pike, Rodne, Scott, Shea, Short, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilson, Young and Zeiger.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6138, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5954, by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Bailey, Hill, Becker, Fain, Miloscia, Parlette, Angel, Schoesler, Brown, Litzow, Warnick, Honeyford, Sheldon, Rivers, Roach and Benton)

Reducing tuition.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen, Zeiger, Reykdal and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5954.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5954, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5954, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Hudgins to preside.

MESSAGES FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5251
SENATE BILL NO. 5310

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 6080

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

FIFTH SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

SB 5310 by Senators Ericksen, McCoy, Sheldon, Honeyford, Ranker and Cleveland

AN ACT Relating to enforcement actions at facilities sited by the energy facility site evaluation council; amending RCW 80.50.150 and 90.56.330; adding a new section to chapter 80.50 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

2ESSB 6080 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Keiser, Honeyford, Conway and Pedersen)

AN ACT Relating to financing public school facilities necessary to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade; adding a new section to chapter 28A.525 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

There being no objection, SENATE BILL NO. 5310 and SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 6080 were read the first time, and under suspension of the rules were placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE SENATE BILL NO. 5186
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
ENGROSSED SUBSTITUTE SENATE BILL NO. 6057
ENGROSSED SUBSTITUTE SENATE BILL NO. 6138

The Speaker called upon Representative Moeller to preside.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

SECOND ENGROSSED SENATE BILL NO. 5993, by Senators King, Fain, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Hewitt, Becker and Brown

Concerning public works contracts and projects.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 5993.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 5993, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

SECOND ENGROSSED SENATE BILL NO. 5993, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5310, by Senators Ericksen, McCoy, Sheldon, Honeyford, Ranker and Cleveland

Addressing enforcement actions at facilities sited by the energy facility site evaluation council.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5310.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5310, and the bill passed the House by the following vote: Yeas, 78; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Griffey, Hansen, Hargrove, Harmsworth, Hayes, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Van Werven, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Dye, G. Hunt, Haler, Harris, Hawkins, Holy, Klippert, Kretz, McCaslin, Orcutt, Parker, Scott, Shea, Taylor, Vick, Wilson and Young.

SENATE BILL NO. 5310, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SECRETARY OF STATE

June 30, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration Second Engrossed Second Substitute House Bill 1276 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 30h day of June, 2015.

Kim Wyman
Secretary of State

MESSAGES FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1061
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570
ENGROSSED HOUSE BILL NO. 2212

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5355
ENGROSSED SUBSTITUTE SENATE BILL NO. 5820
SUBSTITUTE SENATE BILL NO. 6134
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5113
FOURTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:
ENGROSSED HOUSE BILL NO. 2286
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2263
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The Senate has passed:
SECOND ENGROSSED HOUSE BILL NO. 1115
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
SUBSTITUTE SENATE BILL NO. 5186
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5954
ENGROSSED SUBSTITUTE SENATE BILL NO. 6057
ENGROSSED SUBSTITUTE SENATE BILL NO. 6138
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND ENGROSSED HOUSE BILL NO. 1115

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

June 30, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED HOUSE BILL NO. 1115
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2263
ENGROSSED HOUSE BILL NO. 2286
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
HOUSE BILL NO. 1061
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1095
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570
ENGROSSED HOUSE BILL NO. 2212
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

June 30, 2015

MR. SPEAKER:

The President has signed:
HOUSE BILL NO. 1219
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1842
SUBSTITUTE HOUSE BILL NO. 1897
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1965
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2012
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2128
ENGROSSED HOUSE BILL NO. 2267
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SECOND READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 6080, by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Keiser, Honeyford, Conway and Pedersen)

Financing public school facilities necessary to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dunshee and Manweller spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 6080.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 6080, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 6080, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5987, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

Concerning transportation revenue.

The bill was read the second time.

Representative Farrell moved the adoption of amendment (581):

On page 14, line 35, after "operations account," insert "the Puget Sound taxpayer accountability account,"

On page 18, line 21, after "operations account," insert "the Puget Sound taxpayer accountability account,"

On page 115, beginning on line 5, strike "general fund" and insert "Puget Sound taxpayer accountability account"

On page 115, after line 22, insert the following:

"NEW SECTION. **Sec. 423.** A new section is added to chapter 43.79 RCW to read as follows:

(1) The Puget Sound taxpayer accountability account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for distribution to counties where a portion of the county is within the boundaries of a regional transit authority that includes a county with a population of one million five hundred thousand or more. Counties may use distributions from the account only for educational services to improve educational outcomes in early learning, K-12, and higher education including, but not limited to, for youths that are low-income, homeless, or in foster care, or other vulnerable populations. Counties receiving distributions under this section must track all expenditures and uses of the funds. To the greatest extent practicable, the expenditures of the counties must follow the requirements of any transportation subarea equity element used by the regional transit authority.

(2) Beginning September 1, 2017, and by the last day of September, December, March, and June of each year thereafter, the state treasurer shall distribute moneys deposited in the Puget Sound taxpayer accountability account to counties for which a portion of the county is within the boundaries of a regional transit authority that includes a county with a population of one million five hundred thousand. The treasurer must make the distribution to the counties on the relative basis of that transit authority's population that lives within the respective counties."

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representative Farrell spoke in favor of the adoption of the amendment.

Representative Orcutt spoke against the adoption of the amendment.

Amendment (581) was adopted.

Representative Orcutt moved the adoption of amendment (584):

On page 116, beginning on line 1, after "**425.**" strike the remainder of the section and insert "The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Correct the title.

Representatives Orcutt and Shea spoke in favor of the adoption of the amendment.

Representatives Farrell, Riccelli, Magendanz and Young spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker stated the question before the House to be the adoption of amendment (584) to Second Engrossed Substitute Senate Bill No. 5987.

ROLL CALL

The Clerk called the roll on the adoption of amendment (584) to Second Engrossed Substitute Senate Bill No. 5987 and the amendment was not adopted by the following vote: Yeas, 46; Nays, 52; Absent, 0; Excused, 0.

Voting yea: Representatives Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dunshee, Dye, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hunt, G., Kilduff, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Wilcox, Wilson, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Goodman,

Gregerson, Hansen, Hudgins, Hunt, S., Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Lytton, McBride, Moeller, Morris, Moscoso, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wylie, and Young

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Amendment (584) to Second Engrossed Substitute Senate Bill No. 5987.

Representative Young, 26th District

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn, Fey, Zeiger, Riccelli, Farrell, Johnson, Takko, Reykdal, Walsh and Wilson spoke in favor of the passage of the bill.

Representatives Orcutt, Magendanz, Shea, Van Werven, Fitzgibbon, Vick, G. Hunt, Young, Pike and Scott spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5987, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5987, as amended by the House, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Farrell, Fey, Goodman, Gregerson, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lytton, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reykdal, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Santos, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dunshee, Dye, Fitzgibbon, G. Hunt, Gregory, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Kilduff, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Orcutt, Parker, Pike, Schmick, Scott, Shea, Short, Smith, Taylor, Van De Wege, Van Werven, Vick, Wilson and Young.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5987, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Engrossed Substitute Senate Bill No. 5987.

Representative Haler, 8th District

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1:00 p.m., July 1, 2015, the 4th Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTH DAY

House Chamber, Olympia, Wednesday, July 1, 2015

The House was called to order at 1:00 p.m. by the Speaker (Representative Springer presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2288 by Representatives Farrell, Clibborn, Carlyle, Santos, Walkinshaw, Fitzgibbon, Robinson, Peterson, Pollet, Tarleton, Fey, Senn, Gregerson, Tharinger, Jinkins, Sawyer, Ortiz-Self, McBride and Stanford

AN ACT Relating to the Puget Sound taxpayer accountability account; amending RCW 81.112.---; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new section to chapter 43.79 RCW; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Appropriations.

HB 2289 by Representatives Bergquist, Harmsworth and Hudgins

AN ACT Relating to allowing toll-free travel on the Interstate 405 express toll lanes; and amending RCW 47.56.880.

Referred to Committee on Transportation.

HCR 4411 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4412 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURRENT RESOLUTION NO. 4411 and HOUSE CONCURRENT RESOLUTION NO. 4412 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., July 2, 2015, the 5th Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTH DAY

House Chamber, Olympia, Thursday, July 2, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HJM 4011 by Representatives Shea, Taylor, G. Hunt, Young, Buys, Pike, McCaslin, Scott, Holy, Harris, Condotta, Short, Schmick, Manweller and Kretz

Requesting support for the state's fossil fuels industries and for the labor sectors supported by those industries.

Referred to Committee on Environment.

ESSB 5113 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senator Brown)

AN ACT Relating to requiring the department of commerce to coordinate and advance the siting and manufacturing of small modular reactors in the state to meet future energy supply, environmental, and energy security needs; and amending RCW 43.21F.025 and 43.21F.045.

Referred to Committee on Appropriations.

SB 5180 by Senators Benton, Mullet, Angel, Hobbs, Hargrove, Keiser and Darneille

AN ACT Relating to modernizing life insurance reserve requirements; amending RCW 48.74.010, 48.74.020, 48.74.025, 48.74.030, 48.74.050, 48.74.060, 48.74.070, 48.74.090, 48.76.010, 48.76.050, and 42.56.400; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.74 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

ESB 5251 by Senators Honeyford and Keiser

AN ACT Relating to transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health; and amending RCW 70.119A.170.

Referred to Committee on Capital Budget.

SB 5442 by Senators Warnick and Hatfield

AN ACT Relating to eligibility criteria for the community economic revitalization board programs; amending RCW 43.160.060; and declaring an emergency.

Referred to Committee on Capital Budget.

ESSB 5575 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Honeyford and Hatfield)

AN ACT Relating to providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants or biomass energy facilities to convert to natural gas-fired plants; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Finance.

SB 5581 by Senators Angel and Hobbs

AN ACT Relating to the benefits of group life and disability insurance policies; amending RCW 48.24.280; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Business & Financial Services.

4ESSB 5857 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Conway, Becker and Pearson)

AN ACT Relating to registration and regulation of pharmacy benefit managers; amending RCW 19.340.030 and 19.340.010; adding a new section to chapter 19.340 RCW; adding a new section to chapter 48.02 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Appropriations.

SSB 6084 by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

AN ACT Relating to accident report record fees and surcharges; and amending RCW 46.52.085.

Referred to Committee on Transportation.

SB 6141 by Senators Baumgartner, Billig, Schoesler, Kohl-Welles, Bailey, Parlette, Angel, Pearson, Litzow, Padden, Brown, Ericksen, Warnick, Dammeier, Braun, Miloscia, Hewitt, Hobbs, Jayapal, Cleveland, McAuliffe, Frockt, Nelson, Hasegawa, Hargrove, Hatfield, Habib, Keiser, Liias, McCoy, Fraser and Chase

AN ACT Relating to naming a school of medicine at Washington State University after Elson S. Floyd; and amending RCW 28B.30.---.

Referred to Committee on Higher Education.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 12:00 p.m., July 3, 2015, the 6th Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTH DAY

House Chamber, Olympia, Friday, July 3, 2015

The House was called to order at 12:00 p.m. by the Speaker-designee (Speaker's Attorney Cathy Maynard presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., July 6, 2015, the 9th Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINTH DAY

House Chamber, Olympia, Monday, July 6, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

July 1, 2015

MR. SPEAKER:

The Senate has passed:
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5988
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

July 3, 2015

MR. SPEAKER:

The President has signed:
SENATE BILL NO. 5310
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5987
SECOND ENGROSSED SENATE BILL NO. 5993
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 6080
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., July 7, 2015, the 10th Day of the Third Special Session.

FRANK CHOPP, Speaker
BARBARA BAKER, Chief Clerk

TWELFTH DAY

House Chamber, Olympia, Thursday, July 9, 2015

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

July 1, 2015

Dear Speaker Chopp:

I respectfully transmit for your consideration Second Engrossed Substitute House Bill 1115 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article Ill, section 12, of the Washington State Constitution.

·IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 1st day of July, 2015.

Greg Lane
Deputy Secretary of State

There being no objection, the House advanced to the eighth order of business.

There being no objection, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106, HOUSE BILL NO. 2270, SECOND SUBSTITUTE HOUSE BILL NO. 1391, ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239 were referred to the Committee on Rules.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., July 10, 2015, the 13th Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTEENTH DAY

House Chamber, Olympia, Friday, July 10, 2015

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Paula Rehwaldt and Cassidy Rehwaldt. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Vincent Buys, 42nd District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

July 9, 2015

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6145

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

July 9, 2015

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1166
ENGROSSED HOUSE BILL NO. 2266

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

SB 6145 by Senators Fraser, Kohl-Welles, Pedersen, Hatfield, Billig, McCoy, Jayapal, Keiser, Conway, Cleveland, Mullet, Nelson, McAuliffe, Hobbs, Frockt, Liias and Rolfes

AN ACT Relating to delaying for two years the high school graduation requirement of meeting the state standard on the high school science assessment; amending RCW 28A.655.061; and creating new sections.

There being no objection, SENATE BILL NO. 6145 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1166
ENGROSSED HOUSE BILL NO. 2266

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 6145, by Senators Fraser, Kohl-Welles, Pedersen, Hatfield, Billig, McCoy, Jayapal, Keiser, Conway, Cleveland, Mullet, Nelson, McAuliffe, Hobbs, Frockt, Liias and Rolfes

Delaying for two years the high school graduation requirement of meeting the state standard on the high school science assessment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6145.

MOTIONS

On motion of Representative Van De Wege, Representatives Farrell, Hansen, Kagi, Reykdal, Santos and Walkinshaw were excused. On motion of Representative Harris, Representatives McCaslin and Shea were excused.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6145, and the bill passed the House by the following vote: Yeas, 89; Nays, 1; Absent, 0; Excused, 8.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Caldier, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Fey, Fitzgibbon, G. Hunt, Goodman, Gregerson, Gregory, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Riccelli, Robinson, Rodne,

Ryu, S. Hunt, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Wylie, Young, Zeiger and Mr. Speaker.

Voting nay: Representative Orcutt.

Excused: Representatives Farrell, Hansen, Kagi, McCaslin, Reykdal, Santos, Shea and Walkinshaw.

SENATE BILL NO. 6145, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5988, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

Concerning additive transportation funding and appropriations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5988.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5988, and the bill passed the House by the following vote: Yeas, 61; Nays, 30; Absent, 0; Excused, 7.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dent, Fey, Goodman, Gregerson, Gregory, Haler, Hargrove, Harmsworth, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kilduff, Kirby, Klippert, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dunshee, Dye, Fitzgibbon, G. Hunt, Griffey, Harris, Hawkins, Hayes, Holy, Kretz, Kristiansen, MacEwen, McCabe, Parker, Pike, Schmick, Scott, Short, Smith, Taylor, Van De Wege, Van Werven, Vick, Wilson and Young.

Excused: Representatives Farrell, Hansen, Kagi, McCaslin, Reykdal, Santos and Shea.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5988, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5989, by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias and Litzow)

Authorizing bonds for transportation funding.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5989.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5989, and the bill passed the House by the following vote: Yeas, 63; Nays, 29; Absent, 0; Excused, 6.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fey, Fitzgibbon, Goodman, Gregerson, Gregory, Haler, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Lytton, Magendanz, Manweller, McBride, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Riccelli, Robinson, Rodne, Ryu, S. Hunt, Sawyer, Sells, Senn, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walkinshaw, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, Dent, Dye, G. Hunt, Griffey, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, McCabe, Parker, Pike, Schmick, Scott, Short, Smith, Taylor, Van Werven, Vick, Wilson and Young.

Excused: Representatives Farrell, Hansen, McCaslin, Reykdal, Santos and Shea.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5989, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Clibborn asked the Speaker and the body to help her in thanking the House Transportation Committee staff for all their hard work during this legislative session.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Speaker's Attorney Cathy Maynard and Republican Attorney Mike Hoover to the chamber and asked members to pay particular attention to their festive Sine Die regalia.

The Speaker (Representative Moeller presiding) called upon Representative Ormsby to preside.

HOUSE CONCURRENT RESOLUTION NO. 4411, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Ormsby presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4411.

HOUSE CONCURRENT RESOLUTION NO. 4411 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4412, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Ormsby presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4412.

HOUSE CONCURRENT RESOLUTION NO. 4412 was adopted.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 1912, and the bill was referred to the Committee on Technology & Economic Development.

MESSAGES FROM THE SENATE

July 10, 2015

MR. SPEAKER:

The President has signed:
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5988
ENGROSSED SUBSTITUTE SENATE BILL NO. 5989
SENATE BILL NO. 6145
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

July 10, 2015

MR. SPEAKER:

The President has signed:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1166
ENGROSSED HOUSE BILL NO. 2266
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

July 10, 2015

MR. SPEAKER:

The Senate has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5989
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5988
SENATE BILL NO. 6145
HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412
The Speaker called upon Representative Ormsby to preside.

MESSAGE FROM THE SENATE

July 10, 2015

MR. SPEAKER:

The President has signed:
HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

July 10, 2015

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4411, the following House Bills were returned to the House of Representatives:
SUBSTITUTE HOUSE BILL NO. 1037
SUBSTITUTE HOUSE BILL NO. 1067
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1100
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
SUBSTITUTE HOUSE BILL NO. 1725
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2156
SECOND ENGROSSED HOUSE BILL NO. 2214
and the same are herewith transmitted.
Hunter G. Goodman, Secretary

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4411, the following Senate bills are returned to the Senate:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5113
SENATE BILL NO. 5180
ENGROSSED SENATE BILL NO. 5251
SENATE BILL NO. 5272
SENATE BILL NO. 5442
ENGROSSED SUBSTITUTE SENATE BILL NO. 5575
SENATE BILL NO. 5581
FOURTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857
SUBSTITUTE SENATE BILL NO. 6084
SENATE BILL NO. 6141

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 13th Day of the 2015 Third Special Session of the 64th Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2015 Third Special Session of the 64th Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker
BARBARA BAKER, Chief Clerk

HOUSE LEGISLATIVE LEADERS

Sixty Fourth Legislature
2015 Regular Session

DEMOCRATIC LEADERSHIP

Frank Chopp ..... Speaker
Jim Moeller ..... Speaker Pro Tempore
Tina Orwall ..... Deputy Speaker Pro Tempore
Pat Sullivan ..... Majority Leader
Eric Pettigrew ..... Majority Caucus Chair
Kevin Van De Wege ..... Majority Whip
Kristine Lytton ..... Majority Floor Leader
Larry Springer ..... Deputy Majority Leader
Steve Bergquist ..... Deputy Majority Floor Leader
Gael Tarleton ..... Deputy Majority Floor Leader
Marcus Riccelli ..... Deputy Majority Whip
Cindy Ryu ..... Assistant Majority Whip
Joan McBride ..... Assistant Majority Whip

REPUBLICAN LEADERSHIP

Dan Kristiansen ..... Minority Leader
Joel Kretz ..... Deputy Minority Leader
Shelly Short ..... Minority Caucus Chair
Paul Harris ..... Minority Whip
J.T. Wilcox ..... Minority Floor Leader
Joe Schmick ..... Minority Caucus Vice Chair
Matt Manweller ..... Assistant Minority Floor Leader
Matt Shea ..... Assistant Minority Floor Leader
Dave Hayes ..... Assistant Minority Whip
Dan Griffey ..... Assistant Minority Whip
Lynda Wilson ..... Assistant Minority Whip

2015 HOUSE MEMBERSHIP ROSTER

	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Appleton, Sherry District 23 (D) Kitsap (P)	2005-2014	PO Box 2112 Poulsbo, WA 98370	1942 - RI	Legislator
	Bergquist, Steve District 11 (D) King (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1979-WA	Teacher
	Blake, Brian District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	Appt. 12/17/2002, 2003-2014	PO Box 40600 Olympia, WA 98504	1960 - WA	Environmental Specialist, Logger
	Buys, Vincent District 42 (R) Whatcom (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1979 - WA	General Contractor
	Caldier, Michelle District 26 (R) Kitsap (P), Pierce (P)		PO Box 40600 Olympia, WA 98504	1976 - WA	Dentist
	Carlyle, Reuven District 36 (D) King (P)	2009-2014	3131 Western Ave. Suite 421 Seattle, WA 98121	1965	Software Entrepreneur
	Chandler, Bruce District 15 (R) Yakima (P)	1999-2014	PO Box 40600 Olympia, WA 98504	1952 - WA	Orchardist
	Chopp, Frank District 43 (D) King (P)	1995-2014	5031 University Way NE Suite 107 Seattle, WA 98105	1953 - WA	Community Service
	Clibborn, Judy District 41 (D) King (P)	2003-2014	PO Box 40600 Olympia, WA 98504	1943 - OK	Legislator
	Cody, Eileen District 34 (D) King (P)	Appt. 6/2/1994, 1995-2014	1200 12th Ave S Ste 8400 Seattle, WA 98105	1954 - IA	Registered Nurse
	Condotta, Cary District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)	2003-2014	3024 GS Center Rd Suite C Wenatchee, WA 98801	1957 - WA	Business Consultant
	DeBolt, Richard District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	1997-2014	PO Box 40600 Olympia WA 98504	1965 - WA	External Relations
	Dent, Tom District 13 (R) Grant (P), Kittitas, Lincoln, Yakima (P)		PO Box 40600 Olympia, WA 98504	1950 - ID	Pilot / Rancher
	Dunshee, Hans District 44 (D) Snohomish (P)	1993-1994; 1997-2014	PO Box 40600 Olympia, WA 98504	1953 - CA	Former Septic Designer
	Dye, Mary District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman		PO Box 40600 Olympia, WA 98504	1961 - ID	Farmer

	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Fagan, Susan District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 12/1/2009, 2011-2014	PO Box 40600 Olympia, WA 98504	WA	Public Affairs Executive
	Farrell, Jessyn District 46 (D) King (P)	2013-2014	10215 Lake City Way Ste K Seattle, WA 98125	1973 - WA	Attorney
	Fey, Jake District 27 (D) Pierce (P)	2013-2014	1406 Browns Pt Blvd NE Tacoma, WA 98422	1949 - WA	Director, WSU Energy Program
	Fitzgibbon, Joe District 34 (D) King (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1986 - WA	Legislator
	Goodman, Roger District 45 (D) King (P)	2007-2014	PO Box 40600 Olympia, WA 98504	1961 – RI	Attorney
	Gregerson, Mia District 33 (D) King (P)	Appt. 12/16/2013, 2014	PO Box 40600 Olympia, WA 98504	1972 - Taiwan	Legislator
	Gregory, Carol District 30 (D) King (P), Pierce (P)		PO Box 40600 Olympia, WA 98504		
	Griffey, Dan District 35 (D) Kitsap (P), Mason, Thurston (P)		PO Box 40600 Olympia, WA 98504	1970 - WA	Fire Fighter
	Haler, Larry District 8 (R) Benton (P)	2005-2014	719 Jadwin Ave Richland, WA 99352	1951 – IA	Retired Engineer
	Hansen, Drew District 23 (D) Kitsap (P)	Appt. 9/19/2011, 2012-2014	PO Box 40600 Olympia, WA 98504		
	Hargrove, Mark District 47 (R) King (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1956 –TX	Instructor Pilot
	Harmsworth, Mark District 44 (R) Snohomish (P)		PO Box 40600 Olympia, WA 98513		Director
	Harris, Paul District 17 (R) Clark (P)	2011-2014	237 NE Chkalov Dr Suite 106 Vancouver, WA 98684	1953 - OR	Sales/Marketing
	Hawkins, Brad District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)	2013-2014	PO Box 40600 Olympia, WA 98504		
	Hayes, Dave District 10 (R) Island, Skagit (P), Snohomish (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1966 - WA	Law Enforcement
	Holy, Jeff District 6 (R) Spokane (P)	2013-2015	PO Box 40285 Spokane, WA 98220		Attorney

	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Hudgins, Zack District 11 (D) King (P)	Appt. 12/09/2002; 2003-2014	4511 S 136th St Tukwila, WA 98168	1968 – TX	High Technology Manager
	Hunt, Graham District 2 (R) Pierce (P), Thurston (P)	Appt. 1/18/2004	PO Box 40600 Olympia, WA 98504	1979	Insurance Producer
	Hunt, Sam District 22 (D) Thurston (P)	2001-2014	PO Box 40600 Olympia, WA 98504	1942 - MT	Retired
	Hunter, Ross District 48 (D) King (P)	2003-2014	1611 116th Ave NE Suite 206 Bellevue, WA 98004	1961 – PA	Retired Software Executive
	Hurst, Christopher District 31 (D) King (P), Pierce (P)	1999-2002, 2007-2014	62504 Indian Summer Way E Enumclaw, WA 98022	1954 - WA	Retired Police Detective
	Jinkins, Laurie District 27 (D) Pierce (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1964 - IA	Public Health Official
	Johnson, Norm District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)	2009-2014	421 N 20th Ave Suite A Yakima, WA 98902	1938 - WA	Retired Educator, Administrator
	Kagi, Ruth District 32 (D) King (P), Snohomish (P)	1999-2014	13504 8th Ave NW Seattle, WA 98177	1945 - WA	Legislator
	Kilduff, Christine District 28 (D) Pierce (P)		PO Box 40600 Olympia, WA 98504	1966 - NY	Attorney
	Kirby, Steve District 29 (D) Pierce (P)	2001-2014	PO Box 40600 Olympia WA 98504	1951 - WA	Legislator
	Klippert, Brad District 8 (R) Benton (P)	2009-2014	PO Box 6478 Kennewick, WA 99336	1957 - WA	Legislator, Deputy, LTC
	Kochmar, Linda District 30 (R) King (P), Pierce (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1949 - OR	Risk Manager
	Kretz, Joel District 7 (R) Ferry, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2005-2014	1014 Toroda Creek Rd Wauconda, WA 98859	1957 - WA	Rancher/ Logger
	Kristiansen, Dan District 39 (R) King (P), Skagit (P), Snohomish (P)	2003-2014	PO Box 40600 Olympia, WA 98504	1962 - WA	Legislator
	Lytton, Kristine District 40 (D) San Juan, Skagit (P), Whatcom (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1960 - IL	Legislator
	MacEwen, Drew District 35 (R) Kitsap (P), Mason, Thurston (P)	2013-2014	PO Box 651 Union, WA 98592	1973 - MN	Investment Advisor

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
Magendanz, Chad District 5 (R) King (P)	2013-2014	PO Box 1362 Issaquah, WA 98027	1967 - NY	Software Design Consultant
Manweller, Matt District 13 (R) Grant (P), Kittitas, Lincoln, Yakima (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1969 - CA	Professor
McBride, Joan District 48 (D) King (P)		PO Box 40600 Olympia, WA 98504		
McCabe, Gina District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)		PO Box 40600 Olympia, WA 98504	1963 - WA	Legislator/Entrepreneur
McCaslin, Bob District 4 (R) Spokane (P)		PO Box 1462 Verndale, WA 99037	1957 - WA	Public School Teacher
Moeller, Jim District 49 (D) Clark (P)	2003-2014	PO Box 40600 Olympia, WA 98504	1955 - WA	Substance Abuse Counselor
Morris, Jeff District 40 (D) San Juan, Skagit (P), Whatcom (P)	1997-2014	1004 Commercial Ave #303 Anacortes, WA 98221	1964 - WA	Owner - Energy Horizon Corp.
Moscoso, Luis District 1 (D) King (P), Snohomish (P)	2011-2014	18560 1st Ave NE Ste E806 Shoreline, WA 98155	1950 - IA	Retired
Muri,Dick District 28 (R) Pierce (P)	Appt 7/2/2013, 2014	PO Box 40600 Olympia, WA 98504	1953 – AK	Retired USAF
Nealey, Terry Benton (P), Columbia, Franklin (P), Walla Walla	Appt. 12/1/2009, 2010 -2014	26 E Main St Suite 205 Walla Walla, WA 99362	1947 – WA	Attorney
Orcutt, Ed District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	Appt. 1/4/2002, 2003-2014	PO Box 40600 Olympia, WA 98504	1963 - ME	Consulting Forester
Ormsby, Timm District 3 (D) Spokane (P)	Appt. 9/30/2003, 2004-2014	PO Box 40600 Olympia,		

	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Pettigrew, Eric District 37 (D) King (P)	2003-2014	PO Box 40600 Olympia, WA 98504	1960 - CA	Director of Business Dev. Regence/BluShield
	Pike, Liz District 18 (R) Clark (P)	Appt. 8/23/2012, 2013-2014	PO Box 40600 Olympia, WA 98504	1960 - CA	Advertising Company Owner
	Pollet, Gerry District 46 (D) King (P)	Appt. 12/5/2011, 2012-2014	PO Box 40600 Olympia, WA 98504	1958 - NY	Attorney/Non-profit Director
	Reykdal, Chris District 22 (D) Thurston (P)	2011-2012	PO Box 40600 Olympia, WA 98504	1972 - WA	College Administrator
	Riccelli, Marcus District 3 (D) Spokane (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1978- WA	Legislator
	Robinson, June District 38 (D) Snohomish (P)	Appt. 12/16/2013, 2014	PO Box 40600 Olympia, WA 98504	1959 - PA	Public Health Manager
	Rodne, Jay District 5 (R) King (P)	Appt. 1/20/2004, 2005-2014	PO Box 40600 Olympia, WA 98504	1966 - MN	Attorney
	Ryu, Cindy District 32 (D) King (P), Snohomish (P)	2011-2014	PO Box 33548 Seattle, WA 98133	1957 - Korea	Commercial/ Retail Space Management
	Santos, Sharon Tomiko District 37 (D) King (P)	1999-2014	PO Box 40600 Olympia, WA 98504	1961 - CA	Legislator
	Sawyer, David District 29 (D) Pierce (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1983 - WA	Law Clerk
	Schmick, Joe District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 11/26/2007, 2008-2014	PO Box 40600 Olympia, WA 98504	1958 - WA	Farmer/ Small Business Owner
	Scott, Elizabeth District 39 (R) King (P), Skagit (P), Snohomish (P)	2013-2014	14751 N Kelsey St Suite 105-386 Monroe, WA 98272	IL	Consultant, Educator
	Sells, Mike District 38 (D) Snohomish (P)	2005-2014	2812 Lombard Ave. Suite 210 Everett, WA 98201	1945 - WA	Retired Educator
	Senn, Tana District 41 (D) King (P)	Appt. 9/9/2013, 2014	1611 116th Ave NE Suite 206 Bellevue, WA 98004	1971 – IL	Legislator
	Shea, Matthew District 4 (R) Spokane (P)	2009-2014	18507 E Appleway Ste 201 Spokane Valley, WA 99016	1974 - WA	Attorney

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
Short, Shelly District 7 (R) Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2009-2014	PO Box 40600 Olympia, WA 98504	1962 - WA	Legislator
Smith, Norma District 10 (R) Island, Skagit (P), Snohomish (P)	Appt. 1/8/2008; 2009-2014	PO Box 40600 Olympia, WA 98504	1951 – FL	Communications
Springer, Larry District 45 (D) King (P)	2005-2014	700 20th Ave West Kirkland, WA 98033	1947 - WA	Retail Store Owner
Stambaugh, Melanie District 25 (R) Pierce (P)		PO Box 40600 Olympia, WA 98504	1990 - WA	Small Business Owner
Stanford, Derek District 1 (D) King (P), Snohomish (P)	2011-2014	18560 1st Ave NE Ste E800 Shoreline, WA 98155	MI	Statistician
Stokesbary, Drew District 31 (R) King (P), Pierce (P)		PO Box 40600 Olympia, WA 98504	1985 - WA	Attorney
Sullivan, Pat District 47 (D) King (P)	2005-2014	PO Box 40600 Olympia, WA 98504	1962 - MN	Legislator
Takko, Dean District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	Appt. 12/21/2004, 2005- 2014	PO Box 40600 Olympia, WA 98504	1950 - WA	Legislator
Tarleton, Gael District 36 (D) King (P)	2013-2014	PO Box 40600 Olympia, WA 98504	1959 - MA	Legislator
Taylor, David District 15 (R) Yakima (P)	Appt. 3/30/2009, 2010-2014	PO Box 40600 Olympia, WA 98504	1972 - WA	Consultant
Tharinger, Steve District 24 (D) Clallam, Grays Harbor (P), Jefferson	2011-2014	PO Box 40600 Olympia, WA 98504	1949 - WI	County Commissioner
Van De Wege, Kevin District 24 (D) Clallam, Grays Harbor (P), Jefferson	2007-2014	PO Box 40600		

	MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
	Walsh, Maureen District 16 (R) Benton (P), Columbia, Franklin (P), Walla Walla	2005-2014	1227 Murphy Lane SE College Place, WA 99324	1960 - OH	Small Business Owner
	Wilcox, JT District 2 (R) Pierce (P), Thurston (P)	2011-2014	PO Box 40600 Olympia, WA 98504	1962 - WA	Farming
	Wilson, Lynda District 17 (R) Clark (P)		PO Box 40600 Olympia, WA 98504	1958 - WA	
	Wylie, Sharon District 49 (D) Clark (P)	Appt. 4/13/2011, 2012-2014	PO Box 40600 Olympia, WA 98504	1949 - LA	Consultant
	Young, Jesse District 26 (R) Kitsap (P), Pierce (P)	Appt. 1/17/2014	PO Box 40600 Olympia, WA 98504	1976 – ID	Software Engineer
	Zeiger, Hans District 25 (R) Pierce (P)	2011-2014	101 S Meridian Suite D Puyallup, WA 98371	1985 - WA	Author

HOUSE STAFF ROSTER

HOUSE ADMINISTRATION

Baker, Barbara	Chief Clerk of the House
Dean, Bernard	Deputy Chief Clerk of the House

Carlile, Christopher	Accounting	Mueller, Aleks	Member's Cafeteria
Coates, Seth	Page Supervisor	Mueller, Maureen	Workroom Coord
Frans, Susan	Accounting	Overmiller, Kyle	Tech & Facilities Dir
Futter, Ray	Member's Cafeteria	Palm, Peggy	Member's Cafeteria
Key, Scott	Member's Cafeteria	Pawul, Rebecca	Workroom Clerk
Kochaniewicz, Sean	Chamber Ops Coord	Payne, Greg	Sr Office Coordinator
Lard, Gayle	Member's Cafeteria	Rios, Marissa	Accounting
Logerwell, Andrew	House Counsel	Roberts, Kathie	Page Supervisor
McCrady, Melinda	Spec Projects Coord	Wright, Cheri	Accounting
Moore, Patricia	Sr Office Coordinator		

REPRESENTATIVES LEGISLATIVE ASSISTANTS

Allen, Meagan	Representative Nealey	Hardy, Lisa	Representative Appleton
Arndt, Meagan	Representative Hunt, S.	Hays, Kelley	Representative Smith
Atkinson, Joseph	Representative Kochmar	Helder, Matt	Representative Muri
Atwood, Roy	Representative Hargrove	Herbig, Nigel	Representative Farrell
Bailey, Melinda	Representative Chandler	Hernandez, Krystal	Representative Ortiz-Self
Baldwin, Blake	Representative Hawkins	Hoffman, Kate	Representative Carlyle
Barnfather, Linda	Representative Van De Wege	Hogenson, Shelbi	Representative Stambaugh
Bateman, Jessica	Representative Reykdal	Honma, Douglas	Representative Hudgins
Baxter, Joel	Representative Stokesbary	Horn, Leanne	Representative Tharinger
Britt, Hannah	Representative Clibborn	Horwith, Isaac	Representative Stanford
Brosey, Wanda	Representative McCabe	Kentner, Pamela	Representative Schmick
Cappell, Brandt	Representative Condotta,	Kerns, Josh	Representative Holy
Cavazos, Madeline	Representative McBride	Kilby, Jillian	Representative Hansen
Cooper, Kate	Representative Rodne	Knapp, Curtis	Representative Walkinshaw
Davis, Osta	Representative Kilduff	Kuka, Edlira	Representative Tarleton
Deal, Joshua	Representative Parker	Kwon, Julia	Representative Santos
Delano, Garrett	Representative Pike	Leskinen, Miranda	Representative Chopp
DePinto, Joe	Representative Harris	Liaw, Shoubee	Representative Ryu
Diaz, Olgy	Representative Sawyer	Locke, Sydney	Representative Bergquist
Elsey, Breanne	Representative Manweller	Lopez, Caitlin	Representative Hurst
Ernst, Angel	Representative Orcutt	Mahorter, Siobhan	Representative Cody
Foster, Lynda	Representative Jinkins	Mason-Gillespie, Christel	Representative Kirby
Gallegos, Maureen	Representative Moeller	Maycumber, Jacquelin	Representative Short
Gilmour, Peter	Representative Vick	McCarthy, Jessica	Representative Kretz
Glenn, Brenda	Representative Kristiansen	Mohr, Jessica	Representative Magendanz
Guse, Alexis	Representative Caldier	Morrill, Cami	Representative Harmsworth

O'Farrell, Kimberly	Representative Morris	Smith, Jordan	Representative Robinson
Oliver, Amber	Representative Griffey	Smith, Tawnya	Representative Hayes
Paine-Donovan, Robert	Representative Moscoso	Soderlind, Mary	Representative Orwall
Palmer, Jennifer	Representative Klippert	Staley, Scott	Representative McCaslin
Parmer, William	Representative Senn	Stokes, Genevieve	Representative Hunter
Pelon, Shelby	Representative Fagan/Dye	Stokesbary, Ashley	Representative Scott
Peters, Barb	Representative Hunt, G.	Suttle, Darci	Representative Takko
Peterson, Siobhan	Representative Fitzgibbon	Swenson, Janice	Representative Haler
Plumage, Margaret	Representative Dent	Tang, My-Le	Representative Fey
Pollock, Sarah	Representative Zeiger	Taylor, Ariel	Representative Springer
Prevost, Isaac	Representative Peterson	Trask, Sharon	Representative Wilcox
Puckett, Jessica	Representative Kagi	Verda, Tyler	Representative Sells
Rafferty, Meredith	Representative Gregory	Waechter, Shannon	Representative Ormsby
Rasavage, William	Representative Shea	Walsh, Megan	Representative Wylie
Regan, Josie	Representative Dunshee	Weiss, Angie	Representative Pollet
Ripp, Lanna	Representative Pettigrew	West, Meagan	Representative Lytton
Roberts, Lesley	Representative Sullivan	Wilkerson, Braedon	Representative Young
Rossetti, JD	Representative Blake	Williams, Michaela	Representative Riccelli
Rowell, Josiah	Representative MacEwen	Word, Catherine	Representative DeBolt
Rowland, Jaime	Representative Taylor	Yager, Amanda	Representative Buys
Rude, Skyler	Representative Walsh	Yon, Bryan	Representative Van Werven
Sackman, Gale	Representative Johnson	York, Amber	Representative Wilson
Shkerich, Kyla	Representative Gregerson	Zable, Derek	Representative Goodman

OFFICE OF PROGRAM RESEARCH

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Morishima, James	Assistant Staff Director

Adams, Edith	Senior Counsel	Emmans, Sarah	Fiscal Analyst II
Ball, Alyssa	Fiscal Analyst I	Everson, Garrett	Session Comm Asst
Birlenbach, Michael	Committee Clerk	Eychaner, Dawn	Research Analyst I
Blake, Christopher	Senior Counsel	Flynn, Sean	Counsel II
Brotherton, Ethan	Asst. Civic Ed Coord	Fraser, Kristen	Sr Counsel/Litigation & Records Coord
Brown, Trevor	Session Comm Assist		
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Campbell, Brent	Counsel I	Gayton, Devin	Committee Assistant
Carr, Lynette	Committee Clerk	Geiger, Richelle	Fiscal Analyst I
Carter, Tanya	Research Analyst II	Harrell, Jessica	Senior Fiscal Analyst
Clodfelter, Peter	Counsel I - Session	Harrington, Omeara	Counsel II
Clynch, Cece	Senior Counsel	Harris, Jennifer	Counsel II
Cobb, Cindy	Sr Comm Assistant	Harris, Rachelle	Fiscal Analyst I
Cornellier, Erik	Senior Fiscal Analyst	Hattell, Jessica Ann	Committee Clerk
Daniels, Elizabeth	Committee Clerk	Haworth, Bobbi Jean	Session Comm Asst
Dorian, Bryan	Session Comm Asst	Hughes, Nikkole	Research Analyst I
Duvall, Lucinda	Sr Comm Assistant	Ingiosi, Paul	Fiscal Analyst II
Elgee, Joan	Senior Counsel	Johnson, David	Staff Coordinator

Jones, Cassie	Counsel I
Jones, Dan	Fiscal Analyst I
Kettel, James	Senior Fiscal Analyst
Kinder-Pyle, Ian	Session Comm Asst
Le Duc, Dinah	Sr Comm Assistant
Lee, Kirsten	Research Analyst I
Leonard, Kelly	Counsel II
Lewis, Rebecca	Committee Assistant
Lipson, Jacob	Research Analyst I
Lohnes, Michael	Comm Assistant / Bill Report Coord
Long, Jerald	Senior Fiscal Analyst
Lucero, Catrina	Fiscal Analyst II
Mackison, James	Senior Fiscal Analyst
Masse, Steve	Senior Fiscal Analyst
Matteson, Mark	Senior Staff Coord
McCollum, Lisa	Sr Comm Assistant
McLain, Barbara	Sr Research Analyst
Merelle, Linda	Senior Counsel
Mettao, Buck-Francisco	Committee Clerk
Meyers, Dominique	Fiscal Analyst II
Mitchell, Jeffrey	Senior Counsel
Moreno, Ethan	Sr Research Analyst
Morris, Meghan	Fiscal Analyst I
Mulholland, Mary	Fiscal Analyst II
Mulvihill, Megan	Research Analyst I
Munnecke, David	Counsel II
Murdock, Michaela	Counsel I
Norris, Tara	Committee Assistant
Osborn, Thamas	Senior Counsel
Paintner, Ashley	Research Analyst I
Palmer, Melissa	Senior Fiscal Analyst
Paulson, Kaelin	Session Comm Asst
Plant, Jane	Sr. Comm. Assistant
Pringle, David	Senior Counsel
Rea, Tina	Session Comm Asst
Rehwaldt, Paula	Civic Education Coord
Reilly, Marsha	Sr. Research Analyst
Reule, Rebecca	Session Comm Asst
Rhoads, Gayle	Committee Clerk
Rice, Haley	Session Comm Asst
Rightmier, Stephanie	Committee Clerk
Rubenstein, David	Counsel I
Russell, Andrew	Counsel I
Rutter, Derek	Fiscal Analyst I (Budget Fellow)
Schubert, Billie	Office Coordinator
Silver, Alexa	Senior Counsel
Skei, Amy	Staff Coordinator
Snyder, Megan	Committee Clerk
Tango, Trudes	Senior Counsel
Thetford, Gillian	Committee Clerk
Thomas, Christine	Fiscal Analyst II
Toulon, Andrew	Senior Fiscal Analyst
Towne, Kristin	Committee Clerk
Valadez, Damien	Session Comm Asst
VanSchoorl, Meg	Sr Staff Coordinator
Vasavada, Jasmine	Counsel II
Vaughn, Alexandria	Committee Clerk
Walker, Yvonne	Sr Research Analyst
Wargacki, Megan	Counsel I
Wheeler, Cynthia	Receptionist
Wickham, Luke	Counsel II
Wolff, Susan	Committee Clerk
Zigich, Kim	Session Comm Asst

DEMOCRATIC CAUCUS

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Bergstrom, Eugene	Sr Infor Officer
Butler, Michelle	Caseworker
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Chapman-See, Katherine	Dep Policy Dir
Dickinson, Goodman, Jessica	Session Leg Asst
Driver, Debbie	Policy Analyst II
Frizzell, Dan	Sr Info Officer
Garner, Jennifer	Caucus Assistant
Gupta, Rashima	Sr Policy Analyst
Kenfield, Mary	Policy Director
Kumara, Yoshi	Comm Specialist
Leathers, Kathryn	Sr Policy Counsel
Lippold-Gelb, Lydia	Legislative Asst
Majeski, Quinn	Comm. Specialist/ Policy Analyst
Makowski, Yona	Sr Fiscal Coord
Maynard, Catherine	Speaker's Atty
McVicar, Andrew	Dep Comm Dir
Nieto, Lilia	Sr Comm Spec
Nixon, Jamie	Comm Specialist
Osenbach, Alec	Counsel II
Patashnik, Maxima	Comm Specialist
Richards, James	Comm Director
Ruble, Amy E	Senior Advisor & Operations Dir
Sharma, Suchi	Sr Policy Counsel
Shofner, Travis	Comm Specialist
Smith, Rachel	Resource Coord
Sorensen, Jack	Comm Specialist
Thompson, Christopher	Sr Policy Analyst

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Fenton, Lisa	Chief of Staff
Baye, Ryan	Policy Aide
Caruso, Julie	Counsel I
Colon, Sadia	Session Comm Aide
Fakkema, Nian	Caucus Admin.
Folsom, Stacey	Dir Policy Devel
Gatto, Samantha	Counsel/Senior Fiscal Analyst
Gower, John	Senior Counsel
Hammond, Kurt	Sr Info Officer
Handy, John	Comm Director
Hill, Clay	Counsel II
Hoover, Michael	Sr Leadership Counsel
Jacob, Nick	Information Officer
McAleer, Mary	Policy Analyst I
Quam, Dana	Counsel II
Sattgast, John	Broadcast Coordinator
Shafar, Lindsey	Counsel II
Sherman, Bradley	Policy Analyst II
Shutty, Kevin	Information Officer
Spiegel, Jessica	Policy Analyst II
Stewart, Sarah	WEB & Social Media Coordinator
Strow, Mary	Information Officer
Wold, Brendon	Dep Comm Director
Woodard, Stephanie	Policy Analyst II
Zabel, Kylee	Information Officer

SECURITY

Arras, Mark	Director of Security
Harralson, Philip	Security Supervisor
Lobe, Rodney	Security Supervisor

Allen, Robert	Czarnecki, Trevor	Lysen, Bert	Standlea, Clint
Ayers, Bob	Day, Gary	McNeal, Shawnbrey	Thomas, Dale
Bowen, Theodore	Dickey, Gregory	Owen, Joe	Walsh, Michael
Conesa, Patrick	Gallagher, James	Philpott, Jerry	Watts, Michael
Connelly, Jason	Johnson, Marvin	Poile, Steven	Williams, Freddy
Cooper, Garrett	Jones, Robert	Rhoads, Norman	Yunker, Richard
Cunningham, Jared	Larsson, Mitchell	Spiegelberg, John	

BILLS, MEMORIALS AND RESOLUTIONS PASSED

Sixty Fourth Legislature
2015 Legislative Session

BILL	TITLE	CHAPTER	EFFECTIVE DATE	NOTES
SHB 1002	Dental insurance practices	C 9 L 15	4/17/2015	
HB 1004	Alcohol tasting by students	C 59 L 15	4/23/2015	
SHB 1010	Occupational therapists	C 10 L 15	4/17/2015	
HB 1011	Climate zones, counties in	C 11 L 15	4/17/2015	
HB 1013	County legislative meetings	C 179 L 15	5/7/2015	
SHB 1021	Silver alert system	C 2 L 15 E1	6/10/2015	
SHB 1043	Self-service storage	C 13 L 15	4/17/2015	
SHB 1045	East Asian medicine	C 60 L 15	4/23/2015	
HB 1047	Continuity of operations	C 61 L 15	4/23/2015	
SHB 1052	Military spouses/higher ed	C 14 L 15	4/17/2015	
HB 1059	Sexually violent predators	C 278 L 15	5/18/2015	
ESHB 1060	Litter tax revenues	C 15 L 15	4/17/2015	
HB 1061	District judges, Skagit Cnty	C 25 L 15 E3	7/6/2015	
SHB 1063	Cosmetology, hair design etc	C 62 L 15	4/23/2015	
SHB 1068	Sexual assault exam kits	C 247 L 15	5/14/2015	
SHB 1069	DNA work product, preserving	C 221 L 15	5/11/2015	
HB 1077	Reinsurance, credit for	C 63 L 15	4/23/2015	
ESHB 1078	Consumer financial info	C 64 L 15	4/23/2015	
SHB 1088	Flood contr zone supervisors	C 165 L 15	5/6/2015	
HB 1090	Finan. fraud, identity theft	C 65 L 15	4/23/2015	
EHB 1091	Ticket sales over internet	C 129 L 15	4/28/2015	
E2SHB 1095	Thermal energy efficiency	C 19 L 15 E3	7/6/2015	
SHB 1105	Operating sup budget 2015	C 3 L 15	2/19/2015	
2EHB 1115	Capital budget 2015, 2015-17	C 3 L 15 E3	6/30/2015	Partial Veto
HB 1124	Beer and wine sampling	C 180 L 15	5/7/2015	
ESHB 1126	Fatality reviews by DEL	C 199 L 15	5/8/2015	
SHB 1127	Ag labor skills and safety	C 68 L 15	4/23/2015	
SHB 1132	Adult family homes	C 66 L 15	4/23/2015	
SHB 1138	Higher ed mental health	C 67 L 15	4/23/2015	
SHB 1145	Cnty legislative authorities	C 74 L 15	4/24/2015	
SHB 1157	Quick title service fees	C 1 L 15 E2	6/30/2015	
ESHB 1166	State gen oblig bonds, accts	C 37 L 15 E3	7/10/2015	
HB 1168	Retiree return-to-work/PERS	C 75 L 15	4/24/2015	
ESHB 1170	Port districts admin. powers	C 35 L 15	4/17/2015	
HB 1172	Insurer risk mgmt, solvency	C 17 L 15	4/17/2015	
HB 1179	Cider makers/wine c. assmnt	C 76 L 15	4/24/2015	
SHB 1183	Radiology benefit managers	C 166 L 15	5/6/2015	

SHB 1184	UW health sci library access	C 77 L 15	4/24/2015	
SHB 1194	Death benefits/LEOFF, WSPRS	C 78 L 15	4/24/2015	
HB 1219	State bridges	C 10 L 15 E3	7/6/2015	
HB 1222	Firefighting apparatus	C 16 L 15	4/17/2015	
SHB 1223	Lodging tx/workforce housing	C 102 L 15	4/25/2015	
HB 1232	Fishing guide licenses	C 103 L 15	4/25/2015	
SHB 1240	Student restraint, isolation	C 206 L 15	5/8/2015	
SHB 1252	Massage therapy, reflexology	C 18 L 15	4/17/2015	
HB 1259	ARNPs/signing documentation	C 104 L 15	4/25/2015	
HB 1263	CPAs/priv. investigator regs	C 105 L 15	4/25/2015	
HB 1268	Hemp in animal feed	C 106 L 15	4/25/2015	
2E2SHB 1272	Intimate images/disclosing	C 7 L 15 E2	7/9/2015	
SHB 1274	Nursing home payment rates	C 2 L 15 E2	6/30/2015	
2E2SHB 1276	Impaired driving	C 3 L 15 E2	6/30/2015	Partial Veto
HB 1277	Military member lodging	C 36 L 15	4/21/2015	
HB 1279	Local tourism promo. areas	C 131 L 15	4/28/2015	
2SHB 1281	Sexual exploitation of minor	C 279 L 15	5/18/2015	
HB 1282	Driving w/license suspended	C 149 L 15	5/1/2015	
SHB 1283	Debt adjusting/nonprofit org	C 167 L 15	5/6/2015	
SHB 1285	Newborn heart disease	C 37 L 15	4/21/2015	
2ESHB 1299	Trans budgt 2013-15, 2015-17	C 10 L 15 E1	6/11/2015	Partial Veto
HB 1302	Child abduction statutes	C 38 L 15	4/21/2015	
HB 1307	Residen'l services & support	C 39 L 15	4/21/2015	
HB 1308	Surplus lines of insurance	C 132 L 15	4/29/2015	
HB 1309	Floating home/sale by broker	C 133 L 15	4/29/2015	
SHB 1313	Fire protection budgets	C 40 L 15	4/21/2015	
SHB 1316	Arrest without warrant	C 248 L 15	5/14/2015	
HB 1317	Sewer charges, collecting	C 41 L 15	4/21/2015	
SHB 1319	Offenses prior to 18 yrs old	C 134 L 15	4/29/2015	
SHB 1337	Public port district levies	C 135 L 15	4/29/2015	
HB 1342	Cider, microbrewery sale of	C 42 L 15	4/21/2015	
SHB 1382	Basic firefighter training	C 43 L 15	4/21/2015	
HB 1389	State fire service/disasters	C 181 L 15	5/7/2015	
HB 1392	Rec and conserv. funding brd	C 183 L 15	5/7/2015	
ESHB 1410	Water-sewer distrcts/bidding	C 136 L 15	4/29/2015	
EHB 1422	Floral product businesses	C 168 L 15	5/6/2015	
ESHB 1424	Suicide prevention	C 249 L 15	5/14/2015	
HB 1431	Real estate appraisals	C 150 L 15	5/1/2015	
ESHB 1440	Cell site simulator devices	C 222 L 15	5/11/2015	
SHB 1447	Contractor fining by DES	C 44 L 15	4/21/2015	
ESHB 1449	Oil transportation safety	C 274 L 15	5/14/2015	

E2SHB 1450	Mental health/inv outpatient	C 250 L 15	5/14/2015
E2SHB 1471	Health insurance contracting	C 251 L 15	5/14/2015
SHB 1480	Intermittent-use trailers	C 200 L 15	5/8/2015
E2SHB 1485	Family medicine residencies	C 252 L 15	5/14/2015
2E2SHB 1491	Early care & education systm	C 7 L 15 E3	7/6/2015
SHB 1496	Vocational rehabilitation	C 137 L 15	4/29/2015
SHB 1503	Medical liens	C 201 L 15	5/8/2015
SHB 1516	Lodging services/tax exem.	C 151 L 15	5/1/2015
SHB 1527	Pesticide licensees	C 184 L 15	5/7/2015
HB 1531	Long-term care workers	C 152 L 15	5/1/2015
E2SHB 1546	Dual credit ed opportunities	C 202 L 15	5/8/2015
HB 1547	State treasurers conference	C 45 L 15	4/21/2015
HB 1550	Recreation services etc. tax	C 169 L 15	5/6/2015
HB 1554	Children/guardians, family	C 47 L 15	4/22/2015
SHB 1559	Higher ed programs/UW, WSU	C 6 L 15	4/1/2015
SHB 1564	Sale of liquor, prohibition	C 153 L 15	5/1/2015
ESHB 1570	Educator retooling/program	C 9 L 15 E3	7/6/2015
SHB 1575	Contract retainage bonds	C 280 L 15	5/18/2015
SHB 1586	Royal Slope railroad	C 281 L 15	5/18/2015
HB 1595	Labor hours & apprenticeship	C 48 L 15	4/22/2015
HB 1599	Criminally insane/facilities	C 253 L 15	5/14/2015
HB 1601	Actions by or against county	C 138 L 15	4/29/2015
SHB 1604	Occup. disease/firefighters	C 139 L 15	4/29/2015
SHB 1610	Jury service	C 7 L 15	4/1/2015
SHB 1617	Judicial information system	C 140 L 15	4/29/2015
SHB 1619	Environmental handling chrgs	C 185 L 15	5/7/2015
HB 1620	Biotoxin testing, monitoring	C 254 L 15	5/14/2015
HB 1622	Cottage food operations	C 203 L 15	5/8/2015
SHB 1625	Ambulances & aid, drugs for	C 255 L 15	5/14/2015
HB 1627	Unlawful land entry/hunting	C 154 L 15	5/1/2015
EHB 1633	Housing trust fund projects	C 155 L 15	5/1/2015
SHB 1636	Disability employmnt reports	C 204 L 15	5/8/2015
HB 1637	Tribes/prescrip. monitoring	C 49 L 15	4/22/2015
HB 1641	Shellfish/unlawf trafficking	C 141 L 15	4/29/2015
HB 1652	Medicaid managed health care	C 256 L 15	5/14/2015
ESHB 1671	Opioid overdose medications	C 205 L 15	5/8/2015
HB 1674	Youthful offenders, reentry	C 156 L 15	5/1/2015
ESHB 1695	Construction aggregate, etc.	C 142 L 15	4/29/2015
HB 1706	College fees/military member	C 143 L 15	4/29/2015
HB 1720	Healthy housing	C 50 L 15	4/22/2015
SHB 1721	Ambulance patient transport	C 157 L 15	5/1/2015

SHB 1727	Nursing assistants	C 158 L 15	5/1/2015	
SHB 1730	Earnest money, handling of	C 51 L 15	4/22/2015	
SHB 1738	Marine etc. fuel tax refunds	C 9 L 15 E2	7/9/2015	
SHB 1749	Contractor registration	C 52 L 15	4/22/2015	
HB 1779	Victim interviews training	C 159 L 15	5/1/2015	
SHB 1806	Election statute references	C 53 L 15	4/22/2015	
E2SHB 1807	Small business spirits sales	C 186 L 15	5/7/2015	
SHB 1813	Computer science education	C 3 L 15 E1	6/10/2015	
HB 1817	Wheeled all-terrain vehicles	C 160 L 15	5/1/2015	
HB 1819	Political committee acct bks	C 54 L 15	4/22/2015	
ESHB 1842	Transit agency coordination	C 11 L 15 E3	7/6/2015	
ESHB 1844	Ferry vessel & terminal work	C 282 L 15	5/18/2015	
SHB 1851	Bridges, expedited process	C 144 L 15	4/29/2015	
SHB 1853	Electric vehicle charging	C 220 L 15	5/11/2015	
EHB 1859	RCW statutes/inactive, etc.	C 4 L 15 E1	6/10/2015	
EHB 1868	County road fund purposes	C 223 L 15	5/11/2015	
SHB 1879	Foster children health care	C 283 L 15	5/18/2015	
HB 1884	Electric mobility devices	C 145 L 15	4/29/2015	
EHB 1890	Paying issuers/second-party	C 284 L 15	5/18/2015	
SHB 1896	Customer energy use info	C 285 L 15	5/18/2015	
SHB 1897	Earth-abundant materials	C 20 L 15 E3	7/6/2015	
SHB 1898	Child victim testimony	C 286 L 15	5/18/2015	
SHB 1919	Special elections, timing of	C 146 L 15	4/29/2015	
HB 1940	Flood control zone districts	C 170 L 15	5/6/2015	Partial Veto
EHB 1943	Electronic monitoring	C 287 L 15	5/18/2015	
HB 1961	Community and tech colleges	C 55 L 15	4/22/2015	
HB 1962	Process server SSN's	C 56 L 15	4/22/2015	
ESHB 1965	Liquor control brd temp. fee	C 26 L 15 E3	7/6/2015	
HB 1977	Tuition and fees exemption	C 46 L 15	4/22/2015	
ESHB 1980	Sunshine committee rec's	C 224 L 15	5/11/2015	Partial Veto
EHB 1989	Water storage asset mgmt	C 187 L 15	5/7/2015	
HB 2000	Marijuana agreemnts w/tribes	C 207 L 15	5/8/2015	
HB 2007	Emer medical transportation	C 147 L 15	4/29/2015	
ESHB 2012	Practical design, DOT use of	C 12 L 15 E3	7/6/2015	
SHB 2021	Pr. drug assist. foundation	C 161 L 15	5/1/2015	
2SHB 2040	Veteran employment	C 57 L 15	4/22/2015	
HB 2055	Ballot measure statements	C 171 L 15	5/6/2015	Partial Veto
2SHB 2063	Better life experience prog	C 162 L 15	5/1/2015	
ESHB 2093	Wildland fire suppression	C 182 L 15	5/7/2015	
EHB 2122	Real estate tx, transactions	C 10 L 15 E2	7/9/2015	
ESHB 2128	Dept of agriculture fees	C 27 L 15 E3	7/6/2015	

2E2SHB 2136	Marijuana market reforms	C 4 L 15 E2	6/30/2015	
HB 2140	Permanency hearing excptions	C 257 L 15	5/14/2015	
2EHB 2151	Hospital safety net	C 5 L 15 E2	6/30/2015	
ESHB 2160	Intimate images/distributing	C 8 L 15 E2	7/9/2015	
HB 2181	Highway maximum speed limit	C 58 L 15	4/22/2015	Partial Veto
EHB 2190	Vessel reports of sale	C 148 L 15	4/29/2015	
HB 2195	Auditor's fees	C 28 L 15 E3	7/6/2015	
EHB 2212	Hospital certif of need/exem	C 22 L 15 E3	7/6/2015	
HB 2217	Juvenile offender b. t. camp	C 23 L 15 E3	7/6/2015	
EHB 2253	Jnt admin rules review comm	C 11 L 15 E2	7/9/2015	
ESHB 2263	Vulnerable people/services	C 24 L 15 E3	7/6/2015	
HB 2264	Customer energy use info	C 21 L 15 E3	7/6/2015	
EHB 2266	Class size & school staffing	C 38 L 15 E3	7/14/2015	
EHB 2267	Expenditure limit & basic ed	C 29 L 15 E3	7/6/2015	
EHB 2286	Budget stabilization account	C 2 L 15 E3	6/30/2015	
HCR 4400	State of state/joint session	H Filed Sec/St		
HCR 4402	Legislature joint rules	H Filed Sec/St		
HCR 4403	State medals of merit, valor	H Filed Sec/St		
HCR 4404	Bills/to house of origin	H Filed Sec/St		
HCR 4405	Adjourning SINE DIE	H Filed Sec/St		
HCR 4406	Special session bill status	H Filed Sec/St		
HCR 4407	Bills/to house of origin	H Filed Sec/St		
HCR 4408	Adjourning SINE DIE	H Filed Sec/St		
HCR 4409	Bills/to house of origin	H Filed Sec/St		
HCR 4410	Adjourning SINE DIE	H Filed Sec/St		
HCR 4411	Bills/to house of origin	H Filed Sec/St		
HCR 4412	Adjourning SINE DIE	H Filed Sec/St		
SSB 5004	Warrant officers' authority	C 288 L 15	5/18/2015	
SB 5011	Health care info release	C 289 L 15	5/18/2015	
SB 5015	Dairy inspection program	C 5 L 15 E1	6/10/2015	
SSB 5023	Group health benefit plans	C 19 L 15	4/17/2015	
SB 5024	Conforming amendments/govt	C 225 L 15	5/11/2015	Partial Veto
SSB 5027	Prescription drug monitoring	C 259 L 15	5/14/2015	
SSB 5030	Limited liability companies	C 188 L 15	5/7/2015	
SB 5031	Advance action/bus. corp act	C 20 L 15	4/17/2015	
SB 5032	Lease, security interest/UCC	C 107 L 15	4/25/2015	
SB 5035	Medal of valor	C 4 L 15	3/2/2015	
ESSB 5048	Water-sewer districts	C 172 L 15	5/6/2015	
2SSB 5052	Cannabis patient protection	C 70 L 15	4/24/2015	Partial Veto
SSB 5059	Patent infringement claims	C 108 L 15	4/25/2015	
SB 5070	Domestic violence offenders	C 290 L 15	5/18/2015	

SB 5075	Procurement law	C 79 L 15	4/24/2015
SB 5079	Child abuse/military parents	C 6 L 15 E1	6/10/2015
ESSB 5083	Sudden cardiac arrest	C 26 L 15	4/17/2015
ESSB 5084	All payer claims database	C 246 L 15	5/14/2015
SB 5085	Gold star license plates	C 208 L 15	5/8/2015
SB 5088	Geological hazard assessment	C 12 L 15	4/17/2015
SB 5100	Rental cars/traffic infrac's	C 189 L 15	5/7/2015
SB 5101	Mental status evaluation	C 80 L 15	4/24/2015
SB 5104	Alcohol, contr sub/sentences	C 81 L 15	4/24/2015
SB 5107	Therapeutic courts	C 291 L 15	5/18/2015
SB 5119	Nonprofit risk pools	C 109 L 15	4/25/2015
SB 5120	School district dissolutions	C 82 L 15	4/24/2015
SB 5121	Marijuana research license	C 71 L 15	4/24/2015
SB 5122	Precollege placement	C 83 L 15	4/24/2015
SB 5125	District court civil jurisd.	C 260 L 15	5/14/2015
SB 5139	Buildings, 4 or more stories	C 226 L 15	5/11/2015
SB 5144	Robert Bree collaborative	C 21 L 15	4/17/2015
SSB 5147	Medicaid population's health	C 209 L 15	5/8/2015
SSB 5154	Reg. sex or kidnap offenders	C 261 L 15	5/14/2015
SSB 5156	Elevators, etc./real estate	C 110 L 15	4/25/2015
ESSB 5158	Call location info/emergency	C 190 L 15	5/7/2015
SSB 5163	Students/military families	C 210 L 15	5/8/2015
SSB 5165	Palliative care coverage	C 22 L 15	4/17/2015
SSB 5166	Forage fish management	C 191 L 15	5/7/2015
SSB 5175	Telemedicine	C 23 L 15	4/17/2015
SB 5176	Capitol furnishings pres com	C 24 L 15	4/17/2015
2E2SSB 5177	Forensic mental hlth srvices	C 7 L 15 E1	6/10/2015
SSB 5186	Sr's, disab. vets/prop tx ex	C 30 L 15 E3	7/6/2015
SSB 5202	Financial education prtnrshp	C 211 L 15	5/8/2015
SB 5203	Job order contracting	C 173 L 15	5/6/2015
SB 5207	Tow truck operators	C 227 L 15	5/11/2015
SB 5210	Life annuity benefit/WSPRS	C 111 L 15	4/25/2015
2SSB 5215	Internet crime against child	C 84 L 15	4/24/2015
SB 5227	Int. commercial arbitration	C 276 L 15	5/18/2015
SB 5238	Public water systems	C 25 L 15	4/17/2015
SB 5249	Local revital. finan. proj's	C 112 L 15	4/25/2015
ESB 5262	Juvenile case records	C 262 L 15	5/14/2015
SSB 5268	Eyedrop prescription refills	C 85 L 15	4/24/2015
E2SSB 5269	Detention decision review	C 258 L 15	5/14/2015
SSB 5275	Tax code improvements	C 86 L 15	4/24/2015
SSB 5276	Property tax refund/errors	C 174 L 15	5/6/2015

SSB 5280	Beer, cider/grocery stores	C 192 L 15	5/7/2015
SB 5288	Real estate brokers	C 175 L 15	5/6/2015
SSB 5292	Powdered alcohol	C 193 L 15	5/7/2015
SSB 5293	Optometrists/hydrocodone use	C 113 L 15	4/25/2015
SSB 5294	School library & tech progs	C 27 L 15	4/17/2015
SSB 5296	Locksmith services	C 28 L 15	4/17/2015
SB 5297	Commercial vehicles/fuel tax	C 228 L 15	5/11/2015
SSB 5299	Residential mortgage lending	C 229 L 15	5/11/2015
SB 5300	Credit union enforcement/DFI	C 114 L 15	4/25/2015
SB 5302	Trusts	C 115 L 15	4/25/2015
SB 5307	Deficit reimbursemnt/ferries	C 230 L 15	5/11/2015
SB 5310	Energy facilities/enforcemnt	C 39 L 15 E3	7/14/2015
2SSB 5311	Crisis intervention/officers	C 87 L 15	4/24/2015
SB 5314	Local stormwater charges/DOT	C 231 L 15	5/11/2015
E2SSB 5315	Aligning CTS, CIO, OFM, DES	C 1 L 15 E3	6/30/2015
SSB 5317	Autism & developmntal delays	C 8 L 15 E1	6/10/2015
SSB 5322	Conservation district rates	C 88 L 15	4/24/2015
SSB 5328	Financial aid information	C 212 L 15	5/8/2015
SB 5337	Port district per diem rates	C 29 L 15	4/17/2015
ESSB 5346	Personal emer resp services	C 30 L 15	4/17/2015
SSB 5348	Joint utilization contracts	C 232 L 15	5/11/2015
E2SSB 5353	Distillery spirits marketing	C 194 L 15	5/7/2015
ESSB 5355	Resident student/veterans	C 8 L 15 E3	7/6/2015
SSB 5362	Charter & excursion carriers	C 233 L 15	5/11/2015
SSB 5381	Firearms, return by law enf.	C 130 L 15	4/28/2015
SB 5387	Business orgs/uniformity	C 176 L 15	5/6/2015
2SSB 5404	Homeless youth	C 69 L 15	4/24/2015
ESB 5419	Student user privacy	C 277 L 15	5/18/2015
ESB 5424	Renewable natural gas/PUDs	C 31 L 15	4/17/2015
SSB 5433	Tribal history, culture, etc	C 198 L 15	5/8/2015
SSB 5438	Bicycle, moped/stop, proceed	C 32 L 15	4/17/2015
ESSB 5441	Patient meds coordination	C 213 L 15	5/8/2015
SSB 5448	Lyme disease treatment	C 89 L 15	4/24/2015
ESSB 5460	Prepackaged emer meds in ER	C 234 L 15	5/11/2015
SB 5464	Fishing guide/unlawfully	C 90 L 15	4/24/2015
SB 5466	PEBB benefits eligibility	C 116 L 15	4/25/2015
SB 5468	Stay-at-work & self-insured	C 177 L 15	5/6/2015
ESB 5471	Insurance/electronic delivry	C 263 L 15	5/14/2015
SSB 5481	Tolling customer service	C 292 L 15	5/18/2015
SB 5482	GPS data disclosure	C 91 L 15	4/24/2015
2SSB 5486	Parents for parents program	C 117 L 15	4/25/2015

SSB 5488	Applied behavior analysis	C 118 L 15	4/25/2015	
ESSB 5498	Interstate family support	C 214 L 15	5/8/2015	
SSB 5501	Animal cruelty prevention	C 235 L 15	5/11/2015	Partial Veto
ESB 5504	Liquor stocking/distributors	C 33 L 15	4/17/2015	
ESB 5510	Workers' comp benefits	C 178 L 15	5/6/2015	
SSB 5518	Campus sexual violence	C 92 L 15	4/24/2015	
SB 5532	WA gift of life award	C 8 L 15	4/16/2015	
SSB 5534	CPA scholarship program	C 215 L 15	5/8/2015	
SSB 5538	Tenant's death/procedures	C 264 L 15	5/14/2015	
ESSB 5550	Commercial trans. providers	C 236 L 15	5/11/2015	
SB 5556	Irrigation district admin.	C 34 L 15	4/17/2015	
ESSB 5557	Pharmacist services	C 237 L 15	5/11/2015	
E2SSB 5564	Juvenile records and fines	C 265 L 15	5/14/2015	Partial Veto
ESB 5577	Pharmaceutical waste	C 119 L 15	4/25/2015	
SSB 5591	Emer medical services/prog	C 93 L 15	4/24/2015	
SSB 5593	Healthcare/inmates, detained	C 267 L 15	5/14/2015	
SSB 5596	Wine manufacturer sp. permit	C 195 L 15	5/7/2015	
SSB 5600	Vulnerable adults, abuse of	C 268 L 15	5/14/2015	
SB 5603	Cottage food operations	C 196 L 15	5/7/2015	
SB 5606	Dental professionals	C 120 L 15	4/25/2015	
ESSB 5607	Guardianship	C 293 L 15	5/18/2015	
ESB 5616	Pawnbroker fees, int. rates	C 294 L 15	5/18/2015	
SSB 5631	Domestic violence victims	C 275 L 15	5/18/2015	
SSB 5633	Helmets to hardhats program	C 216 L 15	5/8/2015	
SB 5638	State need grant eligibility	C 121 L 15	4/25/2015	
SB 5647	Guardianship facilitators	C 295 L 15	5/18/2015	
E2SSB 5649	Involuntary treatment act	C 269 L 15	5/14/2015	
SB 5650	Inmate funds	C 238 L 15	5/11/2015	
SB 5662	Brewery promotional items	C 94 L 15	4/24/2015	
SSB 5679	Special education students	C 217 L 15	5/8/2015	
ESSB 5681	State lottery accounts	C 31 L 15 E3	7/6/2015	
SB 5692	Permanency plans of care	C 270 L 15	5/14/2015	
SB 5693	Special commitment center	C 271 L 15	5/14/2015	
SB 5717	Insurer holding company act	C 122 L 15	4/25/2015	
SSB 5719	Campus sexual violence	C 239 L 15	5/11/2015	
SSB 5721	Expanded learning opp's cncl	C 163 L 15	5/1/2015	
SSB 5733	Livestock transactions	C 197 L 15	5/7/2015	
SSB 5740	Extended foster care	C 240 L 15	5/11/2015	
ESSB 5743	Insurance producers, etc.	C 272 L 15	5/14/2015	
SB 5746	Everett Cmty Coll./aerospace	C 218 L 15	5/8/2015	
SB 5757	Credit union governance	C 123 L 15	4/25/2015	

SB 5760	Joint operating agencies	C 73 L 15	4/24/2015	
ESB 5761	Industrial/manu. facilities	C 9 L 15 E1	6/10/2015	
SB 5768	County electronic auctions	C 95 L 15	4/24/2015	
ESSB 5785	St. officers official duties	Gov vetoed		Vetoed
SB 5793	Child support credit	C 124 L 15	4/25/2015	
SSB 5795	Water or sewer facilities	C 96 L 15	4/24/2015	
ESSB 5803	3rd grade English assessment	C 125 L 15	4/25/2015	
SB 5805	Conflict resolution/schools	C 126 L 15	4/25/2015	
ESSB 5810	Electronic signatures	C 72 L 15	4/24/2015	
ESSB 5820	DOT surplus property	C 13 L 15 E3	7/6/2015	
SSB 5824	Recreational guides	C 97 L 15	4/24/2015	Partial Veto
ESSB 5826	Small business retirement	C 296 L 15	5/18/2015	
ESSB 5843	Outdoor recreation	C 245 L 15	5/13/2015	
2SSB 5851	College bound scholarship	C 244 L 15	5/12/2015	
ESB 5863	Highway construction workers	C 164 L 15	5/1/2015	
ESB 5871	Public sewer required/appeal	C 297 L 15	5/18/2015	
SSB 5877	Adult family home licensees	C 266 L 15	5/14/2015	
SB 5881	At-risk youth fishing permit	C 98 L 15	4/24/2015	
ESSB 5884	Trafficking of persons	C 273 L 15	5/14/2015	
SSB 5887	Leases/N. St. Hospital site	C 99 L 15	4/24/2015	
2SSB 5888	Near fatality incidents	C 298 L 15	5/18/2015	
SSB 5889	Competency eval. timeliness	C 5 L 15	3/12/2015	
ESB 5893	Amateur athletes/nonemployee	C 299 L 15	5/18/2015	
SSB 5897	Suspected child abuse victim	C 100 L 15	4/24/2015	
ESB 5923	Construction industry	C 241 L 15	5/11/2015	
SSB 5933	Human trafficking laws progr	C 101 L 15	4/24/2015	
ESB 5935	Biological products	C 242 L 15	5/11/2015	
2ESSB 5954	Reducing tuition	C 36 L 15 E3	7/6/2015	
SSB 5957	Pedestrian safety advis cncl	C 243 L 15	5/11/2015	
SB 5958	State veterans' homes	C 219 L 15	5/8/2015	
SB 5974	Disabled vets sup coverage	C 127 L 15	4/25/2015	
2ESSB 5987	Transportation revenue	C 44 L 15 E3	7/15/2015	
2ESSB 5988	Additive trans funding	C 43 L 15 E3	7/15/2015	Partial Veto
ESSB 5989	Transportation funding bonds	C 45 L 15 E3	7/15/2015	
2ESSB 5992	Ferry vessel construction	C 14 L 15 E3	7/6/2015	
2ESB 5993	Public works contracts, proj	C 40 L 15 E3	7/14/2015	
2ESSB 5994	State trans project permits	C 15 L 15 E3	7/6/2015	
2ESB 5995	Mobility/trans system goal	C 16 L 15 E3	7/6/2015	
2ESSB 5996	DOT transportation projects	C 17 L 15 E3	7/6/2015	Partial Veto
2ESSB 5997	Trans project delivery	C 18 L 15 E3	7/6/2015	
SSB 5999	Caseload forecast council	C 128 L 15	4/25/2015	

ESB 6013	Charity supporter tax relief	C 32 L 15 E3	7/6/2015	
ESSB 6052	Operating bdgt 2015, 2015-17	C 4 L 15 E3	6/30/2015	Partial Veto
ESSB 6057	Tax prefs & admin/econ devel	C 6 L 15 E3	7/1/2015	
2ESSB 6080	Kindergarten, K-3 class size	C 41 L 15 E3	7/14/2015	
2ESB 6089	Health benefit exchange	C 33 L 15 E3	7/6/2015	
ESB 6092	Court marshals, commissioned	C 6 L 15 E2	7/9/2015	
ESSB 6096	Cancer research	C 34 L 15 E3	7/6/2015	
SSB 6134	Pretrial alcohol monitoring	C 35 L 15 E3	7/6/2015	
ESSB 6138	Tax pref elim and compliance	C 5 L 15 E3	7/1/2015	
SB 6145	High sch science assessment	C 42 L 15 E3	7/14/2015	
SJM 8008	Nat. Guard Stryker Brigade	S Filed Sec/St		
SJM 8012	Medal of honor mem. highway	S Filed Sec/St		
SJM 8013	Aquatic invasive species	S Filed Sec/St		
SCR 8400	Cutoff dates for legislature	S Filed Sec/St		
SCR 8401	Legislators, deceased	S Filed Sec/St		
SCR 8403	Special session bill status	S Filed Sec/St		
SCR 8404	Special session bill status	S Filed Sec/St		

GOVERNOR'S VETO MESSAGES

Sixty Fourth Legislature
2015 Legislative Session

VETO MESSAGE ON HB 2181

April 22, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 1, House Bill No. 2181 entitled:

"AN ACT Relating to the maximum speed limit on highways."

This bill presumes that there are portions of Interstate 90 -and other portions of the state highway system -where the speed limit could be increased to 75 mph without compromising safety.

According to the Washington Traffic Safety Commission, speeding or driving too fast for conditions accounts for more than one-third of all deadly crashes in Washington. It's a fact that as vehicle speed increases, the amount of energy generated increases exponentially, and the risk of death and injury increases substantially as collision speed increases. Our state's Target Zero Plan aims to reduce traffic death and serious injuries to zero by 2030. Although the number of speeding-involved crashes is declining due to the Target Zero program, there are still far too many people dying on our roadways. An increase in allowable speeds *before* a thorough safety assessment is performed is simply premature.

Therefore, I am vetoing Section 1 of House Bill 2181.

However, I am directing the Department of Transportation to consult with the Traffic Safety Commission and the State Patrol to assess whether the speed limit could be increased without any compromise in safety.

Moreover, I strongly encourage the Legislature to reconsider the Traffic Safety Commission's distracted driving bill in the upcoming session as a way to further reduce traffic fatalities. It's vital that we make progress improving safety this year.

For these reasons I have vetoed Section 1 of House Bill No. 2181.

With the exception of Section 1, House Bill No. 2181 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON HB 2055

May 6, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 3, House Bill No. 2055 entitled:

"AN ACT Relating to statements on ballot measures in voters' pamphlets."

The intent of this bill is to provide voters with more information about the potential fiscal impact of a ballot initiative. The bill moves forward the deadline for the Attorney General to prepare the explanatory statement and the Office of Financial Management to prepare the fiscal impact statement so that the information is available to the pro and con committees when drafting their statements for the voter's pamphlet.

In addition to moving forward the deadline for the Office of Financial Management to prepare the fiscal impact statement, Section 3 also creates a new cause of action for any person dissatisfied with the fiscal impact statement to challenge the statement in superior court. This new cause of action would frustrate the intent of this bill and cause unnecessary delay. It would also place the court in the untenable position of having to make advisory rulings on the initiative at issue in the fiscal impact statement. The Office of Financial Management identifies the assumptions made in preparation of the fiscal impact statement. Under this new cause of action, the court would have to make a legal ruling on these assumptions, which would constitute an advisory opinion on the initiative. There are current legal options available to those who wish to challenge a fiscal impact statement without creating a new cause of action. For these reasons, I am vetoing section 3 of House Bill 2055.

While I am vetoing Section 3, I am instructing the Office of Financial Management to work cooperatively with the Secretary of State to ensure any fiscal impact statement is completed in time to share with the pro and con committees before they complete their statements for the voters' pamphlet. This will ensure the intent of the legislation is fulfilled.

For these reasons I have vetoed Section 3 of House Bill No. 2055.

With the exception of Section 3, House Bill No. 2055 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON HB 1940

May 6, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 7, House Bill No. 1940 entitled:

"AN ACT Relating to exempting levies imposed by qualifying flood control zone districts from certain limitations upon regular property tax levies."

Section 7 of House Bill No. 1940 expires the protection of flood control zone district levies from prorationing on January 1, 2023. This expiration date is problematic and restricts the flexibility of flood control zone districts to elect and appropriately finance flood control projects. With the expiration date, any bonds will very likely be more expensive for flood control zone districts. There is also greater risk of insufficient revenues for flood control projects regardless of financing method in the event the levy is prorationed. To allow for maximum flexibility in financing flood control projects to protect the citizens of Washington State from flooding, I am vetoing section 7 of this bill.

For these reasons I have vetoed Section 7 of House Bill No. 1940.

With the exception of Section 7, House Bill No. 1940 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON ESHB 1980

May 11, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 1, Engrossed Substitute House Bill No. 1980 entitled:

"AN ACT Relating to implementing recommendations of the sunshine committee."

Guardian Ad Litems undergo a rigorous evaluation of their backgrounds and qualifications, which include background checks that are required by law. There is no need for this information to be distributed to parties. I believe that enactment of this law would have a chilling effect on

GAL programs and their ability to recruit volunteers if this information were shared with parties in dependency actions.

For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill No. 1980.

With the exception of Section 1, Engrossed Substitute House Bill No. 1980 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON 2ESHB 1299

June 11, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 102, page 2, lines 29-36, and page 3, lines 1-8; 103(1); 213(3); 920(4); 1005, page 113, lines 26-27 and 1005(2); 1005(4); 1005(5); and 1005(6), Second Engrossed Substitute House Bill No. 1299 entitled:

"AN ACT Relating to transportation funding and appropriations."

Section 102, page 2, lines 29-36, and page 3, lines 1 -8, Utilities and Transportation Commission, State Agency Workgroup

This proviso directs the Utilities and Transportation Commission (UTC) to coordinate a state agency workgroup to identify issues related to consolidating rail employee safety and regulatory functions within the UTC. Funding for this activity would come from the Grade Crossing Protective Account, which is used to install and maintain equipment to make grade crossings safer. Because this is not the appropriate fund source for coordinating a workgroup on the topic identified in the proviso, I have directed the UTC to conduct this activity with other existing resources. For this reason, I have vetoed Section 102, page 2, lines 29-36, and page 3, lines 1-8.

Section 103(1), page 3. Office of .Financial Management, Study of Fund Exchange

This proviso directs the Office of Financial Management to perform a study on the feasibility of establishing a fund exchange where federal funds are exchanged for state funds to reduce the administrative burden on local governments which use federal funds. The funding is likely insufficient to provide a thorough report on the issues. In addition, the Joint Transportation Committee is a more appropriate entity to perform this analysis, not the Office of Financial Management. Therefore, I have vetoed Section 103(1).

Section 21 3(3), pages 18-19, Department of Transportation. Beaver Dams

This proviso creates a complicated process for managing beaver dams on private property that pose a threat to Washington state highways, individual personal property, and public safety. The proposed process would require the Washington State Department of Transportation to notify private property owners of impending threats from beaver dam failure, to produce wildlife management plans, and to provide potential remedies that could create liability for the state. In addition, no funding is provided for this effort. For these reasons, I have vetoed Section 213(3).

Section 920(4), pages 105-106, Department of Transportation, Public Transportation

This proviso prevents the Washington State Department of Transportation from continuing work on regional mobility grant projects previously authorized by the Legislature. The department needs authority to work on these projects to support local efforts to improve transit mobility and reduce congestion on our roadways. The majority of the projects are not yet complete, and expenditures have already been made. Therefore, I have vetoed Section 920(4).

Section 1005, page 113, lines 26-27, and Section 1005(2), page 114, Department of Transportation, Highway Improvements Program

Due to changes in the timing of expenditures for highway improvement projects and insufficient flexibility in the capital program budgets, this reduced appropriation would result in an estimated shortfall of $3.5 million in expenditure authority in the Highway Improvements program. The Washington State Department of Transportation must have ongoing expenditure authority to keep projects within the total spending plan. Therefore, I have vetoed Section 1005, page 113, lines 26- 27, and Section 1005(2).

Section 1005(4), 1005(5) and 1005(6), page 115, Department of Transportation, Proceeds from Bond Sales

Section 605 provides the flexibility needed to retroactively assign bond proceeds received in the 2015-17 biennium to associated costs that occurred in the 2013-15 biennium. The reduced appropriations in Section 1005(4), Section 1005(5), and Section 1005(6) negate the flexibility provided in Section 605. For this reason, I have vetoed Section 1005(4), Section 1005(5), and Section 1005(6).

For these reasons I have vetoed Sections 102, page 2, lines 29-36, and page 3, lines 1-8; 103(1); 213(3); 920(4); 1005, page 113, lines 26-27 and 1005(2); 1005(4); 1005(5); and 1005(6) of Second Engrossed Substitute House Bill No. 1299.

With the exception of Sections 102, page 2, lines 29-36, and page 3, lines 1-8; 103(1); 213(3); 920(4); 1005, page 113, lines 26-27 and 1005(2); 1005(4); 1005(5); and 1005(6), Second Engrossed Substitute House Bill No. 1299 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON 2EHB 1115

June 30, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 3241 and 7044, Second Engrossed House Bill No. 1115 entitled:

"AN ACT Relating to the capital budget."

Section 3241, pages 158-159, Department of Natural Resources, Research on Transfer for Federal Lands to Washington State

This proviso directs the Department of Natural Resources to study the feasibility of acquiring certain federal lands for possible inclusion in the various trust lands managed by the Department. Although additional information about land acquisitions is always helpful, the negative effects of forest health, and the resulting fire danger, are well documented. The Department's primary responsibility is to support the trust beneficiaries, and this study will not support its obligation to generate revenue for school construction. For these reasons, I have vetoed Section 3241.

Section 7044, pages 278-279, Office of Financial Management, Master Plan for Museums and Research Facilities

This proviso requires the Office of Financial Management (OFM) to develop a master plan to address the storage and preservation requirements of the state's historical collections by December 31, 2015. While ensuring the preservation of our state's historical and cultural collections is a priority, this proviso does not provide funding or enough time for a thorough plan to be developed. For these reasons, I have vetoed Section 7044. However, I have directed OFM to work with the Washington State Historical Society and the Eastern Washington Historical Society to address this issue.

For these reasons I have vetoed Sections 3241 and 7044 of Second Engrossed House Bill No. 1115. With the exception of Sections 3241 and 7044, Second Engrossed House Bill No. 1115 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON 2E2SHB 1276

June 30, 2015

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 25, Second Engrossed Second Substitute House Bill No. 1276 entitled:

"AN ACT Relating to impaired driving."

The Department of Health has a Medical Assistant-phlebotomist credential that is currently available to law enforcement and corrections personnel. Creating a new sub-category is therefore unnecessary. MA-phlebotomist training programs specific to law enforcement forensic needs can be developed without a change in current law or rules and MA-phlebotomist training is typically on- the-job, and can be completed in a few days.

Section 25 also creates substantial new responsibilities and costs as it requires the Department to inspect every police station, jail, corrections facility, or other location where a law enforcement MA- phlebotomist may take blood samples. The section also sets new ongoing training and minimum procedure standards for law enforcement MA-phlebotomists that no other medical assistants have, and that must be regulated by the Department. For these reasons, I am vetoing this section.

For these reasons I have vetoed Section 25 of Second Engrossed Second Substitute House Bill No. 1276.

With the exception of Section 25, Second Engrossed Second Substitute House Bill No. 1276 is approved.

Respectfully submitted,
Jay Inslee
Governor

GOVERNOR'S PARDONS AND COMMUTATIONS

Sixty Fourth Legislature
2015 Legislative Session

FULL AND UNCONDITIONAL PARDON OF ANTONY LOLO XCZAR

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on July 25, 2001, Antony' Lolo Xczar assaulted an acquaintance. Mr. Xczar arrived home that evening and found a homeless acquaintance-who Mr. Xczar had allowed to stay at his home-and his acquaintance's guest using drugs in Mr. Xczar's apartment. After the two refused to leave Mr. Xczar's apartment, he announced that he was going to phone the police. Mr. Xczar's acquaintance then grabbed Mr. Xczar and began choking him. Mr. Xczar reached for a nearby golf club and swung it over his shoulder, striking his acquaintance in the head.

WHEREAS, on February 21, 2002, Mr. Xczar pleaded guilty to third degree assault in King County Superior Court, Cause No. 01-1-9798-5. The trial court sentenced Mr. Xczar to 90 days of confinement, including 60 days in partial confinement, and 30 days of community service under the supervision of the Department of Corrections. The trial court also imposed $1,920.00 in restitution to the victim and $10,919.07 to the Department of Social and Health Services.

WHEREAS, Mr. Xczar has accepted full responsibility for his actions and satisfied all of his sentence requirements. Following his sentence, he continued his education, earning two associate's degrees from Seattle Central Community College, a bachelor's degree from
The Evergreen State College, and a master's degree from the University of Washington. He has also devoted his life to serving others.

WHEREAS, Mr. Xczar has had no further criminal law violations since this 2001 incident.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Xczar's petition for a pardon. The testimony before the Board was that Mr. Xczar has committed his life to service through a variety of church programs and social work. He also excelled in the classroom, achieving high academic marks and earning over 30 certificates of continued education in addition to his degrees.

WHEREAS, Mr. Xczar's conviction prevet;tts him from pursuing a career in counseling, his desired profession. Some of the counseling-related licenses that Mr. Xczar obtained are temporary and only become permanent through completion of a given number of work hours. But many employers of counselors maintain policies that bar convicted felons from employment because those counselors must work in facilities in which convicted felons may not work.

WHEREAS, over 25 faith community members, school colleagues and instructors, potential employers, and friends voiced support for Mr. Xczar before the Clemency and Pardons Board either in person or in writing.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Xczar be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Antony Lolo Xczar this FULL AND UNCONDITIONAL pardon of his conviction for third degree assault, King County Cause No. 01-1-09798-5.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF TIMO TOIVO TORISTOJA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on November 28, 1995, Timo Toivo Toristoja sold a baggy of what he believed to be a controlled substance to an undercover detective from the Clark Skamania Drug Task Force.

WHEREAS, on October 7, 1996, Mr. Toristoja pleaded guilty to the amended charge, unlawful delivery of a controlled substance, amphetamine, in Clark County, Cause No. 95- 1-02099-2. The trial court sentenced Mr. Toristoja to 135 days in Clark County jail with credit for 10 days served, and he served the remaining 125 days in a work release program.

WHEREAS, Mr. Toristoja accepted full responsibility for his actions and completed all of his sentence requirements, including a successful term in his work release program.

WHEREAS, Mr. Toristoja has had no further criminal law violations since this 1995 incident.

WHEREAS, the Clemency and Pardons Board twice reviewed Mr. Toristoja's petition for a pardon. The testimony before the Board was that upon completion of his work release program, he secured employment for six years at a local shipyard. In the years since, Mr. Toristoja has started two Clark County businesses that employ approximately 60 people and generate approximately $7 million for the local economy. Mr Toristoja works seven days a week to support his immediate family and many members of his extended family.

WHEREAS, Mr. Toristoja has partnered his businesses with the Clark County Work Release program, and he has hired 15 to 20 former felons as a work release program employer. He requires work release employees to pass urinalysis tests; and Mr. Toristoja estimates that half of his work release employees have not lapsed into criminal behavior. Though one of Mr. Toristoja's businesses does not generate enough profit for him to take a salary, he continues to operate the business to provide these employment opportunities for others.

WHEREAS, Mr. Toristoja's conviction prevents him from pursuing federal government contracts or securing larger lines of credit, opportunities that would otherwise allow his businesses to further expand and provide greater opportunities for employees in the Clark County area.

WHEREAS, community members, family members, employees, business clients and partners, and friends all voiced support for Mr. Toristoja before the Clemency and Pardons Board either in person or in writing.

WHEREAS, the Clemency and Pardons Board twice voted unanimously to recommend that Mr. Toristoja be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, Ihave determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Timo Toivo Toristoja this FULL AND UNCONDITIONAL pardon of his conviction for unlawful delivery of a controlled substance, amphetamine, Clark County Cause No. 95-1-02099-2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF JOSE ANTONIO FELICIANO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Jose Antonio Feliciano pleaded guilty to two counts of fourth degree assault-domestic violence against his ex-wife, with offense dates of March 3, 1997, and May 20, 2001. During the 2001 incident, he also interfered with the victim's reporting of the domestic violence.

WHEREAS, Mr. Feliciano accepts full responsibility for his past conduct in these incidents and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including completing a domestic violence program. He has continued his treatment and education beyond that mandated by his sentence; Mr. Feliciano has spoken with counselors and has attended meetings to better understand how domestic violence impacts one's family and surrounding community.

WHEREAS, Mr. Feliciano has had no further criminal law violations since the 2001 incident involving his ex-wife, and his current wife has never feared Mr. Feliciano during their relationship together.

WHEREAS, Mr. Feliciano met his current wife in 2002 and together they have built what appears to be a stable family with five children.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Feliciano's pardon petition. The testimony before the Board was that Mr. Feliciano volunteers at the Saint Francis House in Puyallup, feeding the homeless. Also, Mr. Feliciano has accrued 26 years of military service time, including two tours of duty overseas in Iraq. He currently serves full- time in the Washington Army National Guard.

WHEREAS, the presence of these two convictions on Mr. Feliciano's record may prevent him from completing his military service and obtaining his full active-duty retirement.

WHEREAS, Mr. Feliciano's ex-wife, the victim in these domestic violence incidents, fully supports Mr. Feliciano's request for a pardon. Mr. Feliciano's military superiors also support his petition so that he may continue his service.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Feliciano receive a full pardon and the Pierce County Prosecuting Attorney does not object to pardoning Mr. Feliciano.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of

the state of Washington, hereby grant to Jose Antonio Feliciano this FULL AND UNCONDITIONAL pardon of his convictions for fourth degree assault-domestic violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF TERAN DOLORES-CORTEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 1 1, 1996, a Tacoma police officer stopped then-20-year old Teran Dolores-Cortez as he was driving his vehicle. Five other individuals were with Mr. Dolores-Cortez in his vehicle, one of whom had an outstanding arrest warrant. The officer searched Delores- Cortez's car incident to his passenger's arrest and found cocaine on the vehicle's passenger side.

WHEREAS, on January 9, 1997, Mr. Dolores-Cortez pleaded guilty to unlawful possession of a controlled substance, cocaine, in Pierce County Superior Court, Cause No. 96-1-4742-4. The trial court sentenced Mr. Dolores-Cortez to 29 days of confinement with credit for 29 days served.

WHEREAS, Mr. Dolores-Cortez has accepted full responsibility for his actions and completed all of his sentence requirements. Following this incident, Mr. Dolores-Cortez married and started a family, which he has worked full time to support. And he has become involved in his church, shuttling churchgoers to services, and volunteering at a local drug and alcohol rehabilitation center.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Dolores-Cortez's petition for a pardon. The testimony before the Board was that Mr. Dolores-Cortez provides financial and emotional support to his family, which includes a wife and five children.

WHEREAS, Mr. Dolores-Cortez's conviction will force his deportation from the United States and permanently bar him from legalizing his status and returning here to live with and support his family.

WHEREAS, Mr. Dolores-Cortez's wife, friends, coworkers, former employers, and pastor expressed support for Mr. Dolores-Cortez before the Clemency and Pardons Board either in person or in writing. They described Mr. Dolores-Cortez as a man of professionalism, honesty, and integrity.

WHEREAS, the Clemency and Pardons Board noted that this conviction, relating to a non-violent, victimless offense, dated to 1996. The Board voted unanimously to recommend that Mr. Dolores- Cortez be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Teran Dolores-Cortez this FULL AND UNCONDITIONAL pardon of his conviction for unlawful possession of a controlled substance, cocaine, Pierce County Cause No. 96-1-4742-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

CONDITIONAL PARDON OF MUBARAK FAWWAZ ABDUR RAHEEM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on November 9, 1999, Mubarak Fawwaz Abdur Raheem pleaded guilty to third degree theft and fourth degree assault in Kitsap County Superior Court, Cause No. 99-1-1194-3. These misdemeanor charges arose after Mr. Abdur Raheem took a pizza from a pizza delivery person without paying. At the time of this incident, Mr. Abdur Raheem was 18 years old.

WHEREAS, Mr. Abdur Raheem accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including completion of an anger management program and payment of his legal financial obligations. He has also completed a substance abuse program and overcome the addictions that contributed to his past criminal troubles. He continues to participate in this substance abuse program, sharing his story with others.

WHEREAS, Mr. Abdur Raheem has overcome a difficult upbringing and his past addictions, and he has had no criminal law violations since 2006. Mr. Abdur Raheem has earned two bachelor's degrees from the University of Washington and a law degree from Lewis & Clark Law School.
He has gained admission to the Washington State Bar Association. He now speaks to others struggling with substance abuse or criminal histories to offer his story to inspire

and mentor students at an alternative high school.

WHEREAS, Mr. Abdur Raheem is now married and raising a young daughter.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Abdur Raheem's pardon petition, which included written support from friends, his substance abuse counselor, and members of the legal community, among others. Mr. Abdur Raheem also explained to the Board that he volunteers with the Oregon Islamic Chaplains Organization, feeding Portland's homeless community, and raising public awareness for the needs of homeless public school children.

WHEREAS, the presence of these two misdemeanor convictions on Mr. Abdur Raheem's record prevents him from pursuing his desired career goals, employment as a prosecuting attorney, or as an attorney in the United States Armed Forces.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Abdur Raheem receive a conditional pardon. The Kitsap County Prosecuting Attorney does not object to pardoning Mr. Abdur Raheem and supports him in his future endeavors.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Mubarak Fawwaz Abdur Raheem this CONDITIONAL pardon of his convictions for third degree theft and fourth degree assault, in Kitsap County Cause No. 99-1- 1194-3. This pardon is conditioned upon Mr. Abdur Raheem collecting no new criminal convictions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11th day of February, A.D. two thousand and fourteen.

Jay Inslee
Governor of Washington

REVOCATION OF CONDITIONAL COMMUTATION OF JOSEPH SCOTT WHARTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Joseph Scott Wharton was convicted on April 22, 1997, of five counts of Robbery in the Second Degree in King County Superior Court Cause Number 97-1-

00657- 7 and sentenced to serve life without the possibility of parole under Washington's persistent offender law, otherwise known as the "Three Strikes" law.

WHEREAS, Mr. Wharton submitted a petition to the Washington State Clemency and Pardons Board in 2012, requesting that his Life Sentence without the Possibility of Parole on Cause Number 97-1-00657-7 be commuted by Governor Christine Gregoire.

WHEREAS, Mr. Wharton showed considerable rehabilitation during his period of incarceration. Even though Mr. Wharton had no reason to believe he would ever be released from prison, he proactively sought out and participated in whatever classes or programs were available to improve his life skills and enhance his education, in addition to counseling and treatment for his previous substance abuse and his ongoing recovery from addiction.

WHEREAS, following Mr. Wharton's Clemency and Pardons Board hearing on December 7, 2012, the Board issued a unanimous recommendation in support of a commutation of Mr. Wharton's life without the possibility of parole sentence. King County Prosecutor Daniel Satterberg supported his conditional release; and the sentencing judge for his "third strike" offense, then-retired King County Superior Court Judge Michael J. Fox, supported a commutation.

WHEREAS, on July 30, 2013, I granted Mr. Wharton a conditional commutation subject to his completing a 24-month community custody term following his release and complying with numerous community custody conditions. These conditions required Mr. Wharton to, among other things, refrain from drug and alcohol use, participate in a residential treatment program, and regularly report with a community corrections officer and subject himself to random urinalysis testing.

WHEREAS, in early October 2013, Mr. Wharton left his residential substance treatment program without permission. Following Mr. Wharton's departure from his program, the Department of Corrections had reason to believe that he had consumed drugs and alcohol.

WHEREAS, on October 28, 2013, the Department of Corrections held a hearing to determine whether Mr. Wharton violated his community custody conditions. At this hearing, Mr. Wharton pleaded guilty to six different violations, including the use of methamphetamine. The hearing officer entered findings that Mr. Wharton violated these six different community custody conditions.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington under RCW 10.01.120, revoke Mr. Wharton's conditional commutation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia on this 19th day of February. A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF ANGUS BRENT TATE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Angus Brent Tate pleaded guilty to SECOND DEGREE ARSON in July 1968, Yakima County Superior Court Cause No. 14894. He also pleaded guilty to SECOND DEGREE BURGLARY in February 1972, Yakima County Superior Court Cause No. 16735.

WHEREAS, Mr. Tate accepts full responsibility for his past conduct in these incidents, expresses remorse, and has satisfied the conditions of his judgments and sentences.

WHEREAS, Mr. Tate has had no further criminal law violations since the 1972 burglary, and following his release from prison, he has devoted his life to improving the lives of others in his community.

WHEREAS, Mr. Tate is married and has 16 grandchildren, 13 of whom he and his wife have helped raise. Mr. Tate and his wife currently have temporary custody of three of their young grandchildren whose parents suffer from addiction and are in and out of the justice system. When Mr. Tate and his wife took custody of these three grandchildren, the grandchildren were underweight and developmentally behind where they should be at their age. Since moving in with Mr. Tate and his wife, the grandchildren have made significant strides and are doing much better.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Tate's pardon petition, which included over 40 letters of support from friends, family, and community members. The testimony before the Board was that, since his release from incarceration, Mr. Tate has dedicated his life to serving his community. He has been continuously employed for roughly 40 years. He has worked as a social worker for the state since 1986 and served as his church's pastor for over 20 years.

WHEREAS, the presence of these two convictions on Mr. Tate's record may prevent him from obtaining full legal custody of his grandchildren; and, if he does not obtain permanent custody, the grandchildren may be forced into foster care.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Tate receive a full pardon. The Yakima County Prosecuting Attorney does not object to pardoning Mr. Tate and commends his commitment to the community. Furthermore, the Indeterminate Sentence Review Board supports Mr. Tate's petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of

the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Angus Brent Tate this FULL AND UNCONDITIONAL pardon of his 1968 conviction for SECOND DEGREE ARSON and his 1972 conviction for SECOND DEGREE BURGLARY.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 13th day of March, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF TAYLOR ROBINSON CHOYCE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Taylor Robinson Choyce pleaded guilty to SECOND DEGREE ASSAULT in April 2001, Thurston County Superior Court Cause No. 00-1-1733-6. He was 18 years old at the time of the assault, when he chased, with a decorative sword, his two college roommates and their associate who had broken into his bedroom and were rummaging through his private belongings. In the course of the chase, Mr. Choyce stabbed the victim in the lower back with his sword, causing a two to three centimeter wound which resulted in no permanent damage.

WHEREAS, Mr. Choyce accepts full responsibility for his conduct in this incident, expresses remorse, and he has satisfied the conditions of his judgment and sentence, including paying all fines and costs.

WHEREAS, Mr. Choyce had no prior criminal conduct and has had no further criminal law violations in his life, aside from this single incident.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Choyce's pardon petition, which included numerous letters of support from friends, family, and community members. The testimony before the Board was that, since this incident, Mr. Choyce has flourished, completing his education, finding steady employment, and starting a family.

WHEREAS, the sentencing judge, Judge Richard Strophy, testified at Mr. Choyce's clemency hearing. He characterized Mr. Choyce's conviction as "a miscarriage of justice," given Mr. Choyce's lack of criminal history and the circumstances of the offense. During the case's prosecution, Judge Strophy felt so compelled by what be perceived as an injustice, that he did something he had never done before and would never do again during his 24 years on the Superior Court bench-he encouraged the parties

to work out a deal whereby Mr. Choyce could avoid facing a felony. And because Judge Strophy felt so passionately that the State had overstepped its bounds by prosecuting Mr. Choyce for a felony, Judge Strophy testified on Mr. Choyce's behalf before the Board.

WHEREAS, this conviction's presence on Mr. Choyce's record prevents him from pursuing his desired career opportunities. The conviction also prevents Mr. Choyce the opportunity to volunteer at Big Brothers.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Choyce receive a full pardon. The Thurston County Prosecuting Attorney expressed no objection to the pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that he best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Taylor Robinson Choyce this FULL AND UNCONDITIONAL pardon of his 2001 conviction for SECOND DEGREE ASSAULT.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 16th day of April, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

COMMUTATION OF SHAYNE LYLE ROCHESTER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Shayne Lyle Rochester was found guilty of ATTEMPTED FIRST DEGREE ROBBERY including a firearm enhancement, in January 2010, King County Superior Court Cause No. 09-C-4235-3-SEA. Mr. Rochester drove to his former roommate's residence with two women, who he knew were both armed with handguns, and directed them to collect money that Mr. Rochester's former roommate owed him. The women entered the roommate's home without permission and, after refusing to leave, produced their weapons and demanded money, before discharging an errant shot and fleeing. The State prosecuted Mr. Rochester as an attempted robbery accomplice; Mr. Rochester was found guilty and sentenced to 37 months for the robbery and 36 months on the firearm enhancement.

WHEREAS, Mr. Rochester successfully challenged an alleged jury instruction error on direct appeal, and Division One of the Court of Appeals overturned his firearm

enhancement and its 36 month sentence, basing its decision on the Washington Supreme Court's opinion in State v. Bashaw, 169 Wn.2d 133, 234 P.3d 195 (2010). The State then appealed Division One's ruling to the Washington Supreme Court, where it was stayed pending an anticipated ruling in a case that would reconsider the Bashaw opinion, State v. Nunez, 174 Wn.2d 707, 285 P.3d 21 (2012).

WHEREAS, following his successful direct appeal at Division One, Mr. Rochester was released from prison on his own personal recognizance, pending the stay in his case. At the time of his release, Mr. Rochester had served approximately 28 months of his 37 month sentence on his attempted first degree robbery conviction. The Department of Corrections, after factoring his earned release time, determined that Mr. Rochester had completed his robbery sentence.

WHEREAS, the Washington Supreme Court subsequently issued its anticipated decision in Nunez, overturning the decision in Bashaw. Consequently, our Supreme Court remanded Mr. Rochester's case to Division One for action consistent with the Nunez opinion, and Division One affirmed Mr. Rochester's firearm enhancement, along with its 36 month sentence. When Division One issued its opinion on remand, Mr. Rochester had been out of prison on his own personal recognizance for over 13 months. Mr. Rochester has now been out of custody since October 2011, pending ongoing appeals associated with his case. Since his release from custody, Mr. Rochester has complied with the terms of his release.

WHEREAS, Mr. Rochester accepts full responsibility for his conduct in this incident and has expressed remorse. He has taken affirmative steps to confront and overcome his substance abuse addictions, which led to this offense. Mr. Rochester has also established custody of his young son and has cultivated a strong relationship. He has dedicated himself to community groups that provide social rehabilitative support to parents in the child welfare and prison system.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Rochester's clemency petition, which included several letters of support from his family, social workers, and other community members, including retired King County Superior Court Judge Anthony Wartnik. The victim of the offense and the King County Prosecuting Attorney's Office also support Mr. Rochester's clemency petition.

WHEREAS, denial of this clemency petition would return Mr. Rochester to prison for 36 months and cause great upheaval to his family. In a letter supporting Mr. Rochester's petition, the Department of Social and Health Services expressed that the best interests of Mr. Rochester's son would be served if Mr. Rochester were not returned to prison.

WHEREAS, at a March 14, 2014, clemency hearing, the Clemency and Pardons Board unanimously voted to recommend that Mr. Rochester's 36 month sentence on his firearm enhancement be commuted; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this

matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Shayne Lyle Rochester's 36 month sentence for his 2010 firearm enhancement on his ATTEMPTED FIRST DEGREE ROBBERY conviction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF COREY JAMESEVERETT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Corey James Everett pleaded guilty to SECOND DEGREE ARSON in November 1985, Adams County Superior Court Cause No. 85-1-44-7. He was 17 years old at the time of the arson, when, after a night of partying, he and another young friend ignited an onion storage shed that covered onion crates.

WHEREAS, Mr. Everett accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgment and sentence, paying fines and costs amounting to $3,126.99.

WHEREAS, at the time of the crime in 1985, Mr. Everett was 17 years old. Since that time, the scientific and criminal justice communities have learned a significant amount about juvenile brain development and the difficulty juveniles have in engaging in behavior control, often leading to transient rashness, proclivity for risk, and inability to assess the full consequences of one's actions.

WHEREAS, Mr. Everett had no prior criminal conduct and has had no further criminal convictions in his life. Furthermore, since the date of the incident, Mr. Everett has not consumed drugs, and he has also quit drinking alcohol.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Everett's clemency petition, which included a letter of support from Benton County Sheriff s Lieutenant Robert Guerrero, Jr. And, the testimony before the Board was that from the time he was 16 years old, Mr. Everett lived alone and supported himself. Following this incident, Mr. Everett committed himself to his high school education and ultimately graduated.

WHEREAS, Mr. Everett is a valuable, contributing member of his Othello community. He has a family, and for over 18 years he has been employed as a sanitation truck driver. He is also a member of a "Relay for Life" team as well as a long-time volunteer with the Othello Rodeo, Othello Sun Fair, and Adams County Fair. Recently, he was elected to serve the public as a member of the Othello City Council.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Everett receive a full pardon. Neither the Adams County Prosecuting Attorney, nor any victims of the crime, have expressed any objection to the pardon; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Corey James Everett this FULL AND UNCONDITIONAL pardon of his 1985 conviction for SECOND DEGREE ARSON.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF PATRICK BRYAN HITCHCOCK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Patrick Bryan Hitchcock pleaded guilty to SECOND DEGREE THEFT in January 1990, Yakima County Superior Court Cause No. 89-1-2269-4. He was 18 years old at the time of the theft, when he and two friends took rolls of iron wire from an open field to recycle for cash.

WHEREAS, Mr. Hitchcock accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgment and sentence, paying fines and costs amounting to $852.51.

WHEREAS, in 1995 Mr. Hitchcock took the initiative to successfully overcome the addictions that fueled his earlier criminal behavior by committing himself to a 28 day in-patient treatment program followed by a 90 day out-patient program. Since 1995, he has had no criminal law convictions.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Hitchcock's clemency

petition, which included several letters of support from current and former employers, his landlord, and other community members. Retired Washington State Patrol Lieutenant Jeff Jones also offered his "highest recommendation" for Mr. Hitchcock.

WHEREAS, the testimony before the Board was that since Mr. Hitchcock conquered his addictions, he has become an upstanding citizen and contributing member in his community. He has been married for over 16 years and has a family, and he has been steadily employed.

WHEREAS, this conviction on Mr. Hitchcock's record prevents him from volunteering to help his wife in her preschool classroom, and it precludes him from taking his son hunting.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Hitchcock receive a full pardon. The Yakima County Prosecuting Attorney wrote in support of Mr. Hitchcock's petition, as did the victim of the theft; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Patrick Bryan Hitchcock this FULL AND UNCONDITIONAL pardon of his 1990 conviction for SECOND DEGREE THEFT.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF DeEDRA MARIE WATKINS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, DeEdra Marie Watkins was found guilty in Seattle Municipal Court of PROSTITUTION in November 1983, and PROSTITUTION and ESCAPE in July 1984. Ms. Watkins was just 16 and 17 years old at the time of these misdemeanor crimes, when an older man forced her into the sex trade by beating her and threatening her and her family with violence.

WHEREAS, Ms. Watkins has overcome many of the difficulties from her past. She successfully completed her General Educational Development (GED) test. She also took

the initiative to conquer her struggles with substance abuse. Ms. Watkins even launched her own cleaning business, which employed five people and served low- income customers before succumbing to the economic woes of recent years.

WHEREAS, the Clemency and Pardons Board reviewed Ms. Watkins' clemency petition. It heard from Ms. Watkins and her cousin and former employer, who spoke of Ms. Watkins' work ethic, her responsible character, and emotional growth over the years.

WHEREAS, these crimes on Ms. Watkins' record have hindered her pursuit of the educational and career opportunities for which she was qualified and interested. This difficulty in finding work has challenged Ms. Watkins' ability to support her family.

WHEREAS, these crimes also prevent Ms. Watkins from engaging in her grand-daughter's school activities. Ms. Watkins also feels that she is uniquely positioned to help at-risk youth, but her criminal record precludes her from volunteering with many community organizations.

WHEREAS, the Seattle City Attorney's Office does not oppose Ms. Watkins' clemency petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Ms. Watkins be pardoned; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to DeEdra Marie Watkins this FULL AND UNCONDITIONAL pardon of her 1983 conviction for PROSTITUTION and her 1984 convictions for PROSTITUTION and ESCAPE.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF KATIE ELIZABETH ARNDT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Katie Elizabeth Arndt pleaded guilty to THIRD DEGREE

MALICIOUS MISCHIEF-DOMESTIC VIOLENCE in Bremerton Municipal Court, Cause No. 10290612 and was sentenced to 365 days of confinement, with 335 suspended, and a $5,000 fine with $4,250 suspended. This gross misdemeanor charge arose after Ms. Arndt broke a window at her ex-boyfriend's home in 2000.

WHEREAS, Ms. Arndt accepts full responsibility for her past conduct and expresses remorse, and she has satisfied all the conditions of her judgment and sentence, including completion of a domestic violence perpetrator's treatment program and payment of her legal financial obligations.

WHEREAS, Ms. Arndt has overcome a difficult upbringing and past addictions, and she has engaged in no criminal activity since 2000. Ms. Arndt has earned an Associate of Arts degree from Spokane Falls Community College with honors, and is currently in nursing school, preparing to become a registered nurse. This gross misdemeanor domestic violence conviction on Ms. Amdt's record, however, prevents her from pursuing her goal of a nursing career.

WHEREAS, the Clemency and Pardons Board reviewed Ms. Amdt's pardon petition, which included numerous letters of support including a letter from the victim; and, the Office of the Kitsap County Prosecuting Attorney has commended her rehabilitation efforts and does not oppose her petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Arndt be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Katie Elizabeth Arndt this FULL AND UNCONDITIONAL pardon of her conviction for THIRD DEGREE MALICIOUS MISCHIEF-DOMESTIC VIOLENCE, in Kitsap County Cause No. 10290612, so that she may fully pursue her career goals and employment opportunities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 17th day of October, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF JAMIE STEPHEN SETTLE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Jamie Stephen Settle pleaded guilty to THIRD DEGREE ASSAULT in Thurston County Superior Court, Cause No. 97-1-2163-8 and was sentenced to confinement for 30 days, community supervision for 12 months, and $610.00 in fines. This felony charge arose from a 1997 incident in which Mr. Settle unlawfully entered the victim's home, searching for his ex-girlfriend, and struck the victim with his fists.

WHEREAS, Mr. Settle accepts full responsibility for his conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including completion of an anger management program and prompt payment of his legal financial obligations. Since this offense, he has had no further criminal convictions.

WHEREAS, Mr. Settle is now married and raising two young children, and he built the home in which they currently live. In February 2013, Mr. Settle was diagnosed with terminal Glioblastoma Multiform Stage IV brain cancer. Prior to his diagnosis, Mr. Settle was a full-time student at Centralia Community College pursuing a career in electrical engineering.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Settle's petition for a pardon, which included letters of support that indicate that since this criminal incident, Mr. Settle has found steady employment, pursued education, and devoted himself to his family. The Clemency and Pardons Board voted unanimously to recommend that Mr. Settle receive a full pardon. The Thurston County Prosecuting Attorney expressed no objection to Mr. Settle's petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jamie Stephen Settle this FULL AND UNCONDITIONAL pardon of his conviction for THIRD DEGREE ASSAULT in Thurston County Superior Court, Cause No. 97-1-2163-8.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 17th day of October, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

CONDITIONAL COMMUTATION OF ORLANDO WADE AMES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 7, 1994, Orlando Wade Ames was charged with SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 94-1-08084-5, and sentenced to Life Without the Possibility of Parole (LWOP) under the Persistent Offender Accountability Act, otherwise known as the "Three Strikes" law, after he assaulted a male who was unknown to him at the time. Prior to this, in the 1980s, Mr. Ames had been convicted of first degree robbery for threatening a taxi driver in order to take the driver's money; he had also been convicted of second degree robbery for assaulting a commuter and taking some of the commuter's belongings. Mr. Ames served lengthy sentences on each of these earlier convictions.

WHEREAS, Mr. Ames accepts full responsibility for his conduct in this incident, and he expresses remorse. He has been in prison since 1995, almost 20 years. Since 1998, Mr. Ames has received just three minor infractions while incarcerated, and since 2004 he has been a model prisoner, receiving no infractions. Mr. Ames has also seized every opportunity to improve himself while in prison. He has completed anger management, conflict resolution, and non-violence related courses; and, in 2012 he earned his Associate's Degree from Ohio University.

WHEREAS, Mr. Ames has developed heart disease that has resulted in multiple surgeries, and doctors inserted a stint and implantable, cardioverter defibrillator into his chest.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Ames's clemency petition, which included several letters of support from his family and other community members. King County Prosecutor Daniel Satterberg personally voiced support for Mr. Ames's commutation and testified at his hearing, explaining that if the King County Prosecutor's Office were prosecuting Mr. Ames's case today, it would seek a determinate sentence much shorter than the life sentence Mr. Ames received. The judge that sentenced Mr. Ames also conveyed his support for Mr.
Ames's commutation.

WHEREAS, the testimony before the Board was that Mr. Ames's support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him
a place to live and employment opportunities upon his release. The State believes that Mr. Ames' risk of reoffending is low.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor CONDITIONALLY COMMUTE Mr. Ames's sentence based upon a transition plan directed by the Department of Corrections.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this actio11.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Orlando Wade Ames's sentence for his 1995 SECOND DEGREE ASSAULT conviction, conditioned on his agreement to comply with all terms outlined by the Department of Corrections in a transition plan, as well as any conditions set forth by the Department of Corrections and its community corrections officers. These conditions shall include, but not be limited to, the following:

Mr. Ames shall:

1. Obey all laws;
2. Fully comply and abide by all conditions set forth by the Department of Corrections and his community corrections officer;
3. Enter and successfully complete identified interventions, based on his eligibility, to assist in improving his skills, relationships, and ability to stay crime free;
4. Not consume or possess alcohol;
5. Not consume or possess controlled substances, including marijuana;
6. Not possess firearms or other dangerous weapons;
7. Obtain a substance abuse evaluation and follow all treatment recommendations;
8. Participate in and successfully .complete Thinking for a Change or other programs as directed by his community corrections officer; and,
9. Submit to searches of himself, his home, vehicle, and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 14th day of November, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

AMENDED CONDITIONAL COMMUTATION OF ORLANDO WADE AMES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 7, 1994, Orlando Wade Ames was charged with SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 94-1-08084-5, and sentenced to Life Without the Possibility of Parole (LWOP) under the Persistent Offender Accountability Act, otherwise known as the "Three Strikes" law, after he assaulted a male who was unknown to him at the time. Prior to this, in the 1980s, Mr. Ames had been convicted of first degree robbery for threatening a taxi driver in order to take the driver's

money; he had also been convicted of second degree robbery for assaulting a commuter and taking some of the commuter's belongings. Mr. Ames served lengthy sentences on each of these earlier convictions.

WHEREAS, Mr. Ames accepts full responsibility for his conduct in this incident, and he expresses remorse. He has been in prison since 1995, almost 20 years. Since 1998, Mr. Ames has received just three minor infractions while incarcerated, and since 2004 he has been a model prisoner, receiving no infractions. Mr. Ames has also seized every opportunity to improve himself while in prison. He has completed anger management, conflict resolution, and non-violence related courses; and, in 2012 he earned his Associate's Degree from Ohio University.

WHEREAS, Mr. Ames has developed heart disease that has resulted in multiple surgeries, and doctors inserted a stint and implantable cardioverter defibrillator into his chest.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Ames's clemency petition, which included several letters of support from his family and other community members. King County Prosecutor Daniel Satterberg personally .voiced support for Mr. Ames's commutation and testified at his hearing, explaining that if the King County Prosecutor's Office were prosecuting Mr. Ames's case today, it would seek a determinate sentence much shorter than the life sentence Mr. Ames received. The judge that sentenced Mr. Ames also conveyed his support for Mr. Ames's commutation.

WHEREAS, the testimony before the Board was that Mr. Ames's support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him a place to live and employment opportunities upon his release. The State believes that Mr. Ames' risk of reoffending is low.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor CONDITIONALLY COMMUTE Mr. Ames's sentence based upon a transition plan directed by the Department of Corrections.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Orlando Wade Ames's sentence for his 1995 SECOND DEGREE ASSAULT conviction, conditioned on his agreement to comply with all terms outlined by the Department of Corrections in a transition plan. Under this transition plan, Mr. Ames will complete 12 months in custody, to terminate no later than December 1, 2015. Following this in-custody period, Mr. Ames will serve an additional 12 months of community custody, to end no later than December 1, 2016. During this transition, Mr.

Ames will comply with any conditions set forth by the Department of Corrections and its community corrections officers. These conditions shall include, but not be limited to the following:

Mr. Ames shall:

1. Obey all laws;
2. Fully comply and abide by all conditions set forth by the Department of Corrections and his community corrections officer;
3. Enter and successfully complete identified interventions, based on his eligibility, to assist in improving his skills, relationships, and ability to stay crime free;
4. Not consume or possess alcohol;
5. Not consume or possess controlled substances, including marijuana;
6. Not possess firearms or other dangerous weapons;
7. Obtain a substance abuse evaluation and follow all treatment recommendations;
8. Participate in and successfully complete Thinking for a Change or other programs as directed by his community corrections officer; and,
9. Submit to searches of himself, his home, vehicle, and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 26th day of November, A.D., two thousand and fourteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF SIGIFREDO BUENO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2005, Sigifredo Bueno pleaded guilty to CONSPIRACY TO DELIVER A CONTROLLED SUBSTANCE-METHAMPHETAMINE in Yakima County Superior Court, Cause No. 04-1-01707-1. Mr. Bueno had been riding in a vehicle with his brother-in-Jaw, when they picked up two other individuals, who were then dropped off and picked up again later after participating in a methamphetamine delivery. Mr. Bueno pleaded guilty to conspiring to commit the delivery, in large part on the advice of his counsel, who had expressed that a conspiracy conviction would not be a deportable offense.

WHEREAS, Mr. Bueno accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including paying $2,810 in legal financial obligations.

WHEREAS, Mr. Bueno's conviction puts him at risk for deportation. And, Mr. Bueno's wife was severely injured years ago.in a work accident; now disabled, she relies on

Mr. Bueno to support and care for her. Mr. Bueno is also raising two young children, who to date, have exce1led in school and extracurricular activities, and he has been a driving factor behind their success. Additionally, in its past, Mr. Bueno's family has been a victim of extreme violence in Mexico; and if deported, he fears that he would be subject to continued violence.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Bueno's pardon petition, which included numerous letters of support from community members. The Yakima County Prosecuting Attorney does not oppose his petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Bueno be granted a fu11 pardon. In recommending a pardon, the Board noted the disproportionate effect that this relatively minor crime would have on Mr. Bueno, his family, and his community, were he to be deported; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Sigifredo Bueno this FULL AND UNCONDITIONAL PARDON of his conviction for CONSPIRACY TO DELIVER A CONTROLLED SUBSTANCE-METHAMPHETAMINE, in Yakima County Superior Court Cause No. 04-1-01707-1.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 7th day of January, AD., two thousand and fifteen.

Jay Inslee
Governor of Washington

FULL AND UNCONDITIONAL PARDON OF PETER JOHN NEVERS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Peter John Nevers pleaded guilty to THIRD DEGREE RAPE OF A CHILD in May 1997, Spokane County Superior Court Cause No. 96-1-2457-1. When Mr. Nevers was 26 years old in 1996, he engaged in a sexual relationship with his then 14-year old girlfriend.

WHEREAS, Mr. Nevers accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgment and sentence, including paying fines and costs. And, he has no other criminal history on his record.

WHEREAS, following his incarceration for this conviction, Mr. Nevers rekindled his relationship with the victim in this case. They married in 2002 and are now raising a family.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Nevers' clemency petition, which included several letters of support from his family and other community members. The Board also received letters of strong support from the victim and her family.

WHEREAS, Mr. Nevers' wife passionately advocated on Mr. Nevers' behalf, describing Mr. Nevers as a great person, husband, and father who has sufficiently paid his debt to society for his past conduct. She discussed how the conviction on Mr. Nevers' record prevents him from securing meaningful, steady employment, thus hurting not only Mr. Nevers, but also her and their family.

WHEREAS, Mr. Nevers agreed to undergo a psychological/sexual risk assessment, and the test results concluded that he poses a "very low risk" of sexual recidivism.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Nevers be pardoned; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay lnslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Peter John Nevers this FULL AND UNCONDITIONAL pardon of his 1997 conviction for THIRD DEGREE RAPE OF A CHILD.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this·7th day of January, A.D., two thousand and fifteen.

Jay Inslee
Governor of Washington

CONDITIONAL COMMUTATION OF JOHN WILLIAM WHEELER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on April 13, 1999, John William Wheeler was found guilty of two counts of SECOND DEGREE ROBBERY in King County Superior Court, Cause No. 98-1-01231-1, and he was sentenced to Life Without the Possibility of Parole under the Persistent

Offender Accountability Act, otherwise known as the "Three Strikes" law. These convictions are the last of four total second degree robbery convictions on Mr. Wheeler's record that date to 1988. During none of Mr. Wheeler's robberies did he carry a firearm, nor did he ever cause serious physical injury to any victim.

WHEREAS, Mr. Wheeler accepts full responsibility for his conduct in this incident, and he expresses remorse. He has overcome the chemical addictions that contributed to his criminal behavior. He has been in prison since 1999, and since 2001, Mr. Wheeler has been a model prisoner, receiving no infractions. Mr. Wheeler has also seized numerous opportunities to improve himself while in prison, completing various classes and programs; and, in 2000 he earned his General Education Diploma.

WHEREAS, Mr. Wheeler is now 65 years old, and suffers from diabetes, mild hypertension, and Hepatitis C.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Wheeler's clemency petition, which included several letters of support from his family and other community members. The King County Prosecuting Attorney's Office .also supported Mr. Wheeler's commutation petition and testified at his hearing, explaining that Mr. Wheeler has served a disproportionately lengthy sentence for the low-level strike offenses that he committed, and he currently exhibits a low-risk of recidivism.

WHEREAS, the testimony before the Board was that Mr. Wheeler's support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him a place to live and employment opportunities upon release.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor conditionally COMMUTE Mr. Wheeler's sentence, contingent upon his completion of a substance abuse class. Since his clemency hearing, Mr. Wheeler has completed this substance abuse class; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE John William Wheeler's 1999 sentence for two SECOND DEGREE ROBBERY convictions, conditioned on his agreement to comply with all terms outlined by the Department of Corrections (DOC) in a transition plan. Under this transition plan, Mr. Wheeler will complete 12 months in custody, to terminate no later than January 1, 2016. Following this in-custody period, Mr. Wheeler will serve an additional 12 months of community custody, to end no later than January 1, 2017. During this transition, Mr. Wheeler will comply with any conditions set forth by the DOC and its community corrections officers (CCO). These conditions shall include, but not be limited

to the following:

Mr. Wheeler shall:

1. Report as directed and be available for contact with the DOC;
2. Remain in a geographic area as directed by his CCO;
3. Participate in DOC-approved education, employment and/or community service obligations, to include additional chemical dependency treatment if appropriate;
4. Receive prior approval from DOC for living arrangements and residence locations;
5. Notify his CCO before changing residence or employment;
6. Abide by written or verbal instructions issued by the CCO;
7. Not possess, receive, ship, or transport any explosive device, dangerous weapons, ammunition or firearms;
8. Not consume or possess controlled substances without a legal prescription;
9. Abstain from alcohol and marijuana use and possession;
10. Have no direct or indirect contact with any victims and/or their families;
11. Participate in electronic monitoring as directed by the CCO; and
12. Comply with all conditions of community custody as directed by the CCO.

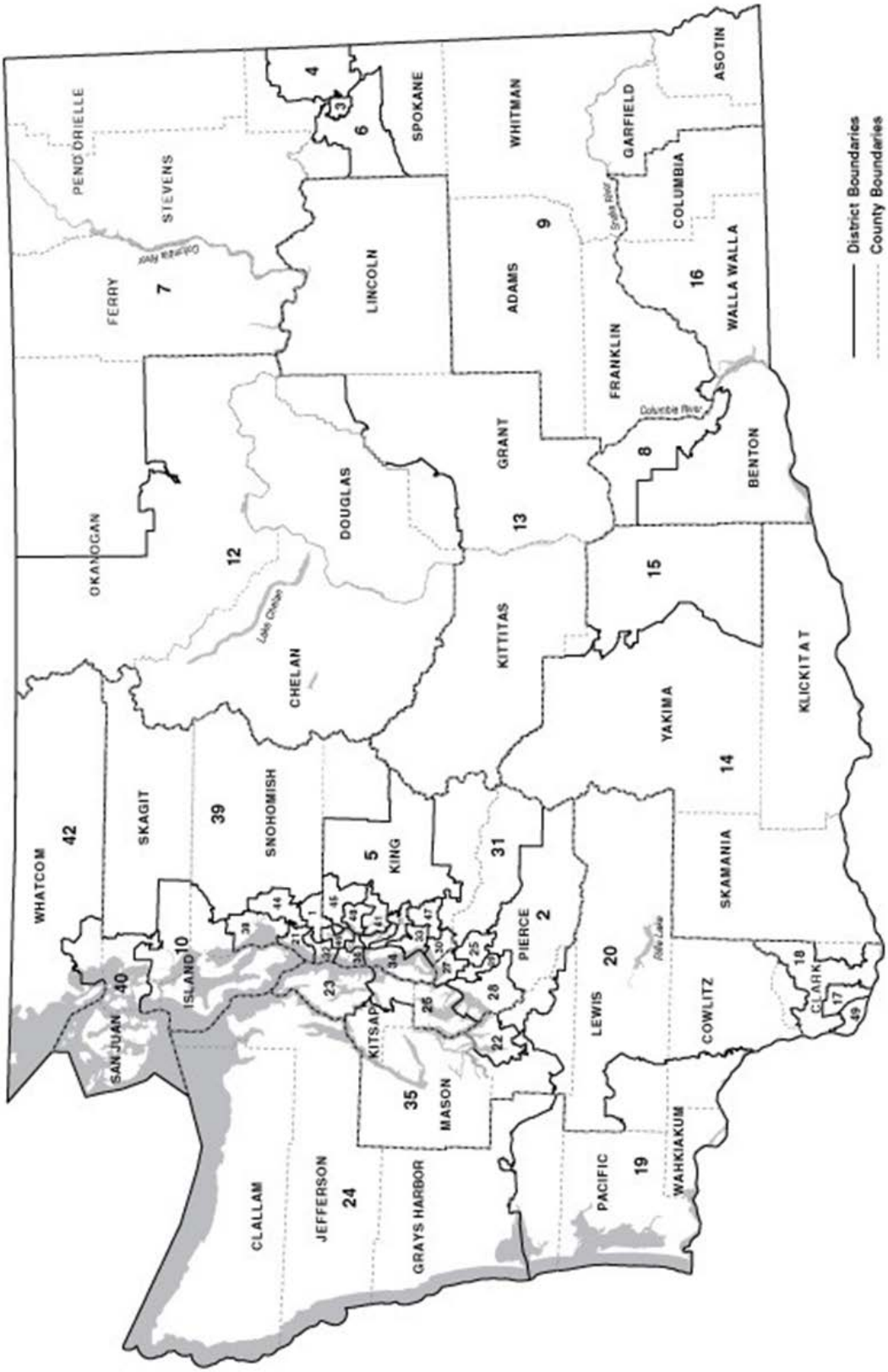
PROVIDED that Mr. Wheeler shall remain under the supervision of the DOC and explicitly follow conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by the DOC and may result in the termination of this conditional commutation as provided below. The Department may require Mr. Wheeler to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Wheeler if he violates a condition.

ADDITIONALLY PROVIDED that in the event Mr. Wheeler is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington or violates the conditions of this conditional commutation as determined by the Governor, this conditional commutation is revoked and the sentence of the court reinstated, whereupon Mr. Wheeler will be immediately returned to a corrections facility as the Secretary of the DOC deems appropriate. The DOC shall provide a written report to the Governor regarding any violation of this conditional commutation. A written notice of the Governor's intent to revoke the conditional commutation will be mailed to the most recent address Mr. Wheeler has provided to the Office of the Governor or, if Mr. Wheeler is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice Mr. Wheeler submits a sworn statement made under penalty of perjury that he has complied with all conditions of this commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Wheeler an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the conditional commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive decision on whether Mr. Wheeler has violated the conditions of this conditional commutation.

ADDITIONALLY PROVIDED that Mr. Wheeler may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this conditional commutation has been violated if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this conditional commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Wheeler may abscond if not detained. If detained, Mr. Wheeler will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington be affixed at Olympia on this 7th day of January, A.D., two thousand and fifteen.

Jay Inslee
Governor of Washington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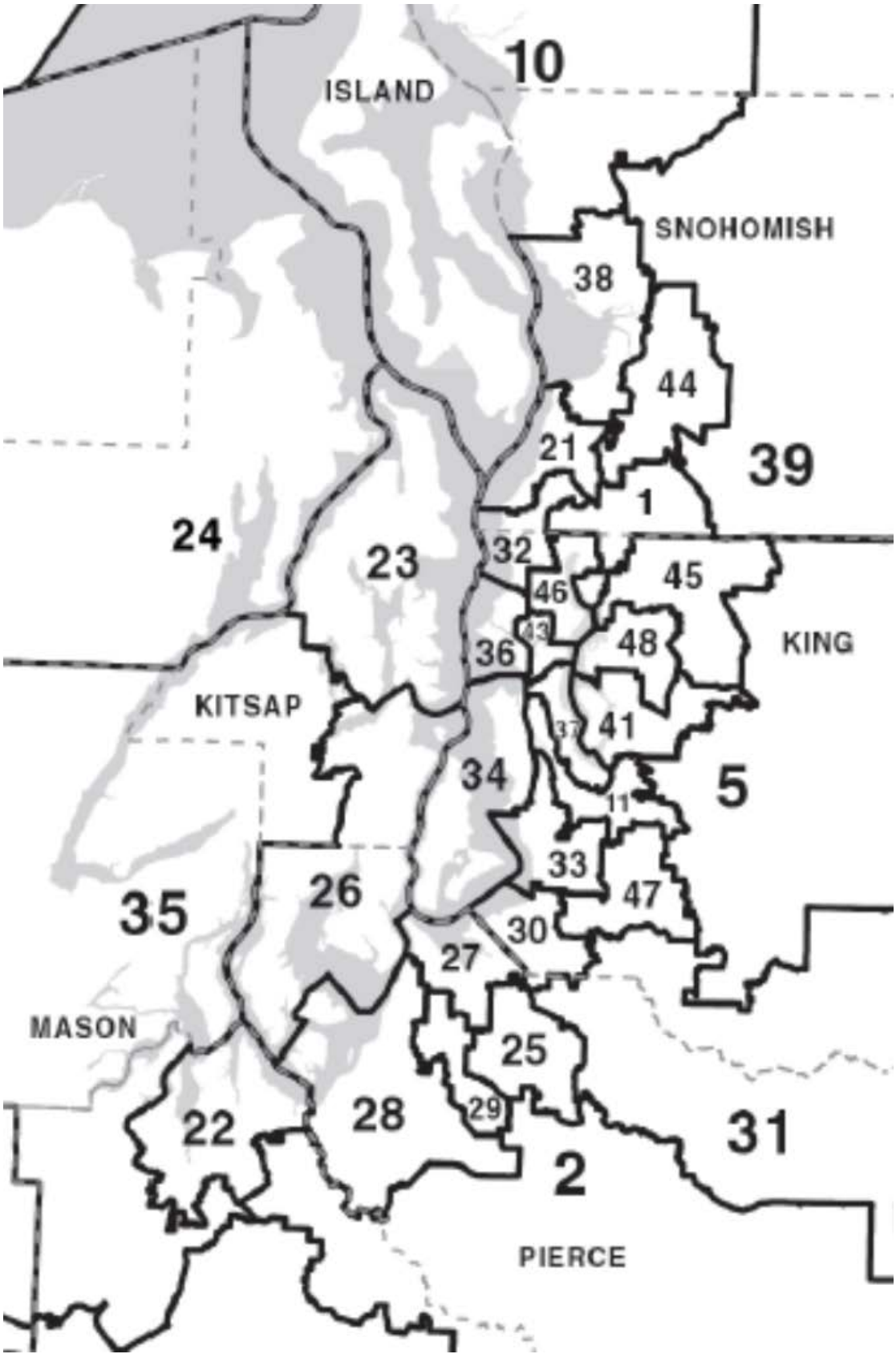
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SHB 1037	Child Support	YEA
SHB 1157	Quick title service fees	YEA
E2SHB 1272	Intimate images/disclosing	YEA
E2SHB 1276	Impaired driving	NAY
2SHB 1469	Sensitive date/state network	YEA
E2SHB 1472	Chemical action plans	NAY
HB 1561	Info technology security	YEA
SHB 1738	Marine etc. fuel tax refunds	YEA
E2SHB 1825	Resident student/veterans	YEA
SHB 1855	Local graduation reqs.	YEA
HB 1918	ORV's, etc, & their drivers	YEA
SHB 2160	Intimate images/distributing	YEA
EHB 2214	HS student assessments	YEA
HB 2122	Real estate tx, transactions	NO
HB 2253	JNT ADMN rules rev. comm	YEA

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Wildlife damage to crops, compensation claims, prohibiting DFW management actions until paid: SB 5712

AGRICULTURE, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; STATE AGENCIES AND DEPARTMENTS)
Avian influenza, highly pathogenic, outbreak response preemptive plan development, department role: HB 2273
Cottage food operations, maximum sales limit for permit, department role: HB 1742, ***SB 5603, CH 196 (2015)**

Food safety and animal health program, certain fee increases, department role: HB 2128
Hemp, as commercial animal feed component, department to study: ***HB 1268, CH 106 (2015)**
Hemp, industrial production of, licensing and regulatory provisions, department role: HB 1552
Livestock, electronic cattle transaction reporting system, establishing, department role: ***SSB 5733, CH 197 (2015)**
Livestock, movement reporting system, establishing, department role: HB 1755
Meat facilities, custom, annual custom meat license for, department regulatory role: HB 1522
Pesticide licensees, recertification waiver, comparable standards for, department role: HB 1527, SSB 5601
Wine commission, assessment, exempting cider makers: ***HB 1179, CH 76 (2015)**

AIR QUALITY AND POLLUTION (See also CLIMATE)
Carbon pollution market and competitiveness certificate programs, creating: HB 1314
Greenhouse gas emissions, defining for energy independence act purposes: ESSB 5735
Greenhouse gas emissions, direct legislative authorization for agency attempts to reduce: HB 1325
Motor vehicle emissions, adoption of standards, modifying regulatory authority: HB 1487
Natural gas engines, in combined heat and power systems, emission limits and permits: HB 1095

ALCOHOL AND DRUG ABUSE (See also TRAFFIC OFFENSES)
Behavioral health services, combined mental health and chemical dependency services, repealing 2014 act: HB 2228
Behavioral health treatment services and facilities, county local option sales and use tax funding: HB 2263
Chemical dependency treatment, funding support services for: HB 1598
Chemical dependency treatment, health or social welfare organizations providing, B&O tax deductions: HB 2028
Chemical dependency treatment, involuntary and minors, integration with mental health treatment: HB 1713
Chemical dependency treatment, involuntary, detention standards, modifying: HB 1945, HB 2282
Chemical dependency treatment, non-hospital facilities, patient ambulance transport to: HB 1721, HB 2044
Chemical dependency treatment, program certification, transferring duties from DSHS to department of health: HB 1888
Chemical dependency treatment, residential, availability as drug offender sentencing alternative: HB 1569
Chemical dependency, replacing with "substance use disorder," in treatment administrative provisions: HB 1916
Defendants, pretrial alcohol and drug monitoring programs, pretrial supervision costs limitation exemption for: ***SSB 6134, CH 35 (2015)**
Defendants, pretrial electronic or alcohol abstinence monitoring services, defendant to reimburse for costs: ***SSB 6134, CH 35 (2015)**
Intoxication, voluntary, as criminal charge defense, prohibiting: HB 2275
Opioid overdoses, overdose medications to counteract, increasing access: HB 1671
Sentencing for criminal offenses, alcohol or controlled substance possession or use, prohibitions: ***SB 5104, CH 81 (2015)**
Substance abuse programs, funding with marijuana excise tax revenues: HB 1673
Substance abuse, youth substance abuse prevention and education grant program, creating: HB 1642
Substance use disorder, integrating administrative provisions into community mental health system provisions: HB 1916
Substance use disorder, replacing "chemical dependency" with, in treatment administrative provisions: HB 1916
Workers' compensation benefits, for liquor- or drug-caused injuries or diseases, limiting, criteria: HB 1454

ALCOHOLIC BEVERAGES (See also LIQUOR CONTROL BOARD; TRAFFIC OFFENSES)
Beer, domestic breweries and microbreweries, providing promotional items to certain nonprofits: HB 1768, ***SB 5662, CH 94 (2015)**
Beer, microbreweries, sales by, including cider in tasting rooms: ***HB 1342, CH 42 (2015)**
Beer, on-tap sales, endorsement for grocery store licensees, conditions: HB 1198, ***SSB 5280, CH 192 (2015)**
Charter party and excursion service carriers, regulation of, alcoholic beverage provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
Cider, domestic winery-produced, sales in microbrewery tasting rooms: ***HB 1342, CH 42 (2015)**
Cider, exempting makers from wine commission assessment: ***HB 1179, CH 76 (2015)**
Cider, on-tap sales, endorsement for grocery store licensees, conditions: HB 1198, ***SSB 5280, CH 192 (2015)**
Distilleries and craft distilleries, spirits sales at farmers markets: HB 1976, ***E2SSB 5353, CH 194 (2015)**
Distilleries and craft distilleries, spirits sampling provisions: HB 1903, HB 1976, ***E2SSB 5353, CH 194 (2015)**
Distilleries and craft distilleries, various sales of own spirits: ***E2SSB 5353, CH 194 (2015)**
Distilleries and craft distilleries, various sales of own spirits, as well as wine and beer: HB 1976
Distributors, employees between 18 and 21, allowing liquor handling and transporting by, conditions: HB 1478, ***ESB 5504, CH 33 (2015)**

Excursion service and charter party carriers, regulation of, alcoholic beverage provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
Farmers markets, sales by wineries, microbreweries, or craft distilleries: HB 1976
Farmers markets, serving spirits samples, endorsement for: HB 1976
Farmers markets, spirits sales by distilleries and craft distilleries: HB 1976, ***E2SSB 5353, CH 194 (2015)**
Licensees, free beer and wine samples, when: ***HB 1124, CH 180 (2015)**
Licensees, retail, authority to sell gift certificates and cards: ***E2SSB 5353, CH 194 (2015)**
Licenses, distiller/rectifier, holders selling spirits at retail, spirits retail license issuance fee exemption: HB 1975
Licenses, distilleries and craft distilleries, delivering spirits, conditions and requirements: ***E2SSB 5353, CH 194 (2015)**
Licenses, distilleries and craft distilleries, shipping own spirits to residents: HB 1976
Licenses, food truck beer and/or wine license: HB 1108
Licenses, special occasion, wine sales for on-premises consumption: SB 5155
Licenses, spirits retail, license issuance fee provisions: HB 1807, HB 1975
Licenses, temporary additional fee on all, exceptions: HB 1965
Liquor excise taxes, revenues, distribution from liquor revolving fund: HB 1517
Liquor industry members, personal services for retailers, authorizing, when: HB 1429
Permits, special, tasting and selling spirits of distillery's own production at private event: HB 1976, ***E2SSB 5353, CH 194 (2015)**
Permits, temporary additional fee on all, exceptions: HB 1965
Powdered alcohol, banning use, purchase, sale, and possession, with exceptions: ***SSB 5292, CH 193 (2015)**
Prohibition on sale of liquor, local option, municipality and county power to repeal: HB 1564
Prohibition on sale of liquor, local option, territory annexed into city after: SSB 5167
Spirits, distilleries and craft distilleries, sampling provisions: HB 1903, HB 1976
Spirits, retail license fee, renaming as sales tax, with revenue for education: HB 1902
Spirits, retailers selling for resale, provisions: HB 1343
Spirits, sales tax, comprehensive reduction: HB 1680
Stores, 16- and 17-year-old employees, authorizing liquor handling by: HB 1457
Tasting, by certain post-secondary students: ***HB 1004, CH 59 (2015)**, SB 5001
Wine manufacturers, private tasting and selling event, special permit for: HB 1380, ***SSB 5596, CH 195 (2015)**
Wine, on-tap sales, when license permits on-tap beer sales: HB 1362
Wineries, domestic licensees, tasting rooms: HB 1290

ANIMALS (See also WILDLIFE)
Attack by aggressive and violent animal, right of self-defense against: HB 1474
Cruelty to animals, modifying provisions: ***SSB 5501, CH 235 (2015) PV**
Dogs, breed-based regulations, prohibiting, when: HB 1018
Research and innovations, animal science, life sciences discovery fund authority mission to include: HB 1670
Unattended confined animals, class 2 civil infraction, when: ***SSB 5501, CH 235 (2015) PV**

APPRENTICES AND APPRENTICESHIP PROGRAMS
Building code officials, apprenticeship and training program: HB 1387
Electricians, certain certificates of competency, apprenticeship program for: HB 1590
Labor hours, definition, modifying for public works apprenticeship utilization: ***HB 1595, CH 48 (2015)**
Public works, certain contracts, apprentice utilization requirements for: ***2ESB 5993, CH 40 (2015)**
Public works, subsidized, apprentice utilization by recipients of certain tax preferences or loans: HB 1038
Transportation workforce development, apprenticeship programs, modifying: ***ESB 5863, CH 164 (2015)**

ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT OF
Main street program, trust fund, increasing amount of tax credits for contributions to: HB 1370, HB 2247

ART AND ARTWORKS
Cultural access programs, creation: HB 1107, HB 2247, HB 2263, SSB 5463
Public art works or artistic designs, use of transportation funds for, prohibiting: HB 1326

ATTORNEY GENERAL (See also ACTIONS AND PROCEEDINGS; CIVIL PROCEDURE)
Assistant attorneys general, collective bargaining rights, interest arbitration, without the right to strike: HB 2034
For-profit higher education institutions and private vocational schools, unfair business practices, investigating: HB 1949

ATTORNEYS
Bar association, repealing statutes establishing and regulating members of: HB 1772
Bar associations, mandatory, prohibiting through shifting of functions to supreme court, constitutional amendment: HJR 4207
Legal service contractors and plans, regulation of: HB 1177
Prosecuting attorneys, deputy, oath of office requirement: HB 2090
Prosecuting attorneys, financial affairs statement, requirements: HB 1397

AUDITORS AND AUDITING (See also STATE AUDITOR)
Audits, of local government or state agency, appealing results of: HB 2148
Local government financial audits, by private entity rather than state auditor: HB 2148

BAIL AND BAIL BONDS
Agents, general power of attorney in bail bond contracts: HB 1022
Forfeitures, limited exoneration when extradition declined: HB 1312

BICYCLES
Intersections, stopping and proceeding through red light, allowing, conditions: ***SSB 5438, CH 32 (2015)**

BOATS AND BOATING (See also COMMERCIAL VESSELS AND SHIPPING)
Derelict vessel prevention programs, funding from derelict vessel removal account: HB 1256
Floating homes and on-water residences, sale by real estate broker: ***HB 1309, CH 133 (2015)**
Marinas, public, city aquatic lands management agreement for operation of: HB 1306
Moorage facilities, city- or county-owned, use fee imposition and liability immunity: SSB 5022
Moorage facilities, in island counties, using county road fund moneys for: ***EHB 1868, CH 223 (2015)**
Moorage facilities, insurance requirement for mooring at, exemption for legacy commercial ocean vessels: HB 1435
Moorage facilities, use charges imposition and liability immunity: HB 1292
Owner information, disclosure, when: HB 1409, SSB 5397
Permits, nonresident entity-owned vessels, state waters permit and sales and use tax exemptions: HB 1681, ***ESSB 6057, CH 6 (2015)**
Vessel registration, service fee, provisions: HB 2159, ESB 5416, ***2ESSB 5987, CH 44 (2015)**
Vessel reports of sale, after filing, department of licensing duties: ***EHB 2190, CH 148 (2015)**
Vessel titles, quick title service fee paid to subagent, apportionment: SSB 5025

BOILERS AND UNFIRED PRESSURE VESSELS
Energy assessments for boilers and process heaters, when: HB 1095
Miniature hobby boilers, exemption from certain requirements: SSB 5234

BONDS (See also BAIL AND BAIL BONDS)
Bond authorization statutes, inactive or obsolete: ***EHB 1859, CH 4 (2015)**, SB 5723
Bonds, state and local government authority to invest in: HB 1462
General obligation bonds, for certain higher education capital projects, decodifying statutes: ***HB 1961, CH 55 (2015)**, SB 5977
General obligation bonds, proceeds for capital and operating budget projects: HB 1166
General obligation bonds, proceeds for transportation budget projects: HB 1298, ***ESSB 5989, CH 45 (2015)**
Passenger-only ferry service districts, general obligation and revenue bonds: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**
School district bonds, requiring simple majority to authorize: HB 1941, HJR 4210
Tacoma Narrows bridge, construction bond obligations, civil penalty revenue use for: HB 2141
Transportation purposes, bonds issued for, disallowing payment of taxes with proceeds: HB 1358

BUDGETS (See also ECONOMIC AND REVENUE FORECAST COUNCIL)
Balanced budget requirements, constitutional amendment to reject initiatives when not complying with: HJR 4204
Balanced budget, constitutional amendments to require: HJR 4209
Balanced budget, requirement for, removing basic education enhancements exception to: HB 2219
Capital budget, major facility projects funded by, nonprofit corporation exemption from LEED standards for: HB 1827
Capital budget, restoring resources by increasing deposits to certain accounts: HB 1992
Capital budget, restoring resources by reducing deposits to education legacy trust account: HB 1661, HB 1992

Capital purposes, constitutional amendment requiring debt proceeds be spent only for capital purposes: HJR 4209
Capital, 2015-2017 and supplemental 2015: ***2EHB 1115, CH 3 (2015) PV**
Capital, biennial requests by agencies, document for projects, modifying requirements: HB 1532
Capital, emergency drought response appropriations for capital projects: ESSB 6125
Capital, general obligation bond proceeds for capital projects: HB 1166
Capital, supplemental 2015 and capital 2015-2017: ***2EHB 1115, CH 3 (2015) PV**
Capital, supplemental, 2015: HB 1116
Education, K-12 appropriations, passing as separate legislation by specified dates: HB 1001
Expenditures by state, repealing state expenditure limit: HB 2218
Expenditures by state, suspending state expenditure limit to amply fund basic education: ***EHB 2267, CH 29 (2015)**
Fiscal analysis, nonpartisan agency for, work group to consider establishing: HB 1643
Forecasts, economic and revenue, on same date during all legislative sessions: HB 1477, SB 5064
Governor, budget submittal, K-12 basic education: HB 1001
Operating, 2015-2017: HB 1106
Operating, 2015-2017 and supplemental 2015: ESSB 5077, ***ESSB 6052, CH 4 (2015) PV**
Operating, biennial requests by agencies, proposed information technology expenditures, requirements: HB 2125
Operating, general obligation bond proceeds for projects: HB 1166
Operating, medicaid family planning stand-alone coverage, impact on allotments for health care authority: HB 2285
Operating, omnibus appropriations act, to include tax expenditure budget: HB 1239
Operating, supplemental 2015: HB 1105
Operating, supplemental 2015 and operating 2015-2017: ESSB 5077, ***ESSB 6052, CH 4 (2015) PV**
Revenue growth, extraordinary, transferring from budget stabilization account to general fund: HB 2223, HB 2268, ***EHB 2286, CH 2 (2015)**
Transportation, 2015-2017: HB 1299
Transportation, additive budget, 2015-2017: ***2ESSB 5988, CH 43 (2015) PV**
Transportation, general obligation bond proceeds for projects: HB 1298, ***ESSB 5989, CH 45 (2015)**
Transportation, supplemental 2013-2015: HB 1297

BUILDING CODE COUNCIL

Above-ground used oil collection tanks, transferring duties to council: HB 1310, SB 5271
Energy code, adoption and amendment of, council role in procedures for: HB 1289, ESSB 5804
Energy code, counties in climate zones, prohibiting changes by council: ***HB 1011, CH 11 (2015)**
Smoke detection devices, transferring certain duties from state patrol to council: HB 1310, SB 5271

BUILDING CODES AND PERMITS

Buildings, four or more stories high, application of code to: ***SB 5139, CH 226 (2015)**
Code officials, apprenticeship and training program: HB 1387
Electrical code, exemptions for certain work, when: HB 1609
Energy code, adoption and amendment of, procedures for: HB 1289, ESSB 5804
Energy code, counties in climate zones, changes of, prohibitions: ***HB 1011, CH 11 (2015)**
Energy, buildings' use of, energy benchmarking program provisions: HB 1278
Lumber grading and stamping requirements, building code enforcement official waiver of: HB 1153
Permits, residential and nonresidential buildings, fees for deposit in building code council account: HB 1234
Permits, single-family residential construction, impact fees, deferred collection of, when: ***ESB 5923, CH 241 (2015)**
Plumbing code, exemptions for certain work, when: HB 1609
Residential buildings, single-family, minimum dimensions of habitable spaces: EHB 1123
Vested rights doctrine, preserving common law interpretation and application: HB 1394, HB 2062, ESB 5921

BUSINESSES (See also ALCOHOLIC BEVERAGES; CORPORATIONS; FINANCIAL INSTITUTIONS; HEALTH CARE PROFESSIONS AND PROVIDERS; INDIANS; LIMITED LIABILITY COMPANIES; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; PARTNERSHIPS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TOWING AND TOW TRUCKS)

Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Beekeepers, tax preferences: ***ESSB 6057, CH 6 (2015)**
Biometric identifiers, capture for commercial purposes, prohibitions and actions: HB 1094
Car rental businesses, violations applicable to rental cars, renter responsibility, when: ***SB 5100, CH 189 (2015)**

Charter party and excursion service carriers, regulation of, various provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
Cigar lounge or retail tobacconist shop, retail license endorsement for, requirements: HB 1296
Collection agencies, electronic payment transaction fees: HB 1054
Collection agencies, medical liens, authority for use and requirements: HB 1503
Collection agencies, recouping local homeless housing and assistance document-recording surcharge, when: HB 1649
Commercial transportation services providers, regulating of: ***ESSB 5550, CH 236 (2015)**
Computer data centers, eligible server equipment installed in, sales and use tax exemptions: HB 2011, ***ESSB 6057, CH 6 (2015)**
Consumer reporting agencies, prohibiting eviction records in reports, when: HB 1460
Contracts, entered into and canceled over internet: HB 1099
Cottage food operations, adding certain candies to list of foods: ***HB 1622, CH 203 (2015)**
Cottage food operations, maximum sales limit for permit: HB 1742, ***SB 5603, CH 196 (2015)**
Cottage food operations, tetrahydrocannabinol concentration in product ingredients: ***HB 1622, CH 203 (2015)**
Credit reports, prohibiting eviction records in, when: HB 1460
Data, sale of smart metering system data, tax on persons receiving income from: HB 2119
Debt adjusting services, various provisions: HB 1283, HB 1488, HB 1489, HB 1490, SSB 5485
Debt management services, regulating: HB 1489
Debt settlement services, licensure of providers: ESSB 5321
Debt settlement services, registration of providers: HB 1398
Electronic signatures and records, broader use of, authorizing: HB 1920, ***ESSB 5810, CH 72 (2015)**
Excursion service and charter party carriers, regulation of, various provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
Farmers markets, serving spirits samples, endorsement for: HB 1976
Farmers markets, spirits sales by distilleries and craft distilleries: HB 1976, ***E2SSB 5353, CH 194 (2015)**
Financial information of consumers, data breach notification by businesses: HB 1078
Fire suppression resource contractors, use by DNR: HB 1509
Fishing guides, commercial license for, when employer-purchased: ***HB 1232, CH 103 (2015)**
Fishing guides, food and game fish guide and salmon and nonsalmon charter boat operator combination license, creating: ***SSB 5824, CH 97 (2015) PV**
Fishing guides, food or game fish or chartering, licensing requirements and violations: ***SSB 5824, CH 97 (2015) PV**
Floral or ornamental products businesses, misrepresenting geographic location: ***EHB 1422, CH 168 (2015)**
Food establishments, college on-campus, student use of electronic benefit transfer cards at: HB 1820
Food processing, B&O tax preferences, extending expiration dates: HB 1823, ***ESSB 6057, CH 6 (2015)**
Food trucks, beer and/or wine license for: HB 1108
For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821
Grocery stores, on-tap cider and beer sales, endorsement for certain licensees, conditions: HB 1198, ***SSB 5280, CH 192 (2015)**
Income share agreements, with higher education students, origination regulation and originator licensing: HB 1923
Investment income B&O tax deduction for certain businesses, eliminating: HB 1483
Legal service contractors and plans, regulation of: HB 1177
Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821
Locksmith services, regulation of: HB 1064, ***SSB 5296, CH 28 (2015)**
Marijuana, common carrier transportation of, rules for licensing: HB 1776, HB 2162
Marijuana, recreational businesses, excise tax and revenues, provisions: HB 1412, HB 1414, HB 2008, HB 2162
Marijuana, recreational businesses, marijuana tax reform: HB 2008
Marijuana, recreational businesses, miscellaneous provisions: HB 2008, HB 2162
Marijuana, recreational businesses, prohibiting, process and conditions: HB 1412, HB 1438, HB 2162
Marijuana, recreational businesses, siting of: HB 1335, HB 1411, HB 1413, HB 1907, HB 2162
Marijuana, recreational businesses, vending machines or drive through, prohibition: SB 5903
Meat facilities, custom, annual custom meat license for: HB 1522
Medical businesses, medical liens, authority for use and requirements: HB 1503
Monitoring agencies, for electronic monitoring of criminal offenders, requirements: ***EHB 1943, CH 287 (2015)**
Music licensing agencies, regulating: HB 1763
Noncompetition agreements, voiding, exceptions: HB 1926
Opportunity, certificates of restoration of, comprehensive provisions: HB 1553
Organizations, uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**

Parking businesses, commercial, parking charges imposed by, conditions: EHB 1443
Parking businesses, commercial, passenger-only ferry district parking tax on: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**
Parking, nonresidential facilities, local legislative authority imposition of tax on provision of: HB 2186
Patents, bad faith assertions of infringement, prohibitions and actions: HB 1092, ***SSB 5059, CH 108 (2015)**
Pawnbrokers, fees and interest rates: HB 1176, ***ESB 5616, CH 294 (2015)**
Personal emergency response services, contact information for subscribers, providing to first responders: ***ESSB 5346, CH 30 (2015)**
Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Radio and television broadcasting, B&O tax provisions, modifying: HB 1689, HB 1796
Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: HB 1678, ***ESSB 6138, CH 5 (2015)**
Restaurants, pilot program for youth interns: HB 1446
Retail and service businesses, employees working on Thanksgiving day, employer and wage requirements: HB 1694
Retail stores, customer identification information, prohibiting copying during transaction, when: HB 1212
School service providers, via online service or site or mobile application, requirements: HB 1495, ***ESB 5419, CH 277 (2015)**
Signature gatherers, entities that compensate, disclosure requirements: HB 1463
Small businesses, B&O tax deferral program for: HB 1861
Small businesses, former association health plan and certain current coverage, B&O tax credit for cost difference: HB 2118
Small businesses, small business enhancement program, creating: HB 2050
Small businesses, Washington small business retirement marketplace, creating: HB 2109, ***ESSB 5826, CH 296 (2015)**
Storage facilities, self-service, personal property lien notices: HB 1043
Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821
Television and radio broadcasting, B&O tax provisions, modifying: HB 1689, HB 1796
Ticket brokers and resellers, online, disclosure requirements: HB 1494
Ticket sellers, internet web sites of, using or selling software to interfere with: ***EHB 1091, CH 129 (2015)**
Transportation services providers, commercial, regulating of: ***ESSB 5550, CH 236 (2015)**
Travel agents, preferential B&O tax rate, eliminating: HB 2224
Veterans, businesses hiring, tax credits for: HB 1241, ***ESSB 6057, CH 6 (2015)**
Veterans, hiring, campaign to increase, including database of participants: HB 2040
Violations by business, agency to allow time for correcting violations: HB 1371

CAMPAIGNS (See also ELECTIONS)
Committees, political or candidate, inspection of books of account of: ***HB 1819, CH 54 (2015)**
Contributions, by nonprofit organizations, disclosure requirements: HB 2256, ESB 5153
Contributions, requesting that Congress regulate money spent on elections: HJM 4004
Contributions, source of, concealing identity, penalty for: HB 1175
Contributions, to state official or legislator, when special legislative session is announced: HB 2250
Incidental committees, including nonprofit organizations, definition and disclosure requirements: ESB 5153
Incidental committees, nonprofit organizations that are, definition and disclosure requirements: HB 2256

CAPITOL CAMPUS, STATE
Capitol furnishings preservation committee, modifying provisions: HB 1217, ***SB 5176, CH 24 (2015)**
Heritage center, county auditor document recording surcharge for, increasing: ***HB 2195, CH 28 (2015)**
Office Building 2 (OB2), renaming as Human Services Building: HCR 4401
State capital historical museum, transferring responsibility to DES: HB 2245, HB 2252

CASELOAD FORECAST COUNCIL
Adult basic education, funding for, council role: HB 1705
Early childhood education and assistance program, eligibility forecast, moving to council: ***SSB 5999, CH 128 (2015)**
Racial impact statements, for legislative bills and resolutions, council to establish procedure: HB 2076
Sentencing guidelines commission, colocating with council: HB 2270

CHARITABLE ORGANIZATIONS (See also NONPROFIT ORGANIZATIONS)
Fund-raising activity, organization contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**

* - Passed Legislation

Professional athletes, fines and penalties paid by, donation to charitable organizations: HB 1877
Salvation Army Clark County, recognizing: ***HR 4619 (2015)**

CHECKS AND CHECK CASHING (See also FINANCIAL INSTITUTIONS)
Small loans, eliminating payday loans and creating small consumer installment loan: HB 1922, ESSB 5899

CHIEF INFORMATION OFFICER, OFFICE OF THE
Cybersecurity blue-ribbon panel, officer to convene, duties: HB 1470
Electronic signatures and records, broader use of, office role: HB 1920, ***ESSB 5810, CH 72 (2015)**
Information technology employees, COBOL training pilot program, office role: HB 2242
Information technology, agency budget requests for, requirements, role of office: HB 2125
Transferring duties in OFM to consolidated technology services agency, CIO to be director: HB 1391, ***E2SSB 5315, CH 1 (2015)**

CHILD CARE (See also EARLY LEARNING, DEPARTMENT; PUBLIC EMPLOYMENT AND EMPLOYEES)
Early achievers program, modifying provisions: HB 1491, E2SSB 5452
Early achievers review subcommittee, early learning advisory council to convene: HB 1491, E2SSB 5452
Early care and education system, improving through early start act: HB 1491, E2SSB 5452
Facilities and providers, certain licensure-exempt, public records disclosure exemption: HB 2133
Fatality reviews, procedures: HB 1126
Immunization, for child care, philosophical or personal objection exemption, eliminating: HB 2009
Personal information of a child, disclosure of, exemption, when: ***HB 1554, CH 47 (2015)**, SB 5396
Preschool, integrating child care with: HB 1491, E2SSB 5452
School age child care, licensing and health and safety requirements: HB 2100
Working connections child care, modifying provisions: HB 1491, E2SSB 5452

CHILDREN (See also DOMESTIC RELATIONS; SEX OFFENSES AND OFFENDERS)
Abuse and exploitation of children, sexual, creating account to combat: HB 1281, ***2SSB 5215, CH 84 (2015)**
Abuse or neglect, allegations, notifying military when involving military family: HB 1150, ***SB 5079, CH 6 (2015)**
Abuse or neglect, certain records concerning certain reports of, modifying provisions: HB 1672
Abuse or neglect, including sexual assault, children's advocacy centers for victims: HB 1717
Abuse or neglect, intake and family assessments and investigations: HB 1883
Abuse or neglect, removing references to exemptions for Christian Science treatment: HB 1476
Abuse, child victims testifying remotely, raising awareness of as legal alternative: HB 1898
Abuse, female genital mutilation, class B felony, reporting requirements: HB 1423
Abuse, sexual, by school personnel and peers, requesting action: SJM 8006
Abuse, sexual, K-12 sexual abuse prevention curriculum, Erin's law task force to create: HB 2183
Assault, suspected child victim, examination of, costs to be paid by state, when: ***SSB 5897, CH 100 (2015)**
At-risk youth, programs for, group fishing permit for: ***SB 5881, CH 98 (2015)**
Autism and developmental delays, screening for, requirements: HB 1365, ***SSB 5317, CH 8 (2015)**
Aversive mental health therapies, performing on patients under 18, prohibitions: SSB 5870
Child protective services, near fatality in context of abuse or neglect, review of files and actions, when: ***2SSB 5888, CH 298 (2015)**
Child restraints or safety belts, failure to use, as evidence of negligence in civil action: HB 2278
Child welfare court cases, one family one team public-private partnership, establishing: HB 1734
Child welfare services, behavioral rehabilitation services, governor's advisory committee on vendor rates, creating: HB 2095
Child welfare services, behavioral rehabilitation services, reimbursement rates for: HB 2095
Child welfare services, homeless youth, crisis residential centers and HOPE centers for: HB 1436, ***2SSB 5404, CH 69 (2015)**
Child welfare services, near fatality, review of: ***2SSB 5888, CH 298 (2015)**
Children's day, celebrating: ***HR 4611 (2015)**
Conception, Washington state life at conception act, declaring right to life begins at conception: HB 1687
Custody, custodial interference, abduction statutes and residential provisions: ***HB 1302, CH 38 (2015)**, SB 5394
Custody, objection to relocation, provisions concerning: HB 1618
Disabilities, children from birth to age three with, early intervention services, administrative provisions: HB 1794
Endangerment of child due to unsafe storage of firearm, first and second degree, when: HB 1747

Female genital mutilation, class B felony, reporting requirements: HB 1423
Grandparents, qualified, priority placement option in dependency proceedings, when: HB 2067
Homeless youth, from birth to age ten, gathering and analyzing information concerning: HB 1928
Homeless youth, homeless youth act, creating office of homeless youth programs: HB 1436
Homeless youth, homeless youth prevention and protection act, creating office of homeless youth prevention and protection programs: ***2SSB 5404, CH 69 (2015)**
Immunization, for school and child care, philosophical or personal objection exemption, eliminating: HB 2009
Immunization, information for expecting parents: SB 5143
Immunizations, for influenza, foster home lack of proof of, denial of license due to, prohibiting: HB 2108
Internet crimes against children, including sexual exploitation, new account to combat: HB 1281, ***2SSB 5215, CH 84 (2015)**
Jewelry, children's, cadmium standards for: HB 1049
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* - Passed Legislation

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Electricians, certain certificates of competency, apprenticeship program for: HB 1590
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Independent contractors, hiring of, reporting to state child support registry: HB 1801
Independent contractors, misclassifying employees as, prohibiting: HB 1519
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Registration, by L&I, optional electronic wage survey completion: ***2ESB 5993, CH 40 (2015)**
Registration, deposit of non-fine moneys into construction registration inspection account: HB 1465
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Security systems, residential installations, permit and inspection exemption, when: ESSB 5282
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State procurement, "contracting out" assessment and contractor ethical standards: HB 1915
State procurement, contract and contractor information, public web sites for: SSB 5081
Veterans, helmets to hardhats program, creating coordinator for: ***SSB 5633, CH 216 (2015)**

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Nonprofit, cultural organizations, funding through cultural access programs: HB 1107, HB 2247, HB 2263, SSB 5463
Nonprofit, housing for persons with developmental disabilities when owned or leased by, modifying property tax exemption: HB 2193
Nonprofit, joint self-insuring for property and liability risks: HB 1249, ***SB 5119, CH 109 (2015)**
Nonprofit, with major facility projects funded by capital budget, exemption from LEED standards for: HB 1827
Uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**
Vessels, permits for nonresident corporations, including sales and use tax exemption eligibility: HB 1681, ***ESSB 6057, CH 6 (2015)**
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Domestic violence offenders, felony offense, supervision by department, when: ***SB 5070, CH 290 (2015)**
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Home detention, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
Inmates, health care at hospitals, accompanying and hospital payment for: ***SSB 5593, CH 267 (2015)**
Inmates, post-secondary education programs, modifying provisions to increase opportunities: HB 1704
Liability, of officers, agents, and employees of department, limiting: HB 2276
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Certified counselors and advisers, scope of practice: HB 1134
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Chelan, post-wildfire recovery, expenditures for: HB 1125
Clark, Salvation Army Clark County, recognizing: ***HR 4619 (2015)**
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Documents recorded by county auditor, surcharge for, increasing: ***HB 2195, CH 28 (2015)**
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Okanogan, post-wildfire recovery, expenditures for: HB 1125
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Skagit, district court judges, increasing: ***HB 1061, CH 25 (2015)**, SB 5174
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Guardianship courthouse facilitator programs, county authority to create: ***SB 5647, CH 295 (2015)**
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Abuse or neglect, children or vulnerable adults, removing references to Christian Science treatment exemptions: HB 1476
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Agricultural production, interference with, creating: HB 1104
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Assault of a child, when domestic violence involved, modifying points for offender scoring: EHB 1632
Assault, domestic violence assault, arresting 16- and 17-year-olds: HB 1226
Assault, fourth degree involving domestic violence, modifying: EHB 1632
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Campaign contributions, source of, concealing identity, penalty for: HB 1175
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Cannabinoids, cathinones, and methcathinones, synthetic, prohibiting manufacture and sales: ESB 5673
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Cruelty to animals, modifying provisions: ***SSB 5501, CH 235 (2015) PV**
Custodial interference, child abduction statutes and residential provisions: ***HB 1302, CH 38 (2015)**, SB 5394
Domestic violence protection order, violation of, penalty assessment for: EHB 1729, ***SSB 5631, CH 275 (2015)**
Domestic violence, crimes involving, penalty assessment for: EHB 1729, ***SSB 5631, CH 275 (2015)**
Driving under age twenty-one after alcohol or marijuana consumption, provisions: ***SSB 6134, CH 35 (2015)**
Driving under the influence, provisions: HB 1015, HB 1017, HB 1276, HB 1582, HB 2279, HB 2280, 2SSB 5105, ***SSB 6134, CH 35 (2015)**
Entry, unlawful, strictly limiting entry by public officials and employees: HB 1375
Escape, third degree, to include knowingly violating terms of home detention: ***EHB 1943, CH 287 (2015)**
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Felonies, class C felony equivalent, scoring as, when: HB 1432
Female genital mutilation, class B felony, reporting requirements: HB 1423
Financial fraud, financial fraud and identity theft crimes investigation and prosecution program: ***HB 1090, CH 65 (2015)**
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Human remains, sale or commercial display, prohibiting, class C felony: HB 2025
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Human trafficking, sex trade and labor services, posting information in public restrooms: ***ESSB 5884, CH 273 (2015)**
Human trafficking, sex trade and labor services, Washington state clearinghouse on human trafficking, creating: ***ESSB 5884, CH 273 (2015)**
Human trafficking, state laws, criminal justice personnel training program on: HB 2098, ***SSB 5933, CH 101 (2015)**
Human trafficking, state task force against trafficking of persons, reestablishing: ***ESSB 5884, CH 273 (2015)**
Identity theft, financial fraud and identity theft crimes investigation and prosecution program: ***HB 1090, CH 65 (2015)**
Indecent exposure, class C felony criteria: HB 2259
Internet crimes against children, including sexual exploitation, new account to combat: HB 1281, ***2SSB 5215, CH 84 (2015)**
Intoxication, voluntary, as criminal charge defense, prohibiting: HB 2275
Ivory or rhinoceros horn, unlawful trafficking, class C felony: HB 1131
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Kidnapping offenses, booking photographs and information, dissemination: HB 1723
Marijuana, illegal production, enforcement through eradication: HB 1418, HB 2162
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Marijuana, medical use, lawful and unlawful acts: HB 1020
Marijuana, medical use, limiting legal authorization to prescribed marijuana pill form: HB 1765
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Mistreatment, criminal, when domestic violence involved, modifying points for offender scoring: EHB 1632
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Murder, first degree, to include murder of unborn quick child: HB 1831
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Murder, of family member or other resident, person threatening, mental health evaluation and treatment of: HB 2283
Murder, second degree, to include murder of unborn quick child: HB 1831
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Official oppression by public servant, creating crime of, class C felony: HB 2200
Operating railroad, steamboat, vehicle, etc., while intoxicated, provisions: HB 1015, HB 1017
Physical control of vehicle under the influence, provisions: HB 1015, HB 1017, HB 1276, HB 2279, ***SSB 6134, CH 35 (2015)**
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Property offenses, reducing, comprehensive provisions: HB 1885, HB 2270, 2SSB 5755
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Restraint of vulnerable adults, improper use of, modifying relevant definitions: HB 1726, ***SSB 5600, CH 268 (2015)**
Sexual act or intimate parts, criminal invasion of privacy via nonconsensual dissemination or disclosure of: HB 1788
Shellfish, unlawful trafficking in second degree: ***HB 1641, CH 141 (2015)**
Subversive activities, repealing criminal statutes concerning: HB 1040
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Trespass, defining "unlawful entry" to strictly limit entry by public officials and employees: HB 1375
Trespass, notice against, defining "posting in a conspicuous manner": SB 5233
Trespass, unlawfully collecting wildlife parts from another's property, misdemeanor: ***HB 1627, CH 154 (2015)**
U.S. citizen or lawful resident alien, unlawful investigation or detainment of, class C felony, when: HB 2199
Unmanned aircraft, illegal operation of: HB 1093
Unmanned aircraft, nefarious drone enterprises, special allegation of: SB 5499
Vehicular homicide, increasing punishment for: HB 2281
Voyeurism, second degree, establishing as gross misdemeanor: HB 2042
Vulnerable adult, criminal mistreatment of, provisions: HB 1499
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CRIMINAL OFFENDERS (See also CRIMINAL PROCEDURE; DOMESTIC VIOLENCE; JAILS; MENTAL HEALTH; PRISONS AND PRISONERS; SENTENCING; SEX OFFENSES AND OFFENDERS; VICTIMS OF CRIMES)
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Community placement or supervision, mental status evaluations: ***SB 5101, CH 80 (2015)**
Corrections ombuds, office of, creating in office of governor: HB 2005
Detaining of defendant pending sentencing, mandatory, adding commercial sexual abuse of minor to list for: HB 2206
DNA sample, adults arrested for ranked felony or gross misdemeanor violation of an order: HB 1082, HB 1128
Education, postsecondary inmate programs, modifying provisions to increase opportunities: HB 1704
Electronic monitoring, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
Electronic monitoring, monitoring agencies for, requirements: ***EHB 1943, CH 287 (2015)**
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Home detention, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
Identicards, for certain incarcerated offenders, when: HB 1320
Legal financial obligations, failure to pay not willful noncompliance, when: HB 1016
Legal financial obligations, various provisions: HB 1016, HB 1390
Marriage, surname changes, criminal offender procedures: HB 1034

Medical expenses of inmates, outside-source money for, exempting from required deductions: HB 1744, ***SB 5650, CH 238 (2015)**
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Registered sex or kidnapping offenders, comprehensive provisions, modifying: ***SSB 5154, CH 261 (2015)**
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Competency, evaluations, reimbursement of county, when: HB 1426, ***2E2SSB 5177, CH 7 (2015)**, 2SSB 5403
Competency, nonfelony offense, optional diversion: ***2E2SSB 5177, CH 7 (2015)**
Competency, restoration, time periods and alternative locations: HB 1597, ***2E2SSB 5177, CH 7 (2015)**
Death penalty, eliminating: HB 1739
Defenses, voluntary intoxication, as criminal charge defense, prohibiting: HB 2275
Defensive force, including deadly force, immunity from prosecution, when: HB 1324
Defensive force, right of self-defense, against attack by aggressive and violent animal: HB 1474
Detaining of defendant pending sentencing, mandatory, to include commercial sexual abuse of minor: HB 2206
DNA sample, adults arrested for ranked felony or gross misdemeanor violation of an order: HB 1082, HB 1128
DNA, felony violent or sex offense cases, work product preservation: HB 1069
Domestic violence assault, arresting 16- and 17-year-olds: HB 1226
Driving under the influence, probable cause for arrest: HB 2279
Extradition, declined, limited exoneration of bail forfeitures when: HB 1312
Federal immigration detainers and administrative warrants, state and local enforcement of, prohibiting: HB 1716
Forfeiture of real or personal property, guilty finding for felony offense, requiring: HB 1520
Informants and accomplices, evidence and testimony by, requirements for: HB 1557
Legal status in USA, of person detained, determination of, authorizing, when: HB 2284
Liability, of peace officers, including use of less lethal weapon, immunity: HB 2277
Physical control of vehicle under the influence, probable cause for arrest: HB 2279
Pretrial supervision costs, for electronic or alcohol abstinence monitoring services, defendant to reimburse for: ***SSB 6134, CH 35 (2015)**
Pretrial supervision costs, limitations on, alcohol and drug monitoring programs exemption from, when: ***SSB 6134, CH 35 (2015)**
Process servers, legal, social security numbers of, disclosure prohibitions: ESB 5523
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Seizure and forfeiture of property, for patronizing a prostitute: HB 1558
Self-defense, defensive and deadly force, immunity from prosecution, when: HB 1324
Self-defense, right of, against attack by aggressive and violent animal: HB 1474
Testifying, child victims testifying remotely, raising awareness of as legal alternative: HB 1898
Testimony, court video testimony work group, establishment: ***2E2SSB 5177, CH 7 (2015)**
Unmanned aircraft, nefarious drone enterprises, special allegation of, filing of: SB 5499
Vulnerable adult protection orders, persons violating, arrest without warrant: HB 1316
Warrant officers, authority to establish, requirements, duties: HB 1029, HB 1846, ***SSB 5004, CH 288 (2015)**

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Dental practitioners and dental hygiene practitioners, authorizing as mid-level dental professionals: HB 1421

Dentistry, practice of, dental practice ownership and records, provisions: HB 1514
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Hygienists, taking impressions, when: HB 1384, ***SB 5606, CH 120 (2015)**
Indian tribes, dental health aide services: HB 1027
Indian tribes, dental health aide therapist services: HB 1441
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University of Washington, Spokane dental school, provisions concerning: HB 2065
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Autism and developmental delays, screening for, requirements: HB 1365, ***SSB 5317, CH 8 (2015)**
Community access programs, home care agency or individual provider, client option pilot program: HB 1909
Emergencies, alerting first responders when person with developmental disability at scene, decal for: HB 2287
Hiring individuals with developmental disabilities, B&O tax credit for employers: HB 1828
Housing and behavioral health services and facilities, county local option sales and use tax funding: HB 2263
Housing, persons with developmental disabilities, when owned or leased by nonprofit, modifying property tax exemption: HB 2193
Prevocational services, optional participation, authority and DSHS rule making for: HB 2213
Providers, residential services and support, enforcement standards: ***HB 1307, CH 39 (2015)**
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Aging and disability, joint legislative executive committee on, establishing: SSB 5436
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Employment, with state, agency reporting requirements: HB 1636, ESB 5524
Health insurance, under health care authority, school or state employees with disabilities, when: HB 2003
Housing and behavioral health services and facilities, county local option sales and use tax funding: HB 2263
Recreation sites or lands, access without discover pass, vehicle access pass, or day-use permit, when: HB 1741
Savings investment, Washington achieving a better life experience program, creating: HB 2063
Silver alert plan for missing senior citizens and others with mental disabilities: SSB 5264
Silver alert plan for missing senior citizens with mental impairments: HB 1021
Special education, innovation project, OFM to contract with statewide organization: HB 1947
Special education, transition of students to higher education, services for: HB 2248, ***SSB 5679, CH 217 (2015)**
Special needs, students with, commission on improving outcomes for, establishing: HB 1947
Students with disabilities, restraint or isolation, limiting and prohibitions and model policy: HB 1240
Veterans with disabilities, and dependents of, supplemental insurance plans for, reviewing barriers to: ***SB 5974, CH 127 (2015)**
Veterans with total disability, property tax deferral and exemption programs, income thresholds: HB 1155, HB 1161, HB 1427, ***SSB 5186, CH 30 (2015)**
Veterans with total disability, property tax exemption program, surviving spouse or domestic partner exemption: 2SSB 5127
Veterans, discover pass, complimentary for service-connected 100% disability: SB 5137
Voting, signature stamp use for: HB 1039
Workers, with permanent disabilities, hiring, employer incentives: HB 1496, SSB 5451

DISCOVER PASS
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Family discover pass, purchase availability deadline for: HB 1826
Recreation sites or lands, access with one discover pass or vehicle access pass for two vehicles: HB 1826
Recreation sites or lands, persons with disabilities, access without discover pass, when: HB 1741
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DISCRIMINATION
Accommodations owned by religious nonprofit organizations, antidiscrimination exemption: HB 1376
Education system, equity impact review process work group, convening: HB 1899
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Racial impact statements, for bills and resolutions, procedure for providing: HB 2076
Reproductive health care, disparities in access to, literature review: HB 1647
Sexual assault and similar crimes, survivors and others on college campuses, services for: ***SSB 5518, CH 92 (2015)**
Sexual violence on campuses, college requirements, including assessment and disciplining: ***SSB 5518, CH 92 (2015)**
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DOMESTIC PARTNERSHIPS, REGISTERED (See also MILITARY)
Survivor benefit for partner, PERS retirement allowance payable as, conditions: HB 1036

DOMESTIC RELATIONS (See also DOMESTIC VIOLENCE; GUARDIANSHIP; JUVENILE COURT AND JUVENILE OFFENDERS; MARRIAGE AND MARRIED PERSONS)
Child support, child support schedule work group recommendations: HB 1037
Child support, credit toward obligations, extending to veterans benefits: HB 1260, ***SB 5793, CH 124 (2015)**
Child support, foreign support orders, uniform interstate family support act to include: HB 1567, ***ESSB 5498, CH 214 (2015)**
Child support, gambling payment intercept program, establishing: HB 1801
Child support, mandatory for postsecondary education of adult children, prohibiting: HB 1906
Child support, noncompliance with order, driving while license suspended due to: ***HB 1282, CH 149 (2015)**, SB 5247
Child support, passing payments through, when: HB 1801, HB 2220
Child support, state registry, reporting hiring of independent contractors to: HB 1801
Family and medical leave insurance, implementing: HB 1273
Family engagement coordinators and related terms, used in school context, definition and model: HB 1408
Grandparents, qualified, priority placement option in dependency proceedings, when: HB 2067
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Military families, students from, education data on: HB 1149, ***SSB 5163, CH 210 (2015)**
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One family one team public-private partnership, establishing for child welfare court cases: HB 1734
Orders, court consultation of judicial information system before granting, when: HB 1617
Parental rights amendment, urging Congress to propose to states for ratification: HJM 4003
Parental rights, termination of, court-ordered petition if parental response insufficient, when: HB 1800
Paternity, genetic testing for, termination of legal responsibilities, when: HB 1524
Paternity, petition for modifying decree of, use of filing fee moneys: EHB 1729, ***SSB 5631, CH 275 (2015)**
Reunification of families, parents for parents program, provisions: HB 1728, ***2SSB 5486, CH 117 (2015)**
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DOMESTIC VIOLENCE
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Community-based services and emergency shelter programs, minimum standards for statewide network: EHB 1729, ***SSB 5631, CH 275 (2015)**
Crimes involving domestic violence, penalty assessment for: EHB 1729, ***SSB 5631, CH 275 (2015)**
Housing and behavioral health services and facilities, county local option sales and use tax funding: HB 2263
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Protection orders, domestic violence, penalty assessment for violation of: EHB 1729, ***SSB 5631, CH 275 (2015)**
Return of child, writ of habeas corpus for, fees waiver by sheriff, when: EHB 1632
Survivors, on higher education campuses, information and services for: ***SSB 5518, CH 92 (2015)**

DRIVERS AND DRIVERS' LICENSES (See also IDENTIFICATION; TELECOMMUNICATIONS; TRAFFIC; TRAFFIC OFFENSES; TRAFFIC SAFETY EDUCATION)
Commercial transportation services providers, drivers for, requirements: ***ESSB 5550, CH 236 (2015)**
Examinations, questions concerning distracted driving, incorporating: ESSB 5656
Fees for driver-related transactions, various, for transportation revenue: HB 1300, ***2ESSB 5987, CH 44 (2015)**
High-risk and young driver safety education program, account, and traffic safety courses, creating: HB 1994
Ignition interlock driver's license, impaired driving provisions, modifications: HB 1276
Insurance, financial responsibility, judgments in connection with, notice and document requirements: SB 5658
Insurance, underinsured coverage, provisions: HB 1579
License suspended, due to child support order noncompliance, driving when: ***HB 1282, CH 149 (2015)**, SB 5247
Licenses, verification of U.S. citizenship or lawful presence in U.S.: HB 2209
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Pistols, purchase applications and transfer records, prohibiting retention and eliminating from databases: HB 1193
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Right to possess, loss, by person acquitted by reason of insanity, notification requirements: SB 5658
Schools, firearms at, exemptions from prohibition, when: HB 1433
Security guards, private, firearm transfers, background check exemption: HB 1506
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Self-defense, using defensive or even deadly force, when: HB 1324
Storage of firearms, unsafe, child endangerment due to, dealer warning when selling storage and safety items: HB 1747
Storage of firearms, unsafe, child endangerment due to, first and second degree, when: HB 1747
Toy gun manufacturing requirement act, requiring nondeceptive coloration for legal possession: HB 1594

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Forage fish, surveying, hydraulic project applicant habitat survey option: HB 1434
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Salmon, hatcheries, issuance of permits to aquaculture associations for: HB 1270
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Enforcement officers, commissioned, collective bargaining by coalition of exclusive representatives: SSB 5763
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Fish passage barriers, removal activities, compensatory mitigation, DFW role: ***2ESSB 5996, CH 17 (2015) PV**
Forage fish, surveying, DFW role: HB 1152, ***SSB 5166, CH 191 (2015)**
Hunter education program, including safe firearms handling, DFW role: HB 1119
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Hydraulic permits and projects, mineral prospecting and mining advisory committee, establishing: SSB 5705
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Land acquisition, same-county DFW land sale requirement for: HB 2092
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Lands, DFW-managed, water rights inventory and lease: HB 1000
Lands, DFW-owned or managed, private landowner access for fire suppression methods: HB 1237
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Licenses, food and game fish guide and salmon and nonsalmon charter boat operator combination license, creating: ***SSB 5824, CH 97 (2015) PV**
Licenses, food or game fish or chartering guides, requirements and violations, DFW role: ***SSB 5824, CH 97 (2015) PV**
Licenses, hunting, for national guard members at no cost, when: HB 1351
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Commercial licenses, anadromous surcharge and crewmember license, creating: HB 1563
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Shellfishing licenses, biotoxin testing and monitoring surcharge, increasing, when: ***HB 1620, CH 254 (2015)**
Washington state commercial fishing fleet, 2015 blessing of the fleet: ***HR 4623 (2015)**

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Dairy day at the legislature, celebrating: ***HR 4605 (2015)**
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Food bank, ACRS, contributions of Sam Mitsui and Herbert Tsuchiya, honoring: ***HR 4644 (2015)**
Food drive day, letter carriers', supporting: ***HR 4627 (2015)**
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Food policy forum, Washington, establishing: HB 1685
Food processing, B&O tax preferences, extending expiration dates: HB 1823, ***ESSB 6057, CH 6 (2015)**
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Meat facilities, custom, annual custom meat license for: HB 1522
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Processing, certain fee increases: HB 2128
Seafood industry, fishing fleet recapitalization program, B&O tax preference to aid competition for funds: HB 2182
Seafood products, B&O tax exemption for manufacturers, extending expiration date: ***ESSB 6057, CH 6 (2015)**
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Long-term foster care, as permanency planning hearing goal, required findings and procedures: HB 1970, ***SB 5692, CH 270 (2015)**
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Natural gas, renewable, production by public utility districts: EHB 1998
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GAMBLING COMMISSION
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Indian tribal treaties and rights, fish and wildlife, governor's final approval authority for agreements: HB 2056
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Outdoor recreation opportunities, senior policy advisor for, governor to maintain: ***ESSB 5843, CH 245 (2015)**
Performance management, office of, creating in office of governor: E2SSB 5737
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Vendor rates, for behavioral rehabilitation services, governor's advisory committee on, creating: HB 2095

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Public guardianship, office of, adding supported decision-making assistance services to primary function: HB 1839

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Flame retardants, in children's products and upholstered furniture, limiting: HB 1174
Hazardous materials plans, submission, emergency management council role: E2SSB 5057
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Paint, architectural, producers to participate in paint stewardship plan: HB 1571
Pharmaceutical waste, sorting and disposal, convening work group to consider: ***ESB 5577, CH 119 (2015)**
Pharmaceutical waste, sorting and disposal, negotiated rule making with certain parties: HB 1845

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Adrenal insufficiency, acute, medical emergencies due to, provisions: HB 1498
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Asbestos abatement projects, respirator requirements, employer compliance: HB 1181
Autism and developmental delays, screening for, requirements: HB 1365, ***SSB 5317, CH 8 (2015)**
Avian influenza, highly pathogenic, outbreak response preemptive plan development: HB 2273
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Bleeding disorders, bleeding disorder collaborative for care, establishing: HB 1667
Cancer, cancer research endowment authority and program, creating: ***ESSB 6096, CH 34 (2015)**
Cancer, colorectal cancer awareness month, observing: ***HR 4615 (2015)**
Cancer, fund to fight cancer, establishing to fund cancer research, prevention, and care: HB 2194
Cancer, lung, recognizing its effects on Washington residents: ***HR 4624 (2015)**
Cardiac arrest, sudden, information for students and others concerning: HB 1750, ***ESSB 5083, CH 26 (2015)**
Contraception, health plan coverage for: HB 1502, HB 1647
Contraception, long-acting reversible, medicaid reimbursement rates, appropriations for increasing: HB 2285
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Diabetes, multi-agency goals and benchmarks and agency plans: HB 1835, SB 5689
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Family planning, medicaid stand-alone coverage, impact on budget allotments for health care authority: HB 2285
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Flame retardants, in children's products and upholstered furniture, limiting: HB 1174
Good samaritans, infectious disease testing for, when: HB 1353
Health care records, patient access and copies, fees charged by provider for: HB 2228
Health disparities, governor's interagency coordinating council on, examining reproductive health care access: HB 1647
Health districts, banking of funds, requirements: SB 5458
Heart disease, congenital heart defect awareness week, supporting: ***HR 4621 (2015)**
Housing, healthy improvements, low-income weatherization plus health initiative: ***HB 1720, CH 50 (2015)**
Imitation firearm manufacturing requirement act, requiring nondeceptive coloration for legal possession: HB 1692
Immunization, childhood, information for expecting parents: SB 5143
Immunization, for school and child care, philosophical or personal objection exemption, eliminating: HB 2009
Immunizations, for influenza, foster home lack of proof of, denial of license due to, prohibiting: HB 2108
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Lyme disease syndrome, posttreatment, effects of long-term antibiotic therapy on, studying: ***SSB 5448, CH 89 (2015)**
Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: HB 1347
Naloxone, naloxone access grant program and account, establishing: HB 2132
Nuisance abatements, assessments for, city and town authority and requirements: SSB 5694
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Paint, architectural, producers to participate in paint stewardship plan: HB 1571
Personal emergency response services, contact information for subscribers, providing to first responders: ***ESSB 5346, CH 30 (2015)**
Phthalates, in food and food and beverage packaging and containers, restrictions: HB 1984
Shellfish, biotoxin testing and monitoring shellfishing license surcharge, increasing: ***HB 1620, CH 254 (2015)**
Suicide assessment and treatment for health care providers, training program standards: HB 1424
Testing for infectious diseases, free for good samaritans, when: HB 1353
Tobacco and vapor products, measures to prevent youth access to: HB 1645, HB 2211
Toy gun manufacturing requirement act, requiring nondeceptive coloration for legal possession: HB 1594
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Vapor and tobacco products, measures to prevent youth access to: HB 1645, HB 2211

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Adrenal insufficiency, acute, medical emergencies due to, provisions: HB 1498
Aim 3-part health and health care solution, pilot project and study, then contract with vendor: HB 1600
Applied behavior analysis, creating state applied behavior analysis advisory committee: HB 1555, ***SSB 5488, CH 118 (2015)**
Autism and developmental delays, screening for, requirements: HB 1365, ***SSB 5317, CH 8 (2015)**
Biological products, interchangeable, prescribing and dispensing: HB 1675, HB 1679, ***ESB 5935, CH 242 (2015)**
Bleeding disorders, bleeding disorder collaborative for care, establishing: HB 1667
Cancer, fund to fight cancer, establishing to fund cancer research, prevention, and care: HB 2194
Cannabis, health and beauty aids, not subject to marijuana regulation: HB 1753, HB 2162
Cannabis, medical cannabis advisory committee, establishing: HB 1698
Cannabis, medical use, limiting legal authorization to prescribed marijuana pill form: HB 1765
Cannabis, medical use, provisions: HB 1020, HB 1698, HB 1766, HB 2058, ***2SSB 5052, CH 70 (2015) PV**
Cardiac arrest, sudden, prevention program for school district coaches: HB 1750, ***ESSB 5083, CH 26 (2015)**
Contact lens manufacturers and distributors, price agreements limiting retailer and customer options, prohibiting: HB 1847
Diabetes, glucagon for hypoglycemic episodes, administration by emergency medical technicians: HB 1878
Diabetes, multi-agency goals and benchmarks and agency plans: HB 1835, SB 5689
East Asian medicine, sterile preparation point injection therapy: HB 1046
Emergency room patients, prepackaged medications for, authorizing: HB 1402, ***ESSB 5460, CH 234 (2015)**
Emergency, state of, health care system exemptions and immunities during: HB 1944
EPI pens/epinephrine autoinjectors, prescribing by providers, authorization, when: HB 1528
Eye drops, topical ophthalmic products, early refill of prescription: ***SSB 5268, CH 85 (2015)**
Facilities, certain grant-funded hospital psychiatric bed projects, certificate of need exemption: ***EHB 2212, CH 22 (2015)**
Facilities, employees, meal and rest breaks and mandatory overtime, which employees: HB 1732
Facilities, health care providers at, prohibiting facility limiting of care by: HB 1787

Facilities, hospital safety net assessment, expiration of, delaying: ***2EHB 2151, CH 5 (2015)**, SSB 6045
Facilities, hospital services coverage continuity when contract with carrier is being terminated: HB 1978
Facilities, in eastern Washington, employing resident physicians, B&O tax credit for, when: HB 2026
Facilities, kidney disease treatment centers, exempting from certificate of need review: HB 1357, HB 2099
Facilities, non-hospital, patient transport by ambulance, guidelines: HB 1721, HB 2044
Facilities, nursing assistants taking and recording vital signs, when: HB 1727
Facilities, reducing unnecessary emergency services use through certain programs: HB 2044, HB 2077, ***SSB 5591, CH 93 (2015)**
Health disparities, governor's interagency coordinating council on, examining reproductive health care access: HB 1647
Health security trust, creating: HB 1025
Heart disease, critical congenital heart disease, mandatory screening of newborns: HB 1285
Infectious diseases, testing for, free for good samaritans, when: HB 1353
Information, release by insurers: HB 1005, ***SB 5011, CH 289 (2015)**
Lyme disease syndrome, posttreatment, effects of long-term antibiotic therapy on, studying: ***SSB 5448, CH 89 (2015)**
Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: HB 1347
Marijuana, medical cannabis advisory committee, establishing: HB 1698
Marijuana, medical use, adding posttraumatic stress and traumatic brain injury to qualifying conditions: HB 1969
Marijuana, medical use, adding posttraumatic stress disorder to qualifying conditions: SB 5379
Marijuana, medical use, limiting legal authorization to prescribed marijuana pill form: HB 1765
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Marijuana, medical use, research license, establishing: ***SB 5121, CH 71 (2015)**
Marijuana, medical, including production and tribal marijuana tax, tribal-state agreements: ***HB 2000, CH 207 (2015)**
Opioid overdose medications, to counteract opioid overdoses, increasing access: HB 1671
Opioids, prescription, additional fee at each retail sale for deposit in naloxone access account: HB 2132
Personal emergency response services, contact information for subscribers, providing to first responders: ***ESSB 5346, CH 30 (2015)**
Radiology, radiology benefit managers, regulating: HB 1183
Records, patient access and copies, fees charged by provider for: HB 2228
Robert Bree collaborative, meetings subject to open public meetings act: ***SB 5144, CH 21 (2015)**
Telemedicine, as reimbursable service, health plan and hospital compliance requirements: HB 1403, ***SSB 5175, CH 23 (2015)**
Transplants, organ donors, presenting gift of life award to, when: ***SB 5532, CH 8 (2015)**
Visual screening in schools, to include distance and near: HB 1865

HEALTH CARE AUTHORITY (See also PUBLIC ASSISTANCE)

Aim 3-part health and health care solution, pilot project and study, then contract with vendor, authority role: HB 1600
Antipsychotic medications, children in foster care, second opinion review requirement, authority role: HB 1932
Behavioral health services, combined mental health and chemical dependency purchasing, repealing 2014 act: HB 2228
Bleeding disorders, bleeding disorder collaborative for care, establishing, authority role: HB 1667
Diabetes, multi-agency goals and benchmarks and agency plans, authority role: HB 1835, SB 5689
Employer responsibility penalty, under affordable care act, extending to certain employers, authority role: HB 1931
Health benefit exchange, enrollment and demographic data capture by, reporting requirements: 2SSB 5142
Health benefit exchange, grace period, reimbursing providers and facilities during: HB 1700
Health benefit exchange, grace periods, premium delinquency, and notice and outreach: ***2ESB 6089, CH 33 (2015)**
Health benefit exchange, individual plan premium funds aggregation, prohibiting aggregation or delegation of: HB 1628, 2SSB 5142
Health benefit exchange, moving payment function out of, monitoring process of: 2SSB 5142
Health benefit exchange, pediatric oral services essential health benefit category: HB 1852
Health benefit exchange, prescription drug coverage under plans offered through: HB 2021
Health benefit exchange, special enrollment period, qualifying event verification during: ***2ESB 6089, CH 33 (2015)**
Health benefit exchange, spending reduction and strategic improvement plans: ***2ESB 6089, CH 33 (2015)**
Health benefit exchange, stand-alone dental plans through, including service charge and B&O tax: HB 2110
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Health care, expanding coverage and reducing costs, federal waiver to permit, authority to apply for: HB 1967
Health security trust, authority role in creation of: HB 1025
Health technology clinical committee, membership: SSB 5145

Interpreters, spoken language services, purchasing from language access providers: HB 1780
Medicaid and PEBB, statewide all-payer health care claims database, submitting data to: ***ESSB 5084, CH 246 (2015)**
Medicaid, audit protocols on authority's web site, improving provider compliance through: HB 1712
Medicaid, autism and developmental delays screening, authority to require: HB 1365, ***SSB 5317, CH 8 (2015)**
Medicaid, emergency ground transportation services providers, supplemental payment program for: ***HB 2007, CH 147 (2015)**, SB 5840
Medicaid, family planning stand-alone coverage, impact on budget allotments for authority: HB 2285
Medicaid, long-acting reversible contraceptive methods, appropriations for increasing reimbursement rates: HB 2285
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Medicaid, managed care, payments to nonparticipating providers: ***HB 1652, CH 256 (2015)**
Medicaid, purchasing, standards of and accreditation by national committee for quality assurance: SB 5146
Medicaid, seeking for special commitment center health care costs reimbursement: HB 1775, ***SB 5693, CH 271 (2015)**
Medicaid, telemedicine through store and forward technology, reimbursement for: HB 1403, ***SSB 5175, CH 23 (2015)**
Medical assistance, foster children receiving, integrated managed health and behavioral health care for, authority role: HB 1879
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Public employee benefits, eligibility provisions, revising various: ***SB 5466, CH 116 (2015)**
Public employee benefits, prescription medication synchronization programs, dispensing provisions: HB 1566, ***ESSB 5441, CH 213 (2015)**
Public employee benefits, purchase through PEBB by certain counties: HB 1740
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Background checks, fingerprint-based, of licensees and applicants: HB 2080
Behavior analysis, applied, practice by behavior analysts, assistants, and technicians: HB 1555, ***SSB 5488, CH 118 (2015)**
Blood samples, collection of, consent requirement: SSB 5066
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East Asian medicine practitioners, emergency procedures: HB 1045
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Emergency room practitioners, prepackaged medications for patients, authorizing: HB 1402, ***ESSB 5460, CH 234 (2015)**
Facilities, health care providers at, prohibiting facility limiting of care by: HB 1787
Family medicine education advisory board, creating: HB 1485
Family medicine residencies, in shortage areas, hospital and clinic incentive to increase: HB 1485
Family medicine residency program, funding slots with hospital safety net assessment: ***2EHB 2151, CH 5 (2015)**
Forensic phlebotomists, credentialing of: SSB 5066
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Lyme disease syndrome, posttreatment, effects of long-term antibiotic therapy on, studying: ***SSB 5448, CH 89 (2015)**
Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: HB 1347
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Medical education, family practice education advisory board, establishing: HB 2065
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Nurses, ARNPs, authority to sign and attest to documentation: ***HB 1259, CH 104 (2015)**
Nurses, licensed, authority in school setting to practice without nonnurse supervisor: HB 1790
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Occupational therapists, optometrist referral of medical case to: HB 1010
Optometrists, referring medical case to occupational therapist: HB 1010
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Physicians, residents, eastern Washington medical facilities employing, B&O tax credit for, when: HB 2026
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Respiratory care practitioners, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
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Uniform interstate family support act, revising to include foreign support orders: HB 1567, ***ESSB 5498, CH 214 (2015)**
Uniform limited partnership act, revisions: ***SB 5387, CH 176 (2015)**
Uniform partnership act, revised, revisions to: ***SB 5387, CH 176 (2015)**
Washington directed trust act, concerning trusts, trustees, and advisors: ***SB 5302, CH 115 (2015)**
Washington electronic commerce and governmental affairs act, concerning electronic signatures and records: HB 1920
Washington fair chance act, prohibiting employers from prematurely asking applicants about arrests or convictions: HB 1701
Washington family unity act, concerning state and local enforcement of federal immigration detainers and administrative warrants: HB 1716
Washington jobs act, introducing private competition in industrial insurance coverage: HB 1156
Washington state coal generation retirement program act: HB 2002
Washington state energy freedom act, requiring legislative authorization for agency greenhouse gas emission reduction activity: HB 1325
Washington state firearms ammunition, parts, and accessories jobs act: HB 1442
Washington state health care freedom act of 2015, prohibiting compelling of participation in any health care system: HB 2198
Washington state incandescent light bulb freedom act: HB 1686
Washington state life at conception act, declaring right to life begins at conception: HB 1687
Washington state medical use of cannabis act, amending: HB 2058
Washington state patient safety act, concerning hospital registered nurse staffing practices: HB 1733
Washington state preservation of liberty act, concerning unlawful detention of U.S. citizens and lawful resident aliens: HB 2199
Washington voting rights act of 2015, concerning equal voting opportunity: HB 1745
Washington wage recovery act, concerning wage liens: HB 1518
Workers' recovery act, concerning claim resolution structured settlement agreements: ESB 5513

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Yakima basin water banking best practices act, concerning sponsors and mitigation credits: EHB 1187, ESB 5014
Young voter registration equality act, concerning preregistration for 16- and 17-year-olds: HB 1294
Youth internship opportunity act, establishing pilot program for youth interns at qualified restaurants: HB 1446

NATURAL DISASTERS
Natural disaster economic recovery account, creating to aid areas affected by state of emergency: HB 2022
School infrastructure, natural disaster recovery model policy: HB 1003
Wildfires, Chelan and Okanogan counties, expenditures for recovery: HB 1125

NATURAL RESOURCES, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; DISCOVER PASS; PUBLIC LANDS; STATE AGENCIES AND DEPARTMENTS)
Derelict vessel prevention programs, derelict vessel removal account funding, DNR role: HB 1256
Endangered species act, draft aquatic lands habitat conservation plan, withdrawing from federal review: ESB 5959
Endangered species act, habitat conservation plans or other DNR agreements under, prohibiting, alternatives: HB 2069
Forage fish, surveying, DNR role: ***SSB 5166, CH 191 (2015)**
Forest fire suppression, fire suppression resource contractors, use by DNR: HB 1509
Forest fire suppression, local assets for, utilization of, DNR role: HB 2093
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Forest fire suppression, protocol and deliverables analysis, DNR to conduct: HB 2070
Forest fire suppression, wildland fire advisory committee, appointment of: HB 2093
Land acquisition, by DNR, prohibiting until education fully funded: HB 2215
Land acquisition, same-county DNR land sale requirement for: HB 2092
Lands, access to certain, by public agency or private landowner, DNR duties: SSB 5730
Lands, DNR easements or other interests, road maintenance or repair compliance: SSB 5730
Lands, DNR-owned or managed, private landowner access for fire suppression methods: HB 1237
Real estate assets, state agencies, creating state real estate asset management office, DNR role: HB 1452
Stream flows, favorable or enhanced, management of forests to create, optional compensation by ecology for: HB 2071

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Broadcasting, radio and television, B&O tax provisions, modifying: HB 1689, HB 1796
Newspapers, official notice publication in, requirements: HB 1797
Newspapers, preferential B&O rate, clarifying and extending: ***ESSB 6057, CH 6 (2015)**
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NONPROFIT ORGANIZATIONS (See also CHARITABLE ORGANIZATIONS; HOMES AND HOUSING)
Accommodations owned by religious nonprofit organizations, antidiscrimination exemption: HB 1376
Campaign contributions, by organizations that are incidental committees, disclosure requirements: HB 2256
Campaign contributions, by organizations, disclosure requirements: HB 2256, ESB 5153
Debt adjusting or management services, nonprofit, exemption from regulation, when: HB 1489
Debt adjusting services, creditor "fair share" contributions, provisions: SSB 5485
Debt adjusting services, criteria for organization to qualify as debt adjuster: HB 1283
Developmental disabilities, persons with, housing for when owned or leased by nonprofit, modifying property tax exemption: HB 2193
Fair associations, nonprofit, rented property owned by, taxation of: ***ESSB 6057, CH 6 (2015)**
Fund-raising activity, organization contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**
Health or social welfare organizations, providing chemical dependency services, B&O tax deductions: HB 2028
Housing providers, nonprofit, projects to aid low-income students, funding for: ***EHB 1633, CH 155 (2015)**
Municipal research and services center (MRSC), role in certain real estate sales requirements: ***EHB 2122, CH 10 (2015)**
Prescription drug assistance foundation, authorizing assistance of underinsured individuals by: HB 2021
Public works, prevailing wages exemption for work performed by nonprofit organizations: HB 2015
Youth groups, sudden cardiac arrest during programs or services, compliance with policies: ***ESSB 5083, CH 26 (2015)**

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OIL AND GAS
Above-ground used oil collection tanks, transferring duties to building code council: HB 1310, SB 5271

Fossil fuels industries and labor sectors they support, requesting federal support for: HJM 4011
Gasoline vapor control systems, stage II, analysis of requirements: HB 1891, SB 5330
Natural gas companies, emission limits: HB 1095
Natural gas, compressed or liquefied, manufactured by transit agency for public transit, B&O tax exemption: HB 1966
Natural gas, renewable, production and distribution by public utility districts: ***ESB 5424, CH 31 (2015)**
Natural gas, renewable, production by public utility districts: EHB 1998
Oil transport, contingency plans, notice, financial responsibility, and emergency response: HB 1449
Oil transport, private railroad crossings, provisions concerning: HB 1449
Oil transport, spill prevention and response activities, including symposium on: E2SSB 5057
Petroleum, underground storage tanks, disclosure of proprietary reports: HB 1980

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Boards, advisory, subject to open public meetings act, when: HB 1425
Committees, subject to open public meetings act, when: HB 1425
County legislative authorities, alternate meeting locations: ***HB 1013, CH 179 (2015)**
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Information technology infrastructure and security, executive sessions concerning: HB 1561
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Robert Bree collaborative, meetings subject to open public meetings act: ***SB 5144, CH 21 (2015)**
Zoos and aquariums, subject to open public meetings act and public records act, when: HB 1425

ORDERS OF COURT
Domestic violence protection order, violation of, penalty assessment for: EHB 1729, ***SSB 5631, CH 275 (2015)**
Forensic evaluation, competency restoration, and civil commitment, forms for court orders for: ***2E2SSB 5177, CH 7 (2015)**
Protective orders, emergency extreme risk, enjoining certain persons from having a firearm: HB 1857
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Access, river and sediment management demonstration projects for protecting: ESSB 5347
Bridges, construction or rehab by waterway, recreational access feasibility: ESB 6044
Day-use permit, endorsement for rock collecting: HB 1271
Opportunities, senior policy advisor to governor for, governor to maintain: ***ESSB 5843, CH 245 (2015)**
Outdoor education and recreation grant program, prioritizing programs utilizing veterans: ***ESSB 5843, CH 245 (2015)**
Recreation sites or lands, access with one discover pass or vehicle access pass for two vehicles: HB 1826
Recreation sites or lands, access without discover pass, vehicle access pass, or day-use permit, when: HB 1741
Recreational and parks land, acquired through conservation futures program, maintenance and operations funds: HB 2079

PARKING
Commercial parking businesses, parking charges imposed by, conditions: EHB 1443
Commercial parking businesses, passenger-only ferry district parking tax on: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**
Mitigation of impact on parking of regional transit authority transportation facilities: HB 1751, ESSB 5343
Nonresidential parking facilities, local legislative authority imposition of tax on provision of: HB 2186
Students, fees for parking, school district authority: HB 1142
Water bodies, access to, small public land parcel parking requirements: HB 1056

PARKS (See also DISCOVER PASS)
Parks and recreational land, acquired through conservation futures program, maintenance and operations funds: HB 2079
State, access without discover pass, vehicle access pass, or day-use permit, when: HB 1741
State, authorizing hunting in certain state parks, conditions: HB 1346
State, free access days at, to coincide with local community events: HB 1833
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PARKS AND RECREATION COMMISSION (See also DISCOVER PASS; PARKS; PUBLIC LANDS)
Hunting in certain state parks, commission authorizing of, conditions: HB 1346

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Land acquisition, by commission, prohibiting until education fully funded: HB 2215
Land acquisition, same-county commission land sale requirement for: HB 2092
Outdoor education and recreation grant program, prioritizing programs utilizing veterans, commission role: ***ESSB 5843, CH 245 (2015)**

PARTNERSHIPS (See also BUSINESSES; CORPORATIONS; LIMITED LIABILITY COMPANIES)
General and limited liability partnerships, revisions to statutory provisions: ***SB 5387, CH 176 (2015)**
Noncompetition agreements, voiding, exceptions: HB 1926
Revised uniform partnership act, revisions: ***SB 5387, CH 176 (2015)**
Uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**
Uniform limited partnership act, revisions: ***SB 5387, CH 176 (2015)**
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Vessels, permits for nonresident limited partnerships, including sales and use tax exemption eligibility: HB 1681, ***ESSB 6057, CH 6 (2015)**

PERFORMING ARTS AND PERFORMANCE FACILITIES
Amphitheaters, rural, emergency medical services admission surcharge: HB 1009
Capitol theater in Yakima, CEO Steve Caffery, honoring: ***HR 4618 (2015)**
Cultural access programs, creation: HB 1107, HB 2247, HB 2263, SSB 5463
Higher education facilities, public high school use, when: HB 1834
Symphony musicians, collective bargaining agreements, digital copy submission: ESB 5854
Ticket sellers, internet web sites of, using or selling software to interfere with: ***EHB 1091, CH 129 (2015)**

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Crimes against property, sentencing, reducing offenses through modifications to: HB 1885, HB 2270, 2SSB 5755
Defending property, using defensive or even deadly force, when: HB 1324
Forfeiture of personal property, guilty finding for felony offense, requiring: HB 1520
Law enforcement equipment, agency acquisition from department of defense through 1033 or other program, requirements: HB 2203
Tenants, deceased, landlord disposition of property in leased premises: HB 1574, ***SSB 5538, CH 264 (2015)**
Unclaimed property, administration of laws governing, improvements: HB 1551, ***ESSB 6057, CH 6 (2015)**

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Aquatic invasive species, dreissenids (quagga and zebra mussels) prevention, requesting action by Congress: ***SJM 8013 (2015)**
Licensees, recertification waiver, revising comparable standards for: HB 1527, SSB 5601

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EPI pens/epinephrine autoinjectors, dispensing by pharmacists, authorization, when: HB 1528
Eye drops, topical ophthalmic products, early refill of prescription: ***SSB 5268, CH 85 (2015)**
Health care services performed by pharmacists, prohibiting health plan denial of benefits, when: ***ESSB 5557, CH 237 (2015)**
Health care, services performed by pharmacists, advisory committee concerning health plan coverage for: ***ESSB 5557, CH 237 (2015)**
Pharmacy benefit managers, registration of and regulatory authority over: 4ESSB 5857
Pharmacy students, practicing pharmacy as volunteer, when: HB 1369
Prepackaged medications for emergency room patients, authorizing: ***ESSB 5460, CH 234 (2015)**
Prescription drug delivery chain, work group on, joint select committee on health care oversight to convene: 4ESSB 5857

PILOTAGE COMMISSIONERS, BOARD
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Chemicals, highly toxic, decisions regarding restrictions or penalties, board jurisdiction: HB 1472

PORT DISTRICTS
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Dissolution, hearing on petition for, publication of notice of, by whom: SB 5658
Employment laws and contracts, local, to apply equally to unionized and nonunionized employees, when: HB 1934
Levies, industrial development district levies, increasing flexibility for: HB 1337
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PRISONS AND PRISONERS
Corrections ombuds, office of, creating in office of governor: HB 2005
Forensic phlebotomists, when correctional facility employees, venipuncture training program for: SSB 5066
Inmates, health care at hospitals, accompanying and hospital payment for: ***SSB 5593, CH 267 (2015)**
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Computer science, K-12 teacher endorsement standards, board to develop: HB 1813
Educator preparation programs, data from, board state educational authority in connection with: HB 1771
Higher education adjunct faculty, certification as common schools substitute teachers, board role: SB 5941
Teachers, certification, alternative route programs, replacing specific routes with outcomes-based policies: HB 1770, SB 5496
Teachers, dual language teacher pipeline scholarship program, creating, board role: HB 1783

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Athletes, professional, fines and penalties paid by, donation to charitable organizations: HB 1877
Debt adjusters, various provisions: HB 1283, HB 1488, HB 1489, HB 1490, SSB 5485
Debt managers, regulating: HB 1489
Debt settlement services, licensure of providers: ESSB 5321
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Dispatch operators, classifying as uniformed personnel for arbitration purposes: HB 1122
Fire sprinkler system contractors, credentialing: HB 1291
Fishing guides, food and game fish guide and salmon and nonsalmon charter boat operator combination license, creating: ***SSB 5824, CH 97 (2015) PV**
Fishing guides, food or game fish or chartering, licensing requirements and violations: ***SSB 5824, CH 97 (2015) PV**
Fishing guides, unlawfully engaging in fishing guide activity: HB 1341, ***SB 5464, CH 90 (2015)**
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Interpreters, spoken language services, model for agency purchasing from language access providers: HB 1780
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Lumber grading, native, training program and licensing for: HB 1153
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Pawnbrokers, fees and interest rates: HB 1176, ***ESB 5616, CH 294 (2015)**
Private investigators, regulations, exempting certified public accountants from: ***HB 1263, CH 105 (2015)**
Process servers, legal, social security numbers of, disclosure exemption: ***HB 1962, CH 56 (2015)**
Process servers, legal, social security numbers of, disclosure prohibitions: ESB 5523
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Security guards, private, licensing of, fingerprint background checks: HB 1336
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Travel agents, preferential B&O tax rate, eliminating: HB 2224

PSYCHIATRY AND PSYCHIATRISTS
Antipsychotic medications, children in foster care, second opinion review by psychiatric expert, requiring: HB 1932
Aversive mental health therapies, performing on patients under 18, prohibitions: SSB 5870
Beds, psychiatric, including psychiatric boarding, provisions: ***EHB 2212, CH 22 (2015)**
Integrated care psychiatry, residency program in, funding slots with hospital safety net assessment: ***2EHB 2151, CH 5 (2015)**
Psychiatry, primary care psychiatric consultation services: HB 1140
Sexual orientation change efforts, on patients under 18, prohibitions: HB 1972, SSB 5870

PSYCHOLOGISTS
Aversive mental health therapies, performing on patients under 18, prohibitions: SSB 5870
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School psychologists, role in meeting unmet student mental health needs, defining: HB 1900
Sexual orientation change efforts, on patients under 18, prohibitions: HB 1972, SSB 5870

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Cash assistance, temporary assistance for needy families, state residency requirements for benefits: HB 1372
Child welfare services, behavioral rehabilitation services, governor's advisory committee on vendor rates, creating: HB 2095
Child welfare services, behavioral rehabilitation services, reimbursement rates for: HB 2095
Child welfare services, homeless youth, crisis residential centers and HOPE centers for: HB 1436, ***2SSB 5404, CH 69 (2015)**
Child welfare services, near fatality, review of: ***2SSB 5888, CH 298 (2015)**
Electronic benefit cards, photo identification requirement: HB 1908
Food assistance, food stamp program, state residency requirement for benefits: HB 1372
Food assistance, SNAP benefits, college student electronic benefit transfer card on-campus use for: HB 1820
Health care, coverage for all state residents by 2020: HB 1321
Housing, for persons receiving assistance, prohibiting landlord discrimination or refusal to rent, when: HB 1565
Medicaid, audit protocols on web site, improving provider compliance through: HB 1712
Medicaid, autism and developmental delays screening, requiring: HB 1365, ***SSB 5317, CH 8 (2015)**
Medicaid, dental health aide services funding for Indians: HB 1027
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Medicaid, family planning stand-alone coverage, impact on budget allotments for health care authority: HB 2285
Medicaid, home and community-based long-term care services, payment rate methodology: HB 1904
Medicaid, long-acting reversible contraceptive methods, appropriations for increasing reimbursement rates: HB 2285
Medicaid, managed care, outcomes and performance measures and baseline health assessments, requirements: ***SSB 5147, CH 209 (2015)**
Medicaid, managed care, payments to nonparticipating providers: ***HB 1652, CH 256 (2015)**
Medicaid, medicaid fraud false claims act, reauthorizing: HB 1067
Medicaid, nursing facility payment system, increased staffing standards for, studying impact of: HB 2137
Medicaid, nursing facility payment system, new rate-establishing system, adoption: HB 1274
Medicaid, nursing facility payment system, quality care and quality workforce, multiple strategies: HB 2137
Medicaid, purchasing, standards of and accreditation by national committee for quality assurance: SB 5146
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Medicaid, telemedicine through store and forward technology, reimbursement for: HB 1403, ***SSB 5175, CH 23 (2015)**
Medical assistance, foster children receiving, integrated managed health and behavioral health care for: HB 1879
Medical assistance, state residency requirement for benefits: HB 1372
Medical assistance-covered employees, employer scheduling to avoid health care coverage responsibility for: HB 1931
Prevocational services, optional participation by persons with developmental disabilities: HB 2213
Temporary assistance for needy families, retainable payment amounts while receiving: HB 2220
WorkFirst program, "work activity" definition, vocational education training provision: HB 1875

Youth, homeless, crisis residential centers and HOPE centers: HB 1436, ***2SSB 5404, CH 69 (2015)**

PUBLIC DISCLOSURE COMMISSION (See also CAMPAIGNS)
Executive state officer, professional legislative staff members as, excluding legislative assistants: HB 2004
Financial affairs reporting, statement of financial affairs, requirements: HB 1397
Financial affairs reporting, suspending or modifying, for whom, when: HB 1397
Incidental committees, nonprofit organizations that are, disclosure requirements, commission role: HB 2256
Lobbyists, electronic report-filing and commission role: HB 1058, HB 1085
Lobbyists, gifts from, requirements, prohibitions, reporting: HB 1083, HB 1914, HB 1979
State employees and officers, gifts, including food and beverages, provisions: HB 1083, HB 1914

PUBLIC EMPLOYMENT AND EMPLOYEES (See also EMPLOYMENT AND EMPLOYEES; HEALTH CARE AUTHORITY; LABOR; LEGISLATURE; RETIREMENT AND PENSIONS; SCHOOLS AND SCHOOL DISTRICTS; STATE GOVERNMENT; UNEMPLOYMENT COMPENSATION; WAGES AND HOURS; WORKERS' COMPENSATION)
Collective bargaining unit representatives, for certain public assistance-related providers, recertification elections: HB 1953
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Collective bargaining, agreement digital copies, submission to PERC by educational employee organization: HB 1991
Collective bargaining, agreement digital copies, submission to PERC by public employers: ESB 5854
Collective bargaining, agreements with or without union security provisions, requirements: HB 1777
Collective bargaining, agreements, viewing on web site maintained by PERC: ESB 5854
Collective bargaining, assistant attorneys general: HB 2034
Collective bargaining, community and technical college academic employees, negotiating step increases for: HB 1863
Collective bargaining, court marshals of sheriff's offices, adding to uniformed personnel for bargaining: HB 1987, ***ESB 6092, CH 6 (2015)**
Collective bargaining, deauthorizing union security provisions: HB 2068
Collective bargaining, ferry employees, contract negotiations between employee organizations and certain persons: HB 2078
Collective bargaining, fish and wildlife commissioned enforcement officers: HB 1964, SSB 5763
Collective bargaining, language access providers of spoken language interpreter services, provisions: HB 1780
Collective bargaining, school district employees in connection with school employees benefits board: HB 1937
Collective bargaining, state, public web site for agreements: SSB 5081
Collective bargaining, unfair labor practices, ordering interest arbitration: HB 1230
Collective bargaining, uniformed personnel PERS or PSERS contributions, county agreeing to pay: HB 1986
Collective bargaining, union security provisions, prohibiting, exceptions: HB 1774
Collective bargaining, using agreements to establish prevailing rate of wage: HB 1231
Disabilities, persons with, state disability employment parity act: HB 1636
Disabilities, persons with, state employment disability parity act: ESB 5524
Dispatch operators, classifying as uniformed personnel for arbitration purposes: HB 1122
Educational employees, striking or refusing to perform official duties, prohibiting: HB 1242
Examinations, competitive, veterans' scoring criteria: HB 1117, SB 5074
Public policy, conduct promoting, protecting employees from employer retaliation for: HB 1894
Public servant, official oppression by, creating crime of, class C felony: HB 2200
Public service recognition week, commending public servants during: ***HR 4643 (2015)**
Restoration of opportunity, certificates of, comprehensive provisions: HB 1553
State employees and officers, earned vacation leave payments, delaying: HB 1050, HB 1188
State employees and officers, excess vacation days, transfer to sick leave bank, when: HB 2072
State employees and officers, gifts, including food and beverages, provisions: HB 1083, HB 1914
State employees and officers, postemployment disclosure statement: HB 1136
State employees, whistleblower protection, ex parte communications as improper governmental action, when: SB 5777
State officers, official duties of, modifying definition: ***ESSB 5785 (2015) V**
Unions, public sector, public disclosure of finances: ESB 5226
Veterans' preferences, civil service definition of "veteran" for, including certain voluntarily retired veterans in: HB 2101

PUBLIC EMPLOYMENT RELATIONS COMMISSION
Collective bargaining agreements, PERC web site for public viewing of: ESB 5854

Collective bargaining, agreements with or without union security provisions, requirements: HB 1777
Collective bargaining, unfair labor practices, ordering interest arbitration: HB 1230
Educational employees, collective bargaining agreements with, employer to submit digital copies to PERC: ESB 5854
Educational employees, employee organizations for, submitting agreement digital copies to PERC: HB 1991
Public employees, collective bargaining agreements with, employer to submit digital copies to PERC: ESB 5854
Unions, public sector, public disclosure of finances to commission: ESB 5226

PUBLIC FACILITIES DISTRICTS
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Convention center, expansion, tax deferrals: HB 1690
Expansion of districts, authorizing, when: HB 2102

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Aeronautics account, adjusting functions of: SSB 5324, ***ESSB 6057, CH 6 (2015)**
Agricultural local fund, depositing certain licensing moneys in: HB 2128
Aquatic invasive species management account, creating: HB 1118
Asset building assistance account, creating: ESSB 5899
Ballot measure account, creating: HB 1942
Bicycle and pedestrian grant program account, creating: HB 1300
Budget stabilization account, appropriations if state information systems breached, constitutional amendment: HJR 4203
Budget stabilization account, extraordinary revenue growth deposit in, transferring to general fund: HB 2223, HB 2268, ***EHB 2286, CH 2 (2015)**
Building code council account, depositing certain residential and nonresidential building permit fees: HB 1234
Cancer research endowment (CARE) fund, establishing: ***ESSB 6096, CH 34 (2015)**
Cancer research endowment fund match transfer account, creating: ***ESSB 6096, CH 34 (2015)**
Cancer, fund to fight cancer, establishing to fund cancer research, prevention, and care: HB 2194
Capital construction funds and accounts, state, inactive or obsolete statutes: ***EHB 1859, CH 4 (2015)**, SB 5723
Carbon pollution reduction account, creating: HB 1314
Certified public accounting scholarship transfer account, creating: HB 1814, ***SSB 5534, CH 215 (2015)**
Code officials apprenticeship and training account, creating: HB 1387
Connecting Washington account, creating: ***2ESSB 5987, CH 44 (2015)**
Connecting Washington account, transferring certain sales and use tax amounts from transportation projects to: ESSB 5990
Consolidated technology services revolving account, creating: HB 1391, ***E2SSB 5315, CH 1 (2015)**
Construction registration inspection account, creating: HB 1465
County government, investing funds through external investment pools: HB 1462
County road fund, authorizing certain marine uses by island counties: ***EHB 1868, CH 223 (2015)**
Criminal justice treatment account, using funds for chemical dependency treatment support services: HB 1598
Cybersecurity conditional loan account, creating: HB 2244
Data privacy enforcement account, creating: HB 2119
Data processing revolving fund, repealing: HB 1391, ***E2SSB 5315, CH 1 (2015)**
Dedicated local jurisdiction marijuana fund, creating for marijuana excise tax deposits: HB 1165
Dedicated marijuana account, renaming dedicated marijuana fund as: HB 2008
Dedicated marijuana fund, eliminating: ESSB 6062
Degree production incentive account, creating: HB 1303
Depositaries, out-of-state, deposit of public funds in: HB 1185
Depositories, public, reciprocal deposits, authority to arrange: HB 1304
Derelict vessel removal account, funding prevention programs from: HB 1256
Displaced worker training account, creation along with health security trust: HB 1025
Domestic violence prevention account, depositing certain fees in: EHB 1729, ***SSB 5631, CH 275 (2015)**
Early start account, creating: HB 1491, E2SSB 5452
Economic development strategic reserve account, post-wildfire recovery, where: HB 1125
Education construction fund, transferring certain funds to: HB 1992
Education legacy trust account, compensating higher education institutions for certain tuition revenue losses: HB 2201
Education legacy trust account, deposit of certain marijuana excise taxes into: ESSB 6062
Education legacy trust account, depositing capital gains tax revenues into: HB 1484, HB 2224

Education legacy trust account, depositing certain tax revenues in: HB 2224
Education legacy trust account, reducing deposits to: HB 1661, HB 1992
Education legacy trust account, repealing or narrowing certain tax preferences to increase deposits into: HB 2224
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Environmental legacy stewardship account, depositing certain excess funds in: ESSB 5991
Equipment replacement fund for replacing vote tallying equipment, authority to establish: HB 1849
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Essential rail assistance account, certain deposits from multimodal transportation account: HB 1623
Family and medical leave insurance account, renaming family leave insurance account: HB 1273
Fight cancer treasury fund, creating to receive certain tax revenue for appropriation into fund to fight cancer: HB 2194
Fund to fight cancer, establishing to fund cancer research, prevention, and care: HB 2194
Gambling revolving fund, distribution of lottery revenues to: ***ESSB 5681, CH 31 (2015)**
Habitat enhancement and leasing account, creating: HB 1000
Health districts, banking of funds, requirements: SB 5458
Health professional loan repayment and scholarship program fund, funding: HB 1080, HB 2065
Health security trust, creating certain accounts when creating: HB 1025
High-risk and young driver safety education account, creating: HB 1994
Housing trust fund, remitting percentage of public lands sales to: HB 2049
Housing trust fund, use of funds for housing assistance program, provisions: ***EHB 1633, CH 155 (2015)**
Industrial hemp account, creating: HB 1552
Industrial insurance administrative fund, creating: HB 1156
Internet crimes against children account, creating: HB 1281
Internet crimes against children account, Washington, creating: ***2SSB 5215, CH 84 (2015)**
Invest in Washington account, creating: SSB 5112, ***ESSB 6057, CH 6 (2015)**
Licensing and enforcement system modernization project account, creating: HB 1965
Linked deposit program, general rule-making authority for: HB 1415
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Board of education, duties of, reevaluation by legislature and transfer of appropriate duties to OSPI: HB 2117
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Clean energy education program, developing and establishing, OSPI role: ESSB 5113
Community learning center program, advisory council, OSPI to create: HB 1960
Computer science learning standards, adoption by OSPI: HB 1813
Data, disaggregated student data, requirements, superintendent role: HB 1541
Day, less than six hours of instruction, waiver to allow, prohibiting granting by OSPI: HB 1805
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Equity impact review process work group, OSPI to convene: HB 1899
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K-12 data governance group, data on student race and ethnicity, collection protocols and guidance: HB 1541
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Social emotional learning, K-12, work group to recommend benchmarks for, OSPI role: HB 1760, E2SSB 5688
Social media safety, common schools model curriculum for, preparation and availability of, OSPI role: HB 2254
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* - Passed Legislation

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Diabetes, multi-agency goals and benchmarks and agency plans, department role: HB 1835, SB 5689
Domestic violence, community-based services and emergency shelter programs, standards, department role: EHB 1729, ***SSB 5631, CH 275 (2015)**
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Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: HB 1678, ***ESSB 6138, CH 5 (2015)**
Repealing certain credits and exemptions, various: ***SSB 5275, CH 86 (2015)**
Scientific research and development, surtax, extending: HB 2224
Wholesalers, including digital products and services, nexus within state, economic standard for: ***ESSB 6138, CH 5 (2015)**

TAXES - CIGARETTES
Additional tax on cigarettes, imposing for appropriation into fund to fight cancer: HB 2194
Revenues, state match from, for cancer research: ***ESSB 6096, CH 34 (2015)**

TAXES - ENHANCED FOOD FISH
Revenues, depositing in state wildlife account: HB 1563, HB 1948

TAXES - ESTATE TAX
State estate tax, repealing: HB 2210

TAXES - EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TRANSPORTATION)
Capital gains tax, imposing, including related tax preferences: HB 1484, HB 2224
Financial firm investment or loan interest, reporting code for and taxes from, depositing in education legacy trust account: HB 2201
High capacity transportation systems, funding partly through excise tax revenues: HB 1180
Impact fees, payment through recorded covenant provisions: HB 1709
Improvements to tax code without affecting revenue collections, various: ***SSB 5275, CH 86 (2015)**
Liquor excise taxes, revenues, distribution from liquor revolving fund: HB 1517
Marijuana, recreational, excise tax on producers and processors, eliminating: ESSB 6062
Marijuana, recreational, excise tax on sales at retail, increasing rate: ESSB 6062
Marijuana, recreational, excise tax rate increases and seller remittance: HB 1334, HB 2162
Marijuana, recreational, excise tax revenues, cities or counties prohibiting businesses to receive no revenue: HB 1412
Marijuana, recreational, excise tax revenues, disbursement: HB 1165
Marijuana, recreational, excise tax revenues, disbursement for substance abuse programs: HB 1673
Marijuana, recreational, excise tax, exempting producers for certain sales: HB 1414
Marijuana, tribal marijuana tax, in connection with tribal-state agreements: ***HB 2000, CH 207 (2015)**
Nexus, new economic standard for, application to wholesalers, including digital products and services: ***ESSB 6138, CH 5 (2015)**
Nexus, remote seller collection of Washington sales tax, guidelines for: HB 2224, ***ESSB 6138, CH 5 (2015)**
Passenger-only ferry service districts, imposing excise taxes to fund: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**
Payment of excise tax, late, increasing penalties for: ***ESSB 6138, CH 5 (2015)**
Property, vacant or undeveloped agency-owned, agency payment in lieu of tax: HB 1905
Public utility districts, privilege taxation of, administration: HB 1549, SB 5542
Revenue, increasing by closing certain loopholes: ***ESSB 6138, CH 5 (2015)**
Streamlined tax administration and use of preferences for economic development: ***ESSB 6057, CH 6 (2015)**
Vapor products, tax on, imposing: HB 1645, HB 2211

TAXES - HAZARDOUS SUBSTANCE TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)
Distribution of revenues, to state and local toxics control accounts, adjusting limit: HB 1399

TAXES - LEASEHOLD EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)
Fair associations, nonprofit, rented property owned by, leasehold excise taxation of: ***ESSB 6057, CH 6 (2015)**

TAXES - LITTER
Waste and litter reduction, recycling, and composting, revenue use for: HB 1060

TAXES - LOCAL OPTION TRANSPORTATION
Commercial parking businesses, parking tax imposition by passenger-only ferry districts: HB 1221
Nonresidential parking facilities, local legislative authority imposition of tax on provision of: HB 2186
Revenue sources for transportation, various: HB 1300, HB 1757, ***2ESSB 5987, CH 44 (2015)**
Street utilities, repealing provisions: HB 1593
Transportation utility and utility service program, local option transportation revenues for: HB 1593
Vehicle fee, local annual, imposition by transportation benefit district: HB 1757

TAXES - LODGING TAX
Statewide tourism marketing program, lodging taxation provisions: HB 1938
Workforce housing, affordable near transit station, lodging tax use for loans or grants: HB 1223

TAXES - MOTOR VEHICLE EXCISE TAX
Regional transit authorities, motor vehicle excise tax imposition by: ***2ESSB 5987, CH 44 (2015)**

TAXES - MOTOR VEHICLE FUEL TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Additional and cumulative tax rate, imposing: ***2ESSB 5987, CH 44 (2015)**
Fuel taxes, administration, revision and consolidation effective dates, delaying various: HB 1993, ***SB 5297, CH 228 (2015)**
Refunds from motor vehicle fuel tax, increasing nonhighway fuel tax refunds: ***2ESSB 5987, CH 44 (2015)**
Refunds, basing on actual fuel taxes paid: HB 1738

TAXES - OIL SPILL RESPONSE TAX

Bulk oil terminals, adding to provisions: HB 1449, E2SSB 5057

TAXES - PROPERTY TAX (See also REAL ESTATE AND REAL PROPERTY; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Anticipated taxes and assessments, collection when recording boundary line documents, eliminating: HB 1798
Assessments, review of, commercial property filing charge waiver, requirements: HB 1658
Assessments, review of, commercial property rental income and expense statements, requirements: HB 1657
Assessments, review of, comparable sales and other valuation criteria, requirements for: HB 1656
Conservation futures program, parks and recreation land acquired through, maintenance and operations funds: HB 2079
Cultural access programs, property tax levies for: HB 1107, HB 2247, HB 2263, SSB 5463
Delinquent taxes, eliminating penalties for: HB 1333
Delinquent taxes, partial payment, methods for: SB 5654
Equalization, county boards of, procedures for petitions to and appeals before: HB 1656, HB 1657, HB 1658
High capacity transportation systems, funding partly through property tax levies: HB 1180
Improvements to tax code without affecting revenue collections, various: ***SSB 5275, CH 86 (2015)**
Levies, by regional transit authority: HB 1300
Levies, flood control zone districts, exempting from certain levy limitations: ***HB 1940, CH 170 (2015) PV**, SSB 5799
Levies, for emergency medical services, adjusting levy cap: HB 1251
Levies, limitation, impact on cities, counties, special purpose districts, and property owners, studying: HB 2258
Levy, state property tax, annual reductions: HB 1444
Payment of current or delinquent taxes, partial payment, methods for: SB 5654
Refunds of taxes paid, when property description in error: ***SSB 5276, CH 174 (2015)**
Waivers, hardship, for interest and penalties, modifying provisions: HB 1539

TAXES - PUBLIC UTILITY TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

County imposition of tax on utilities, when: HB 1133
Education legacy trust account, certain revenue deposits to, discontinuing: HB 1661, HB 1992
Public works assistance account, certain revenues deposits to, increasing: HB 1661, HB 1992
Renewable energy system cost recovery program, modifications: HB 1097, HB 2045

TAXES - REAL ESTATE EXCISE

Education legacy trust account, certain revenue deposits to, discontinuing: HB 1661, HB 1992
Public works assistance account, certain revenues deposits to, increasing: HB 1661, HB 1992
Revenues, use for city and county capital projects, expanding project range: HB 1789
Revenues, use for maintenance of city and county capital projects: ***EHB 2122, CH 10 (2015)**

TAXES - SALES (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE; TRANSPORTATION)

Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Cultural access programs, retail sales and use tax funding: HB 1107, HB 2247, HB 2263, SSB 5463
Higher education, certain percentage of sales tax revenues to support: HB 1810
Liquor sales, spirits, comprehensive tax reduction: HB 1680
Local sales and use, changes to, reducing frequency: SB 5511
Local sales and use, county, for affordable housing and mental and behavioral health services and facilities: HB 2263
Local sales and use, imposed for costs of services to newly annexed areas, restricting, when: HB 1576
Local sales and use, revenues for transportation utility: HB 1593
Marijuana, recreational, rate increase and seller remittance: HB 1334, HB 2162
Passenger-only ferry service districts, imposing sales and use tax to fund: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**

Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Public transportation benefit areas, imposing sales and use tax, conditions: HB 1393
Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Regional transit authorities, sales and use tax offset fee paid by, deposit: ***2ESSB 5987, CH 44 (2015)**
Regional transit authorities, sales and use tax offset fee paid by, deposit in new account: HB 2288
Remote sellers, collection of Washington sales tax, guidelines for: HB 2224, ***ESSB 6138, CH 5 (2015)**
Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: HB 1678, ***ESSB 6138, CH 5 (2015)**
Spirits, retail license fee, renaming as sales tax, with revenue for education: HB 1902
Tacoma Narrows bridge, state sales and use tax on project, repayment: HB 2143, ***2ESSB 5987, CH 44 (2015)**
Therapeutic courts, for dependency proceedings, sales and use tax for: HB 1305, ***SB 5107, CH 291 (2015)**
Tobacco taxation revenues, state match from, for cancer research: ***ESSB 6096, CH 34 (2015)**
Transportation projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: ESSB 5990
Transportation projects, sales and use taxes collected on, transfer to motor vehicle fund: HB 2163
Transportation purposes, bonds issued for, disallowing payment of sales and use taxes with proceeds: HB 1358

TAXES - SOLID WASTE COLLECTION
Education legacy trust account, certain revenue deposits to, discontinuing: HB 1661, HB 1992
Public works assistance account, certain revenues deposits to, increasing: HB 1661, HB 1992

TAXES - SPECIAL FUEL TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)
Additional and cumulative tax rate, imposing: ***2ESSB 5987, CH 44 (2015)**
Fuel taxes, administration, revision and consolidation effective dates, delaying various: HB 1993, ***SB 5297, CH 228 (2015)**
Handling losses, deduction for, repealing: HB 1892, ***2ESSB 5987, CH 44 (2015)**
Indian tribes, fuel tax agreements, authorizing, when: HB 1631

TAXES - TIMBER HARVEST EXCISE
Agreements, with Confederated Tribes of the Colville Reservation, governor authority to enter into: HB 1540

TAXES - TOBACCO PRODUCTS (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)
Additional tax on tobacco products, imposing for appropriation into fund to fight cancer: HB 2194
Revenues, state match from, for cancer research: ***ESSB 6096, CH 34 (2015)**

TAXES - USE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE; TRANSPORTATION)
Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Cultural access programs, retail sales and use tax funding: HB 1107, HB 2247, HB 2263, SSB 5463
Higher education, certain percentage of use tax revenues to support: HB 1810
Local sales and use, changes to, reducing frequency: SB 5511
Local sales and use, county, for affordable housing and mental and behavioral health services and facilities: HB 2263
Local sales and use, imposed for costs of services to newly annexed areas, restricting, when: HB 1576
Local sales and use, revenues for transportation utility: HB 1593
Passenger-only ferry service districts, imposing sales and use tax to fund: HB 1221, HB 1300, ***2ESSB 5987, CH 44 (2015)**
Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Public transportation benefit areas, imposing sales and use tax, conditions: HB 1393
Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**
Regional transit authorities, sales and use tax offset fee paid by, deposit: ***2ESSB 5987, CH 44 (2015)**
Regional transit authorities, sales and use tax offset fee paid by, deposit in new account: HB 2288
Tacoma Narrows bridge, state sales and use tax on project, repayment: HB 2143, ***2ESSB 5987, CH 44 (2015)**
Therapeutic courts, for dependency proceedings, sales and use tax for: HB 1305, ***SB 5107, CH 291 (2015)**
Tobacco taxation revenues, state match from, for cancer research: ***ESSB 6096, CH 34 (2015)**
Transportation projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: ESSB 5990
Transportation purposes, bonds issued for, disallowing payment of sales and use taxes with proceeds: HB 1358

TAXES, GENERALLY (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE)

Advisory votes on tax legislation, repealing: HB 1323
Forecasts, economic and revenue, on same date during all legislative sessions: HB 1477, SB 5064
Health security trust, repealing certain tax provisions with creation of: HB 1025
Improvements to tax code without affecting revenue collections, various: ***SSB 5275, CH 86 (2015)**
Legislation, tax increases, two-thirds majority for approval: HJR 4206
Streamlined tax administration and use of preferences for economic development: ***ESSB 6057, CH 6 (2015)**
Tax division of court of appeals, creating and transferring board of tax appeals to: HB 2111, 2SSB 5449

TELECOMMUNICATIONS

Call location and information, providing to law enforcement responding to emergency: ***ESSB 5158, CH 190 (2015)**
Cell phones and plans, employee mandatory use, reimbursement by employer: HB 1510
Cell site simulator devices, use without a warrant, prohibiting, exception: HB 1440
Electronic communications and data, secure from unreasonable searches and seizures, constitutional amendment to ensure: HJR 4200
Information technology infrastructure and security, governing body executive sessions concerning: HB 1561
Internet service providers, telecommunications services purchased or used or sold, sales and use tax exemptions: HB 2166
Intimate images, unauthorized distribution of, civil action for damages, when: HB 1624, HB 2160
Intimate images, wrongfully distributing, crime of: HB 1272
Personal wireless communications devices, using while driving, traffic infraction: ESSB 5656
Sexual act or intimate parts, criminal invasion of privacy via nonconsensual dissemination or disclosure of: HB 1788
Social media safety, common schools model curriculum for, preparation and availability of: HB 2254
State universal communications services program, expenditure limit: HB 1782, SSB 5670

TIME

Daylight savings time, year-round, requesting that Congress allow states to adopt: HJM 4001
Pacific standard time, year-round, to be time of state of Washington: HB 1479

TITLE ONLY BILLS

Capital budget act of 2015: HB 2188, HB 2189
Cities and counties, promoting fiscal sustainability of: HB 2156
City and county revenue flexibility, assistance, and options for fiscal sustainability: HB 2154
City and county service delivery improvement through revenue reforms: HB 2153
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Early childhood education and assistance program act: HB 2238
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Fiscal health of local governments, improving to ensure vital public services and high quality of life: HB 2157
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Funding education and essential public services through excise tax structure reform: HB 2229
Health care act: HB 2174, HB 2175
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Insurance for providers of commercial transportation services act: HB 2131
Investing in education and essential public services by modifying and improving the fairness of Washington's tax system act: HB 2269
Investing in education and essential public services through excise tax system fairness improvements: HB 2236, HB 2237
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Marijuana act of 2015: HB 1461
Marijuana, comprehensive reforms for well-regulated and taxed market: HB 2136
Modifying taxing authority of special purpose taxing districts: HB 2158
Natural resources act: HB 2176
Petition-based municipality annexation act of 2015: HB 2074

* - Passed Legislation

Revenue act: HB 2179, HB 2180
State general obligation bonds and related accounts act of 2015: HB 2187
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TOBACCO AND TOBACCO PRODUCTS (See also TAXES - CIGARETTES; TAXES - TOBACCO PRODUCTS)
Cigar lounge or retail tobacconist shop, retail license endorsement for, requirements: HB 1296
Tax revenues, state match from, for cancer research: ***ESSB 6096, CH 34 (2015)**
Tobacco and vapor products, raising legal smoking age for: HB 1458
Vapor product, definition, modifying: ESSB 5477
Vapor products, child-resistant packaging and labeling, advertising, and retail sales requirements: ESSB 5477
Vapor products, comprehensive regulation of, including tax to be imposed: HB 1645
Vapor products, selling or giving to minors and possession on public school property, prohibitions: ESSB 5477
Vapor products, tax on, imposing: HB 2211

TOURISM
Sports fishing tourism industry, steps to expand: HB 1660
State tourism marketing services, contracting for, tourism industry sectors to pay fees to fund: HB 1938
Statewide tourism marketing program, lodging taxation provisions: HB 1938
Tourism promotion areas, definition of "legislative authority," modifying: ***HB 1279, CH 131 (2015)**, SB 5819
Washington tourism marketing authority, creating: HB 1938

TOWING AND TOW TRUCKS
Deficiency claims after auction of private property impound, removing maximum limits for, when: SSB 5640
Nonimpound tow truck operators, licensing of: HB 1746, HB 1869
Office hours for tow truck operators, adding additional requirement: HB 1195, ***SB 5207, CH 227 (2015)**

TRAFFIC (See also MOTOR VEHICLES; TRAFFIC OFFENSES; TRAFFIC SAFETY EDUCATION)
Bicycles, stopping and proceeding through red light, allowing, conditions: ***SSB 5438, CH 32 (2015)**
Commute trip reduction, tax credit, extending: HB 1697
Commute trip reduction, tax credit, extending and modifying: HB 1822, ***2ESSB 5987, CH 44 (2015)**
Congestion relief and freight mobility improvement, transportation mobility policy goal to include: HB 1939, ***2ESB 5995, CH 16 (2015)**
Express toll lanes, I-405, toll-free travel on, when: HB 2289
High occupancy vehicle lanes, passenger requirements and hours of operation, procedures for changing: HB 1935
Limited access facilities, passenger requirements and hours of operation, procedures for changing: HB 1935
Mopeds, stopping and proceeding through red light, allowing, conditions: ***SSB 5438, CH 32 (2015)**
Motorcycles, helmets, limiting mandatory use to persons under 18: HB 1748
Motorcycles, helmets, rider liability for manufacturer compliance failure, removing: HB 1244
Motorcycles, motorcycle safety education advisory board, meeting times: HB 1655
Motorcycles, operating between lanes or passing in same lane: HB 1515
Motorcycles, passing in same lane occupied by vehicle, when: ESSB 5623
Motorcyclists, liability insurance, mandatory: HB 2094
Pedestrian fatality and serious injury review panel, convening: HB 2127
Pedestrian safety advisory council, convening: ***SSB 5957, CH 243 (2015)**
Unmarked vehicles, local peace officer authority to use: HB 1951

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24/7 sobriety program, provisions, revisions of: HB 1276
Child restraints or safety belts, failure to use, as evidence of negligence in civil action: HB 2278
Driving under age twenty-one after alcohol or marijuana consumption, provisions: ***SSB 6134, CH 35 (2015)**
Driving under the influence, alcohol and THC concentration blood tests, fee for: HB 1582
Driving under the influence, electronic or alcohol abstinence monitoring services, costs: ***SSB 6134, CH 35 (2015)**
Driving under the influence, felony, to be class B felony: HB 2280
Driving under the influence, fourth offense to be felony: 2SSB 5105
Driving under the influence, impaired driving provisions, comprehensive modifications: HB 1276
Driving under the influence, probable cause for arrest: HB 2279
Driving under the influence, vacating record of conviction: HB 1015, HB 1017

Forensic phlebotomists, collecting blood samples in connection with certain offenses: SSB 5066
Impaired driving, comprehensive modifications to provisions concerning: HB 1276
Infractions, additional fees for, deposit into motor vehicle fund: HB 1582
Infractions, monetary penalties, community restitution plan for paying, authorizing as alternative: HB 2085
License suspended, due to child support order noncompliance, driving when: ***HB 1282, CH 149 (2015)**, SB 5247
Operating vehicle while intoxicated, provisions: HB 1015, HB 1017
Personal wireless communications devices, using while driving, traffic infraction: ESSB 5656
Physical control of vehicle under the influence, provisions: HB 1015, HB 1017, HB 1276, HB 2279, ***SSB 6134, CH 35 (2015)**
Police vehicle, attempting to elude, sentencing enhancement for: HB 1330
Rental cars, violations applicable to, renter responsibility, when: ***SB 5100, CH 189 (2015)**
Safety belts or child restraints, failure to use, as evidence of negligence in civil action: HB 2278
Traffic safety cameras, use in school zones, requirements: EHB 1087
Traffic safety cameras, use of, eliminating: HB 1688
Traffic safety cameras, use of, requirements: ***2ESSB 5987, CH 44 (2015)**
Traffic safety cameras, use outside school zones, pilot program: HB 1007
Traffic safety cameras, yellow light intervals and fines, modifying: HB 1332

TRAFFIC SAFETY COMMISSION (See also ADMINISTRATIVE PROCEDURE)
Membership, governor's designee: SB 5046
Pedestrian fatality and serious injury review panel, commission to convene: HB 2127
Pedestrian safety advisory council, commission to convene: ***SSB 5957, CH 243 (2015)**

TRAFFIC SAFETY EDUCATION
High-risk and young driver safety education program, account, and traffic safety courses, creating: HB 1994
Young driver risk prevention traffic safety course, requiring, when: HB 1994

TRANSPORTATION (See also ENVIRONMENT; FERRIES; OIL AND GAS; PUBLIC TRANSIT; RAILROADS; ROADS AND HIGHWAYS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - LOCAL OPTION TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD; TRANSPORTATION, DEPARTMENT; UTILITIES AND TRANSPORTATION COMMISSION)
Apprenticeship programs for transportation workforce development, modifying: ***ESB 5863, CH 164 (2015)**
Art works or artistic designs, public, use of transportation funds for, prohibiting: HB 1326
Bistate megaproject, action by OFM when not fully funded: HB 1406
Bistate megaproject, development of: HB 1405
Bistate megaproject, work group for, establishing: HB 1404
Budget, 2015-2017: HB 1299
Budget, additive, 2015-2017: ***2ESSB 5988, CH 43 (2015) PV**
Budget, supplemental 2013-2015: HB 1297
Budget, transportation projects, general obligation bonds for: HB 1298, ***ESSB 5989, CH 45 (2015)**
Charter party and excursion service carriers, regulation of, various provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
Commercial transportation services providers, regulating of: ***ESSB 5550, CH 236 (2015)**
Common carriers, transportation of marijuana products, rules for licensing: HB 1776, HB 2162
Connecting Washington projects, projects identified as: ESSB 5991, ***2ESSB 5992, CH 14 (2015)**, ***2ESSB 5996, CH 17 (2015) PV**
Excursion service and charter party carriers, regulation of, various provisions: HB 1882, ***SSB 5362, CH 233 (2015)**
For hire vehicles, operators using personal vehicles, mandatory insurance coverage for each vehicle: HB 2018
For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821
Heavy haul industrial corridor, portions of SR 128 and 193, designating as: SB 5272
High capacity transportation systems, funding through tax revenues: HB 1180
Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821
Log transportation businesses, reduced public utility tax rate for: ***ESSB 6057, CH 6 (2015)**
Motor carriers, commercial vehicle proportional registration and reciprocity, updating provisions: HB 1993, ***SB 5297, CH 228 (2015)**
Projects of statewide significance, for transportation: ESB 5111
Projects, delivery of, streamlined approach to environmental decision making: ***2ESSB 5996, CH 17 (2015) PV**

Projects, DOT, coordinating SEPA and NEPA reviews, work group on: ***2ESSB 5994, CH 15 (2015)**
Projects, DOT, final permit determinations, city, town, or county deadline for: ***2ESSB 5994, CH 15 (2015)**
Projects, DOT, local shorelines review and permits exemption for: ***2ESSB 5994, CH 15 (2015)**
Projects, funded with bonds, disallowing payment of taxes with proceeds: HB 1358
Projects, public-private partnership, best practices for nontoll projects: HB 1218
Projects, review, permitting, and approval of, streamlining and efficiencies: ***2ESSB 5994, CH 15 (2015)**
Projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: ESSB 5990
Projects, sales and use taxes collected on, transfer to motor vehicle fund: HB 2163
Railroad employees, passenger-carrying vehicles for, regulatory provisions: HB 1808
Regional mobility grant program, selection criteria for: HB 1842
Regional transportation planning organizations, membership, voting and nonvoting: HB 1663, HB 2124
Rental cars, violations applicable to, renter responsibility, when: ***SB 5100, CH 189 (2015)**
Revenue, multiple sources and distribution through accounts and programs: HB 1300, ***2ESSB 5987, CH 44 (2015)**
Ride-sharing programs, participant personal information, disclosure: HB 1980
System policy goals, mobility as policy goal, revising: HB 1939, ***2ESB 5995, CH 16 (2015)**
Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821
Transportation benefit districts, border area, restricting use of certain fuel tax proceeds by: HB 1534
Transportation benefit districts, city or county assumption of rights and functions: HB 1757, ***2ESSB 5987, CH 44 (2015)**
Transportation benefit districts, local revenue options: HB 1300, HB 1757, ***2ESSB 5987, CH 44 (2015)**
Transportation benefit districts, rebate program, provisions: ***2ESSB 5987, CH 44 (2015)**
Transportation services providers, commercial, regulating of: ***ESSB 5550, CH 236 (2015)**
Transportation utility, street maintenance, creation of utility for: HB 1593

TRANSPORTATION COMMISSION (See also ADMINISTRATIVE PROCEDURE; ROADS AND HIGHWAYS; TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD; TRANSPORTATION, DEPARTMENT)
Public-private partnership projects, nontoll, best practices for, commission role: HB 1218

TRANSPORTATION IMPROVEMENT BOARD
Complete streets grant program, funding county road retrofit projects, board role: ***2ESSB 5987, CH 44 (2015)**

TRANSPORTATION, DEPARTMENT (See also ENVIRONMENT; ROADS AND HIGHWAYS; TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD)
Aircraft carriers, for military tribute bridge, DOT to contact U.S. Navy: HB 2123
Apprenticeship programs for workforce development, modifying, DOT role: ***ESB 5863, CH 164 (2015)**
Aviation airport aid grant program, funding with aircraft excise tax revenues: HB 1526
Design-build contracting, joint transportation committee to conduct review study: ***2ESSB 5997, CH 18 (2015)**
Duties, transportation-related, transferring certain duties from OFM to DOT: ***E2SSB 5315, CH 1 (2015)**
Electric vehicles, charging infrastructure, loan and grant pilot program, DOT role: HB 2087
Engineering and technical workforce, design-build procedure use staffing reductions: HB 1662
Fish passage barrier removal, environmental legacy stewardship account funding: ESSB 5991
Highway construction, design-build procedure for projects, DOT role: HB 1662, ***2ESSB 5997, CH 18 (2015)**
Highway construction, engineering errors, DOT reporting: ***2ESSB 5996, CH 17 (2015) PV**
Highway construction, practical design principles, DOT implementation: HB 2012
Highway projects, bridge construction or rehab by waterway, recreational access feasibility: ESB 6044
LEAN & performance & accountability approach, DOT duties: ***2ESSB 5996, CH 17 (2015) PV**
Projects, DOT, coordinating SEPA and NEPA reviews, work group on: ***2ESSB 5994, CH 15 (2015)**
Projects, DOT, final permit determinations, city, town, or county deadline for: ***2ESSB 5994, CH 15 (2015)**
Projects, DOT, local shorelines review and permits exemption for: ***2ESSB 5994, CH 15 (2015)**
Projects, review, permitting, and approval of, streamlining and efficiencies: ***2ESSB 5994, CH 15 (2015)**
Projects, streamlined environmental decision making approach, DOT role: ***2ESSB 5996, CH 17 (2015) PV**
Property of DOT, surplus, selling or exchanging, modifying provisions: ***ESSB 5820, CH 13 (2015)**
Public transit, central Puget Sound, DOT and municipality reporting: HB 1842
Regional mobility grant program, selection criteria for, DOT role: HB 1842
Royal Slope railroad right-of-way, transfer by DOT to Port of Royal Slope: HB 1586, SSB 5529
Shoreline management act, local review under, DOT exemption for certain projects and activities: HB 1850
Speed limit, on highways, increasing maximum for any highway, DOT authority for: ***HB 2181, CH 58 (2015) PV**

Storm water control facilities, rate charges paid by DOT, modifying provisions: ***SB 5314, CH 231 (2015)**
Storm water permit compliance, legacy, environmental legacy stewardship account funding: ESSB 5991
Surplus DOT property, former owner right of repurchase: HB 1585
Toll facilities, educational opportunity when toll payment is late, DOT to provide: ***SSB 5481, CH 292 (2015)**

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Conference of national association of state treasurers, soliciting moneys for: ***HB 1547, CH 45 (2015)**, SB 5587
Investment pools, external, investment of funds through, treasurer role: HB 1462
Linked deposit program, general rule-making authority of OMWBE for: HB 1415
Special purpose districts, treasurer distribution of certain revenues to, prohibiting, when: EHB 2084
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UNEMPLOYMENT COMPENSATION (See also EMPLOYMENT SECURITY DEPARTMENT)
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Sheriff's offices, court marshals of, adding to uniformed personnel for collective bargaining: HB 1987, ***ESB 6092, CH 6 (2015)**

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Electrical transmission lines, eminent domain proceedings for use of land for, option for property owner: HB 2047
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Public utility districts, privilege taxation of, administration: HB 1549, SB 5542
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Renewable energy system cost recovery program, modifications: HB 1097, HB 2045
Renewable energy systems, leased, requirements for utilities: HB 1097
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Renewable resource, eligible, carbon reduction investments as, with alternative compliance methods: ESSB 5735
Renewable resource, eligible, definitions and utility requirements, modifying: HB 2073, ESSB 5735
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Telecommunications, state universal communications services program, expenditure limit: HB 1782, SSB 5670
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College tuition and fees, waiver of portion, survivor eligibility for, when: HB 1644
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Department of veterans affairs, helmets to hardhats program, creating coordinator for: ***SSB 5633, CH 216 (2015)**
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Department of veterans affairs, role in student veterans support program: HB 1887
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Discover pass, complimentary, for service-connected 100% disability: SB 5137
Hayden, James, Retired Army Master Sergeant, honoring: ***HR 4617 (2015)**
Helmets to hardhats program, creating coordinator for: ***SSB 5633, CH 216 (2015)**
Hiring veterans, businesses engaging in, tax credits for: HB 1241, ***ESSB 6057, CH 6 (2015)**
Hiring veterans, campaign to increase, including database of participants: HB 2040
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Japanese-American World War II veterans, recognizing: ***HR 4613 (2015)**
Outdoor education and recreation grant program, prioritizing programs utilizing veterans: ***ESSB 5843, CH 245 (2015)**
Partners for veteran supportive campuses certificate, helping certain higher education institutions achieve: HB 1887
POW/MIA flag, national league of families', display requirements: HB 1621
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Property tax deferral and exemption programs, veterans with disabilities, income thresholds: HB 1155, HB 1161, HB 1427, ***SSB 5186, CH 30 (2015)**
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Uniformed services, role in definition of "resident student" for higher education tuition and fees purposes: ***ESSB 5355, CH 8 (2015)**
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Veterans benefits, credit toward child support obligations for: HB 1260, ***SB 5793, CH 124 (2015)**
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Veterans health benefits, federal, seeking for special commitment center health care costs reimbursement: HB 1775, ***SB 5693, CH 271 (2015)**

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Crime victims advocacy, office of, establishing criminal justice personnel training program on human trafficking laws: HB 2098, ***SSB 5933, CH 101 (2015)**
Crime victims advocacy, office of, to be state government contact for trafficking of persons, duties: ***ESSB 5884, CH 273 (2015)**

Domestic violence victims, community-based services and emergency shelter programs: EHB 1729, ***SSB 5631, CH 275 (2015)**
Human trafficking, state laws, criminal justice personnel training program on: HB 2098, ***SSB 5933, CH 101 (2015)**
Human trafficking, state task force against trafficking of persons, reestablishing: ***ESSB 5884, CH 273 (2015)**
Internet crimes against children, including sexual exploitation, new account to aid victims: HB 1281, ***2SSB 5215, CH 84 (2015)**
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Sex trafficking, commercially sexually exploited children statewide coordinating committee, extending expiration of: ***ESSB 5884, CH 273 (2015)**
Sex trafficking, Washington state clearinghouse on human trafficking, creating: ***ESSB 5884, CH 273 (2015)**
Sex trafficking, work group to study human trafficking of youth: HB 1139
Sexual assault and similar crimes, survivors on higher education campuses: ***SSB 5518, CH 92 (2015)**
Sexual exploitation and abuse of children, creating account to combat: HB 1281, ***2SSB 5215, CH 84 (2015)**
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Skagit, Skagit river basin instream resources protection rule: ESSB 5407
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Murder, second degree, murder of unborn quick child through actions against the mother, when: HB 1831
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Sexual violence, campus, task force on preventing, establishing: ***SSB 5719, CH 239 (2015)**
Sports, Colton High School Wildcats girls' basketball team, honoring: ***HR 4616 (2015)**
Sports, Mark Morris High School girls' basketball team, honoring: ***HR 4626 (2015)**
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